

ORIGINAL

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING
CHAPTER 5.24 OF THE SUNNYSIDE MUNICIPAL CODE
PERTAINING TO THE LICENSING OF PAWNBROKERS**

WHEREAS, Chapter 19.60 of the Revised Code of Washington regulates pawnbrokers and at section 19.60.075 authorizes the City to enact an ordinance requiring pawnbrokers operating in the City to obtain a license;

WHEREAS, the City Council has done so at Chapter 5.24 of the Sunnyside Municipal Code;

WHEREAS, the City Council has determined that Chapter 5.24 of the Sunnyside Municipal Code should be amended to (1) increase the annual license fee, (2) provide a hearing in cases where a pawnbroker license is revoked, and (3) require daily, as opposed to weekly, reports of transactions to the police chief; and (4) more clearly incorporate the requirements of Chapter 19.60 RCW.

WHEREAS, the City Council has determined that the adoption of an amended Chapter 5.24 of the Sunnyside Municipal Code is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare;

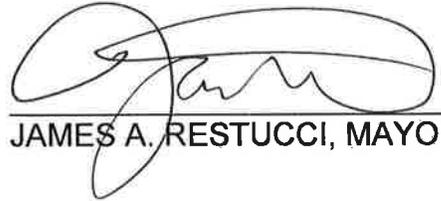
**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF
THE CITY OF SUNNYSIDE, WASHINGTON, as follows:**

SECTION 1. Chapter 5.24 of the Sunnyside Municipal Code is hereby amended and shall read as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. Except as amended herein, Title 5 of the Sunnyside Municipal Code shall remain unchanged.

SECTION 3. This ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 13th day of September 2010.



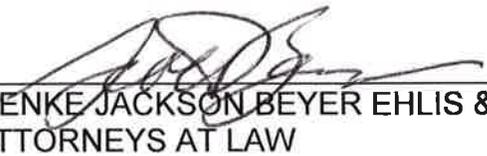
JAMES A. RESTUCCI, MAYOR

ATTEST:



DEBORAH ESTRADA, CITY CLERK

APPROVED AS TO FORM:



MENKE JACKSON BEYER EHLIS & HARPER, LLP
ATTORNEYS AT LAW

**Chapter 5.24
PAWNBROKERS**

Sections:

- 5.24.010 Pawnbroker - Definition
- 5.24.020 Compliance with Chapter 19.60 RCW
- 5.24.030 License – Required – Application – Fee.
- 5.24.040 Licensee – Terms.
- 5.24.050 Daily reports to Police Chief

5.24.010 Pawnbroker – Definition.

Pawnbroker means every person engaged, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

5.24.020 Compliance with Chapter 19.60 RCW.

Pawnbrokers licensed pursuant to this chapter must comply with Chapter 19.60 of the Revised Code of Washington. Those provisions of Chapter 19.60 RCW applicable to pawnbrokers are hereby adopted by reference as and for a portion of Sunnyside Municipal Code.

5.24.030 License – Required – Application – Fee.

A. No person shall engage in the business of a pawnbroker in the City without first procuring a license therefor.

B. In order to procure a license, an applicant shall present to the City an application which shall contain the name of the applicant, the place, including telephone number, where he proposes to conduct the business, the name under which the same shall be conducted, and the names of persons interested in the business if a co-partnership or corporation.

C. If such application is approved, the City Manager, or his/her designee, shall issue a license to the applicant upon his executing and delivering to the City a bond to be approved by the City Attorney, in the amount of \$1,000, conditioned that he will conduct such business in compliance with all of the ordinances of the City and the laws of the State. The license fee shall be the sum of \$250.00 per year. The license shall not be assignable or transferable.

5.24.040 Licensee – Terms.

A. All licenses issued under this chapter shall expire on the thirty-first day of December next succeeding the date of issuance and no reduction in license fee shall be made for any period less than one year. Such license shall be subject to revocation by the City Manager upon a determination by a preponderance of evidence that the licensee has failed to comply with any provision of this Chapter, or

EXHIBIT 'A'

any other provision of the Sunnyside Municipal Code or state law. Such determination, along with the reasons therefore, shall be provided to the licensee in writing. If the license is revoked, the licensee shall cease all pawnbroking business within 30 days from the date of such revocation.

B. The holder of a pawnbroker license whose license has been revoked by the City Manager in accordance with section 5.24.030(A) shall be entitled to a hearing before the City Council at the next scheduled meeting, provided such request is made in writing within fourteen (14) days after receipt of the notice of revocation. At the hearing before the City Council, the burden is upon the licensee to establish why the license should not be revoked.

5.24.050 Daily reports to Police Chief.

Every pawnbroker doing business in the City shall provide reports of daily activity, as set forth in RCW 19.60.040, incorporated herein by reference, on a daily basis.