

**AN ORDINANCE PERTAINING TO PAWNBROKERS AND
SECONDHAND DEALERS**

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 22 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 22

BUSINESSES

ARTICLE I. IN GENERAL

Sec. 22-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Secondhand dealer means any person who engages in the purchase, collection, transfer or storage for later resale, or who engages in the trading or selling, unless such sale is by auction of less than four days' duration, of any article, vehicle or material, or portion thereof, of which prior use has been made in any manner whatsoever. The term "secondhand dealer" shall not be construed to include pawnbrokers, junk collectors, used car dealers, ~~antique dealers who handle and sell bona fide antiques exclusively~~; nor shall it include any person primarily engaged in the retail sale of new and unused goods, who deals with used goods only incidentally, such as accepting such goods in trade as part of a transaction involving the sale of new goods, but only to the extent that such used goods are of the same type as the new goods sold by such person.

**ARTICLE VII. JUNK COLLECTORS, PAWNBROKERS AND
SECONDHAND DEALERS**

Sec. 22-193. List of transactions; seller to furnish proof of identification.

Every person licensed as a junk collector or secondhand dealer shall make out, and have available for periodic collection, a legible and correct list, upon ~~blanks~~ a format furnished by the police chief, containing an accurate description of all articles taken in pawn, purchased, ~~or sold, or taken in exchange~~, the name, residence and date of birth of the buyer or seller other than the licensee, together with the correct and exact time when such articles were pawned; ~~or purchased or sold~~, and the amount the item was sold for. Before recording the information required by this section, a dealer shall require reasonable written proof of the seller's identification in the form of a motor vehicle operator's license, military identification card, adult liquor identification card or similar item which confirms the person's identification by date of birth and by physical description.

Sec. 22-195. Retention of articles purchased.

(a) Articles purchased by anyone licensed in accordance with the provisions of this article, excepting pawnbrokers, shall be retained by such licensee in the same condition in which they were obtained and in an accessible place where such articles can be examined and inspected for at least 15 days before they are disposed of.

(b) No pawnbroker shall sell, destroy or alter any property pawned until it has remained in his possession for ~~three months after the expiration of the time for which it was pawned~~ the duration of time as required by this article, unless forfeited in writing by the customer.

Sec. 22-197. Fixed establishment.

Any person or business meeting the definition of secondhand dealer or pawnbroker shall have a fixed principal establishment in Lewiston.

Sec. ~~22-197~~ 198 – 22-200. Reserved.

NOTE: Additions are underlined; and deletions are ~~struck-out~~.