

**GENERAL ORDINANCE NO 4, 2016**

*General Ordinance 4, 2016* is an Ordinance that amends Chapter 115 of the Code of Ordinances pursuant to licensing and monitoring of pawn shops and pawn brokers.

**WHEREAS;** the City encourages local businesses to open and sell goods; and

**WHEREAS;** the City must control activities associated with local business to maintain a positive demeanor when it comes to the general public; and

**WHEREAS;** the City does not currently address businesses such as pawn shops and or individuals who are represented as pawnbrokers; and

**WHEREAS;** the City desires to monitor all businesses to protect the general public.

**NOW THEREFORE BE IT ORDAINED** that the Common Council desires to amend Chapter 115 of the Code of Ordinances concerning "Dealers in Second Hand Goods".

**NOW THEREFORE BE IT FURTHER ORDAINED** that the Common Council desires that the following amendments be added to Chapter 115 of the Code of Ordinances.

**DELETE Sections 115.37 License Fees, Section 115.38 Acquiring Property, Section 115.39 Record of Receipts, and Section 115.40 Retention of Property.**

**REPLACE WITH THE FOLLOWING:**

**Section 115.37 PAWNBROKER OR PAWN SHOP**

- (A) An annual license fee of \$320.00 shall be required of any person(s) who conduct business as a pawnbroker or opens a pawn shop in the City of Beech Grove.

### **Section 115.38 PAWNBROKER OR PAWN SHOP OPERATIONS**

- (A) The Chief of Police, Department of Compliance, Fire Prevention Bureau, and the Clerk Treasurer's Office or their designee shall as often as deemed necessary conduct inspections or conduct other activities pursuant to matters concerning the investigation of a crime, prevention of crime, operational matters and proper filing of any and all paperwork.
- (B) The license period begins on January 1<sup>st</sup> of each calendar year and ends on December 31<sup>st</sup> of the same year. Pro-rated fees shall be calculated, by the month if the business or person starts their business up during the course of the first year with no refunds.
- (C) The license shall be issued by the Clerk Treasurer after the Chief of Police has conducted a review of the application, an inspection has been conducted by the Department of Compliance / Fire Prevention Bureau and such application has been approved by the Board of Public Works and Safety.

### **Section 115.39 RECORD OF RECEIPTS AND RETENTION OF PROPERTY**

- (A) All pawn shops and all pawnbrokers must register with and report their transactions to an on-line investigation and retail tracking system. Such on-line investigation and tracking system used must be approved by the Chief of the Beech Grove Police Department and in accordance with all state laws concerning the cooperation with law enforcement investigations, documentation, and item retention.

### **Section 115.40 PENALTY**

- (A) Any business or person(s) violating this chapter may have their license and or permits revoked after a hearing and shall be fined a sum of \$100.00 per day, but not more than \$2,500.00 and costs. Any person(s) who are not licensed and found to violate this chapter shall be fined, after hearing, the sum of the applicable license fee and permit fees, but not more than \$2,500.00 and costs. Each day that the violation occurs or continues shall constitute a separate offense.

**NOW THEREFORE BE IT ORDAINED** that the Common Council desires to amend Chapter 115 of the Code of Ordinances for the City of Beech Grove.

**NOW THEREFORE BE IT FURTHER ORDAINED** that this ordinance only applies to Chapter 115 of the Code of Ordinances and no other ordinance.

**NOW THEREFORE BE IT FURTHER ORDAINED** that this ordinance shall go into effect 30 days after passage by the Common Council, signed by the Council President Pro-Tem, attested by the Clerk Treasurer and signed by the Mayor.