

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: SEPTEMBER 6, 2018

AGENDA ITEM NUMBER: 13

SUBJECT: ORDINANCE REVISING CHAPTER 17 OF THE FORSYTH COUNTY CODE ENTITLED "RESPONSIBILITIES OF PAWNBROKERS" (FORSYTH COUNTY ATTORNEY'S OFFICE)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION: See Attached

ATTACHMENTS: YES NO

SIGNATURE: *J. Dudley Watts* AMS
COUNTY MANAGER

DATE: September 4, 2018

**ORDINANCE REVISING CHAPTER 17
OF THE FORSYTH COUNTY CODE ENTITLED
"RESPONSIBILITIES OF PAWNBROKERS"
(FORSYTH COUNTY ATTORNEY'S OFFICE)**

BE IT ORDAINED by the Forsyth County Board of Commissioners that Chapter 17 of the Forsyth County Code, entitled, "Responsibilities of Pawnbrokers" consisting of Sections 17-1 through 17-5, is hereby revised as shown in the attached Sections 17-1 through 17-5.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon final adoption.

Adopted this 6th day of September 2018.

CHAPTER 17

RESPONSIBILITIES OF PAWNBROKERS*

*State law reference—Local government authority to regulate pawnbrokers; exceptions, G.S. 66-2397; Pawnbrokers and Cash Converters Modernization Act, G.S. 66-2385 et seq.

Sec. 17-1. Definitions.

As used in this chapter, the following words mean:

Daily record: Those written or electronictyped pawnbroker records and pawn tickets or copies thereof which contain the information required to be maintained and provided by pawnbrokers to the sheriff of the county, or the sheriff's designee, ~~or the chief of police, or the chief's designee of the municipality of which the pawnshop is located,~~ on a daily basis by G.S. § 66-39191A-7, and which shall be required to be maintained and provided by section 17-2 of this chapter.

Computerized record of pawnbroker activity: A copy of the information required in the daily record in a reasonably available, economical electronic storage medium designated by the sheriff of the county, or the sheriff's designee, ~~(currently a high density floppy diskette, compact disc (CD), USB drive, or the pawnshop's FTP site)~~ in some approved industry standard data format.
(Ord. No. 1-2010, 9-27-10)

Sec. 17-2. Records.

Every pawnbroker doing business in Forsyth County shall create and maintain on each business day a daily record and a computerized record of pawnbroker activity for that day. This daily record and computerized record of pawnbroker activity shall, at all times during business hours and all other reasonable times, be open for the examination and inspection of the sheriff or the sheriff's designee ~~and the chief of police or the chief's designee.~~

Every pawnbroker shall, by 5:00 p.m. or close of business, whichever is earlier, on each business day, electronically transmit to the sheriff's office at the sheriff's administrative building the computerized record of pawnbroker activity covering the transactions for the preceding business day.
(Ord. No. 1-2010, 9-27-10)

Sec. 17-3. Inspection of stock.

Every pawnbroker shall have his goods so arranged in stock as to enable the sheriff, or the sheriff's designee ~~and the chief of police or the chief's designee,~~ to readily inspect the same.
(Ord. No. 1-2010, 9-27-10)

Sec. 17-4. Photographic identification required.

It shall be unlawful for any pawnbroker to, directly or indirectly, knowingly buy or receive in pawn any article from a person, the pledgor, who has not provided photographic identification which would satisfy a reasonable pawnbroker of the pledgor's age and identity. The pawnbroker shall be required to record the type of

identification upon which he relied to determine the age and identity of the pledgor. If the pledgor provides a driver's license or state-issued identification card as identification, the pawnbroker shall be required to record the state from which the driver's license or identification card was issued and the driver's license or identification card number in the daily record.

(Ord. No. 1-2010, 9-27-10)

~~Sec. 17-5. Effective date.~~

~~This chapter shall be effective thirty (30) days after its final adoption.~~
(Ord. No. 1-2010, 9-27-10)

CHAPTER 17

RESPONSIBILITIES OF PAWNBROKERS*

***State law reference**—Local government authority to regulate pawnbrokers; exceptions, G.S. 66-397; Pawnbrokers and Cash Converters Modernization Act, G.S. 66-385 et seq.

Sec. 17-1. Definitions.

As used in this chapter, the following words mean:

Daily record: Those written or electronic pawnbroker records and pawn tickets or copies thereof which contain the information required to be maintained and provided by pawnbrokers to the sheriff of the county, or the sheriff's designee, on a daily basis by G.S. § 66-391, and which shall be required to be maintained and provided by section 17-2 of this chapter.

Computerized record of pawnbroker activity: A copy of the information required in the daily record in a reasonably available, economical electronic storage medium designated by the sheriff of the county, or the sheriff's designee, in some approved industry standard data format.
(Ord. No. 1-2010, 9-27-10)

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Every pawnbroker doing business in Forsyth County shall create and maintain on each business day a daily record and a computerized record of pawnbroker activity for that day. This daily record and computerized record of pawnbroker activity shall, at all times during business hours and all other reasonable times, be open for the examination and inspection of the sheriff or the sheriff's designee.

Every pawnbroker shall, by 5:00 p.m. or close of business, whichever is earlier, on each business day, electronically transmit to the sheriff's office at the sheriff's administrative building the computerized record of pawnbroker activity covering the transactions for the preceding business day.
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