



ORDINANCE

AMENDING THE PAWNBROKERS AND SECONDHAND DEALERS ORDINANCE

CITY OF NASHUA

In the Year Two Thousand and Eight

The City of Nashua ordains that Chapter 220 “Pawnbrokers and Secondhand Dealers”, Sections 220-2 “Definitions”, 220-4 “License required; application requirements”, 220-5 “Transaction records”, and 220-7 “Holding period for purchases”, of the Nashua Revised Ordinances, as amended, be and hereby is further amended by deleting the struck-through language and adding the new underlined language as follows:

§ 220-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PAWNBROKER — Any person, firm, partnership, or corporation whose business includes any transaction wherein there is the lending of money secured by taking possession of jewelry, wearing apparel, household goods or other personal property, with interest charged thereon, with the right to sell the personal property if it is not redeemed. A person, firm, partnership or corporation shall be deemed to be a pawnbroker whether the transaction takes the form of a loan by the pawnbroker secured by the property or a sale to the pawnbroker with the right to repurchase within a specified period of time. Pawnbrokers are regulated according to New Hampshire RSA 398.

SECONDHAND DEALER — Any person, firm, partnership or corporation whose business is the retail buying, selling, buy-back, exchanging, dealing in or dealing with secondhand articles, including but not limited to jewelry, watches, clocks, diamonds or other precious stones or gems, gold, silver, platinum, other precious metals, musical instruments and equipment, cameras, furs, fur coats or other kinds of wearing apparel, television, DVD players, video cassette recorders and other electronic equipment, tools, computer and computer equipment, firearms, auto accessories and office and store fixtures and related equipment. Secondhand Dealers are regulated according to New Hampshire RSA 322.

§ 220-4. License required; application requirements.

No person, firm, partnership or corporation shall operate, conduct or engage in business as a pawnbroker or secondhand dealer unless such person, firm, partnership or corporation obtains a license from the City of Nashua through the

Board of Aldermen in accordance with NH RSA 398:5 and RSA 322:1, respectively. Applications for licenses for pawnbrokers or secondhand dealers shall be made in writing to the City of Nashua on forms provided by the City of Nashua.

A. Investigation of applicant. All applications shall be submitted by the City Clerk to the Chief of Police, who shall cause an investigation to be made of the fitness of the applicant to carry on the business of pawnbroker or secondhand dealer. The Chief of Police shall then report his findings to the Board of Aldermen.

B. Location. ~~A-The license shall be issued for a specific location and is not transferable to any other person, firm, partnership or corporation. shall not be assigned or transferred.~~

C. Fee. Upon approval by the Board of Aldermen, a fee of \$50 shall be paid by the applicant to the City Clerk prior to the issuance of the license.

D. Display of license. Licensees shall display their current license in a conspicuous place within the business where it may be ~~distinctly seen and read~~readily viewed by the general public.

E. Expiration; revocation. ~~Such license shall expire on April 1 next following, except that it may be sooner revoked by the Board of Aldermen. A numbered license shall be issued and continue in full force until April 1st of each year unless revoked prior to this date by the Board of Aldermen~~ at any time after notice to the licensee and hearing on the charges preferred.

§ 220-5. Transaction records.

A. Every pawnbroker or secondhand dealer shall keep and maintain a complete written record of each such purchase. This record, which must be kept on file for seven years, shall be in the English language and include a full and accurate detailed description, including serial numbers, of the item or items purchased, pawned or pledged; the date and time of such transaction; the amount of money loaned and the rate of interest to be paid on said loans; and, the full name and address of the seller or pledger.

B. Every secondhand dealer shall keep and maintain written records, including the names and addresses of purchasers, for sales of items purchased by the secondhand dealer less than thirty (30) days before the date of sale.

§ 220-7. ~~Holding period for purchases.~~ Retention Period.

~~Every pawnbroker and secondhand dealer shall retain possession of all items purchased for a fourteen-day period subsequent to the purchase thereof; provided, however, that any such item may be disposed of by the purchaser within such fourteen-day period with written permission of the Chief of Police. Pawnbrokers shall retain nonperishable items for at least four months and perishable items for at least one month. Pawnbrokers shall retain nonperishable items for at least four (4) months and perishable items for at least one (1) month after the date of deposit for said article(s).~~