

BILL NO. 93-58

Ordinance No. 3753

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 60, SECTION 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO INCLUDE THE DEFINITION OF THE TERMS "AUTO-PAWNBROKER" AND "MOTOR VEHICLE"; AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO PROHIBIT CONDUCTING AN AUTO-PAWNBROKER BUSINESS WITHOUT A LICENSE; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO IMPOSE A SEMIANNUAL LICENSE FEE OF TWO HUNDRED AND FIFTY DOLLARS FOR AN AUTO-PAWNBROKER LICENSE; AMENDING SECTIONS 90, 160, AND 240 OF SAID TITLE AND CHAPTER TO PERMIT PAWNBROKERS TO CHARGE EIGHT PERCENT PER MONTH INTEREST ON MONEY LOANED; AMENDING SECTIONS 200 AND 250 OF SAID TITLE AND CHAPTER TO REQUIRE RETENTION OF PAWNED PROPERTY FOR A PERIOD OF THIRTY DAYS; AMENDING SAID TITLE AND CHAPTER BY ADDING NEW SECTIONS RESTRICTING ISSUANCE OF AUTO-PAWNBROKER LICENSES TO ONLY PERSONS LICENSED AS PAWNBROKERS, REQUIRING ISSUANCE OF AUTO-PAWNBROKER LICENSE UPON PAYMENT OF LICENSING FEE, REQUIRING AUTO-PAWNBROKERS TO COMPLY WITH PAWNBROKER REGULATIONS, AND LIMITING MOTOR VEHICLE STORAGE FEES TO \$3 PER DAY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Councilman Frank Hawkins

Summary: Permits the operation of an auto-pawnbroker business by a licensed pawnbroker upon the payment of additional semiannual licensing fees. Permits pawnbrokers to charge up to 8% monthly interest on money loaned, and requires that items of personal property pawned be retained by the pawnbroker thirty days.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 60, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.60.020: As used in this Chapter, unless the context otherwise requires, the following words shall have the meanings ascribed to them as follows:

(A) "Application" means an application for consideration of a pawnbroker license.

(B) "Auto-pawnbroker" means a pawnbroker who accepts a motor vehicle

1 as pledged property or in any other matter allows the use of a motor vehicle as collateral or
2 security for a loan.

3 (C) "Motor vehicle" means every vehicle which is self-propelled but not
4 operated upon rails.

5 [(C)] (D) "Pawn" or "pledge" means the deposit of personal property
6 by a debtor (pawnor) to his creditor (pawnbroker) as security for a loan.

7 (E) "Pawnbroker" means a person who lends money on the security of
8 personal property, other than motor vehicles, deposited or left in pawn with him.

9 [(D)] (F) "Pawnor" means a person who borrows money from another
10 and deposits personal property with him as security for the loan.

11 [(E)] (G) "Personal property" means all corporeal property that is not
12 real property as well as documents and titles.

13 [(F)] (H) "Police department" means the Las Vegas Metropolitan Police
14 Department.

15 [(G)] (I) "Population" means the estimated number of persons inhabiting
16 the City as determined and reported by the State of Nevada, Department of Taxation, pursuant
17 to the provisions of NRS 360.283, and as certified by the Governor, pursuant to the provisions
18 of NRS 360.285.

19 SECTION 2: Title 6, Chapter 60, Section 30, of the Municipal Code of the
20 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 6.60.030: No person shall conduct or transact a pawnbrokering or auto-pawnbrokering
22 business without a valid unexpired license as provided in this Code.

23 SECTION 3: Title 6, Chapter 60, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended by adding a new Section thereto to be
25 designated as 6.60.035 to read as follows:

26 6.60.035: (A) A pawnbroker must not accept a motor vehicle as pledged property or in

1 any other manner allow the use of a motor vehicle as collateral or security for a loan unless he
2 is licensed as an auto-pawnbroker.

3 (B) An auto-pawnbroker license may only be issued to a person licensed
4 as a pawnbroker as provided in this Code.

5 (C) A pawnbroker shall be issued an auto-pawnbroker license upon
6 payment of the prescribed license fee as provided in this Chapter.

7 SECTION 4: Title 6, Chapter 60, Section 40, of the Municipal Code of the
8 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 6.60.040: (A) Each person required to be licensed as a pawnbroker by this Chapter shall
10 pay in advance a semiannual license fee of five hundred dollars.

11 (B) Each person required to be licensed as an auto-pawnbroker by this
12 Chapter shall pay in advance a semiannual license fee of two hundred and fifty dollars. This fee
13 is in addition to that fee imposed by Subsection (A) for a pawnbroker license.

14 SECTION 5: Title 6, Chapter 60, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a Section to be designated
16 as 6.60.045 to read as follows:

17 6.60.045: The general provisions of this Chapter pertaining to a pawnbroker business, and
18 the administration and enforcement thereof, to the extent not otherwise specifically addressed, or
19 in conflict, or inconsistent with the provisions of this Chapter pertaining to an auto-pawnbroker
20 business, shall also apply to an auto-pawnbroker business.

21 SECTION 6: Title 6, Chapter 60, Section 90, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 6.60.090: Each receipt shall also have printed thereon, so as to be easily read, the following:

24 (A) "Maximum Legal Interest Per Month [6%] 8% Handling Fee
25 Permitted of Up to \$5.00."

26 (B) "In the event of failure to pay the loan within 120 days from the date

1 hereof, you shall thereby forfeit all right and title unto such pawned property to the pawnbroker
2 who shall thereby acquire an absolute title to the same."

3 SECTION 7: Title 6, Chapter 60, Section 160, of the Municipal Code of
4 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 6.60.160: Each pawnbroker shall post and maintain, in a prominent location within the
6 confines of his pawnshop, a printed sign of not less than fifteen by twenty inches with, in clearly
7 discernible red lettering of not less than two inches in size, on a white background, the following
8 words: "Maximum interest allowed per month--[six percent (6%)] eight percent (8%) plus a five
9 dollar (\$5.00) handling fee is also permitted."

10 SECTION 8: Title 6, Chapter 60, Section 200, of the Municipal Code of
11 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 6.60.200: No property received in pawn by any pawnbroker may be removed from his place
13 of business, except when redeemed by the pawnor, until the expiration of [ten] thirty days after
14 the receipt thereof has been reported to the police department as required by Section 6.60.140 of
15 this Chapter.

16 SECTION 9: Title 6, Chapter 60, Section 240, of the Municipal Code of
17 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 6.60.240: (A) It is unlawful for any pawnbroker to charge or receive interest at a greater
19 rate than [six percent] eight percent per month for money lent on the security of personal property
20 received in pawn.

21 (B) It is unlawful for any pawnbroker to charge or receive any appraisal
22 fee, storage fee, or any other fee or charge other than the amounts as herein allowed, except that
23 he may charge a handling fee of five dollars for each pawn.

24 SECTION 10: Title 6, Chapter 60, Section 250, of the Municipal
25 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 6.60.250: It is unlawful for any pawnbroker or any clerk, agent or employee of a pawnbroker

1 to:

2 (A) Omit making an entry of any material matter in his book or record
3 kept as provided for in Section 6.60.110 of this Chapter;

4 (B) Make [any] a false entry in his book or record;

5 (C) Obliterate, destroy or remove from his place of business the book
6 or record;

7 (D) Refuse to allow inspection by the police department of the book or
8 record or any goods in his possession, during the ordinary hours of business;

9 (E) Report [any] a material matter falsely to the police department;

10 (F) Omit reporting forthwith to the police department possession of [any]
11 property which he may have good cause to believe has been lost or stolen, together with the name
12 of the owner, if known, and the date when and the name of the person from whom he received
13 the property;

14 (G) Remove or allow to be removed from his place of business, except
15 upon redemption by the owner thereof, [any] property received within [ten] thirty days after the
16 receipt thereof is reported to the police department.

17 (H) Receive [any] property from [any] a person under the age of eighteen
18 years, [any] common drunkard, [any] habitual user of controlled substances as defined in Chapter
19 453 of NRS, [any] habitual criminal, [any] person in an intoxicated condition, [any] known thief
20 or receiver of stolen property, or any known associate of a thief or receiver of stolen property,
21 whether the person is acting in his own behalf or as the agent of another;

22 (I) Violate the provisions of Section 6.60.080 or Section 6.60.120 of this
23 Chapter.

24 SECTION 11: Title 6, Chapter 60, of the Municipal Code of the City
25 of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding a new Section thereto to read
26 as follows:

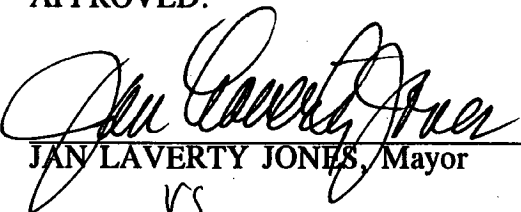
1 An auto-pawnbroker shall not charge more than \$3 per day for the
2 storage of a motor vehicle which is security or collateral for a loan, and shall print
3 such maximum rate on the receipt and sign required by LVMC 6.60.090 and
4 6.60.160 in accordance with the printing requirements of said sections.

5 SECTION 12: If any section, subsection, subdivision, paragraph,
6 sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be
7 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision
8 shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part
9 thereof. The City Council of the City of Las Vegas, Nevada, hereby declares that it would have
10 passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof
11 irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
12 sentences, clauses, or phrases be declared unconstitutional, invalid or ineffective.

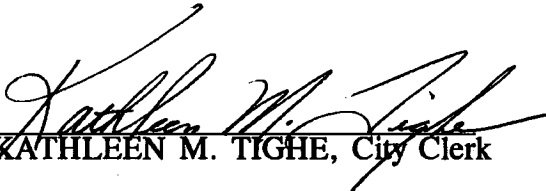
13 SECTION 13: All ordinances or parts of ordinances, sections,
14 subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City
15 of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 3rd day of November 1993.

17 APPROVED:

18 
19 JAN LAVERTY JONES, Mayor
20 VS
21 11-8-93

22 ATTEST:

23 
24 KATHLEEN M. TIGHE, City Clerk
25
26

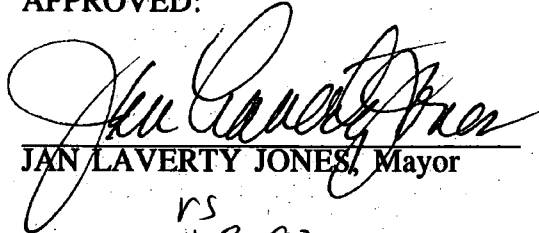
1 The above and foregoing ordinance was first proposed and read by title to
2 the City Council on the 6th day of October, 1993, and referred to the following
3 committee composed of Councilmen Hawkins Jr. and Higginson for
4 recommendation; thereafter the said committee reported favorably on said ordinance on the 3rd
5 day of November, 1993, which was a regular meeting of said Council; that
6 at said regular meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": Councilmen Adamsen, Higginson, Hawkins Jr., Brass and Mayor Jones

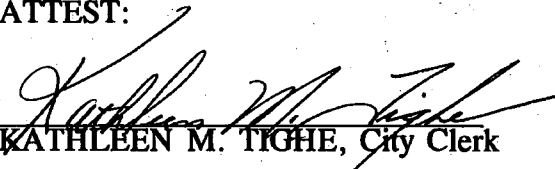
9 VOTING "NAY": NONE

10 ABSENT: NONE

11 APPROVED:

12 
13 JAN LAVERTY JONES, Mayor
14 *rs*
15 *11-8-93*

16 ATTEST:

17 
18 KATHLEEN M. TIGHE, City Clerk

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
Nov 15 11 30 AM '93

PA

BILL NO. 93-58
ORDINANCE NO. 3753

HERE

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 60, SECTION 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO INCLUDE THE DEFINITION OF THE TERMS "AUTO-PAWNBROKER" AND "MOTOR VEHICLE"; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO PROHIBIT CONDUCTING AN AUTO-PAWNBROKER BUSINESS WITHOUT A LICENSE; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO IMPOSE A SEMIANNUAL LICENSE FEE OF TWO HUNDRED AND FIFTY DOLLARS FOR AN AUTO-PAWNBROKER LICENSE; AMENDING SECTIONS 90, 140, AND 240 OF SAID TITLE AND CHAPTER TO PERMIT PAWNBROKERS TO CHARGE EIGHT PERCENT PER MONTH INTEREST ON MONEY LOANED; AMENDING SECTIONS 200 AND 250 OF SAID TITLE AND CHAPTER TO REQUIRE RETENTION OF PAWNED PROPERTY FOR A PERIOD OF THIRTY DAYS; AMENDING SAID TITLE AND CHAPTER BY ADDING NEW SECTIONS RESTRICTING ISSUANCE OF AUTO-PAWNBROKER LICENSES TO ONLY PERSONS LICENSED AS PAWNBROKERS, REQUIRING ISSUANCE OF AUTO-PAWNBROKER LICENSE UPON PAYMENT OF LICENSING FEE, REQUIRING AUTO-PAWNBROKERS TO COMPLY WITH PAWNBROKER REGULATIONS, AND LIMITING MOTOR VEHICLE STORAGE FEES TO \$3 PER DAY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Frank Hawkins
SUMMARY: Permits the operation of an auto-pawnbroker business by a licensed pawnbroker upon the payment of additional semiannual licensing fees. Permits pawnbrokers to charge up to 8% monthly interest on money loaned, and requires that items of personal property pawned be retained by the pawnbroker thirty days.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of October, 1993, and referred to the following committee composed of Councilmen Hawkins Jr. and Higginson, for recommendation; thereafter the said committee reported favorably on said ordinance on the 3rd day of November, 1993, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote: VOTING "AYE" Councilmen: Adamsen, Higginson, Hawkins Jr., Brass and Mayor Jones
VOTING "NAY" NONE
EXCUSED: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: November 6, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 6, 1993 to NOVEMBER 6, 1993, on the following days:

NOVEMBER 6, 1993

Signed:

Andrea Davis

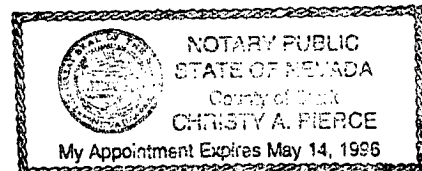
Subscribed and sworn to before me this

10

day of November, 19 93

Christy A. Pierce

Notary Public



AFFIDAVIT OF PUBLICATION

Oct 26 10 28 AM '93

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BILL NO. 93-58

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 40, SECTION 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO INCLUDE THE DEFINITION OF THE TERMS "AUTO-PAWNBROKER" AND "MOTOR VEHICLE"; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO PROHIBIT CONDUCTING AN AUTO-PAWNBROKER BUSINESS WITHOUT A LICENSE; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO IMPOSE A SEMIANNUAL LICENSE FEE OF TWO HUNDRED AND FIFTY DOLLARS FOR AN AUTO-PAWNBROKER LICENSE; AMENDING SECTIONS 90, 100, AND 200 OF SAID TITLE AND CHAPTER TO PERMIT PAWNBROKERS TO CHARGE EIGHT PERCENT PER MONTH INTEREST ON MONEY LOANED; AMENDING SECTIONS 200 AND 250 OF SAID TITLE AND CHAPTER TO REQUIRE RETENTION OF PAWNED PROPERTY FOR A PERIOD OF THIRTY DAYS; AMENDING SAID TITLE AND CHAPTER BY ADDING NEW SECTIONS RESTRICTING ISSUANCE OF AUTO-PAWNBROKER LICENSES TO ONLY PERSONS QUALIFYING AS PAWNBROKERS, REQUIRING ISSUANCE OF AUTO-PAWNBROKER LICENSE UPON PAYMENT OF LICENSING FEE, REQUIRING AUTO-PAWNBROKERS TO COMPLY WITH PAWNBROKER REGULATIONS, AND LIMITING MOTOR VEHICLE STORAGE FEES TO \$3 PER DAY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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SUMMARY: Permits the operation of an auto-pawnbroker business by a licensed pawnbroker upon the payment of additional semiannual licensing fees. Permits pawnbrokers to charge up to 8% monthly interest on money loaned, and requires that items of personal property pawned be retained by the pawnbroker thirty days.

At a City Council meeting October 6, 1993

BILL NO. 93-58 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilman Hawkins AND Higginson

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: October 21, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:
ANDREA DAVIS

_____ , being first duly sworn, deposes and says:

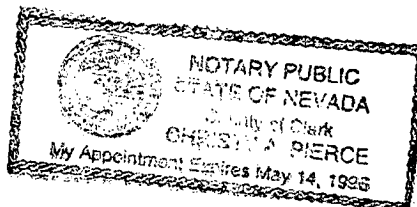
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 21, 1993 to OCTOBER 21, 1993, on the following days:

OCTOBER 21, 1993

Signed: _____

Subscribed and sworn to before me this 22 day of October, 19 93

Notary Public



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Nov 15 11 30 AM '93

PA

BILL NO. 93-58
ORDINANCE NO. 3753

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SPONSORED BY: Councilman Frank Hawkins

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of October, 1993, and referred to the following committee composed of Councilmen Hawkins Jr. and Higginson, for recommendation; the matter the said committee reported favorably on said ordinance on the 3rd day of November, 1993, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen: Adamsen, Higginson, Hawkins Jr., Brass and Mayor Jones
VOTING "NAY" NONE

EXCUSED: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: November 6, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

ANDREA DAVIS

, being first duly

sworn, deposes and says:

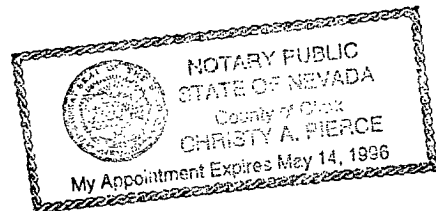
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 6, 1993 to NOVEMBER 6, 1993, on the following days:

NOVEMBER 6, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this 10 day of November, 19 93

Christy A. Pierce
Notary Public



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AFFIDAVIT OF PUBLICATION

OCT 26 10 28 AM '93

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BILL NO. 93-58

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At a City Council meeting
October 6, 1993

BILL NO. 93-58 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Hawkins AND Higginson

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: October 21, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

ANDREA DAVIS

, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 21, 1993 to OCTOBER 21, 1993, on the following days:

OCTOBER 21, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

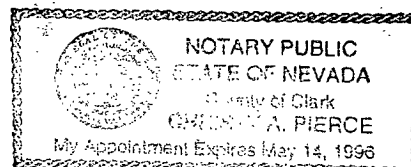
22

day of

October

, 19 93

Christy A. Piche
Notary Public



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