

ORDINANCE NO. 71

AN ORDINANCE PROVIDING FOR THE LICENSING, REGULATION AND CONTROL OF PAWNBROKERS AND FURTHER PROVIDING CANCELLATION OF LICENSES FOR FAILURE TO COMPLY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

SECTION 1. Any person who loans money on deposit of personal property; or who deals in the purchase of personal property on condition of selling same back again at a stipulated price; or who makes a public display at his place of business of the sign generally used by pawnbrokers to denote their business, to wit: three gilt or yellow balls; or who publicly exhibits any sign of money to loan on a pledge of personal property is hereby declared to be a pawnbroker.

SECTION 2. No person shall carry on or engage in the business of a pawnbroker in this City without having first obtained a license therefor from the City. For the purpose of defraying the expense of the supervision and licensing of pawnbrokers, a fee of \$50.00 shall be charged and collected upon the issuance of each license.

SECTION 3. Every person applying for a license to engage in or carry on a business of pawnbroker shall, before such license is issued to him, enter into bond to the City of Stilwell with some surety company, or with two or more good and sufficient sureties, residents of the City, in a penal sum of two thousand (\$2,000.00) dollars, conditioned that the applicant will strictly and faithfully observe all ordinances, regulations and requirements of the City and in relation to pawnbrokers or their business, and will pay all costs, fines and penalties incurred on account of his failure or neglect in that regard, and will pay all damages resulting to any person by reason of his wrongfully purchasing, taking or receiving in pledge or on deposit any stolen property or property of any minor. The bond shall be approved by the Mayor and be filed with the City Clerk and may be sued upon by any person damaged as aforesaid in the name of the City to the use of such person, but in no event shall the City be liable for any cost in such suit.

SECTION 4. Every pawnbroker shall keep at his place of business a register in which he shall enter in writing a minute description of all property taken, purchased or received as aforesaid, including all identification numbers that may be in or upon any article, together with the time said property is received and the name, age, nationality, color, and place of residence and street number, if within the City, of the person leaving the property, and also the amount loaned and the time when the loan falls due. The register shall be kept clean and legible. He shall make such entries at the time of the receipt of all property. Every entry shall be made in ink and shall not, in any manner, be erased, obliterated or defaced.

SECTION 5. The register shall, at all times, be kept open to the inspection of the Chief of Police and the Sheriff of Adair County, or his deputy, or any officer of the police force of this City, the City Attorney of this City, and the District Attorney of Adair County, and anyone authorized in writing for that purpose by the Chief of Police, which authority shall be exhibited to any such person or officer for inspection of any article purchased, taken or received by him.

SECTION 6. No pawnbroker shall purchase, take or receive any pledge or deposit of any article of property from a minor, or any stolen property, or property which, from any cause, he may have reason to believe or suspect cannot be lawfully or rightfully sold, pawned or pledged by the person offering it.

SECTION 7. A license is hereby required of every pawnbroker for each place where such business is transacted. It is unlawful for anyone to act as agent or solicit for any pawnbroker while such pawnbroker is engaged in such business at a place other than that specified in said license.

SECTION 8. If any pawnbroker, or his agent, servant or employee, with his knowledge, shall violate any of the provisions of this article or any of the statutes of the State of Oklahoma and be finally convicted in any court of record in this City or State or in the police court of the City of Stilwell, Oklahoma, or becomes a person of bad moral character in the conduct of a pawnbroker's business, it shall be sufficient to authorize the Mayor of the City of Stilwell, Oklahoma, to revoke his license and sufficient grounds for the refusal to issue a new license.

SECTION 9. Whereas, an immediate necessity exists for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED and APPROVED this 5th day of October, 1970.

Harold Moten
Mayor

(Seal)

ATTEST: D.B. GAINS
City Clerk

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