



Legislation Text

File #: 20-0019, **Version:** 1

Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 27, Pawnbrokers; Junk and Secondhand Dealers, Sec. 27-1 to conform to changes made to the Virginia Code by the 2019 General Assembly

PURPOSE/BACKGROUND:

During the 2019 Session, the General Assembly amended the definition of "pawnbroker" to only include natural persons. Previously, any person, defined to include corporations, partnerships, associations, cooperatives, limited liability companies, trusts, joint ventures, governments, political subdivisions, or any other legal or commercial entities and any successor, representative, agent, agency, or instrumentality thereof, could become a licensed pawnbroker. The bill also provided that localities could choose to extend the license of a pawnbroker who is not a natural person until July 1, 2020.

Discussion:

Staff proposes, in addition to the amendment to the definition of "pawnbroker," to make the identical amendment to the definition of "secondhand dealer," which is not defined in the Virginia Code. Staff also proposes to make these amendments effective on July 1, 2020.

Recommendation:

Approve the amendment.

BE IT ORDAINED by the City Council of the City of Hampton, Virginia, that Section 27-1 of Chapter 27 of the City Code of the City of Hampton, Virginia be adopted to read as follows:

Chapter 27 - PAWNBROKERS; JUNK AND SECONDHAND DEALERS

Sec. 27-1. - Definitions.

"Pawnbroker" means any natural person who lends or advances money or other things for profit on the pledge and possession of tangible personal property, or other valuable things, other than securities or written or printed evidences of indebtedness or title, or who deals in the purchasing of personal property or other valuable things on condition of selling the same back to the seller at a stipulated price.

"Secondhand dealer" means any natural person who buys, sells, barter or exchanges used or

secondhand articles, including but not limited to such items as firearms, office machines, household appliances, radios, television sets, cellphones, electronic equipment, sporting equipment, photographic equipment, or any other secondhand merchandise intended to be resold for use as such. This definition does not include those persons who exclusively buy, sell, barter or exchange used or secondhand clothing, furniture and non-electronic children's articles; nor does it include those persons who buy, sell, barter or exchange used or secondhand items defined and regulated by chapter 27.1.

This amendment shall go into effect on July 1, 2020.

State Law reference- Authority for above section, Code of Virginia, § 54.1-4000; § 15.2-1114.