

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2 - 2012

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
MIDDLESEX TOWNSHIP, CUMBERLAND COUNTY,
PENNSYLVANIA REGULATING PAWN SHOPS AND
SECOND-HAND SHOPS IN MIDDLESEX TOWNSHIP

BE IT HEREBY ENACTED AND ORDAINED, and it is hereby enacted by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: Title. This Ordinance shall be known and may be cited as the Middlesex Township Pawn Shop and Second-hand Shop Ordinance.

SECTION 2: Definitions. The following words and terms shall have the meanings indicated:

PAWNBROKER or SECOND-HAND DEALER – Any individual, partnership, corporation or entity who or which either wholly or partly engages in or operates in the trade or business of buying, taking on consignment, trading and/or selling used goods and/or items, including, but not limited to precious stones, precious metals, jewelry, tools, electrical devices, fixtures, appliances, automobile accessories, tires, household goods, firearms, coins, trading cards and other used items that are purchased, salvaged, traded or received from any person, firm or entity.

TOWNSHIP – Middlesex Township.

SECTION 3: Records. Every pawnbroker and second-hand dealer shall keep and maintain accurate and complete records of each transaction in which a good or item is purchased or obtained. Such record shall be legibly written in the English language at the time of the transaction in the course of business and shall, at a minimum, include all of the following:

- A. A complete and accurate description of the good or item purchased or obtained;

- B. The name, address, date of birth, telephone number and physical description (sex, race, height, any identifying features) of the individual selling or trading the good or item or leaving the good or item for a loan or on consignment. The identity of the person selling, trading or providing the good or item shall be verified by the production of a Pennsylvania photo driver's license, Pennsylvania photo identification card or other similar photo identification card.
- C. The type of identification used to identify the individual in Subsection B, above.
- D. The price for which the good or item was pawned, purchased, sold, exchanged or loaned.

SECTION 4: Report to Chief of Police. The pawnbroker or second-hand dealer shall provide copies of the record of transactions required to be kept in accordance with Section 3, above, to the Township Chief of Police or his designee at 350 North Middlesex Road, Carlisle, Pennsylvania every Monday by 10:00 a.m. The copies can be provided by email, telefax, mail or hand delivery, as long as the copies are received each Monday by 10:00 a.m.

SECTION 5: Time Limit For Possession of Items. No pawnbroker or second-hand dealer shall sell or dispose of, in any way, until 30 days after purchase or acquisition, any of the following items: precious stones, coins, jewelry, watches, gold, silver, platinum or other precious metals or similar items. No pawnbroker or second-hand dealer shall sell or dispose of, in any way, any other goods or items until seven days after purchase or acquisition of same.

SECTION 6: Prohibited Transactions. No pawnbroker or second-hand dealer shall purchase or acquire any good or item from any person under 18 years of age, unless such person is accompanied by a parent or legal guardian who also provides for recording by the pawnbroker or second-hand dealer, the identification information specified in Section 3, Paragraphs B and C, above.

SECTION 7: Licensing Requirement. No person may operate as a pawnbroker or second-hand dealer in the Township without first obtaining a license from Middlesex Township. The fee for issuance of a license under this Ordinance shall be \$100. If any pawnbroker or second-hand dealer is convicted of robbery, burglary, larceny, receiving stolen property or any other crime involving the unlawful

obtaining of personal property, the license shall be revoked.

SECTION 8: Violations and Penalties. Any person, partnership, corporation or entity that violates any provision of this Ordinance shall be subject to a civil enforcement proceeding and upon the finding of a violation be subject to payment of a civil penalty of not more than \$600.00 for each violation, penalties for continued violations and reasonable attorney's fees incurred by the Township. In addition to or in lieu of penalties that may be assessed, the Township may enforce this Ordinance by proceedings seeking equitable relief. Any police officer of the Middlesex Township Police Department shall have authority to determine and prosecute any violation of this Ordinance.

SECTION 9: Severability. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is declared to be the legislative intention that this Ordinance would have been enacted had the unconstitutional, illegal or otherwise invalid provisions not been included in this Ordinance.

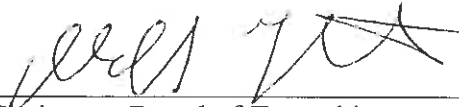
SECTION 10: Effective Date. This Ordinance shall take effect in accordance with existing law.

ORDAINED AND ENACTED this 31st day of August, 2012.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township
Supervisors

(Township Seal)