

**FRENCHTOWN CHARTER TOWNSHIP  
PAWNBROKER LICENSING ORDINANCE  
Ord. No. 214; Date of Adoption: May 11, 2010**

An Ordinance to regulate and license pawnbrokers located within Frenchtown Charter Township pursuant to the authority set forth in Pawnbrokers Act 273 of 1917 as amended and Township Ordinances Act 246 of 1945 as amended, and to establish the requirements for the issuance of a pawnbroker license in the interest of the general health, safety and welfare of the public.

**THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:**

**Section 1. Title.**

This Ordinance shall be known as and referred to as the Frenchtown Charter Township Pawnbroker Licensing Ordinance.

**Section 2. Purpose.**

This Ordinance shall regulate and require the licensing of all pawnbrokers within Frenchtown Charter Township.

**Section 3. State Law Adopted.**

Frenchtown Charter Township hereby adopts by reference Pawnbrokers Act No. 273 of the Public Acts of 1917, as amended, being Sections 446.201 through 446.219 of the Michigan Compiled Laws (the "Act").

**Section 4. Definitions.**

As used in this Ordinance:

1. "Chief Executive Officer" means the Frenchtown Charter Township Supervisor or his or her designee.
2. "Local Governmental Unit" means Frenchtown Charter Township or its designee.
3. "Local Police Agency" means the Monroe County Sheriff's Office or its designee.
4. "Pawnbroker" means a person, corporation, or member, or members of a copartnership or firm, who loans money on deposit, or pledge of personal property, or other valuable thing or other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.

**Section 5. License Required.**

A person, firm or corporation shall not conduct business as a pawnbroker in Frenchtown Charter Township without first having obtained a license from the Township as required by the Act. The license shall designate the particular place in the Township where the licensee will conduct business.

**Section 6. License Application, Information Required.**

To obtain a pawnbroker's license, a written application shall be made to the Township Clerk upon forms provided by the Clerk. The application shall be under oath and shall contain the following information:

1. The name, address, and telephone number of the business entity for which the license is sought.
2. The names, addresses, telephone numbers, dates of birth, thumbprints and types of legal interest in the business of all owners, co-partners, stockholders or managers.
3. The criminal record, if any, of all owners, co-partners, stockholders or managers, giving the date, place and nature of all felonies and misdemeanors, including violations of local ordinances with the exception of traffic offenses.
4. The names, addresses, dates of birth and thumbprints of all agents or employees of the pawnbroker.
5. Within forty-eight (48) hours of the occurrence of any addition, deletion or modification of the data indicated above, the licensee shall notify the Township Clerk of such change.

**Section 7. Annual License Fee and Bond.**

The annual fee for a pawnbroker's license shall be Two Hundred Fifty (\$250.00) Dollars and the initial annual fee shall be due and payable at the time of the filing of the application for the pawnbroker's license. The applicant shall also be required to provide a bond to the Township in a form acceptable to the Township in the penal sum of Three Thousand (\$3000.00) Dollars with at least two sureties, conditioned for the faithful performance of the duties and obligations pertaining to the conduct of the business and for the payment of costs and damages incurred by the Township for the violation of this Ordinance or for other purposes permissible under the Act.

**Section 8. License Denial; Refund; Probationary License Revocation.**

1. Denial. In the event that the report of the local police agency establishes that the proposed licensee constitutes a threat to the public health, welfare or morals, the Chief Executive Officer of the Township, in his or her judgment shall refuse to issue a license to the applicant and the applicant's license fee shall be refunded except for an administrative service charge of Seventy-Five (\$75.00) Dollars.

2. Probationary License. The Township shall have the authority to issue conditional or probationary licenses. The failure to provide any information for a license, or the falsification of any information on the application shall constitute sufficient reason to refuse issuance of a license.

3. Revocation. Upon a violation of this Ordinance by a person conducting business as a pawnbroker, or a violation of any clerk, agent, servant, or employee of the person, the Township Supervisor shall revoke the license of the person and no part of the license fee shall be returned to him or her. The Township shall not issue a license as a pawnbroker to that person for a period of 1 year from the date of the revocation.

**Section 9. License Term.**

In the event the application and subsequent report indicate that the issuance of a license to the applicant under this Ordinance would not be detrimental to the public welfare and morals, the Chief Executive Officer of the Township shall grant a license for the term of one (1) year ending December 31<sup>st</sup> of the succeeding year. Such license shall not be transferable and shall be subject to suspension, probation or revocation for cause after notice and hearing.

**Section 10. Record of Transaction.**

A pawnbroker shall maintain and provide records of transactions to the local police agency in the form required by and in accordance with the provisions of the Act including but not limited to a record of property received, a statement to local police agency of articles received and Purchaser's memorandum of pawn.

**Section 11. Compliance with Local Zoning, Ordinances and Laws.**

The provisions of this Ordinance and the Act shall not exempt a pawnbroker from complying with the Township Zoning Ordinance or any other Township Ordinance or requirements and County and State laws.

**Section 12. Penalty.**

Any person, firm or corporation violating any Section of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not less than Twenty-Five (\$25.00) Dollars and not to exceed One Hundred (\$100.00) Dollars or by being imprisoned in the County Jail for not less than ten (10) days nor more than three (3) months or both such fine and imprisonment at the discretion of the Court. Each day of violation shall constitute a separate offense.

**Section 13. Repeal.**

All Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed.

**Section 14. Severability.**

This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are declared to be severable and if any of them are adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected.

**Section 15. Effective Date.**

This Ordinance shall become effective thirty (30) days after adoption and publication in a newspaper having general circulation in the Charter Township of Frenchtown, Monroe County, Michigan.