

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 986

Being a Bylaw to Amend the Regional District of Central Okanagan Business Licensing and Regulations Bylaw No. 689, 1996.

WHEREAS the Regional District of Central Okanagan has enacted the Regional District of Central Okanagan Business Licensing and Regulations Bylaw No 689, 1996 and amendments thereto;

AND WHEREAS the Regional District of Central Okanagan considers that it is necessary to amend that Bylaw;

NOW THEREFORE the Regional District of Central Okanagan in open meeting assembled enacts as follows:

- 1 In Part One - Definitions add the definition of pawn. "Pawn means to deposit goods or chattels as security for the payment of money or other consideration."
2. In Part One - Definitions add the definition of pawnbroker. "Pawnbroker means a person who carries on a business of taking goods or chattels in pawn."
3. In Part One - Definitions add the definition of second-hand dealer. "Second-hand dealer means a person who carries on a business of any kind that includes as part of the business purchasing or selling of second-hand or used goods or chattels but does not include second-hand clothing stores, antique furniture dealers, duly licensed auctioneers, flea markets, recycling depots or charity thrift shops.
4. In Part Two Section 1 delete the words "Subject to Sections 499 and 512 of Municipal Act."
5. In Part Two Section 13 delete the words "set out in Schedule 'C' to this bylaw" and replace them with the words "provided by the Regional District of Central Okanagan."
6. Delete Part Two Section 19 in its entirety and replace it with "Where a business continues to operate in the current license year and the annual license fee has not been paid by February 28, the late fee specified in Schedule 'A' shall be added to the regular annual license fee."
7. Delete Part Two Section 30 in its entirety and replace it with:
 - 30.1 Every person or individual carrying on the business of a pawnbroker or second-hand dealer shall supply the Office in Charge of the local detachment of the Royal Canadian Mounted Police with the full name, date of birth, current address, and description of every individual proposed to be employed prior to their employment, and every individual engaged in the management or control of the said business.
 - 30.2 Every holder of a business license for a pawnbroker or second-hand dealer shall notify the Officer in Charge of the local detachment of the Royal Canadian

Mounted Police of any changes in the persons engaged or employed in the said business during the business license period by supplying the information listed in Part Two Section 30.1 of this bylaw with respect to those persons.

- 30.3 All business licenses issued with respect to the business of a pawnbroker or second-hand dealer designate the premises in respect of which the license is used, and authorize the license holder to carry on the business only from the premises so designated.
- 30.4 All pawnbroker or second-hand dealer licensees shall receive and keep all inventory only on the designated premises listed on the business license or on another site that has been previously approved by the Director.
- 30.5 The Director will provide the Officer in Charge of the local detachment Royal Canadian Mounted Police a copy of the applications for pawnbrokers or second-hand dealers licenses.
- 30.6 The Director and any member of the Royal Canadian Mounted Police are hereby authorized to enter during business hours and at all reasonable times, the premises that are licensed or proposed to be licensed as pawnbrokers or second-hand dealers pursuant to this bylaw for the purposes of determining compliance with the provisions of this bylaw and other municipal bylaws.
- 30.7 All persons licensed or seeking to be licensed as a pawnbroker or second-hand dealer pursuant to this bylaw shall admit the Director and any Royal Canadian Mounted Police entry to the premises for the purposes of inspection and shall not in any way hinder or obstruct the inspection for the purpose of determining compliance with all municipal bylaws.
- 30.8 No person shall purchase or receive in pawn goods or chattels unless the person depositing the goods or chattels is eighteen years of age or older; not under the influence of alcohol or drugs and is able to produce valid, photographic identification showing the actual person pawning the goods or chattels, with such identification in the form of a valid driver's license issued by a Canadian Province or Territory, an identity card issued by a Canadian Province or Territory or a valid Federal identity card issued by the Government of Canada.
- 30.9 All persons licensed as a pawnbroker or second-hand dealer pursuant to this bylaw shall deliver or send by fax or other electronic means to the Officer in Charge of the local detachment of the Royal Canadian Mounted Police prior to 9:30 a.m. on Monday of each week, a statement of all goods and chattels purchased or received by the Licensee during the previous week, which statement must (a) be made on the form attached to this bylaw as Schedule 'B' or an electronically produced report in a format which has been approved by the Royal Canadian Mounted Police and which contains all of the information required on Schedule 'B'; (b) be accurate, legible, in the English language and written by the Licensee or any employee of the Licensee;

(c) include a separate entry for each item purchased or received which shall include the date pawned, date returned and/or sold; (d) include a description of the item including all descriptive marks, colours, name and serial number, including an indication that the item is new when it is received in its original packaging; (e) include the price paid and whether the item was deposited in pawn or purchased; (f) include the date and time of purchasing or receiving the goods and chattels; (g) include the full name, date of birth, current address, description (including height and weight), and the contact telephone number of the person depositing the goods and chattels, along with a copy of the photographic identification produced pursuant to Section 30.8 of this bylaw; (h) include the make, description, and license number of any vehicle used by the person depositing the goods and chattels; (i) include the name of the person receiving the goods and chattels, and (j) include a description of the type, colour, style and apparent type of gem in the case of jewelry.

- 30.10 A master logbook of all purchases and pawns containing all of the information listed in Section 30.9 of the bylaw must be kept on the premises listed on the business license at the business premise. The master log book shall be a separate record of every item purchased or taken in pawn and shall include all of the information listed in Section 30.9 of this bylaw and may include an electronic record system approved in accordance with Section 30.9(a) of the bylaw.
30. No licensee shall permit any entry made in the master logbook containing the record of goods outlined in Section 30.9 of this bylaw to be erased, obliterated or defaced in anyway.
- 30.12 No licensee shall permit the master logbook containing the records outlined in Section 30.1 of this bylaw to be removed from the licensed premises except upon the request of the Director and/or the Royal Canadian Mounted Police. The master logbook must be made available for inspection to the Director or Royal Canadian Mounted Police on demand.
- 30.13 No pawnbroker or second-hand dealer shall take in pawn or purchase an article or thing where it's serial number has been tampered with or removed.
- 30.14 A pawnbroker or second-hand dealer must identify and mark each article pawned or purchased with the identity number listed on the second-hand dealers or pawnbrokers report during the holding period listed in Section 30.15 of this bylaw and for the duration of the time that the item is held in pawn.
- 30.15 No pawnbroker or second-hand dealer licensee shall alter, sell, exchange, or otherwise dispose of goods or chattels deposited with or delivered to the licensee until after the expiration of twenty-one days, exclusive of Sundays and holidays provided that the Licensee may upon request, return goods or chattels to the person

who originally deposited them with the licensee. The licensee shall keep such goods and chattels segregated from other goods and chattels located on the premises so as to allow inspection by the Director and/or the Royal Canadian Mounted Police at all reasonable times.

- 8. Insert a new Part Two Section 36 "Any person who violates the provisions of this bylaw may, on summary conviction, be liable to the maximum penalty under the "Offense Act," plus the cost of prosecution, for each offense. The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw."
- 9. Delete Schedule 'A' in its entirety and replace it with a new Schedule 'A' - 2002 attached to this bylaw.
- 10. Delete Schedule 'C' in its entirety.
- 11. This bylaw may be cited for all purposes as the Regional District of Central Okanagan Business Licensing and Regulations Amendment Bylaw No. 986, 2002.

READ A FIRST TIME THIS 15th DAY OF July 2002.

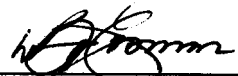
READ A SECOND TIME THIS 15th DAY OF July 2002.

READ A THIRD TIME THIS 15th DAY OF July 2002.

RECONSIDERED AND ADOPTED THIS 26th DAY OF August 2002.



 CHAIRPERSON



 DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 986 cited as the "Regional District of Central Okanagan Business Licensing and Regulations Amendment Bylaw No. 986, 2002" as read a third time by the Regional Board on the 15th day of July 2002.

Dated at Kelowna, B.C. this 18th day of July 2002.

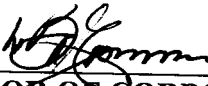


 DIRECTOR OF CORPORATE SERVICES

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I hereby certify the foregoing to be a true and correct copy of Bylaw No. 986 cited as the "Regional District of Central Okanagan Business Licensing and Regulations Amendment Bylaw No. 986, 2002" as adopted by the Regional Board on the 26th day of August 2002.

Dated at Kelowna, B.C. this
29th day of August,
2002.



**DIRECTOR OF CORPORATE
SERVICES**

**Regional District of Central Okanagan
Business License and Regulations Bylaw No. 986, 2002**

Schedule 'A' - 2002.

The annual fees for business licenses payable by each business pursuant to this bylaw shall be:

- \$80.00 for the year 2003.
 - 2. \$85.00 for the year 2004.

- 2. The additional fee for late payment of the annual license is \$25.00.

- 3. The fee for transferring a current year valid license to a new owner is \$25.00.