



CO00021998

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED
ORDINANCE NO 94-047

AMENDING SNOHOMISH COUNTY CODE CHAPTERS 6.01, 6.19 AND 6.20
RELATING TO THE LICENSING OF SECONDHAND DEALERS

BE IT ORDAINED:

Section 1. Snohomish County Code Section 6.01.010 last amended by Ordinance 91-102 on July 31, 1991 is amended to read:

6.01.010 Definitions. In this title, the words and phrases used, unless the context otherwise indicates, shall have the following meanings:

(1) "Abatement" means the termination of any license or permit violation by lawful and reasonable means as determined by the licensing authority or his duly appointed representative.

(2) "Adult dog or cat" means any dog or cat six months of age or older.

(3) "Agricultural pursuits" means where land is primarily used in the production of crops and livestock or fur farming.

(4) "Amusement" means any act or event causing or inducing relaxation and gaiety.

(5) "Amusement device" means any coin-operated or remote controlled machine, device, contrivance, apparatus or appliance, mechanical, electrical or hand propelled, designed to be used in whole or part as an instrument or instrumentally for engaging in the use and exercise of skill by one or more persons in playing a game for the amusement and entertainment of the play or players and which is maintained commercially for such purpose.

(6) "Amusement device distributor" means any person who leases to, or places with others, any amusement device for use, play or operation.

(7) "Amusement device operator" means any person who operates, rents or possesses one or more amusement devices.

(8) "Animal" means any member of the classes: amphibian, fish, reptile, bird, or mammal, except man.

(9) "Animal control agency" means the Snohomish County animal control agency created and perpetuated to enforce the provisions of the Snohomish County Code and laws of the state of Washington as they pertain to animal welfare.

(10) "Animal control officer" means any individual employed, contracted or appointed by the animal control agency for the purpose of enforcing this code or any other code.

~~((11) "Antique" means any article that because of its age, rarity, or historical significance has a monetary value greater than its original value, provided that for the purpose of this code the term "antique" shall not include automobiles.))~~

~~((12) "Antique dealer" means any person engaged, in whole or in part in the business of purchasing, selling, trading, or bartering antiques, provided, that the term shall not apply to any person who is defined as a swap meet operator or vendor or an intermittent seller under this section.))~~

~~((13))~~ (11) "Applicant" means any person, partnership and/or corporation who is applying for a license or permit issued pursuant to any license or permit ordinance.

~~((14))~~ (12) "Application" means any form designed by the licensing authority for use in securing a new license or permit or on a renewal basis.

~~((15))~~ (13) "Bath" means any container, receptacle, or facility used for refreshing, washing or soaking all or any part of the human body. The term includes, but is not limited to, a Finnish bath, hot tub, Japanese bath, sauna, Swedish bath, Turkish bath, and baths provided by air, steam, vapor, water, or electric cabinet.

~~((16))~~ (14) "Business premises" means the entire building in which an activity or business is located together with the entire tract of land under one ownership upon which the building is located.

~~((17))~~ (15) "Carnival" means every device, institution or assemblage of devices or institutions for the purpose ~~((whereof is that))~~ of providing entertainment, amusement, sport, ~~((pasttime))~~

pastime or merriment for the patrons thereof and shall include roller coaster, merry-go-rounds, swings, Ferris wheel, games of shooting, throwing, pitching, phenomenal exhibitions or everything of like character.

~~((18))~~ (16) "Circus" means any institution whose general occupation is that of exhibiting wild animals, feats, horsemanship, animal stunts, acrobatic or aquatic sports for admission to which a fee is charged.

~~((19))~~ (17) "Commercial kennel" means a place where (a) three or more adult dogs, cats or combinations thereof are kept whether or not for compensation, including facilities known and operated as animal shelters, (b) four or more litters of dogs, cats, or combinations thereof are produced in a calendar year, or (c) dogs or cats are sold but not including small animal hospitals where pets are kept for treatment only, pet shops, private kennels, exhibitor/breeding kennels, or zoological parks.

~~((20))~~ (18) "County" means Snohomish County.

~~((21))~~ (19) "Dance hall" means any room, hall, pavilion, boat, float, building or other structure kept or used for the purpose of conducting therein public dances and dancing. It shall include, but not be limited to, those facilities offering dance opportunities as a significant, although not necessary primary purposes, such as taverns, bars, or clubs.

~~((22)) "Darkness" means that period between one-half hour after sunset and one-half hour before sunrise.)~~

~~((23))~~ (20) "Engaged in business" means, includes, and has reference to a particular occupation or continuing course of commercial activity in which a person is regularly or habitually engaged for the purpose of livelihood or gain.

~~((24))~~ (21) "Entertainment" means any act or event causing amusement, diversion or the agreeable passing of time.

~~((25))~~ (22) "Erotic dance" or "erotic dancing" means a dance or other performance that emphasizes and seeks to arouse or excite a patron's sexual desires during the course of which dance or other performance the dancer engages in any of the following conduct:

- (a) nudity;
- (b) displaying or exposing, with less than a full opaque covering, that portion of the female breast lower than the upper edge of the areola;
- (c) displaying or exposing, with less than a full opaque covering, the dancer's pubic area, pubic hair, or anus;
- (d) a dancer fondling or caressing a patron, or a patron fondling or caressing a dancer;
- (e) a dancer touching herself on the breast, or himself or

herself in the pubic area or anal area, or allowing a patron or other dancer to touch those areas;

(f) simulating, by touching or otherwise, masturbation or intercourse;

(g) bringing any portion of a dancer's body closer than six inches to a patron or rubbing any portion of the dancer's body on a patron; or

(h) sitting on a patron's lap or separating a patron's legs.

~~((26))~~ (23) "Erotic dancer" means a person who performs erotic dance in an erotic dance studio.

~~((27))~~ (24) "Erotic dance studio" means a fixed place of business which emphasizes and seeks, through one or more erotic dancers, to arouse or excite the patrons' sexual desires.

~~((28))~~ (25) "Examiner" means the County Hearing Examiner or other hearing examiner appointed by the Snohomish County Council.

~~((29))~~ (26) "Exhibitor/breeding kennel" means a place at or adjoining a private residence where three but not more than twenty adult dogs, cats, or combination thereof, owned by natural persons residing on said property, are kept for the primary purpose of participating in dog shows or other organized competitions or exhibitions.

~~((30))~~ (27) "Fire Marshal" means the Snohomish County Fire Marshal or any of his authorized representatives.

~~((31))~~ (28) "Float" means (1) with respect to boating tournaments or exhibitions, any anchored man-made structure unattached to the shore where any vessel may dock; or (2) with respect to parades, a low, flat, decorated vehicle for carrying exhibits, tableaux, etc. in a parade.

~~((32))~~ (29) "Grooming parlor" means any establishment, public or private, where animals are bathed, clipped, or combed for compensation.

~~((33))~~ (30) "Health officer" means the health officer or any authorized representative of the Snohomish Health District.

~~((34))~~ (31) "Idling speed" means that speed of any motorboat while underway resulting while its propulsion machinery is set at the machine's slowest possible speed.

~~((35) "Intermittent seller" means any person who sells or exchanges secondhand household or recreational equipment from a residence less than four times per calendar year. Secondhand household and recreational equipment includes but is not limited to furniture, tools, dishes, skis and fishing equipment.)~~

~~((36))~~ (32) "Kennel" means a commercial, exhibitor/breeding, or private kennel.

~~((37))~~ (33) "Length" as it refers to vessels means the overall distance measured in a straight line parallel to the centerline from the foremost part of the vessel to the aftermost part of the vessel, excluding bowsprits, bumpkins, rudders, outboard motors and brackets, and similar fittings and attachments.

~~((38))~~ (34) "License" means any document issued by the licensing authority which authorizes a person, to conduct an activity in Snohomish County as provided by this title.

~~((39))~~ (35) "Licensee" means any person to whom a license or renewal of license has been issued pursuant to this title.

~~((40)) "Licensed massage therapist" means a health care professional possessing a valid Washington state massage practitioners license issued pursuant to RCW 18.108.073 and also meeting at least one of the following conditions:~~

~~(a) The valid Washington state massage practitioners license was first issued on or after June 1, 1988.~~

~~(b) The valid Washington state massage practitioners license was first issued prior to June 1, 1988, but the health care professional is able to demonstrate to the satisfaction of the county licensing authority completion of five hundred hours of educational training from a state accredited massage school.~~

~~(c) The valid Washington state massage practitioners license was first issued prior to June 1, 1988 but the health care professional is able to demonstrate to the satisfaction of the county licensing authority continuous professional insurance liability coverage for massage health care with a policy issued before June 1, 1988.)~~

~~((41))~~ (36) "Licensing authority" means the duly elected auditor of Snohomish County or his duly authorized representative.

~~((42))~~ (37) "Massage" means the treatment of a human body by another person by rubbing, kneading, hitting or any other manipulation, including the use of equipment, machinery, or appliance in connection with the foregoing.

~~((43))~~ (38) "Massage parlor" means any place where massages are given or furnished for, or in expectation of, any fee, compensation or monetary consideration (~~except those facilities licensed for use solely by a licensed massage therapist~~).

~~((44)) "Massage parlor employee" means any person who provides massage for a fee and does not meet the licensing criteria established for licensed massage therapists.)~~

~~((45)) "Merchant patrol business" means and includes the business of, or the representation of being engaged in the business of, guarding or protecting persons or other persons' property, or patrolling streets, districts or territory for such purposes, for hire or reward, as a business and as an independent contractor.)~~

((46)) (39) "Motorboat" means any vessel underway under propulsion in whole or in part by machinery. The term shall include seaplanes while taxiing and/or while otherwise not subject to any valid state or federal law or regulation governing the operation of seaplanes.

((47)) (40) "Operator" means any person in actual physical control of any vessel.

((48)) (41) "Owner" means any person having an interest in or right of possession of any property or business, or any person having control, custody or possession of an animal.

((49)) (42) "Parade" means any march or procession consisting of people, animals, bicycles, vehicles in excess of ten in number or combinations thereof, except wedding processions and funeral processions, upon any county road, sidewalk, alley or other county property which does not comply with normal and usual traffic, regulations or controls.

~~((50)) "Pawnbrokers" means any person engaged in whole or in part in the business of loaning money upon the taking or receiving of personal property as security for the repayment of such loans or any person who shall keep any store, shop, room or place where such goods are so taken or received.)~~

((51)) (43) "Permit" means any document issued by the licensing authority which authorizes a person to conduct an activity in Snohomish County as provided by this title.

((52)) (44) "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

((53)) (45) "Pet shop" means a person or establishment that acquires animals for the purpose of resale to the public.

~~((54)) "Private detective business" means and includes the business of, or the representation of being engaged in the business of, making for hire or reward, investigation or investigations with reference to any of the following matters:~~

~~(a) The practice of detecting, discovering or revealing crime or criminals, or securing secret information or evidence relating thereto;~~

~~(b) The practice of discovering or revealing the identity, whereabouts, character or actions of any person or persons, thing or things;~~

~~(c) The habits, conduct, movements, whereabouts, associations, transactions, reputations, or character of any person, firm or corporation;~~

~~(d) The credibility of witnesses or other persons;~~

~~(e) The location or recovery of lost or stolen property;~~

~~(f) The causes, origin or responsibility for fires or accidents or injuries to real or personal property with the consent of the authority having jurisdiction;~~

~~(g) The truth or falsity of any statement or representation;~~

~~(h) The business of securing for hire or reward, evidence to be used before authorized investigations committees, boards of award or arbitration, or in the trial of civil or criminal causes.~~

~~None of these activities as listed above shall include or permit any interference with any legal law enforcement responsibility or activity.)~~

((55)) (46) "Private kennel" means a place at or adjoining a private residence where at least three and not more than ten adult dogs, cats, or combinations thereof, owned by natural persons residing on said property, are kept for the purpose of hunting, training, for field work and obedience trails or for the enjoyment of the species; but not including an exhibitor/breeding kennel. Cats kept for pest or vermin control and in conjunction with an agricultural pursuit as defined, shall not be subject to this provision.

~~((56) "Private security agency" means a "merchant patrol agency" or a "private detective agency", and is further defined as, unless the context otherwise indicates, either a~~

~~(a) "Merchant patrol agency". Any person who as principal or employer engages in or who advertises or holds himself out as being engaged in the merchant patrol business, or a~~

~~(b) "Private Detective agency". Any person who as principal or employer engages in or who advertises or holds himself out as being engaged in the private detective business.)~~

((57)) (47) "Property" means any tangible property including, but not limited to good, wares, merchandise, animals, livestock, and

land.

((+58+)) (48) "Public bathhouse or hot tub" means any place where baths or hot tubs of any kind are given or furnished to the public for or in expectation of a fee or other compensation.

((+59+)) (49) "Public bathhouse or hot tub employee" means any person who works for a public bathhouse or hot tub.

((+60+)) (50) "Public dance" means any dance that the public generally may gain admission to with or without the payment of an admission fee.

((+61+)) (51) "Public event/assembly" means any gathering or assembly of one hundred or more persons who have been charged admission or made a contribution towards the costs of such gathering or assembly at a single place for the purpose of amusement, entertainment, education or similar common purpose. Such definition shall not include any assembly or gathering conducted for religious, political, or other constitutionally (~~accepted~~) protected purpose.

((+62+)) (52) "Race-type boat" means any motorboat operated at a speed in excess of thirty-five miles per hour.

((+63+)) (53) "Rowboat" means a small boat propelled by the use of oars or paddles.

((+64+)) (54) "Run" means a sponsored, organized procession to contend in a race consisting of people, bicycles, wheelchairs, other non-motorized vehicles, or combinations thereof containing ten or more persons upon a county road, sidewalk, alley or other county property. "Run" shall not include any training event or race participated in solely by means of a bona fide school track team or teams.

~~((+65) "Running at large" means that an animal or animals are off the premises of the owner and not under control of either the owner or competent person authorized by the owner.)~~

((+66+)) (55) "Safety buoy" means any buoy established as herein provided and constructed to conform to the State Uniform Waterway Marking System.

((+67+)) (56) "Safety buoy line" means the straight line between any two safety buoys or the straight line between any safety buoy and the point on the shoreline closest to such safety buoys.

((+68+)) (57) "Sailboat" means any vessel propelled by sail or in part by sail and in part manually.

~~((+69) "Secondhand dealer" means any person engaged in whole or in part in the business of purchasing, selling, trading, or bartering, secondhand personal property including metal, junk, or melted metals,~~

~~provided, that the term shall not apply to any person who:~~

~~(a) Is engaging in any activity which requires a license under Chapter 46.70 RCW, motor vehicle dealers, or Chapter 46.80 RCW, motor vehicle wreckers;~~

~~(b) Is engaged in the purchase and/or sale of bottles, cans, or paper solely as a part of the process of recycling such bottles, cans, or paper;~~

~~(c) Any person conducting a sale of second hand personal property under any legal forfeiture, foreclosure, liquidation, or any repossession pursuant to the terms of any contract of sale or incidental to any legal action.~~

~~(d) Any person defined under this section as a "swap meet operator" or "swap meet vendor" or "intermittent seller.")~~

~~((70))~~ (58) "Sheriff" means the Sheriff of Snohomish County or any duly appointed deputy sheriff of Snohomish County.

~~((71))~~ (59) "Shoreline" means the land bordering any existing body of water.

~~((72) "Swap meet" means any event where secondhand goods are offered or displayed for sale or exchange and~~

~~(a) A fee or commission is charged for the privilege of offering or displaying secondhand goods for sale or exchange; or~~

~~(b) A fee is charged to prospective buyers for admission to the area where secondhand goods are offered for sale or exchange.~~

~~(73) "Swap meet operator" means any person who sponsors, controls, manages, or otherwise conducts a swap meet.~~

~~(74) "Swap meet vendor" means any person who sells, exchanges, displays, or offers for sale or exchange, any secondhand goods at a swap meet more than eight times per year.)~~

~~((75))~~ (60) "Vessel" means any type of watercraft used or capable of being used as a means of marine transportation.

~~((76))~~ (61) "Visible" as it refers to the hours of darkness, means capable of being seen on a dark night with a clear atmosphere; as it refers to the daylight hours means capable of being seen on a dull day with the atmosphere clear of fog, haze, or rain.

~~((77))~~ (62) "Water-ski" means to plane over the water with or without any floating device while being towed by any vessel. The term

shall include water-skiing, freeboarding, aquaplaning and similar devices and/or activities.

~~((78))~~ (63) "Wharf" means any manmade structure attached to the shore and to which any vessel may dock.

All other phrases or words not defined by this chapter shall be known by their common and ordinary meaning and usage in the English language.

Section 2. Snohomish County Code Section 6.01.040, last amended by Ordinance 87-038 on June 3, 1987 is amended to read:

6.01.040 Application-procedures-General

(1) No license or permit required by this title shall be issued unless written application has been made with the licensing authority. The licensing authority shall provide application forms for each license/permit under this chapter, which shall require such information as the licensing authority deems appropriate, in addition to the information required by the various licensing/permit provisions of this title, as now existing or hereafter amended.

(2) The applicant must complete and sign the application. If the application is for a partnership, a partner must sign and the names of the partners in full shall be given with their current residences. If the application is for a corporation, an authorized officer thereof must sign and the names of the current residences of all of the officers and directors or trustees of the corporation shall be given together with the location of the principal office or place of business of such corporation.

(3) For those licenses or permits which require an investigation, such investigation shall be conducted by the Sheriff in accordance with the criteria outlined in SCC 6.01.047. The investigation shall include fingerprinting the applicant and, to the extent practicable, a full investigation of the truth of the statements in the application and all other matters which might tend to aid in the determination of whether to grant the license/permit. The Sheriff shall inform the licensing authority in writing within thirty days of receipt of the application as to the results in his investigation and his recommendation as to the disposition of the application. ^(u) The Sheriff (~~sheriff~~) may request an extension to complete his investigation of no more than thirty days, which request shall be granted upon a showing of reasonable cause.

(4) For those licenses or permits which require additional reviews or inspections for compliance with appropriate codes for building, zoning, fire and health or any other statute or regulation, each appropriate Department Director will, within thirty days after receipt of a copy of the application from the licensing authority, inform the licensing authority in writing of the results of their respective inspections and their recommendations as to the disposition

of the application. A department director may request an extension not to exceed thirty days for the purpose of completing the review or inspection, which request shall be granted upon a showing of reasonable cause.

(5) The licensing authority, acting on behalf of the County shall approve or deny all applications for licenses or permits required hereunder.

(6) No license/permit shall be issued pursuant to the provisions of this ordinance to the following persons:

(a) Any person who is under 18 years of age at the time of application except as may specifically otherwise be provided in this title.

(b) Any person who has been convicted of a felony or misdemeanor, excluding minor traffic violations, if the felony or misdemeanor for which he was convicted directly relates to the license sought or any activity to be conducted hereunder, and

(i) the time elapsed from the felony is less than ~~((ten))~~ five years from date of application; or

(ii) the time elapsed since the misdemeanor is less than three years from date of application.

This subsection shall not preclude the consideration of any prior conviction of a felony or misdemeanor as a factor in determining whether or not a license or permit should be issued.

(c) Any person who is not qualified under any specific provision of this title for any particular license/permit for which application is made.

(d) Any partnership or corporation having as a partner, member of the board of directors, corporate officer or stockholder holding over 20% of the stock, anyone of whom does not meet the qualifications of this section.

(e) Any person whose license/permit is under suspension at the time of application for a license/permit.

(f) Any person who has had a license/permit revoked within a period of six months prior to the date of making application for a license/permit hereunder.

(g) Any person who at the time of application is in default in payment of any sum due Snohomish County for any license/permit.

(h) Any person who has any outstanding penalties or fines related to any license/permit issued by Snohomish County.

(7) The licensing authority shall have discretionary authority to issue or deny a license/permit to any person who has been convicted of a felony if the felony for which convicted directly relates to the license sought or any activity to be conducted hereunder, and the time elapsed from the felony is greater than five years but less than ten years. This subsection shall not preclude the consideration of any prior conviction of a felony or misdemeanor as a factor in determining whether or not a license or permit should be issued.

~~((7))~~ (8) No license/permit shall be issued unless the premises where the activity is to be conducted complies with the requirements of all governmental agencies, including, but not limited to, federal, state, city and county laws or ordinances relating to buildings, fire, health, sanitation, zoning, taxation, public safety,

and all other requirements and conditions specifically set forth in other sections of this ordinance. Issuance of a license/permit shall not be deemed to constitute approval or waiver of non-compliance by the applicant.

~~((8))~~ (9) The filing of an application for a license/permit shall not give the applicant any right to engage in the activity covered prior to the issuance of a license or permit.

~~((9))~~ (10) All license applicants must present one of the following pieces of identification to the licensing authority:

(a) Driver's license of any state or "identocard" issued by the Washington state department of licensing pursuant to RCW 46.20.117;

(b) United States military identification;

(c) Passport.

Section 3. Snohomish County Code Section 6.01.050, last amended by Ordinance 91-102 on July 31, 1991 is amended to read:

6.01.050 Fees.

(1) A fee shall be paid in full at the time of application as set out in this section. Except as provided in 6.21.010 (11), an An applicant who proposes to conduct activities at more than one location shall pay a separate fee for each location for which a license ~~or permit~~ may be issued. A fee is not refundable ~~and may not be prorated.~~

(2) Fees for the following licenses and permits are established as follows:

STANDARD LICENSE AND PERMIT FEES

(a) Kennels, Grooming Parlors, and Pet Shops (Chapter 6.06)

- | | | |
|-------|---|-------------------|
| (i) | Private kennel | \$ 50.00 per year |
| (ii) | Exhibitor/breeding kennel | \$100.00 per year |
| (iii) | Commercial kennel, grooming parlor, pet shop | \$150.00 per year |
| (iv) | Combination of kennel and grooming parlor or pet shop-- each additional classification | \$ 50.00 per year |

(b) Massage Parlors ~~((and Massage Parlor employees))~~ (Chapter 6.07) ~~((and 6.17))~~

- | | | |
|-------------------|-------------------------------------|------------------------------|
| (i) | Massage parlor | \$650.00 per year |
| ((ii)) | Massage parlor employees | \$100.00 per year |

~~(c) Licensed Massage Therapist (Chapter 6.07 and Chapter 6.17)~~

~~(i) Licensed Massage Therapist \$ 50.00 per year~~

~~((d)) (c) Public Bathhouse or Hot Tubs and Public Bathhouse or Hot Tub Employees (Chapters 6.47 and 69.49)~~

(i) Public bathhouse or hot tub \$500.00 per year
(ii) Public bathhouse or hot tub employee \$100.00 per year

~~((e)) (d) Erotic Dance Studios and Erotic Dancers (Chapter 6.25):~~

(i) Erotic Dance Studio \$350.00 per year
(ii) Erotic Dancer \$ 55.00 per year

~~((f) Merchant Patrolman/Private Detective (Chapter 6.18).~~

~~(i) Merchant Patrolman \$ 50.00 per year
(ii) Private Detective \$150.00 per year)~~

~~((g)) (e) Pawnbroker(s) and Secondhand (and Antique) Dealers (Chapter 6.19).~~

(i) Pawnbroker-Class 1 \$300.00 per year
(ii) Secondhand Dealer-Class 1 \$250.00 per year
(iii) ((Antique Dealer)) Secondhand Dealer-Class 2
(((\$250.00)) \$55.00 per year

(f) Swap meet Operators and Vendors (Chapter 6.21)

(i) Swap meet Operators ((and Vendors)) \$95.00 per year
(ii) Swap meet Vendors \$55.00 per year
((ii)) (iii) Swap meet location license \$160.00 per year
(iii) The vendors otherwise subject to the fee imposed by Section 6.01.050(2)(f)(ii) who meet the following criteria shall be eligible for exemption from the fee: The vendor must be 61 years old or older at the time the payment of the fee is due and have an annual income, from all sources, of \$15,000 or less.

~~((h) Private Security Agency (Chapter 6.26).~~

~~(i) Merchant Patrol Agency \$350.00 per year
(ii) Private Detective Agency \$350.00 per year)~~

~~((i)) (g) Amusement Devices and Game Tables (Chapter 6.36).~~

(i) Amusement Device Fee \$80.00 per amusement device

- ~~((j))~~ (h) Public Events Assemblies (Chapter 6.37)
- (i) Public Events/Assemblies \$200.00 per event
- ~~((k))~~ (i) Dance/Dance Hall (Chapter 6.38).
- (i) Single Dance \$ 25.00 per event
(ii) Dance Hall - Annually \$200.00 per year
(iii) Dance Hall - Quarterly \$ 50.00 per quarter
- ~~((l))~~ (j) Fun Runs and Parades (Chapter 6.39).
- (i) Fun Runs \$ 75.00 per event
(ii) Parades \$ 75.00 per event
- ~~((m))~~ (k) Boating Tournaments and Exhibitions (Chapter 6.40).
- (i) Boating Events \$150.00 per event
- ~~((n))~~ (l) Application Process (Chapter 6.01).
- (i) Fingerprinting Actual cost
~~((to county))~~
(ii) Advertisement of application Actual cost
~~((to county))~~
(iii) Photograph Actual cost
- ~~((o))~~ (m) License/Permit (Chapter 6.01)
- (i) License or permit replacement \$10.00 per reissue
(ii) License or permit information change \$10.00 per reissue
- ~~((p) Weapons Qualifications (Chapter 6.18).~~
- ~~(i) Qualified by sheriff certificate \$ 25.00 per year~~
~~(ii) Qualified by other police agency approved by sheriff \$10.00 per year~~
- ~~((q))~~ (n) Appeal Processes of Hearing Examiner (Chapter 6.01).
- (i) Appeal filing fee See SCC 2.02.125(1)
~~((50.00 per case))~~
(ii) Appeal document reproduction \$.25 per page
- ~~((r))~~ (o) Pawnbroker~~((r))~~ and Secondhand ~~((and Antique))~~ Dealer -Class 1 Employees (Chapter 6.20).
- (i) Employees ~~((60.00))~~ \$100.00 per year

Section 4. The heading of the Snohomish County Code Sections 6.19.001 thru 6.19.110 is amended to read:

CHAPTER 6.19
PAWNBROKERS, SECONDHAND AND ANTIQUE DEALERS

Sections:

- 6.19.001 General provisions.
- 6.19.005 Definitions.
- 6.19.010 License required.
- 6.19.020 License fees.
- 6.19.021 Investigation required.
- 6.19.022 Fingerprinting required.
- 6.19.030 Records of transactions.
- 6.19.050 Reports to sheriff
- 6.19.070 Removing goods from shop.
- 6.19.080 Receiving goods from certain people unlawful.
- 6.19.085 Exemption from receiving goods from certain people unlawful
- 6.19.090 Owner of stolen goods entitled to attorney fees and costs when required to bring action for recovery.
- 6.19.100 Hours of operation.
- 6.19.110 Penalty for violations.
- 6.19.115 Unlawful to employ unlicensed person.
- 6.19.120 State law applicable in other instances.

Section 5. A new Section 6.19.005 is added to Chapter 6.19 Snohomish County Code as follows:

6.19.005 Definitions. The following words and phrases used in this chapter shall have the meanings set forth below unless the context indicates otherwise:

(1) "Antique" means any article that because of its age, rarity, or historical significance has a monetary value greater than its original value; provided that for the purpose of this code the term "antique" shall not include automobiles.

(2) "Antique dealer" means any person engaged, in whole or in part in the business of purchasing, selling, trading, or bartering antiques, provided, that the term shall not apply to any person who is a swap meet operator or vendor as defined in Chapter 6.21 SCC or an intermittent seller under this section.

(3) "Consignment Store Operator" means any person who operates a place of business where goods not owned by the operator are offered for sale on behalf of the owner in return for a fee.

(4) "Intermittent Seller" means any person who sells or exchanges secondhand household or recreational equipment from a residence less than four times per calendar year. Secondhand household and recreational equipment includes but is not limited to: furniture, tools, dishes, skis and fishing equipment.

(5) "Pawnbrokers" means any person engaged in whole or in part in the business of loaning money upon the taking or receiving of personal property as security for the repayment of such loans or any person who shall keep any store, shop, room or place where such goods are so taken or received.

(6) "Secondhand Dealer" means any person engaged in whole or in part in the business of purchasing, selling, trading, or bartering, secondhand personal property, except antiques, including metal, junk, or melted metals; provided that the term shall not apply to any person who:

(a) Is engaged in any activity which requires a license under Chapter 46.70 RCW, motor vehicle dealers, or Chapter 46.80, motor vehicle wreckers;

(b) Is engaged in the purchase and/or sale of bottles, cans, or paper as a part of the process of recycling such bottles, cans, or paper;

(c) Is engaged in the purchase and/or sale of junk metal as a part of the process of recycling such junk metal;

(d) Any person conducting a sale of secondhand personal property under any legal forfeiture, foreclosure, liquidation, or any repossession pursuant to the terms of any contract of sale or incidental to any legal action.

(7) "Used Book Dealers" means any person or business engaged in whole or in part in the business of selling, exchanging, displaying, or offering for sale or exchange used books.

(8) "Secondhand personal property" means any item of personal property offered for sale which is not new, including metals in any form (except junk metal purchased or sold as a part of the process of recycling) and furs. Unless a single item is valued at \$75 or more, secondhand personal property does not include postage stamps, coins that are legal tender, bullion in the form of fabricated hallmarked bars, used books, and clothing.

Section 6. Snohomish County Code Section 6.19.010 last amended by Ordinance 86-119 on January 7, 1987 is amended to read:

6.19.010 License Required.

(1) It is unlawful for any person to engage in a business as a pawnbroker, secondhand dealer, ~~((or))~~ antique dealer or used book dealer without first having obtained a license. The license shall include a photograph of the licensee. Exempt from this requirement are intermittent sellers of personal property ~~((and swap meet operators and vendors))~~ as defined by this chapter ~~((6.56 SCC and SCC 6.01.010))~~. Two classes of license are hereby established: Class 1 and Class 2.

(2) All persons subject to licensing under this chapter except those required to obtain a Class 2 license, shall obtain a Class 1 license.

(3) All operators of consignment stores, antique dealers, and used book dealers who are subject to licensing under this chapter shall obtain a Class 2 license. All licensees who mix Class 1 and Class 2 activities at their place of business shall obtain a Class 1 license.

(4) Class 2 licensees shall be exempt from sections 6.19.021, 6.19.022, 6.19.030, 6.19.050(1), 6.19.070, 6.19.080(1), 6.19.100, and Chapter 6.20 SCC, except sections 6.20.050, 6.20.080(2), 6.20.080(3), 6.20.080(4), 6.20.080(5), 6.20.110(6), 6.20.110(9), and 6.20.110(10) shall apply to Class 2 licensees.

(5) For transactions involving the items listed below where a single item is valued at less than \$75, Class 1 licensees shall be exempt from sections 6.19.030, 6.19.050, 6.19.070 and 6.19.080(1) SCC:

- (a) postage stamps;
- (b) coins that are legal tender;
- (c) bullion in the form of fabricated hallmarked bars;
- (d) used books;
- (e) clothing, except furs.

Section 7. Snohomish County Code Section 6.19.030 last amended by Ordinance 86-119 on January 7, 1987 is amended to read:

6.19.030 Records of transactions.

(1) Except as otherwise provided in this chapter, all licensees (~~Every pawnbroker secondhand and antique dealer~~) shall maintain a book or permanent record of transactions at the place of business. The entries in the book or permanent record shall be (~~made at the time of each transaction, legally~~) legibly written in the English language, at the time of each (~~loan or purchase by the pawnbroker or secondhand dealer, a record thereof containing~~) transaction and shall contain the following information:

- (a) The date of the transaction;
- ~~((b) The name of the person conducting the transaction))~~
- (b) ((e)) ((~~The general description of the person with whom the transaction is made including: name, age, address, height, weight, color of hair, and sex~~)) The name, date of birth, sex, height, weight, race, color of hair, address and telephone number of the person with whom the transaction is made;
- ~~((d) The name and address of the owner of the property bought or received in pledge))~~
- ((e)) (c) The address of the place where the transaction occurred (~~property was transacted~~), if different than ((d)) above;
- ((f)) (d) A description of the property (~~bought or received in pledge, which~~) pledged, bought, or consigned, including

the brand name, serial number, model number or name, any initials or engraving(s), size, pattern(s), and color of stone or stones, and in the case of firearms, the caliber, barrel length, type of action and whether it is a pistol, rifle, or shotgun; ((in the case of watches shall contain the name of the maker and the number of both the works and the case, and in the case of jewelry shall contain a description of all letters and marks inscribed thereon)); provided, that when the article bought or received is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction shall be sufficient;

~~((g))~~ (e) The price paid or the amount loaned;

~~((h))~~ (f) The names and addresses of all persons witnessing the transaction;

(g) The type and identifying number of identification used by the person with whom the transaction was made, which shall consist of a valid driver's license or identification card issued by any state or two pieces of identification one of which shall be current government issued picture identification;

~~((i))~~ (h) The number of any pawn ticket issued;

((and)) ~~((j))~~ (i) The signature of the person selling or pledging the property.

(j) The nature of the transaction, a number identifying the transaction, the store identification as designated by the applicable law enforcement agency or the name and address of the business, and the name of the person or employee conducting the transaction, and the location of the property;

~~((2) Any individual seeking to sell or put up an item as collateral for a loan from a pawnbroker, secondhand or antique dealer must produce proper identification which bears hi signature and photograph. Any of the following pieces of identification is allowable:~~

~~(a) Driver's license of any state or "identocard" issued by the Washington State Department of Licensing pursuant to RCW 46.20.117;~~

~~(b) United States military identification; or~~

~~(c) Passport.~~

(2) An employee shall record all transactions which they make in the licensee's permanent record as required above.

Section 8. Snohomish County Code Section 6.19.050 lasted amended by Ordinance 86-119 on January 10, 1987 is amended to read:

6.19.050 Reports to sheriff.

1) Except as otherwise provided in this chapter, all licensees ((Every pawnbroker, secondhand and antique dealer)) shall ((have ready for the sheriff's inspection by twelve noon of every)) transmit to the sheriff's office ((business day)) a form to be furnished by the sheriff's office, filled in with ((the)) a true and correct ((description)) transcript of the record of all transactions

((had)) conducted on the preceding day. This transmittal shall take place within a time specified by the sheriff, provided that the time allowed shall not be less than 24 hours. ((A copy of these records shall be forwarded at the conclusion of each business week to the sheriff.)) This information may be transmitted to the applicable law enforcement agency electronically, by facsimile transmission, or by modem or similar device, or by delivery of computer disk subject to the requirements of, and approval by the sheriff.

(2) Every licensee ((pawnbroker, secondhand or antique dealer)) having reason to believe that any property in his possession is lost or stolen, shall report the fact to the sheriff, together with the name of the owner, if known, the date and the name of the person from whom the property was received.

Section 9. Snohomish County Code Section 6.19.070 last amended by Ordinance 86-119 on January 7, 1987 is amended to read:

6.19.070 Removing goods from shop. No secondhand personal property bought or received in pledge or consignment by any licensee not exempt from this section ((pawnbroker secondhand dealer or antique dealer)) shall be removed from the place of business within ((fifteen)) thirty days of receipt except when redeemed by the owner.

Section 10. Snohomish County Code Section 6.19.080 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.19.080 Receiving goods from certain people unlawful.

No licensee ((pawnbroker, secondhand, or antique dealer)) shall receive in pledge or purchase any property from any person who is:

- (1) under eighteen years of age; or
- (2) under the influence of alcohol; or
- (3) under the influence of drugs; or
- (4) attempting to pledge or sell any property which the

licensee ((pawnbroker, secondhand or antique dealer)) knows or suspects to be stolen; or

(5) known to the licensee as having been convicted of burglary, robbery, theft, or possession of or receiving stolen property within the past ten years whether the person is acting in his or her own behalf or as the agent of another. The sheriff shall be authorized to provide licensees a list of convicted felons from whom they may not purchase property.

New Section, Section 11. A new Section 6.19.085 is added to Chapter 6.19 Snohomish County Code as follows:

6.19.085 Exemption from receiving goods from certain people unlawful. A second hand dealer class 2 licensee shall be exempt from SCC 6.19.080 (1) when purchasing, selling, trading or bartering used books, stamps or coins for transactions in which a single item is valued at less than \$75.

Section 12. Snohomish County Code Section 6.19.090 last amended by Ordinance 86-119 on January 7, 1987 is amended to read:

~~6.19.090 ((Owner of stolen goods entitled to attorney fees and costs when required to bring action for recovery.))~~ Reasonable attorney fees allowed in actions concerning contested ownership.
~~((Whenever the owner of stolen goods locates the stolen goods in the possession of a pawnbroker, secondhand or antique dealer, and is forced to bring legal action to recover possession, the owner shall be entitled to reasonable attorney fees and costs.))~~ In an action brought by an owner to recover goods in possession of a licensee, or an action brought by a licensee against an owner, or a person claiming ownership, to determine title or ownership of any item, the prevailing party is entitled to reasonable attorney fees and costs.

Section 13. Snohomish County Code Section 6.19.100 last amended by Ordinance 87-038 on June 3, 1987 is amended to read:

6.19.100 Hours of operation. It shall be unlawful for any licensee not exempt from this section (~~(pawnbroker, secondhand or antique dealer)~~) to transact any business between the hours of nine o'clock p.m. and six o'clock a.m. unless special permission is given by the licensing authority following approval by the sheriff.

Section 14. Snohomish County Code Section 6.19.110 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.19.110—Penalty for violations. Every Class 1 licensee (~~(pawnbroker, secondhand or antique dealer)~~) or his/her employee shall be guilty of a gross misdemeanor and subject to penalties of (~~SCC 6-01-220~~) RCW 9A.20.021, if the dealer licensee or employee commits any of the actions described below. Every Class 2 licensee and his/her employee shall be guilty of a gross misdemeanor and subject to penalties of RCW 9A.20.021, if the licensee or employee commits the

actions described in (6), (8), (9) or (10) below unless otherwise exempted by this chapter:

- (1) Fails to make an entry of any material matter in his book or record as provided in SCC 6.19.030; or
- (2) Makes a false entry in the book or record described in SCC 6.19.030; or
- (3) Falsifies, obliterates, destroys or removes from his place of business the book or record described in SCC 6.19.030; or
- (4) Reports any material matter relevant to a transaction falsely to the sheriff; or
- (5) Fails to furnish the sheriff upon request, with a full, true and correct transcript of all transactions as provided for in SCC 6.19.050, Saturday's business may be reported on Monday; or
- (6) Fails to report promptly to the sheriff the possession of any property which he has reason to believe has been lost or stolen, together with the name of the owner, if known, the date, and (~~when~~) the name of the person from whom the property was received by him; or
- (7) Removes or allows to be removed from his place of business any property, as described in SCC 6.19.070; or
- (8) Knowingly receives any property from any person described in SCC 6.19.080; or
- (9) Removes, alters, or obliterates any manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property that was purchased, consigned, or received in pledge. In addition, an item shall not be accepted for pledge or a secondhand purchase where the manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property has been removed, altered, or obliterated;
or
- (10) Knowingly violates any other provision of this chapter.

New Section Section 15. A new Section 6.19.115 is added to Chapter 6.19 Snohomish County code as follows:

6.19.115 Unlawful to employ unlicensed person. It shall be unlawful for any Class 1 licensee to employ in his or her Class I licensed business, any person who does not have a valid employee license issued pursuant to Chapter 6.20 of the Snohomish County Code.

New Section Section 16. A new Section 6.19.120 is added to Chapter 6.19 Snohomish County Code as follows:

6.19.120 State law applicable in other instances. The requirements of RCW 19.60 shall govern all matters not governed by SCC 6.19, 6.20, or 6.21.

Section 17. The heading of the Snohomish County Code Sections 6.20.001 thru 6.20.110 is amended to read:

Chapter 6.20
Pawnbrokers, Secondhand and Antique Dealer Employees

Sections:

- 6.20.001 General provisions.
- 6.20.110 License required.
- 6.20.020 License fees and term.
- 6.20.021 Investiation required.
- 6.20.022 Fingerprinting required.
- 6.20.030 Records of transactions.
- 6.20.040 Signing records.
- 6.20.050 Reports to sheriff.
- 6.20.070 Receiving goods from shop.
- 6.20.080 Receiving goods from certain people unlawful.
- 6.20.100 Hours of operation.
- 6.20.110 Penalty for violations.
- 6.20.120 State law applicable in other instances.

Section 18. Snohomish County Code Section 6.20.010 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.20.010 License required. It is unlawful for any person to be employed by a (~~pawnbroker, secondhand or antique dealer~~) Class 1 licensee under Chapter 6.19 SCC without first having obtained a license. The license shall include a photograph of the licensee. Exempt from this requirement are intermittent sellers of personal property (~~and swap meet operators and vendors~~) as defined by (~~chapter 6.56 SCC and 6.01.010~~) SCC 6.19.005.

Section 19. Snohomish County Code Section 6.20.030 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.20.030 Records of transactions. Every licensee under this chapter who is an employee of a Class 1 licensee under Chapter 6.19 SCC (~~pawnbroker, secondhand and antique dealer employee~~) shall record transactions in the pawnbroker or secondhand (~~or antique~~) dealer's permanent record as required by SCC 6.19.030.

Section 20. Snohomish County Code Section 6.20.050 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.20.050 Reports to Sheriff. Every employee of a licensee under chapter 6.19 SCC (~~((pawnbroker, secondhand or antique dealer employee have))~~) having reason to believe that any property in his possession is lost or stolen shall report the fact to the sheriff, together with name of the owner, if known, the date and the name of the person from whom the property was received.

Section 21. Snohomish County Code Section 6.20.070 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.20.070 (~~((Receiving goods from certain people unlawful.))~~) Removing goods from shop. No secondhand personal property bought or received in pledge or consignment by any licensee under this chapter who is an employee of a Class 1 licensee under Chapter 6.19 SCC (~~((pawnbroker, secondhand or antique employee))~~) shall be removed from the place of business within (~~((fifteen))~~) thirty days of receipt, except when redeemed by the owner, ~~within ten days after the receipt thereof or sold.~~

Section 22. Snohomish County Code Section 6.20.080 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.20.080 Receiving goods from certain people unlawful.
No employee of a licensee under chapter 6.19 SCC (~~((pawnbroker, secondhand, or antique dealer employee))~~) shall receive in pledge or purchase any property from any person who is:
(1) under eighteen years of age provided that the exemption in SCC 6.19.085 shall also apply to Class 2 licensee employees; or
(2) under the influence of alcohol; or
(3) under the influence of drugs; or
(4) attempting to pledge or sell any property which the employee knows or suspects to be stolen.
(5) known to the licensee as having been convicted of burglary, robbery, theft, or possession of or receiving stolen property within the past ten years whether the person is acting in his or her own behalf or as the agent of another. The sheriff shall be authorized to provide licensees a list of convicted felons from whom

they may not purchase property.

Section 23. Snohomish County Code Section 6.20.110 added by Ordinance 86-119 on January 7, 1987 is amended to read:

6.20.110 Penalty for violations. Every licensee under this chapter who is an employee of a Class 1 licensee under chapter 6.19 SCC ((pawnbroker, secondhand or antique dealer employee)) shall be guilty of a gross misdemeanor and subject to the penalties of ((SCC 6.01.220)) RCW 9A.20.021 if the ((employee)) licensee commits any of the actions described below. Every person who is an employee of a Class 2 licensee under chapter 6.19 SCC shall be guilty of a gross misdemeanor and subject to the penalties of RCW 9A.20.021 if they commit any of the actions described in (6), (8), (9), or (10) below unless otherwise exempted by this chapter.

(1) Fails to make an entry of any material matter in the book or record as provided for in SCC 6.20.030, or;

(2) Makes a false entry in the book of record described in SCC 6.20.030; or

(3) Falsifies, obliterates, destroys or removes from his place of business the book or record described in SCC 6.20.020; or

(4) Reports any material matter relevant to a transaction falsely to the sheriff; or

(5) Fails to furnish the sheriff, upon request, a full, true and correct transcript of all transactions as provided for in ((SCC 6.20.0250)) SCC 6.20.030. Saturday's business may be reported on Monday; or

(6) Fails to report promptly to the sheriff the possession of any property which he has reason to believe has been lost or stolen, together with the name of the owner, if ((know)) known, the date ((when)) and the name of the person from whom the property received by him; or

(7) Removes or allows to be removed from the place of business any property, as described in SCC 6.20.070; or

(8) Knowingly receives any property from any person described in SCC 6.20.080; or

(9) removes, alters, or obliterates any manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property that was purchased, consigned, or received in pledge. In addition an item shall not be accepted for pledge or a secondhand purchase where the manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of personal property has been removed, altered, or obliterated;
or

(10) Knowingly violates any other provision of this chapter.

New Section Section 24. A new Section 6.20.120 is added to Chapter 6.20 Snohomish County Code as follows:

6.20.120 State law applicable in other instances. The requirements of RCW 19.60 shall govern all matters not governed by SCC 6.19, 6.20, or 6.21.

Section 25. Effective Date. This ordinance shall be effective on July 9, 1994.

PASSED this 20th day of June, 1994.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Karen Miller
Chairperson

Approved as to Form:

Gordon W. Ait 3/31/99
Deputy Prosecuting Attorney

ATTEST:

Barbara Sitaristi
Clerk of Council, ASST.

- () APPROVED
- () VETOED
- () EMERGENCY

DATE: 6/29/94
[Signature]
County Executive