

Ordinance No. 00151

[\(Council Minutes 01/05/98\)](#)

ORDINANCE NO. 151

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Sections 5.12.060 of the Lakewood Municipal Code relating to Pawnbrokers Licenses, as an Emergency Ordinance

WHEREAS, the current language of the Lakewood Municipal Code provides a limitation on the number of licenses that may be issued for pawn-broker businesses to a ratio of one pawnbroker business per thirty-five thousand inhabitants of the City or fractional part thereof; and,

WHEREAS, in light of questions as to the intent of the City Council in enacting the provisions of Chapter 5.12 of the City Code as to how the number of available licensed pawnbroker businesses is determined, it is appropriate to provide clarification of such intention; and,

WHEREAS, in order to recognize that the number of such businesses is reasonably tied to that population increment, it might be more appropriate to reflect that the number of available licenses issued for pawn-brokers may be increased by one (1) when the population of the city exceeds by seventeen thousand five hundred inhabitants the next increment of thirty-five thousand inhabitants, so long as the number of existing pawnbrokers does not otherwise exceed the ratio of one pawnbroker per thirty-five thousand inhabitants of the City, rather than allowing an increase for any fractional part above such increment; and,

WHEREAS, it would also be appropriate to provide that in the case where the number of currently licensed pawnbrokers exceeds the number of pawnbrokers otherwise permitted, that current number of pawnshops shall represent the maximum number of pawnshops able to be licensed by the City, and that this maximum would be subject to further reduction where such currently licensed pawnbrokers cease business or sell their businesses; and,

WHEREAS, it would also be appropriate to specify that for the purposes of determining the licensing of pawnbrokers where the number of currently licensed pawnbroker businesses exceeds the maximum number allowed under the City Code, any change in the name of the applicant for a pawnbrokers license or in the ownership of a previously licensed pawnbroker business, including a change in the ownership of a partnership or a corporation, shall be considered a new pawnbroker business/applicant, and shall not be eligible for licensing, unless the remaining number of pawnbrokers is less than the maximum number of pawnbrokers able to be licensed pursuant to the City Code, and that such new pawnbroker business/applicant, shall be considered for licensing pursuant to the provisions of Section 5.12.070 of the City Code; and,

WHEREAS, it is necessary to provide the clarification of intention of the City Code provisions relating to pawnbrokers so that no misunderstandings could result in their interpretation, and this clarification is necessary for the preservation of the public health, safety and welfare, and it is appropriate that this Ordinance be adopted as an emergency ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Section 5.12.060 of the Lakewood Municipal Code is amended to read as follows:

5.12.060 Limitation on Number of Pawnbrokers.

A. The number of licenses issued for pawn-brokers shall be limited to a number of pawnbroker establishments in the City based on a ratio of one pawnbroker per thirty-five thousand inhabitants of the City ~~or fractional part thereof~~ . provided that the number of available licenses issued for pawn-brokers may be increased by one (1) when the population of the city exceeds by seventeen thousand five hundred the next increment of thirty-five thousand inhabitants, so long as the number of existing pawnbrokers does not otherwise exceed the ratio of one pawnbroker per thirty-five thousand inhabitants of the City.

B. In the case where the number of currently licensed pawnbrokers exceeds the number of pawnbrokers permitted pursuant to the provisions of Paragraph A, above, the current number of pawnshops shall represent the maximum number of pawnshops able to be licensed by the City, provided that any reduction in the number of licensed pawnshops shall reduce the maximum number of licensed pawnbrokers available in the City to the reduced number until the number of licensed pawnbrokers conforms to the limitation provided in Paragraph A above.

C. For the purposes hereof, any change in pawnbroker location, or in the name of the applicant for a pawnbrokers license or in the ownership of a previously licensed pawnbroker business, including a change in the ownership of a partnership or a corporation, shall be considered a new pawnbroker business/applicant, and shall not be eligible for licensing, unless the remaining number of pawnbrokers is less than the maximum number of pawnbrokers able to be licensed pursuant to the provisions of Paragraph A, above, in which case the new pawnbroker business/applicant, shall be considered for licensing pursuant to the provisions of Section 5.12.070 of the City Code. (Ord. 53 (Ord. 53 ' 2 (part), 1996.)

B. In the case where the number of currently licensed pawnbrokers exceeds the number of pawnbrokers permitted pursuant to the provisions of Paragraph A, above, the current number of pawnshops shall represent the maximum number of pawnshops able to be licensed by the City, provided that any reduction in the number of licensed pawnshops shall reduce the maximum number of licensed pawnbrokers available in the City to the reduced number until the number of licensed pawnbrokers conforms to the limitation provided in Paragraph A above.

C. For the purposes hereof, any change in pawnbroker location, or in the name of the applicant for a pawnbrokers license or in the ownership of a previously licensed pawnbroker business, including a change in the ownership of a partnership or a corporation, shall be considered a new pawnbroker business/applicant, and shall not be eligible for licensing, unless the remaining number of pawnbrokers is less than the maximum number of pawnbrokers able to be licensed pursuant to the provisions of Paragraph A, above, in which case the new pawnbroker business/applicant, shall be considered for licensing pursuant to the provisions of Section 5.12.070 of the City Code. (Ord. 53 (Ord. 53 ' 2 (part), 1996.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That the City Council finds that this Ordinance is immediately necessary for the preservation of public peace, health, safety and welfare, and declares that this Ordinance is an emergency ordinance, to be in full force and effect immediately upon adoption of the Ordinance by a majority plus one of the whole City Council.

ADOPTED by the City Council this 5th day of January, 1998.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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