

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO PAWNBROKERS AND DEALERS IN PRECIOUS METALS AND JEWELRY; AND FOR OTHER PURPOSES.

WHEREAS, Athens-Clarke County finds that while pawnbrokers and dealers in precious metals and gems provide a valuable service to citizens, they may also inadvertently provide the opportunity for criminals to sell stolen property which can be easily received and quickly disposed of; and

WHEREAS, Athens-Clarke County also finds that in accordance with state law public safety regulation is warranted in transactions involving pawn brokers and dealers in precious metals or gems in order to locate stolen property, positively identify those responsible for disposing of stolen property and returning this property to its rightful owner; and

WHEREAS, Athens-Clarke County further finds that the pawn industry in Athens-Clarke County currently processes approximately 1600 transactions per month and the number of transactions has outgrown Athens-Clarke County's ability manually to effectively or efficiently process transactions and identify criminal activity; and

WHEREAS, the purpose of this ordinance is to provide an enhanced ability for the police department to electronically monitor pawn transactions and transactions involving dealers in precious metals and gems, to improve reporting procedures thus increasing the likelihood of identifying criminal activity and returning stolen property to its rightful owner, to enhance regulations governing itinerant dealers in precious metals and gems, and to develop regulations to enforce the requirements of state law concerning dealers in precious metals and gems; and

WHEREAS, Athens-Clarke County finds that by enacting this ordinance the Athens-Clarke County Police Department will be better able to protect the property of its citizens, identify and arrest those responsible for crimes, and increase public safety;

NOW THEREFORE, the Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Chapter 6-9, entitled "Pawnbrokers" and Chapter 6-7, entitled "Itinerant Dealers, etc. in Precious Metals and Jewelry," of the Code of Athens-Clarke County are hereby deleted in their entirety and the following is substituted in lieu thereof:

"Chapter 6-9. Pawnbrokers and Dealers in Precious Metals or Gems.

Article 1. General Provisions that Apply to All Articles in Chapter.

Sec. 6-9-1. Definitions.

For the purpose of this Chapter the words below shall have the following definitions:

"Dealer in precious metals or gems" means any person engaged at a permanent location in Athens-Clarke County in the business of purchasing precious metals or gems or goods made from precious metals or gems from persons or sources other than manufacturers, manufacturers' representatives, or other dealers in precious metals or gems; or any person engaged in any other business if, in conjunction with such business, precious metals or gems or goods made from precious metals or gems are purchased from persons or sources other than manufacturers, manufacturers' representatives, or other dealers in precious metals or gems where such purchase is for resale in its original form or as changed by remounting, melting, re-forming, remolding, or recasting or for resale as scrap or in bulk.

"Electronic Reporting System" means a computer based system, as specified by the chief of police and approved by the Manager, which is designed to record and transmit data and information electronically.

"Gems" means any precious or semiprecious stone which is cut and polished.

“Itinerant Dealer in Precious Metals or Gems” means a person who, due to the temporary manner in which the business is operated, is not required to have an occupation tax certificate to operate a business in Athens-Clarke County and who enters Athens-Clarke County on a temporary, itinerant basis for a period of time not more than 15 days and advertises by any form of media communication to the public that it will buy, sell or otherwise trade in and receive precious metals or gems at a nonpermanent location within Athens-Clarke County.

"Nonpermanent location" means any location designated to be used to conduct a business engaged in dealing in precious metals or gems by an itinerant merchant, in any temporary place, including but not limited to hotels or motels, any movable vehicle, or other temporary or movable structure to be used to conduct such business for a limited or specific time.

“Numismatic coins” means coins whose value as collectors’ items exceeds the value of the content of the precious metals in the coins.

"Pawnbroker" means any person engaged in whole or in part in the business of lending money on the security of pledged goods, or in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time, or in the business of purchasing tangible personal property from persons or sources other than manufacturers or licensed dealers as a part of or in conjunction with the business activities described in this section.

“Pawn or pledge” means a bailment of personal property as security for any debt or engagement, redeemable upon certain terms and with the power of sale on default.

“Pawnshop” means any business wherein a substantial part thereof is to take or receive, by way of pledge, pawn, consignment or exchange, any goods, wares, merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon.

“Pawnshop transaction” means to take or receive any article of property or, from any customer, by pawning, pledging, trading, exchanging, purchasing, or other means.

“Person” means an individual, partnership, corporation, joint venture, trust, association, or any other legal entity however organized.

“Precious metals” means gold, silver, or platinum or any alloy containing gold, silver, or platinum.

“Proper identification” means any one of the following:

- (1) A Georgia driver's license which was properly issued by the appropriate state agency;
- (2) A valid Georgia voter identification card or other valid identification card issued by a branch, department, agency, or entity of the State of Georgia, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the customer;
- (3) A valid United States passport;
- (4) A valid employee identification card containing a photograph of the customer and issued by any branch, department, agency, or entity of the United States government, this state, or any county, municipality, board, authority, or other entity of this state;

(5) A valid United States military identification card, provided that such identification card contains a photograph of the customer; or

(6) A valid tribal identification card containing a photograph of the customer.

“Third party administrator” means any individual, business or corporation designated by the chief of police to administer the reporting requirements of this ordinance.

Sec. 6-9-2. Responsibility for Enforcement. The Athens-Clarke County police department shall have the responsibility for the enforcement of this chapter. Sworn officers of the Athens-Clarke County police department and civilian employees designated by the chief of police shall have the authority to inspect establishments licensed under this chapter during the hours in which the premises are open for business. These inspections shall be made for the purpose of verifying compliance with the requirements of this chapter and state law. This section is not intended to limit the authority of any other Athens-Clarke County officer or employee to conduct inspections authorized by other provisions of the Athens-Clarke County Code.

Sec. 6-9-3. Daily Electronic Reporting.

(a) All businesses regulated by this Chapter shall make correct and truthful entries of information as required by the applicable Article as soon after the transaction as possible and in no event more than one hour after the applicable time set for closing of the business. The daily electronic reporting shall be by an electronic reporting system required by the Chief of Police with the approval of the Manager. Every pawnshop shall enter each transaction as it occurs into the electronic reporting system via the internet to the administrator of the electronic reporting system. The administrator of the electronic reporting system will electronically transmit all transactions to the police department.

(b) In the event that the electronic reporting system becomes temporarily or permanently disabled, businesses will be notified as soon as possible by the police department. In this event, the businesses will be required to make records of transactions in paper form as prescribed by the police department. Such paper forms must include all information required under the applicable Article related to the business. Businesses shall be responsible for maintaining an adequate inventory of these forms.

(c) The chief of police with the approval of the Manager shall select and designate the required electronic reporting system and required equipment needed.

Sec. 6-9-4. Penalties.

(a) Any person running a pawnshop, or any employee or agent thereof, shall be punished as provided by Section 1-1-5, and, in addition, by the revocation of the regulatory permit of the pawnbroker violating the provisions of any law or ordinance pertaining to pawnbrokers.

(b) Any person running a business dealing in precious metals or gems, or any employee or agent thereof, violating any of the provisions of this chapter shall be punished as provided by Section 1-1-5, and, in addition, by the revocation of the regulatory permit of the dealer in precious metals or gems violating the provisions of any law or ordinance pertaining to dealers in precious metals or gems.

(c) Any person running a business as an itinerant merchant dealing in precious metals or gems, or any employee or agent thereof, violating any of the provisions of this chapter shall be punished as provided by Section 1-1-5, and, in addition, by the revocation of the regulatory permit of the itinerant merchant dealing in precious metals or gems violating the provisions of any law or ordinance pertaining to dealers in precious metals or gems.

(d) If any regulatory permit required by any Article herein is denied, suspended or revoked, the permittee shall have the right to appeal the denial, suspension or revocation to the administrative hearing officer pursuant to Section 1-5-1 within 30 days of the denial, suspension or revocation. The decision of the administrative hearing officer shall be final decision by Athens-Clarke County.

Sec. 6-9-5. Requirements of this Chapter in addition to Requirements of Chapter 6-1. The provisions of this chapter are intended to augment and be in addition to the provisions of Chapter 6-1 (Occupation Taxes and Regulatory Fees for Businesses, Professionals, and Occupations). Where this chapter imposes a greater restriction upon persons, premises, businesses or practices than is imposed by Chapter 6-1, this chapter shall control.

Sec. 6-9-6. Compliance with State Law. Nothing in this Chapter shall relieve pawnbrokers or dealers in precious metals or gems from the necessity of complying with state law.

Sec. 6-9-7 through 6-9-11. Reserved.

Article 2. Pawnbrokers.

Sec. 6-9-12. Premises open to police. Every pawnbroker shall admit to his premises any police officer, or designated civilian employee of the police department, who in the performance of official lawful duties as prescribed by the Chief of Police may desire at any time to search for articles missing or stolen, or to make any inspection authorized by this chapter, without the formality of a search warrant.

Sec. 6-9-13. Inspection of pledges and purchases and records. All articles pledged or sold to pawnbrokers shall, at all times, be subject to inspection and examination by the police. All records required to be kept by this chapter or by policies of the Chief of Police shall be subject to inspection and examination by the police.

Sec. 6-9-14. Recordkeeping Requirements. All pawnbrokers shall maintain records documenting all pawnshop transactions as follows:

(a) At the time of the actual transaction pawnbrokers shall complete the transaction form designated by the chief of police. A pawnbroker shall maintain a copy of the completed transaction form on the licensed premises for at least 1 year after the date of the transaction. However, the pawnbroker shall maintain a copy of the transaction form either on premise or off premise at a location within Athens-Clarke County approved by the Chief of Police for not less than 4 years. Such records may be kept electronically as long as a copy of the electronic records can be provided to the Athens-Clarke County police or other law enforcement agency upon demand.

(b) The record required above shall contain:

(1) The time, date, and place of the transaction.

(2) A complete and accurate description of the goods acquired, including the following information, if applicable:

a. Brand name.

b. Model number.

c. Manufacturer's serial number.

- d. Size.
- e. Color, as apparent to the untrained eye.
- f. Precious metal type, weight, and content if known, as well as a digital photograph.
- g. Gemstone description, including the number of stones, if applicable, as well as a digital photograph.
- h. In the case of firearms, the type of action, caliber or gauge, number of barrels, barrel length, and finish.
- i. Any other unique identifying marks, numbers, or letters.

(3) The pawnbroker shall require verification of identification of the person from whom the goods are acquired by accepting only proper identification as defined in Article 1 herein, as well as a description of the person including:

- a. Full name, current residential address, workplace, and home and work phone numbers.
- b. Height, weight, date of birth, race, gender, hair color, eye color, and any other identifying marks.

(4) The record shall contain the type of identification exhibited, the issuing agency, and the number thereon.

(5) The seller shall sign a statement verifying that the seller is the rightful owner of the goods or is entitled to sell, consign, or trade the goods.

(6) Any other information required by the format designated by the chief of police and approved by the Manager.

Sec. 6-9-15. Daily accurate report; false statements.

(a) Every pawnbroker, his employees or agents, shall make correct and truthful entries of the above-required information in the daily electronic reporting required in Section 6-9-3.

(b) It shall be unlawful for person engaged in the business of pawnbroker to make any false entry in any report. Any person making any willfully false or misleading statements in the report shall be punished as provided in section 6-9-4.

Sec. 6-9-16. Minors. It is unlawful for any pawnbroker, or agent or employee thereof to receive any article in pawn or purchase any article for resale from any person under 17 years of age.

Sec. 6-9-17. Goods held for 30 days; Police holds.

(a) Any pawnbroker or person operating under a pawnbroker's license who takes goods on pawn or buys goods, taking full title thereto, the word "goods" being used in the broadest sense and including all kinds of personal property, shall hold the goods so taken in pawn or purchase for at least 30 days before disposing of the goods by sale, transfer, shipment or otherwise.

(b) The Athens-Clarke County police department has the authority to place property that is the subject of police investigation on "police hold." In that event, the Athens-Clarke County police department shall notify the pawnbroker of the need for a police hold and identify all property subject to the police hold. Upon notification, it shall be the responsibility of the pawnbroker to maintain the subject property until such time as the property is released from police hold status or the property is confiscated as evidence.

Sec. 6-9-18 - 6-9-19. Reserved.

Article 3. Dealers in Precious Metals or Gems.

Sec. 6-9-20. Registration and Regulatory Permit Required.

(a) No person shall engage in business as a dealer in precious metals or gems until he has registered as a dealer in precious metals or gems for each separate place of business with the Athens-Clarke County Chief of Police and has applied for a regulatory permit to operate said business in Athens-Clarke County. The registration and permit application shall be in writing and shall be sworn to or affirmed by the dealer in precious metals or gems on a form as prescribed by the Chief of Police.

(b) The registration and permit application shall contain the full name, business address, home address and date of birth of the dealer together with the full names, home addresses, and dates of birth of all other persons having an ownership interest or actually employed in the business other than publicly held corporations. In the case of a corporation, this list shall include full names, dates of birth and titles of corporate officers and owners of ten or more percent of the common or preferred stock.

(c) No person shall be eligible for a regulatory permit or to register as a dealer in precious metals or gems if any owner, manager, employee or stockholder, other than stockholders owning less than 10 percent of the outstanding shares of a publicly held corporation, has been convicted of a felony under the laws of this state or any other state or the United States. This subsection shall not apply to any person who has been convicted of a felony after ten years have expired from the date of completion of the felony sentence. Prior to the issuance of an occupation tax certificate and the regulatory permit, a background investigation shall be required for the stockholders, owner(s), manager(s), and employee(s). If the eligibility requirements are met, then the occupation tax certificate and the regulatory permit shall be issued, and the registration allowed.

(d) Such occupation tax certificate and regulatory permit shall be for the calendar year and must be renewed prior to the expiration date. All independent contractors must have the certificates and permits required by this chapter. In addition, each applicant shall pay an initial registration fee to the Athens-Clarke County Police Department of \$25.00 to cover the cost of registering such persons. The registration shall be renewed annually upon presentation of a current tax certificate and regulatory permit by the dealer.

(e) It shall be the responsibility of the Athens-Clarke County Finance Department to issue and receive payment for the occupation tax certificate.

(f) It shall be the responsibility of the chief of police or designee to issue and receive payment for the regulatory permit. The cost of the regulatory permit shall be \$25.00 for each individual listed on the application and shall be used to cover the cost of the criminal history(s) and background investigation of the applicant(s) investigation in addition to any fees charged by the State. The Director of Finance or his designated representative shall submit the application after filing to the police department. Each applicant authorizes Athens-Clarke County and its agents to secure from any court, law enforcement agency, or other public agency his criminal history and the criminal history of all individuals required to be listed on the application, including but not limited to sole proprietor, partners, members, corporate officers,

stockholders, and managers, and authorizes Athens-Clarke County to use such information in determining whether the license applied for shall be issued. Each applicant waives any right that he would otherwise have to preclude Athens-Clarke County or its agents from obtaining and using such information and each applicant further waives any liability of Athens-Clarke County or its agents for obtaining and using such information, and agrees to indemnify and hold Athens-Clarke County harmless against the claims of any person listed by the applicant on the application and by doing so has authorized Athens-Clarke County to investigate. The police department shall make an arrest and conviction investigation concerning any applicants hereunder and all individuals required to be listed on the application, including but not limited to sole proprietor, partners, LLC members, corporate officers, corporate stockholders, and managers. The police department shall submit the results of the investigation to the Director of Finance or his designated representative within 30 days of submission.

(g) All applications shall contain the address of the premises upon which the business is conducted and the zoning and planning classification of the premises.

(h) Each dealer shall be required to notify the Athens-Clarke County Police Department in writing within seven calendar days of any change of address of the dealer or business or any change of ownership in the business. A copy of the change of address or ownership in the business shall be transmitted to the sheriff of the county within seven days of the notification.

Sec. 6-9-21. Recordkeeping Requirements.

(a) Every dealer in precious metals or gems shall maintain a record, in permanent form, in which shall be entered at the time of each purchase of precious metals or gems or goods made from precious metals or gems the following:

(1) The date and time of the purchase;

(2) The name of the person making the purchase from the seller;

(3) The name, age, and address of the seller of the items purchased and the distinctive number from such seller's driver's license or other proper identification as defined in Article 1, containing a photo of the seller;

(4) A clear and accurate identification and description of the purchased goods, including the serial, model, or other number, and all identifying marks inscribed thereon as well as a digital photograph. If a criminal investigation occurs, the dealer in precious metals and gems shall, upon request, provide a clear and legible copy of the image to the appropriate law enforcement agency.

(5) The price paid for the goods purchased;

(6) The number of the check issued for the purchase price, if payment is made by check; and

(7) The signature of the seller.

(b) The permanent record required by this Code section shall be in legible English. Entries shall appear in chronological order. No blank lines may be left between entries. No obliterations, alterations, or erasures may be made. Corrections shall be made by striking through the entry without destroying its legibility. The record shall be maintained for each purchase of precious metals or gems or goods made from precious metals or gems for at least one year on-site or for at least two years off-site at a location within Athens-Clarke County approved by the Chief of Police. Such records may be kept electronically as long as a copy of the electronic records can be provided to the Athens-Clarke County police or other law

enforcement agency upon demand. The record shall be open to the inspection of any duly authorized law enforcement officer or designated civilian employee of the police department during the ordinary hours of business or at any reasonable time.

(c) Dealers exclusively engaged in buying or exchanging for merchandise scrap dental gold and silver from licensed dentists by registered or certified mail or statutory overnight delivery may record the post office record of the mailed parcel in lieu of the seller's age and proper identification as required in paragraph (3) of subsection (a) of this Code section and in lieu of the seller's signature as required in paragraph (7) of subsection (a) of this Code section.

Sec. 6-9-22. Daily electronic reporting required.

(a) Every dealer in precious metals or gems shall comply with the requirements for daily electronic reporting as set forth in Section 6-9-3. The daily electronic reports shall contain the information required in Section 6-9-21(a)(1)-(5) in a form approved or prescribed by the Chief of Police of all precious metals or gems or goods made from precious metals or gems purchased on the day of the report.

(b) All reports shall be maintained in a secure location under the direct supervision of the appropriate police officer. All reports shall be available for inspection only for law enforcement purposes as provided in O.C.G.A. Section 43-37-4(b).

(c) Any Athens-Clarke County police officer may, in his discretion, authorize any person who demonstrates theft of precious metals or gems by the presenting of an incident report or other similar document to inspect the reports at the Athens-Clarke County Police Department in an effort to locate stolen property.

Sec. 6-9-23. Unlawful activities.

(a) It shall be unlawful for any dealer in precious metals or gems or any agent or employee of a dealer in precious metals or gems who makes purchases of precious metals or gems or of goods made from precious metals or gems to:

(1) Make any false statement in the permit application and registration provided for in Section 6-9-20;

(2) Fail to maintain and make entries in the permanent record as required by Section 6-9-21;

(3) Make any false entry in such permanent record;

(4) Falsify, obliterate, destroy, or remove from the place of business such permanent record;

(5) Refuse to allow any duly authorized law enforcement officer or designated civilian employee of the police department to inspect such permanent record, or any precious metals or gems or goods made from precious metals or gems in his possession, during the ordinary hours of business or at any reasonable time;

(6) Sell, exchange, or remove from the legal possession of the buyer, or to alter the form of, any precious metals or gems or goods made from precious metals or gems purchased by remounting, melting, cutting up, or otherwise altering the original form until at least 10 calendar days have elapsed from the time of purchase or acquisition;

(7) Fail to make the report as required in this Article; or

(8) Purchase any precious metals or gems from any person under 17 years of age.

(b) It shall be unlawful for any person to advertise or transact business as a dealer in precious metals or gems without first registering and obtaining the regulatory permit pursuant to the requirements of this Chapter.

(c) It shall be unlawful for any dealer in precious metals or gems to purchase precious metals in a melted or smelted state unless the purchase is from a registered dealer in precious metals or gems.

(d) If any Athens-Clarke County police officer has probable cause to believe that precious metals or gems have been stolen, he may give notice in writing to the dealer to retain the precious metals or gems for an additional 15 days; and it shall be unlawful for the dealer to dispose of the property unless the notice is revoked in writing within the 15 day period.

Sec. 6-9-24. Applicability of Article.

(a) This Article shall not apply to any precious metals or gems containing precious metals or gems obtained from industrial producers, manufacturers, licensed dealers, or distributors.

(b) This Article shall not apply to dealers exclusively engaged in the sale or exchange of numismatic coins or to transactions exclusively involving numismatic coins or other coinage.

(c) This Article shall not apply to pawnbrokers regulated under Article 2.

Sec.6-9-25 through Sec. 6-9-29. Reserved.

Article 4. Itinerant Dealers in Precious Metals or Gems.

Sec. 6-9-30. Applicability. This Article shall be applicable to all itinerant dealers of precious metals or gems, whether their sales, trades and purchases are at retail or wholesale or by any form of pawn. Specifically excluded are wholesalers, buyers and sellers who sell, trade and deal only with mercantile establishments or purchase precious metals or gems from manufacturers, manufacturer's representatives, or other dealers in precious metals or gems.

Sec. 6-9-31. Notice of intent to conduct business.

(a) Permit required. It shall be unlawful for any person to engage in activities as an itinerant dealer in precious metals or gems in Athens-Clarke County without having obtained a valid permit for each separate location and for each person engaging in said activities. Prior to advertising any buying, selling, trading or otherwise dealing in precious metals or gems, an itinerant dealer shall, at least 3 business days prior to the initial advertising, file with the chief of police an application for a regulatory permit to conduct the business of itinerant dealer in precious metals or gems in Athens-Clarke County.

(b) Such application shall include the following:

(1) Full name of the person, group or association, and its address;

(2) The name of the person who will be conducting business in Athens-Clarke County and his home address, including proper identification as defined in Article 1;

(3) The length of the stay in Athens-Clarke County, including the dates of opening and closing, at each fixed location not to exceed 15 days;

(4) The fingerprints of the person or persons who will be conducting such business in Athens-Clarke County; and

(5) Where the business will be conducted, and during what hours; except that no itinerant dealers in precious metals or gems shall operate at any location in Athens-Clarke County between the hours of 6:00 p.m. and 8:00 a.m. Monday through Saturday or during any hours on Sunday.

(c) No person who has been convicted of a felony under the laws of this state or any other state of the United States shall be eligible to receive a regulatory permit to conduct business as an itinerant merchant of precious metals or gems within Athens-Clarke County. This paragraph shall not apply to any person who has been convicted of a felony after ten years have expired from the date of completion of the felony sentence. Prior to the issuance of the regulatory permit, a background investigation shall be required for each person who will be conducting business in Athens-Clarke County. If the eligibility requirements are met, then the regulatory permit shall be issued for each person meeting the requirements. The provisions of Section 6-9-20(f) shall apply to the background investigation required herein.

(d) Each regulatory permit issued pursuant to this section shall be nontransferable and valid for period of time listed by the applicant in response to paragraph (b)(3) above, not to exceed 15 days.

(e) Every itinerant dealer shall admit to the premises where business is being conducted any police officer, or designated civilian employee of the police department, who in the performance of official lawful duties as prescribed by the Chief of Police, may desire at any time to search for articles missing or stolen, or to make any inspection of records authorized by this chapter, without the formality of a search warrant.

Sec. 6-9-32. Records. All itinerant dealers, both salesmen and buyers, of precious metals or gems shall keep records wherein shall be entered an accurate description of all property pledged, traded or sold by them. Such description shall include to the extent possible the name or the make of the article, any identifying mark or number, and a statement of the kind of material of which it is made. In such records there shall be entered also the full name and address of the person by whom same was deposited or sold, and the time when the same was done, and the name, address, date of birth and drivers' license number of seller. In the event the seller does not have a drivers' license, other proper identification as defined in Article 1 shall be required. These entries shall be made as soon after the transaction as is possible but in no event more than one hour after the time given for daily close of business in Section 6-9-31(b)(5) above. Such records may be kept electronically as long as a copy of the electronic records can be provided to the Athens-Clarke County police or other law enforcement agency upon demand.

Sec. 6-9-33. Daily Accurate Report to police. Every traveling and itinerant dealer shall make a report to the police department, as required in Section 6-9-3 (Daily Electronic Reporting). The report shall be in such form as may be prescribed by the chief of police, of all property pledged, traded, bought or sold during the period of operation in Athens-Clarke County, and shall show the name and address of any person who bought, sold, traded or otherwise disposed of or received any item; the date and time of the transaction; the amount paid or advanced, or the item traded; the full description of articles, including kind, style, material, color, design, kind and number of stones in jewelry; and all identifying names, ranks, and numbers; and a description of persons trading, buying, selling or pawning, including the name, address, race, weight, height and thumbprint of said person.

Sec. 6-9-34. Surrender of stolen property. In the event it is determined that any item bought, sold or traded to, or received by the itinerant dealer, salesman or buyer is the subject of any theft of crime, the dealer, salesman or itinerant buyer shall, upon demand of the chief of police surrender the same to the police department.

Sec. 6-9-35. Holding period. Every item covered by this Article which is purchased from one seller shall be separately packaged, or kept separately, and not intermingled or confused with items purchased from another seller, for a period of thirty days following the purchase of such item. No person engaging in the purchase of precious metals or items as defined this chapter shall sell or otherwise dispose, permit the sale or disposal, remove or permit to be removed from the license holder's place of business, intermingle with other jewelry or stones, alter, change, deface or permit the same of any such precious metals or stones purchased, until after the expiration of thirty days from the date of purchase.

Sec. 6-9-36. It is unlawful for any itinerant dealer of precious metals or gems to purchase any precious metals or gems from any person under 17 years of age.

SECTION 2. The effective date of this ordinance shall be May 24, 2010.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.