

MEEKER COUNTY PAWNBROKER AUTOMATED PAWN SYSTEMS ORDINANCE

SECTION 1: GENERAL PROVISIONS.

1. PURPOSE.

- 1.01** The County finds that the pawnbrokers potentially provide an opportunity for the commission and concealment of crimes. These businesses have the ability to receive and transfer stolen property easily and quickly. The County also finds that consumer protection regulation is warranted in transactions involving pawnbrokers.
- 1.02** The purpose of this chapter is to prevent pawn broking businesses from being used as facilities for commission of crimes and to ensure that these businesses comply with basic consumer protection standards, thereby protecting the public health, safety and general welfare of the citizens of the County.
- 1.03** To help the police departments and agencies better regulate current and future pawn businesses, decrease and stabilize costs associated with the regulation of the pawn industry through the timely collection and sharing of the pawn transaction information, this chapter also implements and establishes the required use of the Automated Pawn System (“APS” hereinafter).

SECTION 2: DEFINITIONS.

2. DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- 2.01 Minor:** Any natural person under the age of 18 years.
- 2.02 Oversized Items:** Large items including but not limited to cars, boats, and other motorized vehicles and motorized equipment.
- 2.03 Pawnbroker:** Any natural person, partnership or corporation, either as principal or agent, or employee thereof, who loans money on deposit or pledge of personal property or other valuable thing; who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price; or who loans money secured by chattel mortgage on personal property, taking possession of the property or any part thereof so mortgaged. To the extent that a Pawnbroker business includes buying personal property previously used, rented or leased, the provisions of this chapter shall be applicable. Any bank, savings and loan association or credit union shall not be deemed a pawnbroker for purposes of this chapter.
- 2.04 Person:** One or more natural persons; a partnership, including a limited partnership; a corporation, including a foreign, domestic or nonprofit corporation; a trust; a political subdivision of the state; or any other business organization.
- 2.05 Secondhand Item:** Tangible personal property, excluding motor vehicles, which has been previously used, rented, owned, or leased.
- 2.06 Reportable Transaction:**
- (a) Every transaction conducted by a pawnbroker in which merchandise is received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, or redeemed, or for which a unique transaction number or identifier is

generated by their point-of-sale software, or an item is confiscated by law enforcement is reportable except:

- (1) The bulk purchase or consignment of new or used merchandise from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said merchandise, provided the pawnbroker must maintain a record of such purchase or consignment which describes each item, and must mark each item in a manner which relates it to that transaction.
- (2) Retail and wholesale sales of merchandise originally received by pawn or purchase, and for which applicable hold and/or redemption periods have expired.

2.07 Billable Transaction: Every reportable transaction conducted by a pawnbroker is a billable transaction except renewals, redemptions, or extensions of existing pawns on items previously reported and continuously in the licensee's possession, voided transactions, and confiscations.

2.08 License Fees:

- (a) The annual license fee for licenses under this chapter shall be:
 - (1) The billable transaction license fee shall reflect the cost of processing transactions and other related regulatory expenses as determined by the County Board, and shall be reviewed and adjusted, if necessary, annually. Licensees shall be notified in writing thirty (30) days before any adjustment is implemented.
 - (2) Billable transaction fees shall be billed monthly and are due and payable within thirty (30) days. Failure to comply is a violation of this chapter.

SECTION 3: LICENSING.

3.0 LICENSE REQUIRED; EXEMPTION.

- (a) **License Required:** No person shall engage in the trade or business of pawnbroker within the County limits unless that person is currently licensed under this chapter.
- (b) **Exemptions to License Requirement:** A person who holds a motor vehicle dealer license is exempt from the terms of this chapter with respect to motor vehicles.

3.01 INELIGIBLE PERSONS.

The following are not eligible for licensure under this chapter:

- (a) Anyone not a citizen of the United States or a resident alien;
- (b) A minor at the time the application is filed;
- (c) Anyone who has been convicted of any crime directly related to the licensed occupation and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of pawnbroker or precious metal dealer under Minn. Stat. § 364.03, Subd. (3), as it may be amended from time to time, or a person not of good moral character and repute;
- (d) Anyone who holds a liquor license;

- (e) Anyone who, in the sole judgment of the Meeker County Board of Commissioners is not the real party in interest or beneficial owner of the business operated under the license;
- (f) Anyone who has had a pawnbroker license revoked anywhere within the previous 5 years of the license application;
- (g) In case of an individual, anyone who is not a resident of the County; in the case of a partnership, where the managing partner is not a resident of the County; or in the case of a corporation, where the manager is not a resident of the County;
 - (1) The required residency must be established by the time the license is issued and maintained throughout the existence of the license and all renewals;
 - (2) The time for establishing residency may, for good cause, be extended by the County Board.

3.02 INELIGIBLE PLACES.

The following are ineligible places for licensure under this chapter:

- (a) No license shall be issued for any place or any business ineligible for a license under County Ordinance or state law.
- (b) No license shall be issued for a place or business, which holds a liquor license.
- (c) No license shall be issued for operation on any premises on which taxes, assessments, or other financial claims of the County or other governmental agency are delinquent and unpaid.

3.03 LICENSE APPLICATION.

- (a) In addition to any other information require by any other government agency, every application for a license under this chapter shall be made on a form supplied by the County Auditor, shall be verified and shall contain not only the following information, but other information as the County may reasonably require:
 - (1) Representations as to the applicant's character;
 - (2) The business in connection with which the proposed license will operate;
 - (3) Whether the applicant is the owner and operator of the business and if not, who is;
 - (4) Whether the applicant has ever used or been known by a name other than his or her true name, and if so, what was the name, or names, and information concerning dates and places where used;
 - (5) Whether the applicant is married or single. If married, the true name, place and date of birth and street address of the applicant's spouse;
 - (6) Street address at which the applicant and spouse have lived during the preceding ten years;
 - (7) Kind, name and location of every business or occupation the applicant has been engaged in during the preceding ten years;

- (8) Names and addresses of the applicant's and spouse's employers and partners, if any, for the preceding ten years;
- (9) Whether the applicant or spouse has ever been convicted of a violation of any state law or local ordinance or other business of a similar nature. If so, the applicant shall furnish information as to the time, place, and length of time;
- (10) Whether the applicant or spouse has ever been engaged as an employee or in operating a pawnshop or other business of a similar nature. If so, the applicant shall furnish information as to the time, place, and length of time;
- (11) Whether the applicant has ever been in military service. If so, the applicant shall furnish upon request, document all discharges;
- (12) If the applicant is a partnership, the name and address of all partners and all information concerning each partner as is required of a single applicant as above. A managing partner, or partners, shall be designated. The interest of each partner or partners in the business shall be submitted with the application and, if the partnership is required to file a certificate as to trade name under the provisions of M.S. Chapter 333, as it may be amended from time to time, a copy of the certificate certified by the district court administrator shall be attached to the application;
- (13) If the applicant is a corporation or other organization, the applicant shall submit the following:
 1. Name, and if incorporated, the state of incorporation;
 2. A true cope of the Certificate of Incorporation, Articles of Incorporation or Association Agreements;
 3. The name of the manager or proprietor or other agent in charge of, or to be in charge of, the premises to be licensed, giving all information about that person as is required in the case of a single applicant;
 4. A list of all persons who, singly or together with their spouses, own or control an interest in the corporation or association in excess of 5% or who are officers of the corporation or association, together with their addresses and all information as is required for a single applicant;
- (14) A list of responsible persons, including the name of owners, managers, and assistant managers, who may be notified or contacted by state or city employees in case of emergency;
- (15) Whether the applicant holds a current pawnbroker license from any other governmental unit and whether the applicant is licensed under Minn. Stat. §§ 471.924 or 325F.731-325.744, as it may be amended from time to time;
- (16) Whether the applicant has ever been denied a pawnbroker license from any other governmental unit;

- (17) The location of the business premises;
 - (18) The legal description of the premises to be licensed, including a map of the area for which a license is sought, showing dimensions, location of buildings, street access and parking facilities;
 - (19) Whether all real estate and personal property taxes that are due and payable for the premises to be licensed have been paid, and if not paid, the years and amounts that are unpaid; and
 - (20) Other information that the County deems appropriate.
- (b) Any pawnshop conducting business within the County lines on or before April 19, 2007, shall not be required to submit the application otherwise mandated by this section. In all other respects, any such pawnshop shall comply with this chapter.
 - (c) No person shall make a false statement or material omission in a license application or investigation. Any false statement or material omission shall be grounds for denial, suspension, or revocation of a license.
 - (d) Each licensee shall have the continuing duty to properly notify the County Auditor of any change in the information or facts required to be furnished on the application for a license. This duty shall continue throughout the period of the license. Failure to comply with this section shall constitute cause for revocation or suspension of the license.
 - (e) The application for the renewal of any existing license shall be made at least 90 days prior to the date of the expiration of the license and shall be made on the form provided by the County Auditor.

3.04 FEES.

- (a) Every applicant for a license shall pay to the County Auditor the investigation fee of \$1,000, with said fees subject to amendment and approval of the County Board annually. This fee shall be for the purpose of law enforcement conducting preliminary background and financial investigations on the applicant(s). If the Board of Commissioners believes that the public interest so warrants, it may require a similar investigation at the time of renewal of any license. If an investigation is ordered by the County Board at the time of the license renewal, the applicant shall pay the fee specified above, except that the fee shall be the smaller of the stated dollar amount or the actual costs of the investigation. There shall be no refund of the investigation fee for any person after the investigation has begun.
- (b) The annual fees for a pawnshop license shall be established by a fee schedule approved by the County Board of Commissioners;
- (c) Each license shall expire on December 31 of the year in which it was issued. Fees for licenses issued during the license year shall be pro-rated according to the number of months remaining in the year. For this purpose an unexpired fraction of a month shall be counted as a whole month, which shall have elapsed.
- (d) No refund of any fee shall be made except as authorized by the County Board of Commissioners.

3.05 BOND REQUIRED.

At the time of filing an application for a license, the applicant shall file a bond in the amount of \$5,000 with the County Auditor. The County Attorney thereon must approve the bond with a duly license surety company as surety as to form. The bond must be conditioned that the licensee shall observe the ordinances of the County, in relation to the business of pawnbrokers, and will conduct business in conformity thereto, and that the principal will account for and deliver to any person legally entitled any goods which have come into the principal's hand through the principal's business as a pawnbroker, or in lieu thereof, will pay the reasonable value in the money to the person. The bond shall contain a provision that no bond may be cancelled except upon 30 days written notice to the County Auditor, which shall be personally served or served via certified mail upon the licensing authority.

3.06 LICENSES ISSUANCE.

- (a) No license shall be issued until the Meeker County Sheriff's Department has conducted an investigation of the representations set forth in the application, the applicant's moral character and the applicant's financial status. All applicants must cooperate fully with this investigation.
- (b) No license shall be issued until the County Board has held a public hearing in the manner as the County Board may direct. At the public hearing, all persons interested in the matter shall be heard, and the hearing may be adjourned from time to time. No hearing shall be required for a renewal of a license, but the County Board may, in its sole discretion, hold a public hearing.
- (c) After investigation and hearing, the County Board shall, in its discretion, grant or deny the application.
- (d) Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without application to the County Board in the same manner as an application for a new license. Transfer of 25% or more of the stock of a corporation or a controlling interest thereof, whichever is less, shall be deemed a transfer of the license of a corporate license. If the licensee is a corporation, which is wholly owned by another corporation, the same provisions about the transfer of a stock or controlling interest shall apply to that parent corporation, any second parent corporation, which wholly owns the parent corporation, and all other similarly situated parent corporations up through the chain of ownership. Transfer of this amount of stock without prior County Board approval is grounds for revocation or suspension of the license. In addition, each day the licensee operates under the license after a transfer has taken place without first obtaining County Board approval shall be a separate violation of this chapter
- (e) Any application for a license may be considered by the County Board at the same time an applicant is requesting any land use approvals needed for the site, including site plan review, rezoning or an amendment to the Meeker County Comprehensive Land Use Plan. Final approval of a license shall not be granted until the County Board has given at least preliminary approval to any necessary land use requested. If an application is granted for a location where a building

is under construction or not ready for occupancy, the license shall not be delivered to the licensee until a Certificate of Occupancy is issued for the licensed premises.

- (f) In the case of the death of the licensee, the personal representative of a licensee may continue operation of the business for not more than 180 days after the licensee's death.

3.07 LICENSE SUSPENSION AND REVOCATION.

Any license under this chapter may be denied, suspended or revoked for one or more of the following reasons:

- (a) **Delinquent Taxes:** The County Board may suspend or revoke a license issued under this chapter for operation on any premises on which real estate taxes, assessments or other financial claims of the County or of the state are due, delinquent or unpaid. If an action has been commenced pursuant to the provisions of Minn. Stat. Chapter 278, as it may be amended from time to time, questioning the amount of validity of taxes, the County Board may, on application by the licensee, waive strict compliance with the provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless the one-year period is extended through no fault of the licensee.
- (b) **Violations:** The County Board may either suspend for up to 60 days or revoke any license or impose a civil fine not to exceed \$2,000 for each violation upon a finding that the licensee or an agent/employee of the licensee has failed to comply with any applicable statute, regulation or ordinance provision. No suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to Minn. Stat. §§ 14.57-14.69, as it may be amended from time to time. Any conviction by the licensee for theft, burglary, robbery, receiving stolen property or any other crime or violation involving stolen property shall result in the immediate suspension pending a hearing on revocation of any license issued hereunder.
- (c) The proposed use does not comply with the applicable zoning code.
- (d) The proposed use does not comply with any health, building, building maintenance or other provisions of this Ordinance or state law.
- (e) The applicant or licensee has failed to comply with one or more provisions of this chapter.
- (f) The applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.
- (g) Fraud, misrepresentation or bribery in securing or renewing a license.
- (h) Fraud, misrepresentation or false statements made in the application and investigation for, or in the course of, the applicants business.
- (i) Violation within the preceding 5 years, or any law relating to the theft, damage or trespass of property, sale of controlled substances, or operation of a business.
- (j) The owner of the premises licensed or to be licensed would not qualify for a license under the terms of this chapter.

SECTION 4: RULES AND REGULATIONS

4.0 LICENSE RESPONSIBILITY; CONDUCT.

Every licensee is responsible for the conduct of his/her place of business and the conditions of order in it. The act of any employee of the licensed premises is deemed the act of the licensee as well and the licensee shall be liable for all penalties provided by this chapter equally with the employee, except criminal penalties.

4.01 LICENSE DISPLAY REQUIRED.

Every license must be posted in a conspicuous place in the premises for which it is used.

4.02 RECORDS REQUIRED.

- (a) At the time of any reportable transaction other than renewals, extensions, redemptions or confiscations, every licensee must immediately record in English the following information by using ink or other indelible medium on forms or in a computerized record approved by the Meeker County Sheriff's Department:
- (1) A complete and accurate description of each item including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.
 - (2) The purchase price, amount of money loaned upon or pledged therefore.
 - (3) The maturity date of the transaction and the amount due, including monthly and annual interest rates and all pawn fees and charges.
 - (4) Date, time and place the item of property was received by the licensee and the unique alpha and/or numeric transaction identifier that distinguishes it from all other transactions in the licensee's records.
 - (5) Full name, current residence address, current residence telephone number, date of birth and accurate description of the person from whom the item of property was received, including: sex, height, weight, race, color of eyes and color of hair.
 - (6) The identification number and state of issue from any of the following forms of identification of the seller:
 - a. Current valid Minnesota driver's license.
 - b. Current valid Minnesota identification card.
 - c. Current valid photo identification card issued by another state or providence of Canada.
 - (7) The signature of the person identified in the transaction.
 - (8) Effective 60 days from the date of notification by the Meeker County Sheriff's Department of acceptable video standards, the

licensee must also take a color photograph or color video recording of:

- a. Each customer involved in a billable transaction.
- b. Every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed.

If a photograph is taken, it must be at least two inches in length by two inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the Meeker County Sheriff's Department designee upon request. The major portion of the photograph must include an identifiable facial image of the person who pawned or sold the item. Items photographed must be accurately depicted. The licensee must inform the person that he/she is being photographed by displaying a sign of sufficient size in a conspicuous place on the premises. If a video photograph is taken, the video camera must focus on the person pawning or selling the item so as to include an identifiable image of that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can readily matched and correlated with all records of the transaction to which they relate. The licensee must inform the person that he/she is being videotaped by displaying a sign of sufficient size in a conspicuous place on the premises. The licensee must keep exposed videotape for 3 months.

4.03 INSPECTION OF RECORDS.

The licensee shall make available the information required above at all reasonable times for inspection by law enforcement officials. The information required in Section 4.02 above shall be retained by the pawnbroker for at least 4 years.

4.04 PROPERTY RECEIVED; RECEIPTS.

Each licensee shall issue a receipt as follows:

- (a) Every licensee must provide a receipt to the party identified in every reportable transaction and must maintain a duplicate of that receipt for 4 years. The receipt must include at least the following information:
 - (1) The name, address, and telephone number of the licensed business.
 - (2) The date and time the item was received by the licensee.
 - (3) Whether the item was pawned or sold or the nature of the transaction.
 - (4) An accurate description of each item received including, but not limited to, any trademark, identification number, serial number, model number, brand name or other identifying mark on such an item.
 - (5) The signature or unique identifier of the licensee or employee who conducted the transaction.
 - (6) The amount advanced or paid.

- (7) The monthly and annual interest rates, including all pawn fees and charges.
- (8) The last regular day of business by which the item must be redeemed by the pledger without risk that the item will be sold and the amount necessary to redeem the pawned item on that date.
- (9) The full name, current residence address, current residence telephone number and date of birth of the pledger or seller.
- (10) The identification number and state of issue from any of the following forms of identification of the seller:
 - c. Current valid Minnesota driver's license.
 - d. Current valid Minnesota identification card.
 - e. Current valid photo identification card issued by another state or province of Canada.
- (11) Description of the pledger or seller, including approximate height and weight, sex, race, color of eyes and color of hair.
- (12) The signature of the pledger or seller.
- (13) All printed statements as required by Minn. Stat. § 325 J.04, Subd.2, or any other applicable statutes.

4.05 DAILY REPORTS TO POLICE DEPARTMENT.

Daily reports to Meeker County Sheriff's Department containing the following information are hereby required:

- (a) Effective no later than 60 days after law enforcement provides the licensee with the current version of the automated pawn system ("APS") exchange interchange file specification, licensees must submit every reportable transaction to the police department daily in the following manner:
 - (1) Licensees must provide to the police department all reportable transaction information transferring it from their computer to the APS via modem using the current version of APS interchange file specification. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the issuing authority. Any transaction that does not meet the APS interchange file specification must be corrected and resubmitted the next business day. The licensee must display a sign of sufficient size in a conspicuous place on the premises, which informs patrons that all transactions are reported to law enforcement daily.
- (b) Billable transaction fees. Licensees will be charged for each billable transaction reported to law enforcement.
 - (1) If a licensee is unable to successfully transfer the required reports by modem, the licensee must provide law enforcement, upon request, printed copies of all reportable transactions along with the video tape(s) for that date, by noon the next business day;

- (2) If a problem is determined to be in the licensee's system and is not corrected by the close of the first business day following failure, the licensee must continue to provide the required reports as detailed in Section 4.05(a)(1), and shall be charged a fee of \$1.50 as a reporting failure penalty daily; or
- (3) If the problem is determined to be outside the licensee's system, the licensee must continue to provide the required reports in Section 4.05(1)(a), and resubmit all such transactions via modem when the error is corrected.
- (4) If a licensee is unable to capture, digitize, or transmit the photographs required in Section 4.02, the licensee must immediately take all required photographs with a still camera, cross reference the photographs to the correct transaction and make the pictures available to law enforcement upon request.
- (5) Regardless of the cause or origin of the technical problems that prevented the licensee from uploading their reportable transactions, upon correction of the problem, the licensee shall upload every reportable transaction from every business day the problem existed.
- (6) Section 4.05, and all subsections and subdivisions notwithstanding, law enforcement may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.

4.06 POLICE RESTRICTIONS ON SALE OR REDEMPTION/ORDER TO HOLD PROPERTY.

- (a) **Investigative Hold:** Whenever a law enforcement official from any agency notifies a licensee not to sell an item, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within 72 hours and will remain in effect for 15 days from the date of initial written notification, or until the investigative order is cancelled, or until an order to hold/confiscate is issued pursuant to 4.06(b), whichever comes first in time.
- (b) **Order to Hold:** Whenever law enforcement notifies a licensee not to sell an item, the item must not be sold or removed from the licensed premises until authorized to be released by the sheriff, chief of police, or his/her designee. The order to hold shall expire 90 days from the date it is placed unless the sheriff, chief of police, or his/her designee determines the hold is still necessary, and notifies the licensee in writing.
- (c) **Order to Confiscate:** If an item is identified as stolen or evidence in a criminal case, the sheriff, chief of police, or his/her designee may:
 - (1) Physically confiscate and remove it from the shop pursuant to a written order from the sheriff, chief of police, or his/her designee; or
 - (2) Place the item on hold or extend the hold as provided in Section 4.06(b) and leave it in the shop.

When an item is confiscated, the person doing so shall provide the identification upon request of the licensee and shall provide the licensee with the name and telephone number of the confiscating agency and investigator and the case number related to the confiscation.

When an order to hold/confiscate is no longer necessary, the sheriff, chief of police, or his/her designee shall so notify the licensee in writing of the dismissal of said hold or confiscation.

4.07 INSPECTION OF ITEMS.

- (a) **Inspection by the County:** The licensee shall, at all times during the term of the license, allow law enforcement to enter the premises where the business is located and any other premises where items purchased or received as part of the businesses are stored, for the purpose of inspecting the premises and the merchandise therein to locate items suspected or alleged to have been stolen or otherwise improperly disposed of. Said inspection shall occur during normal business hours and shall be for the purpose of inspecting the items, wares, and records at such premises to verify compliance with this chapter or other applicable laws.
- (b) **Inspection by Claimant:** Additionally, all items coming into possession of the licensee shall at all times be open to inspection and right of examination of a person claiming to have been the owner thereof or claiming to have any interest therein,, when that person is accompanied by a law enforcement officer. The licensee may require, prior to inspection, a reasonable description of the property from the party claiming ownership or an interest in the property.

4.08 REDEMPTION PERIOD.

Any person pledging, pawning, or depositing an item for security must have a minimum of 90 days from the date of the transaction to redeem the item before it may be forfeited and sold. During the 90 day holding period, items may not be removed from the licensed location. Licensees are prohibited from redeeming any item to anyone other than the person to whom the receipt was issued, or to any person identified in a written and notarized authorization to redeem the property identified in the receipt, or to a person identified in writing by the pledger at the time of the initial transaction and signed by the pledger, or with approval by law enforcement. Written authorization for release of property to persons other than the original pledger must be maintained along with the original transaction in accordance with Section 4.02.

4.09 REQUIRED HOLDING PERIOD.

Any item purchased or accepted in trade by a licensee must not be sold or otherwise transferred for 21 days from the date of the transaction. An individual may redeem an item 72 hours after the item was received on deposit, excluding Sundays and legal holidays.

4.10 LABEL REQUIRED.

Licensees must attach a label to every item at the time it is pawned, purchased, or received in inventory from a reportable transaction. Permanently recorded on this label

must be the number or name that identifies the transaction in the shop's records, the transaction date, the name of the item and the description or model/serial number of the item as reported to law enforcement, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels should not be re-used.

4.11 GAMBLING; PROHIBITED.

No licensee may keep, possess, or operate, or permit the keeping, possession or operation on the licensed premises of dice, slot machines, roulette wheels, punchboards, blackjack tables or pinball machines which return coins or slugs, chips, or tokens of any kind, which are redeemable in merchandise or cash. No gambling equipment authorized under Minn. Stat. §§ 349.11-349.61, as it may be amended from time to time, may be kept or operated and no raffles may be conducted on the licensed premises or adjoining rooms. The purchase of lottery tickets may take place on the licensed premises as authorized by the director of the lottery pursuant to Minn. Stat. §§ 349A.01-349A.15, as it may be amended from time to time.

4.12 STORAGE; OVERSIZED ITEMS.

All items must be stored within the licensed premises building, except the County may permit the licensee to designate one locked and secured warehouse building within the County boundaries in which the licensee may store oversized items. No item may be stored in the designated warehouse building that is not reported in the daily journal. The licensee shall permit immediate inspection of the warehouse at any time during business hours by the County, and failure to do so is a violation of this chapter. Oversized items may not be stored in parking lots or other areas. All provisions regarding record keeping and reporting shall apply to oversized items.

4.13 OFF-SITE SALES AND STORAGE.

All items accepted by a licensee at a licensed location in the County shall be for pledge or sale through a licensed location in the County. The licensee shall be responsible for maintaining adequate records to demonstrate ownership for the sale or pledging of items acquired at appropriately licensed facilities located in other Counties or areas.

4.14 RESTRICTIONS ON WEAPONS.

- (a) A licensee may not receive as a pledge or otherwise, or accept for consignment or sale, any firearm, unless the licensee also maintains a federal firearms dealer's license.
- (b) A licensee may not receive as a pledge or otherwise, or accept for consignment or sale, any assault weapon.
- (c) A licensee may not use out-of-state identification for the sale, consignment or pawning of any firearm.

4.15 PROHIBITED ACTS.

- (a) No person under the age of 18 years may pawn or sell or attempt to pawn or sell goods with any licensee, nor may any licensee receive any goods from a person under the age of 18 years.

- (b) No licensee may receive any goods from a person of unsound mind or an intoxicated person.
- (c) No licensee may receive any goods, unless the seller presents identification in the form of a valid driver's license, a valid state of Minnesota identification card, or a current valid photo driver's license or identification card issued by the state or providence of residency of the person from whom the item was received.
- (d) No licensee may receive any item of property that possesses an altered or obliterated serial number or operation identification number or any item or property that has had its serial number removed.
- (e) No person may pawn, pledge, sell, consign, leave, or deposit any article or property not their own; nor shall any person pawn, pledge, sell, consign, leave or deposit the property of another, whether with permission or without; nor shall any person pawn, pledge, sell, consign, leave, or deposit any article of property in which another has a security interest; with any licensee.
- (f) No person seeking to pawn, pledge, sell, consign, leave, or deposit any article of property with any licensee shall give a false or fictitious name, date of birth, address, whether out of date or false, telephone number, altered identification, or identification of another person, to any licensee.

4.16 BUSINESS AT ONLY ONE PLACE.

A license under this chapter authorized the license to carry on its business only at the permanent place of business designated in the license. However, upon written request, law enforcement may approve an off-site locked and secured storage facility. The licensee shall permit inspection of the facility in accordance with Section 4.03. All provisions of this chapter regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the County Ordinance. The licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premises that extends for more than 6 months.

4.17 EFFECTIVE DATE.

This chapter shall be effective on April 19, 2007, which is:

- (a) After its adoption and at least one publication in the official newspaper

Adopted by Resolution 2007-17 of the Meeker County Board of Commissioners on this 10th day of April 2007.

/s/ James Swenson
Chair, Meeker County Board of Commissioners

ATTESTED:
/s/ Barbara Loch
County Auditor