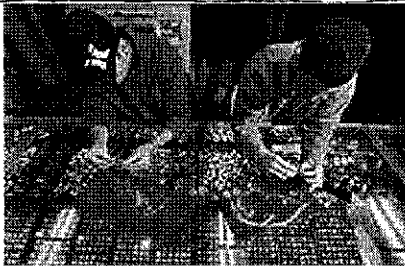


Pawn shops benefit as people mine their jewelry boxes for cash

Thursday, December 17, 2009 3:11 AM

By Steve Wartenberg

THE COLUMBUS DISPATCH

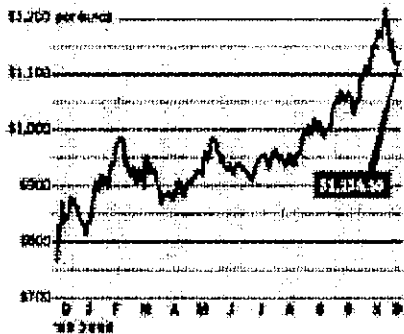


Jeff Hinckley | DISPATCH

Employees Bryan White, left, and Jake Kozberg sort through gold at Lev's Pawn Shop at 3446 E. Main St., where business is good.

Gold on the go

Gold has become an increasingly attractive investment, and with prices high, more people are selling their jewelry. Gold closed at \$1,136.50 yesterday on the New York Mercantile Exchange.



Sources: Kitco.com, American Gold Price THE COLUMBUS DISPATCH

Gold has been treasured for thousands of years, and with the price having recently topped \$1,200 an ounce, there's a new gold rush under way.

Central Ohioans are turning in their unwanted jewelry into cash, and not just through jewelry stores and mail-in offers. They're heading to pawnshops, too.

"The price has absolutely affected our business, and we are seeing a big increase in the number of people bringing in their gold," said Lou Tansky, president of the Ohio Pawnbrokers Association and owner of Uncle Ben's pawnshop in Cleveland.

He estimated business is up about 30 percent to 35 percent in recent months at his shop.

Business is also booming at Lev's Pawn Shop, a chain of 17 stores in central Ohio, said John Kinney, manager of the E. Main Street shop.

"We're seeing more people because we can loan them more - because the price is up so high," he said. "They can borrow amounts that mean something."

Mike Tocci of Mike's Pawn Shop also said he is seeing more gold - and better-quality items.

"We're seeing people who wouldn't have sold it before coming in, because of the money," he said. "Some figure, 'Hey, it's time to get rid of this big, ugly thing I never wear anymore, because it's worth more now than ever before.'"

In some cases, Tocci said, he can offer more for a piece of gold jewelry today than the owner paid for it at his shop a few years ago.

"That blows their minds," he said.

Gold sold for about \$800 a year ago and a bit more than \$400 in 2005.

The price usually rises in tough economic times.

Gold is measured in karats, with 24 considered pure. A 12-karat necklace is made up of equal parts gold and other metals.

"Most reputable pawnbrokers offer 60 (percent) to 75 percent of whatever the market is at that moment for a 24-karat piece and half of that for a 12-karat piece," Tansky said.

So, a 1-ounce chain that is 24-karat gold could fetch \$720 to \$900 when the price of gold is \$1,200 an ounce, while a 12-karat item could bring \$360 to \$450.

"But the market is so volatile and the price changes literally by the minute," Tocci said. "It can change 10 percent in a day."

The buying and selling of gold doesn't take place in a regulatory vacuum.

The Ohio Department of Commerce's Division of Financial Institutions issues licenses to and regulates pawnbrokers and precious-metal dealers.

"We're seeing a huge uptick in the number of license requests," said Leigh Willis, deputy superintendent for consumer finance of the Division of Financial Institutions.

The number of licensed pawnbrokers is 288, up from 167 on June 30, 2008; the number of licensed precious-metal dealers is 76, up from 23 on the same 2008 date, she said.

A pawnbroker's license costs \$800 initially and \$600 every two years thereafter, Willis said. A precious-metal dealer's license costs \$500 initially and \$300 a year.

The division is also seeing a lot more unlicensed activity, including local stores that decide to go into the gold-buying business.

Many shop owners don't know that they need a license to buy gold, Willis said.

"And we're seeing a lot more folks from out of state come in for the weekend, set up shop at a local hotel and buy gold," she said. "The problem for us is, we don't get a report about it until Monday, and by then, they're already gone."

Pawnbrokers must report all purchases to the police and hold an item for 15 days, according to state law. Then they can resell it in their shop or sell it to a refiner as scrap.

Customers can sell their gold outright to a pawnbroker or borrow against it.

In general, pawnbrokers offer a little less on loans than on outright purchases, Tansky said, because the dealer must hold on to the item for several months, in which time the price could go down.

There are steps consumers should take before selling their gold, Willis said.

"What we suggest is to check out the people you are doing business with, make sure they are licensed," she said.

Willis advises gold holders to shop around to get the best price.

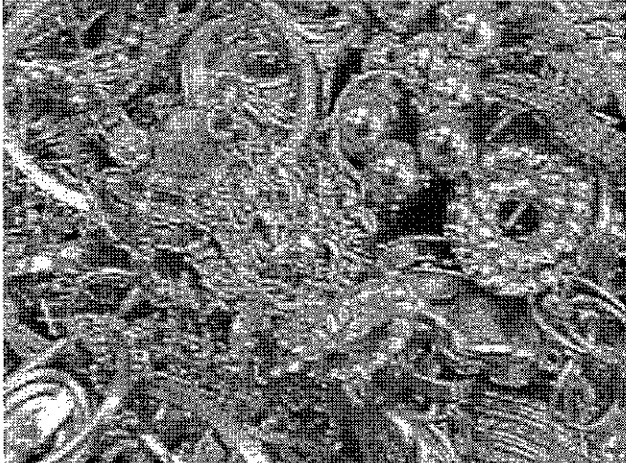
"And if you have a piece of gold with a stone or gem in it, they may not always pay you what it's worth," she said. "So either make sure to get more for it or have them remove it."

To find out if a pawnbroker or precious-metal dealer is licensed by the state, go to www.com.state.oh.us/fin/elicense.aspx or call the Ohio Division of Financial Institutions at 614-728-8400 or 1-866-278-0003.

swartenberg@dispatch.com

Victims Say Time For Action On Cash For Gold

Surae Chinn 8 months ago



LOUDOUN CO., Va (WUSA) – Crooks strike again. This time it was Thursday night in South Riding in Loudoun County.

As 9NEWS NOW first reported this summer, thieves hit 17 homes in Fairfax County, last week another 7.

And now, Loudoun County has been able to link three break-ins to the previous ones.

The Indian American community has formed a task force in hopes of catching these crooks. They have been targeted for their gold. Many in the community have jewelry that has been passed down from multiple generations.

They started a petition and there are now 850 signatures in the course of two days. They people who signed the petition are either concerned or victims of these crimes.

Now these victims such as Manashi Laha are pushing for legislation to regulate 'cash for gold' companies.

Laha says, "It's just all my grandmother's jewelry, my wedding jewelry and from my anniversary from my husband. All these things with sentimental value all

are gone."

A distraught Laha talks about crooks who ransacked her Loudoun County home.

More than 80 thousand dollars worth of Jewelry mostly gold and other items snatched by criminals.

Laha and others in the community says they're concerned cash for gold advertisements are giving crooks incentive to steal. That concern has now gotten the attention of lawmakers.

Delegates Tim Hugo and Tom Rust have held town hall meetings this summer in Fairfax.

Hugo says, "We gotta figure out how to stop these crimes. We assume they're melting it down so we have to think about how to stop it. "

Delegate Tim Hugo says he sent a letter yesterday in the hopes of getting the FBI involved since victims have had their passports and social security numbers stolen.

He's asked his staff to investigate the cash for gold businesses and says he wants to draft a bill to have more regulation in cash for gold industry.

Hugo says, "We are not saying it's an illegitimate business. We need to make sure we don't hurt the industry but we need to protect people in Fairfax, Loudoun County and Northern Virginia. We want to see if we can have similar regulation as pawn shops."

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Police say pawn shops are required to report every business transactions to police.

The price of gold In 2000 was \$272 dollars. It went up again in 2005 to \$445 and skyrocketed to \$1053 this year.

Written by Surae Chinn
9NEWS NOW & wusa9.com

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Committee recommends approval of stricter rules for gold buyers

Kenosha News

April 26, 2010

BY MATTHEW OLSON
molson@kenoshanews.com

Stricter regulations on gold buying and selling businesses in Kenosha got an initial approval Monday.

Kenosha's Licensing and Permit Committee unanimously recommended approving an ordinance from Alderman Dan Prozanski.

Prozanski's proposed ordinance would require stores that buy and/or sell secondhand articles and jewelry to take video or digital photos of items being brought in for sale and to take a photograph of the person coming in to sell goods.

The ordinance also would prevent items with damaged or missing serial numbers from being purchased and require businesses to conduct these transactions at a city-approved location.

Police officials have spoken out against transient gold buying and selling businesses, and the concern with stolen goods being exchanged, since shutting down such an event at a local hotel in February.

The committee added a few extra regulations on Monday, including:

- Requiring thumb prints from the gold or jewelry seller. Alderman Jesse Downing said this would prevent people from using fake identifications when selling materials.
- Not allowing payment on the sale of gold or jewelry to the seller until 72 hours after the sale and only paying that amount by check.

"We need to take away the immediate impulse," Alderman Michael Orth said.

Business booming

The proposed ordinance comes at a time when gold prices are high and more cash-for-gold businesses have been appearing.

The city has 12 active secondhand-article dealer licenses and five secondhand jewelry licenses, but have denied or deferred several recent applications, including deferring an application from USA Payday Loans, 6206 22nd Ave., for a secondhand jewelry dealer's license on Monday for 90 days.

"We have to take a stand and say, 'Enough is enough,'" said Alderman Patrick Juliana, whose district includes the USA Payday Loans store. "It detracts from the city, and it's getting out of hand."

The ordinance is set to go before the City Council for approval on May 17.

Liquor license deferred

Also on Monday, the committee voted to defer action on a beer and liquor license for Friends of Wisconsin, a restaurant at 7127 120th Ave., and recommended denying an application for Copa de Oro, 3029 52nd St., for the same license.

Committee members had questions about the amount of parking available at Friends, but no representative of the company was available at Monday's meeting. The application was deferred for two weeks. The business has applied for a beer and liquor license three times.

Copa de Oro was recommended for denial due to concerns from nearby residents.

Only one beer and liquor license is available in the city at this time.

newsbuzz

July 1, 2010

City leaders fear dirty gold

May 21, 2010

By Matt Hrodey

When the price of gold climbs above \$1,000 an ounce, you can expect to see more “cash for gold” storefronts cropping up in your neighborhood, says jeweler John Barnes. Milwaukee, like other cities, has seen an influx as the price of the precious metal climbs higher. But city officials might put the brakes on the industry, which they say promotes break-ins and theft.

Barnes, president of the Wisconsin Jewelers Association, says cash for gold and other secondhand jewelry stores have been on the rise in the area for about three years. Investors have bought up gold hoping the eternally coveted metal will hold its value through the recession. A weak U.S. dollar has also spurred the market, which tends to climb as the dollar falls.

Many people with jewelry to sell are cashing in on the high prices – and many gold dealers want to help them make that quick buck. “A lot of people are getting into the business,” Barnes says.

Too many, according to Aids. Terry Witkowski, Joe Dudzik, Jim Böhl and Nate Kovac. They’ve signed onto a proposed ordinance that would halt the issuance of new Precious Metal and Gem Dealer licenses for 180 days while the city convenes a task force to consider new regulations for gold and jewelry resellers. The moratorium would only affect stores that buy or sell secondhand jewelry, silver or gold.

“The presence of ‘cash for gold’ type business in a neighborhood is linked by many to increased home burglaries in the region surrounding the ‘cash for gold’ location,” the legislation says.

“Neighbors are pretty up-in-arms about gold resale,” says Dudzik, who represents a district on the city’s South Side. Late last year, Milwaukee police seized about 1,200 pieces of suspected stolen jewelry from four South Side jewelry stores. Citations to the store owners, who were accused of not properly documenting their purchases of the jewelry, totaled \$41,000.

On May 10, the Common Council’s Licenses Committee voted to renew but suspend the license of a gold buyer, Sam’s Discount, 1577 W. Greenfield Ave., for 90 days. Police had cited it for not documenting sales properly and continuing to operate after its license had lapsed. The council is scheduled to vote on the committee’s recommendation on Tuesday.

“Out of their trunks”

Dudzik says City Attorney Grant Langley’s office will need to review the legality of the temporary ban on new licenses. The alderman says the moratorium could be shortened (to something less than 180 days) before passage. “We’d like to get the idea (of a task force) out there first and see if the Common Council is agreeable to it,” he says.

The legislation will be introduced at Tuesday’s council meeting, according to Bohl, and assigned to a future Licenses Committee meeting. In its current form, it calls for representatives from Milwaukee police, the Department of City Development and the Department of Neighborhood Services to sit on the task force.

Barnes would also like to see the jewelry industry represented. According to Dudzik, city officials are still working out who will serve on the panel and what they’re going to discuss. But the major concern is that regulations for cash-for-gold stores don’t do enough to discourage illegal activity.

Precious Metal and Gem Dealer licenses cost \$125 and expire after a year. According to Milwaukee police, such stores are required to keep records of who they buy jewelry from and “a written declaration of ownership of the jewelry.” Dealers that only trade with other dealers aren’t required to get the license.

Barnes says he doesn’t object to a moratorium on the opening of new jewelry resale shops. “You can definitely flood the market. Putting a hold on it, you can reevaluate the market,” he says.

The licenses are only required of dealers who operate within “a fixed and regular place of business,” like a store. Barnes would like to see better regulation of more transient dealers.

“It would probably be better to regulate some of these people that work out of their trunks,” he says. “Those are sometimes the people engaging in buying jewelry that doesn’t belong to the person that’s selling it.”

Richard Pfaff, assistant manager of the city licensing division, says anyone selling jewelry on a sidewalk or other public space would still need a direct seller’s permit.

The black market in stolen jewelry is certainly thriving. Barnes says it’s not uncommon for a police officer from a town 30 miles away to call him looking for stolen jewelry. Conventional wisdom calls for victims of theft to check local stores and pawn shops, he says, but stolen jewelry doesn’t always end up on a store shelf.

Proposal targets gold | Milwaukee panel considers moratorium

Milwaukee Journal Sentinel (WI) - Wednesday, June 2, 2010

Author: TOM TOLAN, ttolan@journalssentinel.com, Milwaukee Journal Sentinel: Staff

Milwaukee aldermen, overwhelmed by the number of businesses seeking to buy used gold jewelry, are proposing a fourmonth moratorium on granting licenses for the firms and a revamping of city zoning rules and state laws that govern them.

The initiative, in a measure scheduled to come before the city's licensing committee Wednesday, is aimed at coming to terms with a major boom in goldbuying, as the price of the precious metal hovers in record territory, at more than \$1,200 per ounce. The moratorium measure also calls for a task force of officials from the Milwaukee Police Department and other city agencies to come up with better ways to regulate the businesses.

Ald. James Bohl, chairman of the Common Council's licenses committee and a co-sponsor of the moratorium, says that the number of applications for precious metals and gem dealer licenses has shot up recently.

"Two, three, four, five years ago, we would go years upon years and never have an application in front of us," he said. "Now we're seeing them every meeting." Or as Chuck Fletcher, a Greenfield police detective assigned to track second-hand jewelry buyers, put it: "A lot of people are hopping in the covered wagon looking for gold." The gold-buying business is booming throughout the area, says John Barnes, an Oconomowoc jeweler who is president of the Wisconsin Jewelers Association, in a way that it hasn't since the last big spike in gold prices, back in 1980. And the poor economy of the last year has led many established jewelry stores to enter the field, he said.

"Everybody has been forced to become buyers, even jewelers who, two years ago, rarely would they even touch scrap gold," Barnes said - citing Kessler's Diamonds as perhaps the area's major buyer.

Whom it affects

The lead sponsor of Milwaukee's moratorium proposal, Ald. Terry Witkowski, argues that gold-buying businesses threaten neighborhoods with increased burglaries by people looking to sell stolen jewelry, and drive down the quality of the business strips where they locate.

The movement for a moratorium initiative comes after the licenses committee, in a hearing May 10, denied a city precious metals and gem dealer license to an outlet on S. 27th St., in Witkowski's 13th Aldermanic District, of a large Illinois-based goldbuying firm.

Representatives of eight neighborhood groups in the district showed up to oppose the outlet. One, Christopher Kuester, even said he feared that S. 27th St. would look run-down if too many businesses similar to that were allowed to locate there.

There are already two gold-buying businesses along S. 27th St., but beyond the Milwaukee city limits. Witkowski testified that burglaries in the 6th Police District, the city's southernmost, dropped sharply since police cracked down in 2009 on south side jewelry stores in the business of buying gold, making undercover buys of what they said were stolen jewelry items.

The stores were accused of violating city rules that required them to get identification from sellers and keep the gold on hand for 15 days.

Three of the stores surrendered their licenses in January; the fourth had its license suspended.

Police Capt. Carianne Yerkes of the department's Criminal Investigation Bureau said that burglaries had dropped by 29% in the 6th District in 2010.

Large operator tests market

The firm at the May 10 hearing, Midwest Gold Buyers, is owned by twin brothers from the Chicago area who launched their company 21/2 years ago, when gold hit about \$950 an ounce. The company says its outlets are reputable and professional, have security cameras, and pay for gold with checks, not the cash that might draw criminals.

Besides buying gold jewelry out of storefronts and shopping mall kiosks, the firm also sponsors Tupperwarelike "gold home parties," where the host or hostess earns 10% commission on what the company buys, according to its website.

The firm is already operating 48 outlets, said Jake Sadoff, one of the firm's owners. Most stores are in the Chicago area, Sadoff said in a telephone interview, but there are also Wisconsin locations in Brookfield, Franklin, Greendale, West Allis and Kenosha. At the May 10 meeting, he described the firm as the biggest gold buyer in the Midwest.

Sadoff said in an interview that he and his brother Jordan, both 32, first got into business when they were in college, buying and selling Beanie Babies on the secondary market - a business they stayed in for 12 years.

Tony Colvin, a broker for Mid-America Real Estate who is handling site selection for Midwest Gold, said all but the Southridge site opened this year, and he added that the two City of Milwaukee locations the company applied to move into were the most difficult it's experienced.

The second Milwaukee outlet, at 3171 S. 76th St., was granted a license, but still faces an appearance before the city's Board of Zoning Appeals.

"Don't you think an occupied storefront that doesn't generate a ton of traffic should not be viewed as problematic to the community?" he argued.

Jake Sadoff put it another way: "Ald. Witkowski has been an absolute thorn in my side." A moratorium, meanwhile, might give the city time to redefine its zoning rules for these businesses, and petition the state for changes in the law. One change, suggested by Chuck Fletcher, a Greenfield detective who appeared at the May 10 hearing, is requiring jewelry buyers to feed a statewide database with images of the second-hand jewelry purchased by these outlets, as well as images of the person who sold the item to the store. Such a system has been put in place in Greenfield, he says, and he's already solved more than 40 burglaries and recovered \$184,226 in stolen property as of Thursday.

See the proposal online

To see the text of the proposed moratorium measure, go to jsonline.com/milwaukee.

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Caption: Kyla Cereceres at MGB Jewelers in Franklin demonstrates the use of a magnet to determine gold's validity. MARK HOFFMAN /MHOFFMAN@JOURNALSENTINEL.COM.

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West Allis

City is slowing the gold rush

City sets aside time to review second-hand store licensing, locations

By [MARK SCHAAF](#)

Posted: [June 21, 2010](#) | [\(0\) Comments](#)

West Allis — No more pawn shops and second-hand stores, including those that buy gold jewelry, can open in West Allis, at least for the time being.

Under a temporary moratorium passed by the Common Council on June 15, new businesses in those categories will have to wait until city officials have time to "consider if trends in the marketplace threaten to undermine the health, safety and welfare" of West Allis residents, according to the ordinance.

Officials said the city has not made plans to permanently ban those businesses, but other restrictions, such as their proximity to one another, may be considered.

Golden opportunities

The number of cash-for-gold businesses has gone through the roof in recent months as the price of gold has skyrocketed. Multiple businesses have opened in West Allis, particularly along Highway 100.

"With the recent increase in these types of businesses, we need to take a step back and look at our ordinances," Mayor Dan Devine said, to see if changes need to be made to regulate those stores.

Cash-for-gold stores often come attached with a stigma as well as worries about spikes in theft and selling stolen property, Devine added.

Officials are also concerned the city will see an explosion of those businesses concentrated in one area, like a number of payday loan stores opened on 108th Street years ago, Development Director John Stibal said.

West Allis put a distance requirement for loan stores to prevent more from clustering together. It is possible that pawn shops, thrift stores and second-hand jewelry stores will eventually be folded into that ordinance, Stibal said.

Car sales and service too

In a separate measure, the council passed a moratorium on vehicle sales and repair businesses in the C-4 commercial district, which encompasses Highway 100 from Lincoln to Morgan avenues.

The vehicle sales moratorium was enacted because West Allis already has many of those businesses and officials want to improve existing places, Stibal said.

City staff will spend the next several months exploring how to make current vehicle sales and repair shops on Highway 100 more "neighborhood friendly," especially in terms of landscaping and architecture, Stibal said.

What now?

The Common Council unanimously adopted the moratoriums, which will be in effect for the next 90 days and could be extended for another 90 days.

Stibal said it will probably take the full six months until new regulations, which need Plan Commission review and Common Council approval, are put into place.

On each moratorium, a group of representatives from various city departments will form to review the licensing policy. In the meantime, all current and future applications for operational licenses will be put on hold.

This isn't the first time West Allis officials have moved to limit opening certain types of businesses.

In addition to payday loan restrictions, aldermen three years ago banned thrift stores and pawn shops from opening downtown. In 2008, the council passed an ordinance restricting tattoo and body-piercing businesses to the southern half of Highway 100.

Find this article at:

<http://www.westallisnow.com/news/96840534.html>

Check the box to include the list of links referenced in the article.

CHAPTER 6.74 - SECONDHAND DEALERS

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- 6.74.200 - Violation—Penalty.

6.74.010 - Privileged business finding.

The City Council finds that the business of secondhand dealers seriously affects the well-being of the City and its residents; that it is necessary to regulate such activities carefully to ensure that persons of honesty and integrity are operating such businesses; and that they are operated in a manner which is responsible to the public. Therefore, secondhand dealers (other than Class IV secondhand dealers) must comply with Chapter 6.06.

(Ord. 5060 § 1, 1998; Ord. 3612 § 1, 1991; Ord. 2196 § 2 (part), 1981; prior code § 5-8-1)

6.74.020 - Definitions.

As used in this Chapter, unless the context otherwise requires, the following words shall have the meaning ascribed to them as follows:

"Advertise" means the use of any newspaper, magazine or other publication, letter, sign, card or other printed matter, radio or television transmission or any other method to bring to the attention of the public that a person is engaged in the business of:

- (A) Buying, selling or trading hides or junk; or
- (B) Buying, selling or trading metal junk, melted metal or secondhand personal property, including, without limitation, antiques and collectibles.

"Antique" means a unique object of personal property that is not less than sixty years old and has special value primarily because of its age.

"Collectible" means an object of personal property that has special value primarily because of its unique characteristics and the high level of demand for the object.

"Identifiable" means secondhand personal property which bears a serial number or personalized initials or an inscription and includes secondhand personal property which, at the time it is acquired by the secondhand dealer, bears evidence of having had a serial number or personalized initials or an inscription.

"Junk" means old iron, copper, brass, lead, zinc, tin, steel and other metals, metallic cables, wires, ropes, cordage, bottles, bagging, rags, rubber, paper, and all other secondhand, used or castoff articles or material of any kind.

"Precious metals" means gold, platinum, silver and their alloys.

"Secondhand dealer" means any person engaged in whole or in part in the business of buying, selling or trading secondhand or used personal property, including, without limitation, hides, junk, metal junk, melted metals, antiques and collectibles.

(Ord. 5998 § 133, 2008: Ord. 5060 § 2, 1998: Ord. 3612 § 2, 1991: Ord. 3020 § 2, 1982: Ord. 2196 § 2 (part), 1981: prior code § 5-8-2)

6.74.030 - License required.

No person shall:

(A)

Engage in the business of a secondhand dealer without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code; or

(B)

Advertise as a secondhand dealer unless the person holds a valid license to engage in such business. The number of the dealer's business license shall be included in all of his advertising material.

(Ord. 3612 § 3, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-8-3)

6.74.040 - Exemptions.

This Chapter does not apply to:

(A)

Dealers of used vehicles as to those activities permitted by a license issued by the State Department of Motor Vehicles pursuant to NRS 482.322 but not as to those activities referred to in Section 6.74.060;

(B)

The buying, selling or trading by a licensed business of used articles which were acquired as a trade-in or a credit upon the purchase of a new article of the same kind on a one-for-one basis;

(C)

The taking in pawn or the selling of unredeemed personal property by a licensed pawnbroker pursuant to Chapter 6.60;

(D)

The buying, selling or trading of used books, newspapers and periodicals;

- (E) The buying, selling or trading of coins which are not a part of any jewelry;
- (F) The buying, selling or trading by a licensed retail business of used video games, videotapes, cassettes, digital video discs, compact discs or sound recordings which have been purchased (or received as trade-ins) from its retail customers, provided that credit only has been given as consideration for the purchases or trade-ins, which credit then can only be used by its retail customers for the rental or purchase of new or used items referenced in this Subsection at any of its licensed business premises.
- (G) A convention or trade show not exceeding fourteen days in length, provided that convention or trade show exhibitors do not purchase secondhand or used personal property at the convention or trade show; or
- (H) A person selling used or personal property under the umbrella of another licensee's gift and novelty or Class IV secondhand dealer license, provided the sales are made at the main business premises of the gift and novelty or Class IV secondhand dealer licensee and the person does not purchase used or personal property at the main business premises of the licensee.

(Ord. 5823 § 1, 2006: Ord. 5060 § 3, 1998: Ord. 3020 § 3, 1982: Ord. 2196 § 2 (part), 1981: prior code § 5-8-4)

6.74.050 - Prohibited location.

A secondhand dealer's license must not be issued to a location on Fremont Street or on Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue, unless a variance has been granted, in accordance with the provisions of Title 19, permitting such use at that location.

(Ord. 3816 § 1, 1994: Ord. 2196 § 2 (part), 1981: prior code § 5-8-5)

6.74.060 - Class I licenses.

Class I is divided into the following subclasses:

- (A) Class I-A permits secondhand dealers who dismantle, scrap, process, wreck or disassemble used vehicles and sell the dismantled, wrecked or disassembled parts and accessories, and all secondhand dealers who handle or deal in the salvaging of all other articles including metals (except precious metals), lumber and junk;
- (B) Class I-B permits secondhand dealers of the parts and accessories of used vehicles who do not dismantle, scrap, process, wreck or disassemble said vehicles.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-6)


6.74.070 - Class II licenses.

Class II licenses permit secondhand dealers of any of the following used articles: wearing apparel, furniture, fixtures, appliances, tableware, office supplies, pictures, paintings, jewelry, cutlery, guns or other secondhand articles except those which fall within Class I.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-7)

6.74.080 - Class III licenses.

Class III is divided into the following subclasses:

(A)


Class III-A permits secondhand dealers who deal exclusively in any one or more of the following kinds of secondhand articles: precious metals, precious or semiprecious gem stones, or articles made wholly or in part of precious metals and/or precious or semiprecious gem stones, including but not limited to jewelry, cutlery, tablewares, housewares, ornaments and decorations;

(B)

Class III-B permits secondhand dealers other than those in Class I and those in Subclass III-A who deal in one specific kind of used article and no new articles;

(C)

Class III-C permits businesses in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. The sale of secondhand or used articles shall be incidental to the sale of new articles if no more than twenty-five percent of the gross sales of the business for any six-month period is attributable to the sale of used articles.

(Ord. 3020 § 4, 1982: Ord. 2196 § 2 (part), 1981: prior code § 5-8-8)

6.74.085 - Class IV licenses.

Class IV licenses permit secondhand dealers who deal exclusively with antiques or collectibles, or a combination of antiques and collectibles.

(Ord. 5060 § 4, 1998)

6.74.090 - Bond.

Each applicant for a Class I, Class II, and Class III-A secondhand dealer's license must file and each such licensee must maintain a surety bond with the Department in the sum of five thousand dollars with surety acceptable to and approved by the City Attorney. Such bond must be conditioned to be paid to the City or to any person suffering injury by reason of any violation of the provisions of this Code by the principal, his agents or employees, and that the principal therein named will faithfully conform to any conditions or restrictions that may be placed upon the principal's license.

(Ord. 3612 § 4, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-18-16)

6.74.100 - Fee for license.

Each secondhand dealer must pay to the Department in advance, semiannually, a license fee based on the dealer's gross sales pursuant to LVMC 6.04.005.

(Ord. 5060 § 5, 1998: Ord. 3612 § 5, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-8-17)

6.74.110 - Transaction records—Books—Access.

(A)

Every secondhand dealer shall maintain in his place of business a book or other permanent record in which must be legibly written in the English language, at the time of each purchase, a record thereof containing:

(1)

The date and time of each transaction;

(2)

The name, age, driver's license number, house number and street and a general description of the complexion, color of hair and facial appearance of the person with whom the transaction is had;

(3)

The license number of the vehicle delivering each purchase, if the transaction involves household furniture;

(4)

A description of the property bought; and

(a)

In the case of watches, the description must contain the name of the maker and the number of the works or the case; and

(b)

In the case of jewelry, the description must contain all letters and marks inscribed on the jewelry; and

(c)

When the article bought is furniture or the contents of any house or room actually inspected on the premises, a general record of the transaction is sufficient;

(5)

The price paid;

(6)

The name or other identification of the person or employee conducting the transaction, who shall legibly print or type his full name and write his signature on the transcript. Each transcript must include a certificate, signed by the person selling the property to the secondhand dealer, stating that he has the legal right to sell the property.

(B)

The record and all goods received must at all times during the ordinary hours of business be open to the inspection of Metro.

(C)

The provisions of this Section do not apply to any transaction which involves buying, selling or trading used sound recordings or clothing.

(Ord. 5998 § 134, 2008: Ord. 3612 § 6, 1991: Ord. 3070 § 1, 1983: Ord. 2196 § 2 (part), 1981: prior code § 5-8-9)

6.74.120 - Transaction records—Daily police report.

(A)

Every secondhand dealer shall, on forms acceptable to Metro, and before the hour of twelve noon of each day, furnish, by mail or any other means, in duplicate to Metro a full, true and correct transcript of the record of all transactions had on the preceding day.

(B)

Every secondhand dealer having good cause to believe that any property in his possession has been previously lost or stolen shall forthwith report that fact to Metro, together with the name of the owner if known, and the date when the name of the person from whom he received the property.

(Ord. 5998 § 135, 2008: Ord. 3612 § 7, 1991: Ord. 3070 § 2, 1983: Ord. 2196 § 2 (part), 1981: prior code § 5-8-10)

6.74.130 - Keeping and inspection of goods.

Every secondhand dealer must keep without concealment property that is identifiable for a period of thirty days after the receipt thereof has been reported or a record of the receipt of the property is furnished or mailed to Metro and before selling, shipping or otherwise disposing of the same. While in the possession of any secondhand dealer, all goods shall remain subject to inspection by Metro during normal business hours.

(Ord. 5998 § 136, 2008: Ord. 3769 § 1, 1994: Ord. 3612 § 8, 1991: Ord. 3070 § 3, 1983: Ord. 2196 § 2 (part), 1981: prior code § 5-8-11)

6.74.140 - Fence or wall required when.

Each premises or enclosure, except a completely enclosed building, used in the conduct of a Class I secondhand dealer's business, must be enclosed by a fence or wall at least eight feet high erected in such a manner as to obscure the premises from public view. Such fence or wall shall be maintained, at all times, in good condition by the licensee.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-12(A))

6.74.150 - Storage of dismantled parts.

It is unlawful for any licensee to pile or store any dismantled motor vehicle or trailer parts in piles exceeding eight feet in height or nearer than two feet from any fence or wall.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-12(B))

6.74.160 - Vehicle and trailer license plates.

Each holder of a Class I secondhand dealer's license shall promptly deliver to Metro or the Department of Motor Vehicles all motor vehicle and trailer State license plates attached to any motor vehicle or trailer received by him for resale, exchange, wrecking or dismantling.

(Ord. 5998 § 137, 2008: Ord. 3612 § 9, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-8-13)

6.74.180 - Clothing preparation.

No secondhand dealer shall sell or offer for sale any clothing until the same has been cleaned, pressed and mended.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-15)

6.74.190 - Unlawful acts.

It is unlawful for any secondhand dealer or any clerk, agent or employee of a secondhand dealer to:

- (A) Omit making an entry of any material matter in his book or record kept as provided for in Section 6.74.110;
- (B) Make any false entry in his book or record;
- (C) Obliterate, destroy or remove from his place of business the book or record;
- (D) Refuse to allow Metro to inspect the book or record or any goods in his possession, during the ordinary hours of business;
- (E) Report any material matter falsely to Metro;
- (F) Omit reporting forthwith to Metro the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, and the date when and the name of the person from whom he received the property;
- (G) Violate Section 6.74.130;
- (H) Receive any property from any person under the age of eighteen years, any common drunkard, any habitual user of controlled substances as defined in Chapter 453 of NRS, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen property, or any known associate of a thief or receiver of stolen property, whether the person is acting in his own behalf or as the agent of another.

(Ord. 5998 § 138, 2008: Ord. 3612 § 10, 1991: Ord. 3070 § 4, 1983)

6.74.200 - Violation—Penalty.

Whenever in this Chapter any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this Chapter the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing

of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this Chapter shall constitute a separate offense.

(Ord. 3612 § 12, 1991)