



ORDINANCE NO. 29021

1 AN ORDINANCE relating to the tax and license code: amending Chapter
2 6B.160 of the Tacoma Municipal Code, relating to Pawnbrokers,
3 Secondhand Dealers, and Garage Sales, by amending various sections
4 and adding a new section 6B.160.065, entitled "Exemptions - Report to
5 police" to add new exemptions, update license fees, and clarify
6 language, effective May 1, 2025.

7 WHEREAS in order to effectively regulate business activity in the City,
8 certain business activities necessitate additional license requirements, and the
9 pawnbroker and secondhand goods industry has been identified as one of the
10 businesses that requires additional regulation, and

11 WHEREAS this recommendation from the Tax and License Division of
12 the Finance Department is based on a review of the Tacoma Municipal Code
13 ("TMC") Subtitle 6B, regarding licensing requirements related to pawnbroker
14 and secondhand goods activities to keep up with current public safety issues,
15 changes in how business activities are conducted and a shift in costs
16 associated with the administration and enforcement of the regulations, and

17 WHEREAS the proposed amendments will provide for the following: 1)
18 add a new exemption from the license requirements for secondhand goods
19 dealers that do not purchase goods directly from members of the general
20 public; 2) add a new exemption to relieve businesses from the daily reporting
21 requirement for items valued at less than \$100; 3) update the license fees to
22 amounts that cover the administration and regulation of the licensed activity;
23 and 4) clarify language where needed; Now, Therefore,
24
25
26



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That Chapter 6B.160 of the Tacoma Municipal Code, entitled "Pawnbrokers, Secondhand Dealers, and Garage Sales" is hereby amended, effective May 1, 2025, as set forth in the attached Exhibit "A."

Section 3. That the City Clerk, in consultation with the City Attorney's Office, is authorized to make necessary corrections to this ordinance or Exhibit "A" including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 6B. 160 PAWNBROKERS, SECONDHAND DEALERS, AND GARAGE SALES

Sections:

- 6B.160.010 License required.
- 6B.160.020 Definitions.
- 6B.160.025 Exemptions.
- 6B.160.030 License fees.
- 6B.160.040 Records.
- 6B.160.050 Pawn ticket and tag.
- 6B.160.060 Report to police.
- 6B.160.065 Exemptions – Report to police.
- 6B.160.070 Period of redemption.
- 6B.160.080 Prohibited transactions.
- 6B.160.090 Termination of business.
- 6B.160.100 Precious metal sales – Hosted home parties.

6B.160.020 Definitions.

“Continuous garage sale” means a garage sale that is (1) conducted for more than three consecutive days; or (2) a third or more garage sale that commences within the same calendar year as the two most recent garage sales conducted at the same ~~premises~~dwelling; provided, however, that such third or more garage sale is conducted by a resident or residents of the same ~~household~~dwelling that conducted the prior two most recent garage sales from such ~~premises~~dwelling. Continuous garage sales are not allowed.

“Dwelling” means a single family or multi-family home, apartment, or other place of residence, including the property around the dwelling, i.e. driveways, yards, etc.

“Garage sale” means the offering for sale by a resident or residents of a dwelling of five or more items of used clothing, furniture, home appliances, or merchandise generally used in or outside of a dwelling, which have been used by the resident or residents offering such items for sale. No such items can be sold that are owned or controlled by anyone regularly engaging in the business of selling such items. ~~Sales are~~ Only allowed by a resident of the dwelling where the garage sale occurs may of the resident or residents offering offer the items for sale; provided that residents of separate dwelling units may combine their garage sales at ~~the premises of~~ one dwelling unit for a combined garage sale. Garage sales can only be conducted between the hours of 8:00 a.m. and 6 p.m. Included in the definition of garage sales are yard sales, patio sales, or other similar sales. Garage sales are limited to twice in any calendar year.

“Gift card and/or store credit” means a gift certificate in the form of a card, or a stored value card or other physical medium, containing stored value primarily intended to be exchanged for consumer goods and services.

“Gift certificate” means an instrument evidencing a promise by the seller or issuer of the record that consumer goods or services will be provided to the bearer of the record to the value or credit shown in the record and includes gift cards.

“Pawnbroker,” means every person engaged, in whole or in part, in the business of loaning money on the security pledges, deposits, or conditional sales of personal property, or who makes a public display at or near the person’s place of business of any sign or symbol generally used by pawnbrokers, or of any sign indicating that the person has money to loan on personal property on deposit or pledge.

“Secondhand goods” means any item of tangible personal property, which is not new and possesses obvious outward signs of wear and tear consistent with having been used or consumed in some proportion, that is ~~purchased, traded in, or~~ offered for sale, to include gift cards, store credit or gift certificates, but does not include: (a) goods donated to charitable or religious organizations, (b) coins, (c)



stamps, (d) postcards, (e) books and magazines, (f) furniture, (g) household appliances, (h) baby accessories, or (i) any article of clothing.

“Secondhand goods dealer” means any person engaged, in whole or in part, in the business of buying, selling, trading, consignment selling, or otherwise transferring for value secondhand goods. ~~The term “secondhand goods” for purposes of transactions by a secondhand goods dealer, do not include: (a) goods donated to charitable organizations, (b) coins, (c) stamps, (d) postcards, (e) books and magazines, (f) or any article of clothing.~~ “Secondhand goods dealer” shall include “secondhand precious metals dealer” as defined in this section.

“~~Secondhand P~~precious metals” means any item of gold, silver, and platinum which is not new and possesses obvious outward signs of wear and tear consistent with having been used or consumed in some proportion, that is purchased, traded in, or offered for sale, but does not include: (a) Gold, silver, or platinum coins, or other precious metal coins, that are legal tender, or precious metal coins that have numismatic or precious metal value, (b) gold, silver, platinum, or other precious metal bullion, or (c) gold, silver, platinum, or other precious metal dust, flakes, or nuggets.

“Secondhand precious metals dealer” means any person engaged in whole or in part in the business of buying, selling, trading, consignment selling, or otherwise transferring for value secondhand ~~goods that is a precious metals. The terms “precious metal” and “secondhand goods” for purposes of transactions by a secondhand precious metal dealer, do not include: (a) Gold, silver, or platinum coins, or other precious metal coins, that are legal tender, or precious metal coins that have numismatic or precious metal value, (b) gold, silver, platinum, or other precious metal bullion, or (c) gold, silver, platinum, or other precious metal dust, flakes, or nuggets.~~

“Temporary” means the organized sale or purchase of secondhand goods for ten consecutive days or less.

“Trade-ins” means those secondhand goods received or sold that are taken in trade or as partial payment by the licensee in exchange for goods of a similar kind.

“Transaction” means a pledge, or the purchase of, or consignment of, or the trade of any item of tangible personal property by a pawnbroker or a secondhand dealer from a member of the general public.

6B.160.025 Exemptions.

The provisions of this chapter shall not apply to transactions conducted by the following:

- A. Motor vehicle dealers licensed under chapter 46.70 RCW;
- B. Persons in the business of buying or selling empty food and beverage containers or metal or nonmetal junk, in compliance with licensed under c Chapter 19.290 RCW – Metal Property;
- C. Persons ~~receiving and selling~~ giving an allowance for “trade-ins” as defined in this chapter;
- D. Persons in the business of operating a public garage or a shop for the repair of motor vehicles;
- E. Vehicle wreckers, hulk haulers, and scrap processors licensed under chapter 46.79 or 46.80 RCW;
- F. Secondhand goods dealers that do not purchase or receive on consignment, secondhand goods directly from members of the general public.

6B.160.030 License fees.

The license fees for activities under this chapter are hereby fixed as follows:

Type of license	Fee
Pawnbroker’s license	\$750 <u>250</u>
Secondhand goods	\$150 <u>100</u>
Secondhand goods, temporary sale	\$ 50 per day



6B.160.040 Records.

A. In accordance with RCW 19.60.020 and 19.60.025 as it now exists or as it may be amended, it shall be the duty of every pawnbroker and secondhand goods dealer to maintain a record in which shall be legibly written in the English language, at the time of each transaction the following information:

1. The signature of the person with whom the transaction is made;
2. The date of the transaction;
3. The name of the person or employee or the identification number of the person or employee conducting the transaction, as required by the Chief of Police;
4. The name, date of birth, sex, height, weight, race, and address and telephone number of the person with whom the transaction is made;
5. A complete description of the property pledged, bought, or consigned, including the brand name, serial number, model number or name, any initials or engraving, size, pattern, and color or stone or stones, and in the case of firearms, the caliber, barrel length, type of action, and whether it is a pistol, rifle, or shotgun;
6. The price paid or the amount loaned;
7. The type and identifying number of identification used by the person with whom the transaction was made, which shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified. At all times, one piece of current government issued picture identification will be required; and
8. The nature of the transaction, a number identifying the transaction, the store identification as designated by the applicable law enforcement agency, or the name and address of the business and the name of the person or employee, conducting the transaction, and the location of the property.

B. This record shall at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, be open to the inspection of the Chief of Police or the Chief of Police's designee and shall be maintained wherever that business is conducted, or at the secondhand dealer's principal place of business if the transaction took place through the use of an automated kiosk, for three years following the date of the transaction.

~~verify the identity of the customer before making any loan or receiving any goods or property in the course of business. Identification shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified. Additionally, every pawnbroker and secondhand goods dealer shall maintain, in their place of business, adequate records in which shall be legibly written in ink, in the English language, a statement of any loan or purchase. Wherever that business is conducted, said records shall be made at the time of the purchase, and such records shall contain:~~

- ~~1. The date, place and time of the transaction.~~
- ~~2. The printed name, written signature, sex, age, date of birth, height, weight, race, street, and house number, phone number, and a description of the color of hair and eyes of the person with whom the transaction is had.~~
- ~~3. The name, street, and house number of the owner of the property received in pledge, as related declared by the customer.~~
- ~~4. A description of the property bought or received in pledge, including any serial numbers or identification marks and the name of the maker which, in the case of watches, shall contain the number both of the works, if opening the watch without damage is feasible according to the standards and~~



practice of a professional watchmaker, and in the case of jewelry, shall contain a description of unique, identifiable features, including letters and marks inscribed thereon; provided, that when the article received is furniture or the contents of any house or room actually inspected on the premises, a general description of said property shall be sufficient.

~~5. The number of any pawn ticket issued therefore and the amount loaned or the price paid.~~

~~CB. It shall be unlawful for any person to fail, neglect, or refuse to make entry of any material matter in the person's customer's record, as required by this section, or to make any false entry therein, or to obliterate, destroy, or remove from the person's place of business such record. C. Such record and all articles received shall at all times be open to the inspection of the Chief of Police or any police officer of the City under the Chief of Police's order. Records shall be maintained and kept available for inspection by the licensee for a period of three years following the date of the transaction.~~

6B.160.050 Pawn ticket and tag.

Every pawnbroker shall issue numbered pawn tickets for all goods or property received by ~~him or her~~ the pawnbroker as pledges for loans, which tickets shall be considered receipts for such goods or property. Tags shall be attached to all such goods or property and upon each tag shall be written in legible figures a number which shall correspond to the number on the pawn ticket issued for such article or articles.

6B.160.060 Report to police.

Every pawnbroker and secondhand goods dealer in the City shall before noon of each day furnish to the Chief of Police ~~at the Chief of Police's office, in~~ such ~~forms~~ format as the ~~Chief of Police~~ Director ~~may provide therefore~~ requires, and unless exempt under subsection 6B.160.065, a full, true and correct transcript, ~~in ink and~~ legibly written in the English language, of the record of all transactions had on the previous day, and if such pawnbroker or secondhand goods dealer shall have reason or cause to believe that any property in the ~~their~~ pawnbroker's possession has been previously lost or stolen, ~~he~~ they shall forthwith report such fact to the Chief of Police, together with the information provided in the records as required under 6B.160.040.A ~~name of the owner, if known, and the date when and the name of the person from whom the same was received by the pawnbroker.~~

6B.160.065 Exemptions – Report to police.

A secondhand goods dealer shall not be required to report to the Chief of Police the following items:

A. Items exempted from the definition of a "secondhand goods" listed above.

B. Any other single item that is valued and priced to sell at less than \$100, except gift cards, store credit or gift certificates.

6B.160.070 Period of redemption.

A. No pawnbroker shall sell any property held as security for a loan or permit to be removed from the pawnbroker's place of business until ninety (90) days have expired from the date of the original transaction except when redeemed by or returned to the owner. ~~If any interest on any such loan be paid, the time of redemption shall be extended for an additional period equal to the time covered by such interest payment.~~

B. No pawnbroker or ~~dealer in~~ secondhand goods dealer shall sell or dispose of any ~~article~~ item purchased or received on consignment ~~by him or her constituting secondhand goods as herein defined,~~ or ~~shall~~ remove or permit the same to be removed from the ~~pawnbroker's~~ place of business ~~or control~~ within thirty (30) days after receipt of said goods has been reported to the Chief of Police ~~or designee as herein provided,~~ except when a consigned property is returned to the owner. ~~This section shall not apply to goods donated to charitable organizations.~~



6B.160.080 Prohibited transactions.

A. No pawnbroker or secondhand goods dealer shall receive any goods or property from any person:

1. Under the age of 18 years;

2. ~~, or from any person~~ Under the influence of intoxicating liquor or narcotic drugs;

3. ~~or possessing or having received~~ stolen property;

4. Possessing or having received proceeds from stolen property such as a gift card, store credit or gift certificate; or

5. ~~From any person whom he~~ they have reason to suspect or believe to ~~be such one of~~ meet any of the criteria of 1 through 4 the items listed above, whether such person be acting on their own behalf or as the agent of another.

B. No pawnbroker shall receive any goods or property upon which the original manufacturer's engraved serial number, or any identifying number, name, or initials added by means of engraving by any possessor of said goods or property has been obliterated or defaced so as to be illegible in whole or in part.

A.C. No pawn broking transaction, or any part of such transaction, shall be carried on or conducted on any day before 6:30 a.m. or after 9:00 p.m.; provided, however, that such establishment may remain open for carrying on the business of retail merchandising at any time on any day of the week unless otherwise prohibited by law.

* * *