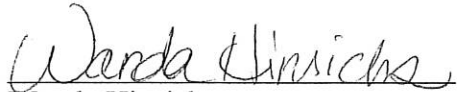


State of Wisconsin
County of Burnett

I, Wanda Hinrichs, the duly elected and qualified County Clerk in and for Burnett County, do hereby certify that the attached Resolution 2015-39, "Ordinance – Pawnbrokers and Secondhand Article and Jewelry Dealers" was adopted by the Burnett County Board of Supervisors at a legally assembled meeting at which a quorum was present and acted throughout. The date of passage was December 17, 2015.

A handwritten signature in cursive script that reads "Wanda Hinrichs".

Wanda Hinrichs,
Burnett County Clerk

Ordinance – Pawnbrokers and Secondhand Article and Jewelry Dealers

To the Honorable members of the Burnett County Board of Supervisors;

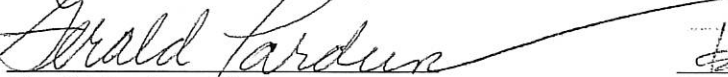
WHEREAS, per Wisconsin Statutes 134.71(14) a county may enact an ordinance governing pawnbrokers, secondhand article dealers or secondhand jewelry dealers if that ordinance is at least as stringent as Wis. Stats. 134.71; and

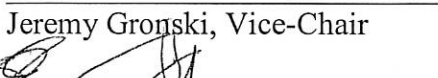
WHEREAS, the Burnett County Sheriff's Department provides law enforcement services to assure that pawnbrokers, secondhand article dealers, and secondhand jewelry dealers comply with basic consumer protection standards, thereby protecting the public health, safety, and general welfare of the citizens of the county; and

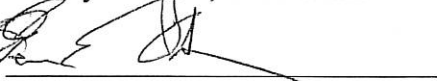
WHEREAS, to help the Burnett County Sheriff's Department better regulate current and future pawnshops, secondhand article dealers, and secondhand jewelry dealers decrease and stabilize costs associated with the regulation of the pawn industry, and increase identification of criminal activities in the pawn industry through the timely collection and sharing of pawn transaction information, the ordinance also implements and establishes the required use of the automated pawn system (APS).

NOW, THEREFORE BE IT RESOLVED, THAT the Burnett County Board of Supervisors adopts the attached Ordinance – Pawnbrokers and Secondhand Article and Jewelry Dealers.


Respectfully submitted by the Public Safety Committee,
Signed and dated this 3rd day of December, 2015.



Gerald Pardun, Chair

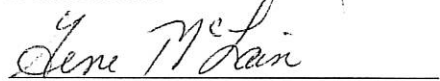

Jeremy Gronski, Vice-Chair


Gene Olson, Secretary


Emmett Byrne


Donald Chell


Dale Dresel


Gene McLain

ORDINANCE

PAWNBROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS

Section 1. Pawnbrokers and Secondhand Article and Jewelry Dealers.

(1) Purpose.

A. The purpose of this Chapter is to prevent pawnshops, secondhand article dealers, and secondhand jewelry dealers from being used to facilitate for the commission of crimes, and to assure that such businesses comply with basic consumer protection standards, thereby protecting the public health, safety, and general welfare of the citizens of the county and pursuant to the authority granted by sec. 134.71, Wis. Stats.

B. To help the sheriff's department better regulate current and future pawnshops, secondhand article dealers, and secondhand jewelry dealers decrease and stabilize costs associated with the regulation of the pawn industry through the timely collection and sharing of pawn transaction information, this Chapter also implements and establishes the required use of the automated pawn system (APS). If the dealer chooses to engage in the purchase and sale of firearms, a valid Federal Firearms License (FFL) shall be required.

(2) Definitions. When used in this article, the following words shall mean:

A. "Article" means any item of value.

B. "Billable transaction" means every reportable transaction conducted by a pawnbroker except renewals, redemptions or extensions of existing pawns on items previously reported and continuously in the licensee's possession, voided transactions, and confiscations.

C. "Charitable organization" means a corporation, trust, or community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

D. "Customer" means a person with whom a pawnbroker, or an agent thereof, engages in a transaction of purchase, sale, receipt, or exchange of any secondhand article.

E. "Pawnbroker" means any person who engages in the business of lending money on the deposit or pledge of any article or purchasing any article with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price. To the extent that a pawnbroker's business includes buying personal property previously used, rented, leased, or selling it on consignment, the provisions of this Chapter shall be applicable. A person is not acting as a pawnbroker when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem, or antique show, or a convention.

2. Any transaction entered into by a person engaged in the business of junk collector, junk dealer, or scrap processor, as described in s. 70.995(2)(x), Wis. Stats.

3. Any transaction while operating as a charitable organization or conducting a sale, the proceeds of which are donated to a charitable organization.

4. Any transaction between a buyer of a new article and the person who sold the article when new that involves any of the following:

- a. The return of the article.
- b. The exchange of the article for a different, new article.

5. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

6. Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

F. "Reportable transaction" means every transaction conducted by a pawnbroker in which an article or articles are received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, voided, or redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, or an item is confiscated by law enforcement, is reportable except:

1. The bulk purchase or consignment of new or used articles from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said articles, provided the pawnbroker must maintain a record of such purchase or consignment that describes each item, and must mark each item in a manner that relates it to that transaction record.

2. Retail and wholesale sales of articles originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

G. "Secondhand article" means owned by any person, except a wholesaler, retailer, or licensed second article dealer, immediately before the transaction at hand.

H. "Secondhand article dealer" means any person, other than an auctioneer, who engages in the business of purchasing or selling secondhand articles, except when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife or antique show or a convention.

2. Any transaction entered into by a person while engaged in a business for which the person is licensed pursuant to sec. 134.71(2) or (4), Wisconsin Statutes, or while engaged in the business of junk collector, junk dealer or scrap processor as described in sec 70.995(2)(x), Wisconsin Statutes.

3. Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.

4. Any transaction between a buy or a new article and the person who sold the article when new which involves any of the following:

- a. The return of the article.
- b. The exchange of the article for a different, new article.

5. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

6. Any transaction as a seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

7. Any transaction at an antique dealer as defined by the following:
ANTIQUE DEALERS Definitions. When used in this Chapter:

a. *Antique* shall mean any used property offered for sale upon the basis, express or implied, that the value of the property, in whole or in substantial part, is derived from its age or its historical association and exceeds the original value of the item when new.

b. *Antique dealer* shall mean any natural person, partnership or corporation, either as principal or agent or employee thereof, whose regular business includes selling or receiving goods previously owned, used, rented or leased, and where at least ninety (90) percent, measured according to value, of the used goods on hand at all times, consists of antiques, offered for sale upon the basis, express or implied, that the value of the property, in whole or in substantial part, is derived from its age or its historical association and exceeds the

original value of the item when new. For purposes of this Chapter, antique dealer shall include antique mall operator and antique mall dealer unless otherwise delineated.

c. *Antique mall dealer* shall mean an antique dealer who leases space from, or conducts business at, a location licensed by an antique mall operator.

d. *Antique mall operator* shall mean any natural person, partnership or corporation, either as principal, or agent thereof, who operates a business at which one (1) or more antique mall dealers are engaged in business by maintaining separate sales space and identifying themselves to the public as individual antique dealers, and where all of the following requirements are met:

(1.) The business has a single name and address.

(2.) The business operates in a compact and contiguous space.

(3.) The business is under the unified control and supervision of one (1) person, partnership, firm or corporation, which shall hold the antique mall operator license.

(4.) All sales are consummated at a central point or register operated by the antique mall operator and the antique mall operator maintains a comprehensive account of all sales.

(5.) Each antique mall dealer operating at the antique mall operator's location is properly licensed and complies with all applicable requirements of this Chapter.

(6.) The antique mall operator maintains a complete and accurate file of the current and valid licenses issued to each of the antique mall dealers conducting business at that location.

(7.) Individuals, partnerships or corporations that are a part of the business entity licensed as the antique mall operator, and who maintain separate sales space, or identify themselves to the public as an individual antique dealer at that location, are also individually licensed as antique mall dealers.

I. "Secondhand jewelry dealer" means any person, other than an auctioneer, who engages in the business of any transaction consisting of purchasing, selling, receiving or exchanging second-hand jewelry, except for the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife or antique show or a convention.

2. Any transaction with a licensed secondhand jewelry dealer.

3. Any transaction entered into by a person while engaged in a business of smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the person has no retail operation open to the public.

4. Any transaction between a buy or a new jewelry and the person who sold the article when new which involves any of the following:

a. The return of the jewelry.

b. The exchange of the jewelry for a different, new jewelry.

5. Any transaction as a purchaser a secondhand jewelry from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

6. Any transaction as a seller of secondhand jewelry which the person bought from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

(3) License required. No person may operate as a pawnbroker, secondhand article and secondhand jewelry dealer within the areas set forth in Section 2 set forth herein unless the person first obtains a pawnbroker, secondhand article and secondhand jewelry dealer license under this Chapter. Existing businesses in this capacity will be grandfathered in, but must be in compliance, including application process, within ninety (90) days of ordinance adoption by the Burnett County Board of Supervisors.

(4) Fees and Display of License. Each license issued under this Chapter shall be displayed in a conspicuous place visible to anyone entering a licensed premise.

A. The application fee and the annual license fee thereafter for licenses issued

under this Chapter shall be: \$210.00.

B. The billable transaction fee shall reflect the cost of processing transactions and other related regulatory expenses as determined by the County Board, and shall be reviewed and adjusted, if necessary, annually. The initial billable transaction fee shall be \$2.50. Licensee shall be notified in writing thirty (30) days before any adjustment is implemented.

C. Billable transaction fees shall be billed monthly and are due and payable within thirty (30) Days. Failure to do so is a violation of this Chapter.

(5) License application. A person wishing to operate as a pawnbroker or second hand dealer shall apply for a license to the county clerk. The clerk shall furnish application forms approved by the sheriff's department that shall require all of the following:

A. The applicant's name, place and date of birth, residence address, and residence addresses for the 10-year period prior to the date of the application.

B. The name and address of the business and of the owner of the business premises.

C. Whether the applicant is a natural person, corporation, limited liability company, or partnership, and:

1. If the applicant is a corporation, the state where incorporated and the names and addresses of all officers and directors.

2. If the applicant is a partnership, the names and addresses of all partners.

3. If the applicant is a limited liability company, the names and addresses of all members.

4. The name of the manager or proprietor of the business.

5. Any other information that the clerk may reasonably require.

D. A statement as to whether the applicant, including an individual, agent, officer, director, member, partner, manager, or proprietor, has been convicted of any crime, statutory violation punishable by forfeiture. If so, the applicant must furnish information as to the time, place, and offense of all such convictions.

E. Whether the applicant or any other person listed in subsection D. above has ever used or been known by a name other than the applicant's name, and if so, the name or names used and information concerning dates and places used.

F. Whether the applicant or any other person listed in subsection D. above has previously been denied or had revoked or suspended a pawnbroker or second hand dealer license from any other governmental unit. If so, the applicant must furnish information as to the date, location, and reason for the action.

G. New manager. When a licensee places a manager in charge of a business, or if the named manager(s) in charge of a licensed business changes, the licensee must complete and submit the appropriate application within fourteen (14) days. The application must include all appropriate information required in this section.

(6) Investigation of license applicant. The sheriff's department shall investigate each applicant and any other persons listed in subsection C. or G. above for a pawnbroker license. The department shall furnish the information derived from that investigation in writing to the county clerk. The investigation shall include each agent, officer, member, partner, manager, or proprietor.

(7) License issuance. **A.** The county board shall grant the license if all of the following apply:

1. The applicant, including an individual, a partner, a member of a limited liability company, a manager, a proprietor, or an officer, director, or agent of any corporate applicant, does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335 of the Wisconsin Statutes.

2. The applicant provides to the county clerk a bond of \$248.00 with not less than two (2) sureties for the observation of all municipal ordinances or state or federal laws relating to pawnbrokers. The bond must be in full force and effect at all times during the term of the license.

B. No license issued under this subsection may be transferred.

C. Each license is valid from January 1 until the following December 31.

(8) Records required. A. At the time of any reportable transaction other than renewals, extensions, redemptions or confiscations, every licensee must immediately record, in English, the following information by using ink or other indelible medium on forms or in a computerized record approved by the sheriff's department:

1. A complete and accurate description of each item including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.

2. The purchase price, amount of money loaned upon, or pledged therefore.

3. The maturity date of the transaction and the amount due, including monthly and annual interest rates and all pawn fees and charges.

4. Date, time and place the item of property was received by the licensee, and the unique alpha and/or numeric transaction identifier that distinguishes it from all other transactions in the licensee's records.

5. Full name, current residence address, current residence telephone number, date of birth and accurate description of the person from whom the item of the property was received, including: sex, height, weight, race, color of eyes and color of hair.

6. The identification number and state of issue from any of the following forms of identification of the seller:

a. Current valid Wisconsin driver's license.

b. Current valid Wisconsin identification card.

c. Current valid photo identification card issued by another state or province of Canada.

d. Current passport.

7. The signature of the person identified in the transaction.

8. Effective sixty (60) days from the date of notification by the sheriff's department of acceptable video standards the licensee must also take a color photograph or color video recording of:

a. Each customer involved in a billable transaction.

b. Every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed.

If a photograph is taken, it must be at least two (2) inches in length by two (2) inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the county sheriff or the sheriff's designee, upon request. The major portion of the photograph must include an identifiable facial image of the person who pawned or sold the item. Items photographed must be accurately depicted. The licensee must inform the person that he or she is being photographed by displaying a sign of sufficient size in a conspicuous place in the premises. If a video photograph is taken, the video camera must focus on the person pawning or selling the item so as to include an identifiable image of that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate. The licensee must inform the person that he or she is being videotaped by displaying a sign of sufficient size in a conspicuous place on the premises. The licensee must keep the exposed videotape for three (3) months.

9. Digitized photographs. Effective sixty (60) days from the date of notification by the sheriff's department licensees must fulfill the color photograph requirements in subsection (8) above by submitting them as digital images, in a format specified by the issuing authority, electronically cross-referenced to the reportable transaction they are associated with. Notwithstanding the digital images may be captured from required video recordings, this provision does not alter or amend the requirements in subsection (8).

10. Renewals, extensions, redemptions and confiscations. For renewals, extensions, redemptions and confiscations the licensee shall provide the original transaction identifier, the date of the current transaction, and the type of transaction.

11. Inspection of records. The records must at all reasonable times be open to inspection by the sheriff's department. Data entries shall be retained for at least three (3) years from the date of transaction. Entries of required digital images shall be retained a minimum of ninety (90) days.

(9) Daily reports to sheriff. A. Effective no later than sixty (60) days after the sheriff's department provides licensees with the current version name of the Automated Pawn System Interchange File Specification, licensees must submit every reportable transaction to the sheriff's department daily in the following manner:

1. Licensees must provide to the sheriff's department all reportable transaction information by transferring it from their computer to the Automated Pawn System via modem using the current version of the Automated Pawn System Interchange File Specification. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the issuing authority. Any transaction that does not meet the Automated Pawn System Interchange File Specification must be corrected and resubmitted the next business day. The licensee must display a sign of sufficient size, in a conspicuous place in the premises, which informs patrons that all transactions are reported to the sheriff's department daily.

B. Billable transaction fees. Licensees will be charged for each billable transaction reported to the sheriff's department.

1. If a licensee is unable to successfully transfer the required reports by modem, the licensee must provide the sheriff's department, upon request, printed copies of all reportable transactions along with the video tape(s) for that date, by noon the next business day;

2. If the problem is determined to be in the licensee's system and is not corrected by the close of the first business day following the failure, the licensee must continue to provide the required reports as detailed herein and shall be charged \$248.00 reporting failure penalty, daily, until the error is corrected; or

3. If the problem is determined to be outside the licensee's system, the licensee must continue to provide the required reports as required herein and resubmit all such transactions via modem when the error is corrected.

4. If a licensee is unable to capture, digitize or transmit the photographs required in the Section 1.(8) the licensee must immediately take all required photographs with a still camera, cross-reference the photographs to the correct transaction, and make the pictures available to the sheriff's department upon request.

5. Regardless of the cause or origin of the technical problems that prevented the licensee from uploading their reportable transactions, upon correction of the problem, the licensee shall upload every reportable transaction from every business day the problem had existed.

6. Notwithstanding the reports required herein, the sheriff's department may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.

(10) Receipt required. A. Every licensee must provide a receipt to the party identified in every reportable transaction and must maintain a duplicate of that receipt for three (3) years. The receipt must include at least the following information:

1. The name, address and telephone number of the licensed business.
2. The date and time the item was received by the licensee.
3. Whether the item was pawned or sold, or the nature of the transaction.
4. An accurate description of each item received including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.
5. The signature or unique identifier of the licensee or employee that conducted the transaction.
6. The amount advanced or paid.
7. The monthly and annual interest rates, including all pawn fees and charges.
8. The last regular day of business by which the item must be redeemed by the pledger without risk that the item will be sold, and the amount necessary to redeem the pawned item on that date.
9. The full name, current residence address, current residence telephone number, and date of birth of the pledger or seller.
10. The identification number and state of issue from any of the following forms of identification of the seller:
 - a. Current valid Wisconsin driver's license.
 - b. Current valid Wisconsin identification card.
 - c. Current valid photo driver's license or identification card issued by another state or province of Canada.
 - d. Current passport.
11. Description of the pledger or seller including approximate sex, height, weight, race, color of eyes and color of hair.
12. The signature of the pledger or seller.

(11) Redemption Period. A. Any person pledging, pawning or depositing an item for security must have a minimum of sixty (60) days from the date of that transaction to redeem the item before it may be forfeited and sold. During the sixty (60) day holding period, items may not be removed from the licensed location except as provided in section 5.08(18). Licensees are prohibited from redeeming any item to anyone other than the person to whom the receipt was issued or, to any person identified in a written and notarized authorization to redeem the property identified in the receipt, or to a person identified in writing by the pledger at the time of the initial transaction and signed by the pledger, or with approval of the sheriff, or sheriff's designee. Written authorization for release of property to persons other than original pledger must be maintained along with original transaction record in accordance with section 5.08(8) herein.

B. An individual may redeem an item seventy-two (72) hours after the item was received on deposit, excluding Sundays and legal holidays.

(12) Holding Period. A. Except as provided in subsection C. any secondhand article purchased or received by a pawnbroker shall be kept on the premises or other place for safekeeping for not less than thirty (30) days after the date of purchase or receipt, unless the person known by the pawnbroker to be the lawful owner of the secondhand article redeems it.

B. During the period set forth in subsection A. the secondhand article shall be held separate from saleable inventory and may not be altered in any manner. The pawnbroker shall permit any law enforcement officer to inspect the secondhand article during this period. Within twenty-four (24) hours after a request of a law enforcement officer during this period, a pawnbroker shall make available for inspection any secondhand article which is kept off the premises for safekeeping.

C. Subsections A. and B. do not apply to a secondhand article consigned to a pawnbroker.

(13) Sheriff order to hold property. A. Investigative hold. Whenever a law enforcement official from any agency notifies a licensee not to sell an item, because there is sufficient information to believe that the item may be stolen or used in the commission of a crime, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within seventy-two (72) hours and will remain in effect for fifteen (15) days from the date of initial notification, or until the investigative order is canceled, or until an order to hold/confiscate is issued, pursuant to this section, whichever comes first.

B. Order to hold. Whenever the Sheriff, or the Sheriff's designee, notifies a licensee not to sell an item, the item must not be sold or removed from the licensed premises until authorized to be released by the Sheriff or the Sheriff's designee. The order to hold shall expire ninety (90) days from the date it is placed unless the Sheriff or the Sheriff's designee determines the hold is still necessary and notifies the licensee in writing.

C. Order to confiscate. If an item is identified as stolen or evidence in a criminal case, the Sheriff or Sheriff's designee may:

1. Physically confiscate and remove it from the shop, pursuant to a written order from the Sheriff or the Sheriff's designee, or
2. Place the item on hold or extend the hold as provided in this section and leave it in the shop.

D. When an item is confiscated, the person doing so shall provide identification upon request of the licensee, and shall provide the licensee the name and phone number of the confiscating agency and investigator, and the case number related to the confiscation.

E. When an order to hold/confiscate is no longer necessary, the Sheriff, or Sheriff's designee shall so notify the licensee.

(14) Inspection of Items. At all times during the term of the license, the pawnbroker, secondhand article dealer, and secondhand jewelry dealer must allow the sheriff's department to enter the premises where the licensed business is located, including all off-site storage facilities, as authorized in Section 1.(18), during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the items, ware, merchandise, and records therein to verify compliance with this Chapter of other applicable laws.

(15) Label required. Licensees must attach a label to every item at the time it is pawned, purchased or received in inventory from any reportable transaction. Permanently recorded on this label must be the number or name that identifies the transaction in the shop's records, the transaction date, the name of the item and the description or the model and serial number of the item as reported to the sheriff's department, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels shall not be re-used.

(16) Prohibited acts. A. No person under the age of eighteen (18) years may pawn or sell or attempt to pawn or sell goods with any pawnbrokers, secondhand article dealers, and secondhand jewelry dealer nor may any pawnbrokers, secondhand article dealers, and secondhand jewelry dealer receive any goods from a person under the age of eighteen (18) years, except as permitted by A. 1.

1. A pawnbroker may engage in a transaction described under subsection A. if the minor is accompanied by his or her parent or guardian at the time of the transaction and the parent or guardian signs the transaction form and provides identification as required by this section.

B. No licensee may receive any goods from a person of unsound mind or a person who is under the influence of alcohol or drugs.

C. No licensee may receive any goods, unless the seller presents

identification in the form of a valid driver's license, a valid State of Wisconsin identification card, or current valid photo driver's license or identification card issued by the state or providence of residency of the person from whom the item was received.

D. No licensee may receive any item of property that possesses an altered or obliterated serial number or operation identification number or any item of property that has had its serial number removed.

E. No person may pawn, pledge, sell, consign, leave, or deposit any article of property not their own; nor shall any person pawn, pledge, sell, consign, leave, or deposit the property of another, whether with permission or without; nor shall any person pawn, pledge, sell, consign, leave, or deposit any article of property in which another has a security interest; with any licensee.

F. No person seeking to pawn, pledge, sell, consign, leave, or deposit any article of property with any licensee shall give a false or fictitious name; nor give a false date of birth; nor give a false or out of date address of residence or telephone number; nor present a false or altered identification, or the identification of another; to any licensee.

(17) License denial, suspension, or revocation. A. The county board may deny, suspend, or revoke any license issued by it under this section for fraud, misrepresentation, or false statement contained in the application for a license, or for any violation of this Chapter or ss. 134.71, 943.34, 948.62 or 948.63, Wis. Stats., or for any other violation of local, state, or federal law substantially related to the businesses licensed under this Chapter.

B. The county board may deny, suspend, or revoke any license issued by it under this section if the applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.

(18) Business at only one place. A license under this Chapter authorizes the licensee to carry on its business only at the permanent place of business designated in the license. However, upon written request, the Sheriff, or Sheriff's designee, may approve an off-site locked and secured storage facility. The licensee shall permit inspection of the facility in accordance with the section entitled *INSPECTION OF ITEMS*. All provisions of this Chapter regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the county code. The licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premise that extends for more than six (6) months.

(19) Severability. Should any section, subsection, clause or other provision of this Chapter be declared by a court of competent jurisdiction to be invalid such decision shall not affect the validity of the ordinance as a whole or any part other than the part so declared invalid.

Section 2. This ordinance shall be effective in all unincorporated towns of Burnett County unless a town has adopted a "Pawnbrokers and Secondhand Article and Jewelry Dealers", ordinance. In the event a town adopts a Pawnbrokers and Secondhand Article and Jewelry Dealers ordinance after the effective date of this ordinance, all records in possession of the County Clerk for Pawnbrokers and Secondhand Article and Jewelry Dealers in that town shall be transferred to the town clerk of the town in which the business to which the records relate is located.

Section 3. Except as otherwise provided in this Chapter, any person found in violation of any provision of this Chapter shall be subject to a penalty. The first offense will be a cost of \$25.00 plus court costs. The second offense will be a cost of \$500.00 plus court costs. A third, or subsequent, offense will be a cost of \$1,500.00 plus court costs.

Section 4. The provisions of this ordinance shall take effect on January 1, 2016.