

**TOWN OF SKOWHEGAN**  
**PAWNBROKERS / PRECIOUS METALS DEALERS ORDINANCE**

Adopted August 8, 2000

Amended at Town Meeting June 11, 2018

**SECTION 1 - Definitions**

- (A) Dealer means a person who engages in the business of purchasing, selling or acquiring through exchange secondhand precious metals.
- (B) Minor shall mean any person who has not yet attained eighteen years of age.
- (C) Pawn transaction shall mean the lending of money on the security of pledged tangible property. The term also includes the purchase of tangible fixed property on the condition that it may be purchased by the seller for a fixed price within a fixed period of time.
- (D) Pawnbroker shall mean and include any person who is in the business or occupation of engaging in pawn transactions.
- (E) Precious metals mean any item composed in whole or in part of gold, silver, palladium or platinum, but does not include dental gold, unrefined metal ore, an electronic product, any part of a mechanical system on a motor vehicle or gold or silver coins or bullion.
- (F) Seller means a person who sells or provides through an exchange secondhand precious metals to a dealer.

**SECTION 2 -License Required**

A person, firm, or corporation may not act as a pawnbroker or dealer in secondhand precious metals without registering and obtaining a permit issued by the Town of Skowhegan under written license granted by the Board of Selectmen and issued under the signature of the Town Clerk.

A dealer shall provide the address of the permanent place of business at which the dealer will do business to the Town of Skowhegan and shall notify the Town of Skowhegan if the location changes.

**SECTION 3 - License Fee**

A dealers / pawnbroker's license shall be issued upon payment of a Fee established by the Board of Selectmen via the Application, License and Permit Fees Ordinance. Said license shall be effective from the date issued and be valid for a period of one (1) year unless sooner revoked by the Board of Selectmen.

**SECTION 4 - Purchase from minors**

No dealer / pawnbroker shall directly or indirectly either purchase or receive by way of barter or exchange any goods or articles from a minor, knowing or having reason to believe him or her to be as such.

**SECTION 5 - Record keeping**

Every Dealer / Pawnbroker, at the time of receiving any precious metal or article pawned, pledged or received in exchange, or any other article or consideration, shall fulfill the following requirements:

- A. Complete in duplicate a sworn statement stating the name, age, sex and address of the person with whom the transaction is being made, the day and hour when the transaction took place and the price paid by the licensee;
- B. A full accurate and a detailed description including all distinguishing marks and numbers of each article so pawned, pledged, or exchanged as will make its identification certain and plain; A digital photograph of each item that is the subject of the transaction. A pawnbroker / dealer may satisfy the requirements of this paragraph by taking digital photographs of groups of 5 or fewer substantially similar items, as long as the quality of each digital photograph is sufficient to allow the item to be identified by the owner;
- C. A signed, in duplicate statement of ownership from the seller of the transaction items stating that the seller is the owner or is otherwise authorized to sell the items. This shall be made on a form provided by the dealer that details the source from which and the time when the pawnor, pledgor, or vendor procured the items of transaction and also conspicuously bears the warning that making a false statement is a Class D crime under Title 17-A, section 453.

Before the hour of 10 a.m. of the next business day following the transaction shall be delivered or cause to be delivered at the office of the chief of police, one (1) of such duplicate sworn statements to be kept on file by the police department and he or she shall retain the other statement in his or her possession, which, together with any article therein listed, may be inspected by any police officer at any and all times.

D. Articles purchased outright by dealers / pawnbrokers shall be retained on the premises not less than fifteen (15) days, unless sooner released by the chief of police, and no article pawned, traded or purchased shall be altered or changed until opportunity shall have been given for examination of such articles by the chief of police or his/her designated representative.

A precious metals dealer who determines that the precious metals are not listed in an electronic database designed to catalog stolen property may sell or alter the precious metals five (5) business days after the date of acquisition.

E. *For pawn transactions only*, give the pawner a statement that the pawnbroker will return the article at a stipulated price which shall be computed in accordance with the requirements of Title 30-A § 3963;

**SECTION 6 - Retention and maintenance of records.**

The records required under Section 5 must be kept for a period of one year and maintained in order by date of purchase.

**SECTION 7 - Identification**

Every dealer / pawnbroker is required to obtain a driver's license or an official state identification card from a pawner, pledgor, or vendor whenever receiving any article pawned, purchased, pledged or received in exchange.

**SECTION 8 - Enforcement and Penalty**

This ordinance shall be enforced by the Skowhegan Police Department. Any dealer / pawnbroker who violates the regulations of this Ordinance commits a civil violation for which a forfeiture not to exceed two hundred and fifty dollars (\$250.00) may be adjudged.

**SECTION 9 - Exemption.**

This ordinance does not apply to an auctioneer licensed under Title 32, chapter 5-B.