

CHAPTER 10 - GENERAL LICENSING & LICENSING BOARDS

ARTICLE 17 - SECOND HAND DEALERS AND PAWNBROKERS

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Section 10-17-101 Definition.

Any person who loans money on deposit or pledge of personal property, or who deals in the purchasing of personal property on condition of selling the same back again at a stipulated price, or who loans money secured by lien on personal property, taking possession of the property or any part thereof so mortgaged, is hereby defined and declared a pawn broker, and shall, before engaging in such business, obtain a license to do so as set forth in this article.

Source: Rev. of Ord., 1990.

Section 10-17-102 Second hand dealers License-Exemptions.

Every person who shall be engaged in the business of dealing in second hand goods, shall, before engaging in such business, obtain a license to do so as set forth in this article, provided that this section shall not apply to licensed automobile dealers, non-profit charitable organizations, retail business where the sale of second hand goods comprises less than 25% of sales, or the sale of used books or clothing.

Source: Rev. of Ord., 1990.

Section 10-17-103 Second hand dealers and pawnbrokers-Bond.

Before any license shall be issued to any person for doing business as a dealer in second hand goods or pawn broker, they shall file with the City Finance Officer a bond in the sum of one thousand dollars (\$1,000.00), the form of which bond shall be approved by the Board of Commissioners. It shall be a condition of such bond that the principle named therein shall observe and abide by the ordinances of the City regulating pawnbrokers and dealers in second hand goods, and will as required by law, account for any merchandise, article or property which comes into their possession through their business as such pawnbroker or dealer in second hand goods. It shall be a further condition of such bond that a principle who fails to deliver said merchandise, article or property to the person lawfully and contractually entitled thereto will pay in money to such person the fair market value thereof.

Source: Rev. of Ord., 1990.

Section 10-17-104 Second hand dealers and pawnbrokers-Fees.

Any person applying for a pawnbrokers license must pay the sum of twenty-five dollars (\$25.00) annually as a license fee at the time of making application for said license, and any person applying for a license to engage in the business of dealing in second hand goods shall pay the sum of twenty-five dollars (\$25.00) annually to be deposited at the time of making application for said license. Both licenses shall expire on December 31 following the year of issuance.

Source: Rev. of Ord., 1990.

Section 10-17-105 Second hand dealers and pawnbrokers-Records.

Every person who shall be engaged in the business of pawnbroker as defined in this article, and every dealer in second hand goods, shall keep a record which shall be clearly written in ink at the time of each loan or purchase, an accurate account or description, in the English language, of the goods, articles or other things pawned, pledged or purchased, the amount of money loaned or paid therefore, the time of the receipt of same, and the name, residence and description of the person pawning, pledging or selling the same; which record as well as the article pawned or purchased, shall at all reasonable times be open to inspection of the Mayor or any member of the Police Department.

Source: Rev. of Ord., 1990.

Section 10-17-106 Second hand dealers and pawnbrokers-Receipts.

Every pawnbroker or dealer in second hand goods, purchasing or receiving on deposit for a loan any article or personal property, shall give the person selling or depositing such article or personal property a plain written or printed ticket supplied by the City of Pierre, showing the terms and amount of such sale or loan and a description of the property purchased or deposited as security for the loan. A copy of said ticket shall be given to the Pierre Police Department in a timely manner designated by the City for comparison against stolen property files.

Source: Rev. of Ord., 1990.

Section 10-17-107 Display of Pawnbroker sign.

No person or persons shall exhibit and maintain any sign usually known as a pawnbroker sign, such as three (3) balls or any number of balls, or in any manner advertised to loan money on deposit or pledge of personal property or other valuable things, without first having obtained from the City a license agreeable to and in conformity with this article.

Source: Rev. of Ord., 1990.

Section 10-17-108 Purchase From minors.

No pawn broker or dealer in second hand goods may purchase or receive on deposit any personal property, goods, wares, merchandise, articles or thing from a minor, unless the parent or guardian of the minor give their written consent for such transactions.

Statutory Reference: Power of City to forbid the purchase from minors of articles without the consent of their parents, SDCL 9-34-9.

Source: Rev. of Ord., 1990.

Section 10-17-109 to 199, inclusive. Reserved.