



CO00021072

**SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON**

ORDINANCE NO 97-088

**RELATING TO PAWNBROKERS, SECONDHAND AND ANTIQUE DEALERS
AND EMPLOYEES
AMENDING SNOHOMISH COUNTY CODE CHAPTERS 6.01, 6.19 AND 6.20**

Section 1. Snohomish County Code Section 6.01.050, last amended by Ordinance 97-058 on July 17, 1997, 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 SCC 6.21.010(11);))~~ An applicant who proposes to conduct activities at more than one location shall pay a separate fee for each location for which a license may be issued. A fee is not refundable.

(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 SCC):
 - (i) Private kennel-breeding: \$125.00 per year;
 - (ii) Private kennel-non-breeding: \$75.00 per year;
 - (iii) Commercial kennel, grooming parlor, or pet shop: \$175.00 per year;
 - (iv) Combination of commercial kennel and grooming parlor, pet shop, boarding facility or animal shelter-each additional classification: \$50.00 per year.
- (b) Massage parlors (Chapter 6.07 SCC):
 - (i) Massage parlor: \$650.00 per year.
- (c) Public bathhouse or hot tubs and public bathhouse or hot tub employees (Chapters 6.47 and 6.49 SCC):
 - (i) Public bathhouse or hot tub: \$500.00 per year.
 - (ii) Public bathhouse or hot tub employee: \$100.00 per year.
- (d) Erotic dance studios and erotic dancers (Chapter 6.25 SCC):
 - (i) Erotic dance studio: \$350.00 per year;
 - (ii) Erotic dancer: \$55.00 per year.
- (e) Pawnbrokers and secondhand dealers (Chapter 6.19 SCC):
 - (i) Pawnbroker ~~((Class 1))~~: \$300.00 per year;
 - (ii) Secondhand dealer ~~((Class 1))~~: \$250.00 per year;
 - ~~((iii) Secondhand dealer Class 2: \$55.00 per year.))~~

- (f) Amusement devices and game tables (Chapter 6.36 SCC):
 - (i) Amusement device location fee: \$90.00 per amusement location.
- (g) Public events assemblies (Chapter 6.37 SCC):
 - (i) Public events/assemblies: \$200.00 per event.
- (h) Fun runs and parades (Chapter 6.39 SCC):
 - (i) Fun runs: \$75.00 per event;
 - (ii) Parades: \$75.00 per event.
- (i) Boating tournaments and exhibitions (Chapter 6.40 SCC):
 - (i) Boating events: \$150.00 per event.
- (j) Application process (Chapter 6.01 SCC):
 - (i) Fingerprinting: actual cost;
 - (ii) Advertisement of application: actual cost;
 - (iii) Photograph: actual cost.
- (k) License/permit (Chapter 6.01 SCC):
 - (i) License or permit replacement: \$10.00 per reissue;
 - (ii) License or permit information change: \$10.00 per reissue.
- (l) Appeal processes of hearing examiner (Chapter 6.01 SCC):
 - (i) Appeal filing fee - see SCC 2.02.125(1);
 - (ii) Appeal document reproduction: \$.25 per page.
- (m) Pawnbroker and secondhand dealer (~~(-Class-4)~~) employees (Chapter 6.20 SCC):
 - (i) Employees: \$100.00 per year.

Section 2. Snohomish County Code Chapter 6.19 title is amended to read:

Pawnbrokers and Secondhand (~~(and Antique)~~) Dealers

Section 3. Snohomish County Code Section 6.19.005, added by Ordinance 94-047 on June 20, 1994, is amended to read:

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 purposes 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) "Pawnbroker" 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 an intermittent seller of personal property, an antique dealer, a consignment store owner or a used book dealer as defined by this chapter;

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

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

~~((d))~~ (e) 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 dealer" 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 \$75.00 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 4. Snohomish County Code Section 6.19.010, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.19.010 License ~~((required))~~ and additional requirements.

Ord 97-088
Amending SCC Title 6
page 3

(1) It is unlawful for any person to engage in a business as a pawnbroker or secondhand dealer (~~((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, as defined by this chapter. 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 SCC 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 SCC 6.20.050, 6.20.080(2) through (5), and 6.20.110(6), (9) and (10) shall apply to Class 2 licensees.)~~

~~((5))~~(2) For transactions involving the items listed below where a single item is valued at ~~((less))~~ more than \$75.00, ~~((Class 1 licensees shall be exempt from))~~ SCC 6.19.030, 6.19.050, 6.19.070 and 6.19.080~~((4))~~ shall apply:

- (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 5. Snohomish County Code Section 6.19.020, last amended by Ordinance 86-119 on January 7, 1987, is amended to read:

6.19.020 License fees.

The fees for these licenses are established by and are contained in SCC 6.01.050(2)~~((f))~~. The term for this license ~~((shall be))~~ is one year from ~~((October 1 to September 30))~~ date of issuance.

Section 6. Snohomish County Code Section 6.19.030, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.19.030 Records of transactions.

(1) Except as otherwise provided in this chapter, all licensees shall maintain a book or permanent record of transactions at the place of business. The entries in the book or permanent record shall be legibly written in the English language, at the time of each transaction and shall contain the following information:

- (a) The date of the transaction;
- (b) 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;

(c) the address of the place where the transaction occurred, if different than above;

(d) A description of the property pledged or 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; 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;

(e) The price paid or the amount loaned;

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

(g) The type and identifying number of the 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;

(h) The number of any pawn ticket issued;

(i) The signature of the person selling or pledging the property; and

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

Section 7. Snohomish County Code Section 6.19.070, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.19.070 Removing goods from shops.

No secondhand personal property bought or received in pledge (~~or consignment~~) by any licensee (~~(not exempt from this section)~~) shall be removed from the place of business within 30 days of receipt, except when redeemed by the owner.

Section 8. Snohomish County Code Section 6.19.085, added by Ordinance 94-047 on June 20, 1994, is repealed in its entirety.

Section 9. Snohomish County Code Section 6.19.110, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.19.110 Penalty for violations.

Every (~~Class 4~~) licensee or his/her employee shall be guilty of a gross misdemeanor and subject to penalties of RCW 9A.20.021, if the licensee or

Ord 97-088

Amending SCC Title 6

page 5

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 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 have been removed, altered, or obliterated; or
- (10) Knowingly violates any other provision of this chapter.

Section 10. Snohomish County Code Section 6.19.115, added by Ordinance 94-047 on June 20, 1994, is amended to read:

6.19.115 Unlawful to employ unlicensed person.

It shall be unlawful for any ((Class 4)) licensee to employ ((in this or her Class 1 licensed business,))any person who does not have a valid employee license issued pursuant to chapter 6.20 SCC.

Section 11. Snohomish County Code Section 6.19.120, added by Ordinance 94-047 on June 20, 1994, is amended to read:

6.19.120 State law applicable in other instances.

The requirements of chapter 19.60 RCW shall govern all matters not governed by chapters 6.19 or 6.20 ~~((or 6.21))~~ SCC.

Section 12. Snohomish County Code Chapter 6.20 title is amended to read:

Pawnbrokers and Secondhand ~~((and Antique))~~ Dealer Employees

Section 13. Snohomish County Code Section 6.20.001, added by Ordinance 86-119 on January 7, 1987, is amended to read:

6.20.001 General provisions.

Unless specified otherwise in this chapter, the general provisions contained in chapter 6.01 SCC shall apply to this license. The words and phrases used in this chapter shall have the meaning set forth in sections 6.01.010 and 6.19.005 SCC unless the content indicates otherwise.

Section 14. Snohomish County Code Section 6.20.010, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.20.010 License required.

It is unlawful for any person to be employed by a ~~((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 as defined by SCC 6.19.005.))~~

Section 15. Snohomish County Code Section 6.20.020, added by Ordinance 86-119 on January 7, 1978, is amended to read:

6.20.020 License fees and term.

The fee~~((s))~~ for ~~((these licenses are))~~ this license is established by and ~~((are))~~ is contained in SCC 6.01.050. The term for this license ~~((shall be))~~ is one year from ~~((October 1 to September 30))~~ date of issuance.

Section 16. Snohomish County Code Section 6.20.030, last amended by Ordinance 94-047 on June 20, 1994, 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))~~ shall record transactions in the pawnbroker or secondhand dealer's permanent record as required by SCC 6.19.030.

Section 17. Snohomish County Code Section 6.20.050, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

Ord 97-088
Amending SCC Title 6
page 7

6.20.050 Reports to sheriff.

Every ~~((employee of licensee under chapter 6.19 SCC))~~ licensee under this chapter 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 18. Snohomish County Code Section 6.20.070, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.20.070 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 4 licensee under chapter 6.19 SCC))~~ shall be removed from the place of business within 30 days of receipt, except when redeemed by the owner.

Section 19. Snohomish County code Section 6.20.080, last amended by Ordinance 94-047 on June 20, 1994, is amended to read:

6.20.080 Receiving goods from certain people unlawful.

No ~~((employee of a licensee under chapter 6.19 SCC))~~ licensee under this chapter shall receive in pledge or purchase any property from any person who is:

- (1) under 18 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; or
- (5) known to the licensee as having been convicted of burglary, robbery, theft, or possession of or receiving stolen property within the past 10 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 20. Snohomish County code Section 6.20.100, last amended by Ordinance 87-038 on June 3, 1987, is amended to read:

6.20.100 Hours of operation.

It shall be unlawful for any ~~((pawnbroker, secondhand or antique dealer employee))~~ licensee under this chapter to transact any business between the hours of 9:00 p.m. and 6:00 a.m. unless special permission be given by the licensing authority following approval by the sheriff.

Section 21. Snohomish County Code Section 6.20.110, last amended by Ordinance 94-047 on June 20, 1994, 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))~~) shall be guilty of a gross misdemeanor and subject to penalties of RCW 9A.20.021, if the licensee (~~(or employee)~~) 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 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 the book or record as provided for in SCC 6.20.030; or
- (2) Makes a false entry in the book or 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 6.20.030; 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 6.20.030. 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 known, the date, and the name of the person from whom the property was 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 have been removed, altered, or obliterated; or
- (10) Knowingly violates any other provision of this chapter.

Section 22. Snohomish County Code Section 6.20.120 added by Ordinance 94-047 § 24 on June 20, 1994 is amended to read:

6.20.120 State law applicable in other instances.

The requirements of chapter 19.60 RCW shall govern all matters not governed by chapters 6.19 or 6.20 ((or 6.21)) SCC.

PASSED this 15th day of October, 1997.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

John Larnen
Chairperson

APPROVED AS TO FORM:

Linda Fournier
Deputy Prosecuting Attorney

ATTEST:

Sheila McCallister
Clerk of Council

- APPROVED
- VETOED
- EMERGENCY

DATE: 10/21/97
Robert J. Drewel
COUNTY EXECUTIVE
ROBERT J. DREWEL
County Executive

PUBLISHED _____ AND _____

D-10