# Council Report

**Date**: August 20, 2018

**To**: City Council

**Through**: Mike Kennington, Chief Financial Officer

**From**: Ed Quedens, Business Services Department Director
Tim Meyer, Business Licensing and Revenue Collections Administrator

**Subject**: Updates to the City Code Related to Auctioneers, Pawnbrokers, Scrap Metal Dealers, and Secondhand Dealers (Citywide)

## Purpose and Recommendation

The purpose of this report is to recommend Council approve repealing and replacing the Auctioneers, Pawnbrokers, Scrap Metal Dealers, and Secondhand Dealers ordinance (Mesa City Code Title 5, Chapter 7).

## Background and Discussion

The Auctioneers, Pawnbrokers, Scrap Metal Dealers, and Secondhand Dealers code has not been updated since 1995. The Licensing Department, Police Department and the City Attorney's office have done extensive work to an update to the code to bring it in line with current state statutory requirements, to simplify and reorganize the current code to make it more user friendly for the public and address public safety and welfare concerns. In addition, changes are needed to this code to facilitate the proposed automated kiosk ordinance that is also before Council for consideration. The proposed changes include:

- Updating outdated definitions and Arizona Revised Statutes references.
- Reformatting the code to be more consistent with other City licensing codes, improving the readability and organization of the language.
- Adding language to allow full background checks through the Department of Public Safety.
- Creating a consistent hold time of twenty (20) calendar days for the period in which the businesses must keep items they take in from customers (same as Pawnbroker requirements). This timeframe will provide victims more time to gather the pictures/serial numbers or other identifying information of any stolen items while also providing the police department the time to assign a detective and follow up with the secondhand stores to recover the stolen property.
- Businesses will be required to maintain at their place of business a copy of any reports or transaction records for a period of at least two (2) years after the date the transaction occurred. This is a new requirement from the Police Department to ensure records are kept long enough should they be needed for a criminal case.

## Alternatives

An alternative to adopting the new Auctioneers, Pawnbrokers, Scrap Metal Dealers, and Secondhand Dealers ordinance is to not adopt the changes and leave the code as it is today.

## Fiscal Impact

No financial changes are being recommended at this time.