

**TOWNSHIP OF CAMBRIA
CAMBRIA COUNTY, PENNSYLVANIA
ORDINANCE # 220**

AN ORDINANCE OF THE TOWNSHIP OF CAMBRIA, CAMBRIA COUNTY, PENNSYLVANIA, REGULATING PAWN SHOP BROKERS AND SCRAP METAL DEALERS WITHIN THE TOWNSHIP OF CAMBRIA, ESTABLISHING RULES AND REGULATIONS FOR SAID BUSINESSES, AND PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the second Class Township Code – 53P.S. 65101 et seq, allows for the Board of Supervisors to regulate certain businesses (Sec. 1532), to prohibit nuisances (Sec. 1529) and,

WHEREAS, the Township of Cambria has the general police powers necessary to protect the public health, safety, and general welfare and,

WHEREAS, pursuant to such Authority the Township of Cambria, desires and does herein regulate pawn shop brokers and scrap metal dealers within the Township of Cambria, Cambria County, Pennsylvania in order to protect the public health, safety, and general welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Cambria, County of Cambria, Commonwealth of Pennsylvania, as follows:

SECTION I – DEFINITIONS

Scrap Metal Dealer – is defined as a person, association, corporation or partnership, or other entity, who primarily engages in or operates the business of buying, acquiring and/or selling scrap metal.

Pawn Shop Broker – is defined as a person, association, corporation or partnership, or other entity, who primarily engages in or operates the business of buying for the purpose of reselling, any used goods or articles.

SECTION II – PAWN SHOP BROKERS, SCRAP METAL DEALERS

Business on Licensed Premises Only.

No person as a pawn shop broker in the Township shall keep more than one place of business for receiving or taking goods in pawn; nor, shall at any time, take goods at any other place than the principal place of business.

SECTION III – RULES AND REGULATIONS

All said businesses shall conduct their business in conformity with the following procedure:

- A. The owner of such business shall keep a log in which shall be legibly written in the English language the name of the person, his/her address, date of birth, a valid driver's license, valid state identification card, valid passport or a valid military identification. The owner of such business shall have a description of the article purchased (which will include any serial number and/or service tag number), a photograph of the article purchased, the date and time purchased, the amount of money paid therefore and the signature of the seller. The log shall be available for review by any law enforcement officer and/or Township Zoning Officer / Codes Enforcement Officer.
- B. All owners of such businesses shall fill out at the time of transaction a receipt of purchase containing the seller's name and address, a description of the article purchased, and the date purchased. A copy of receipts for all transactions during a given week shall be provided to the Cambria Township Police Department at the end of each week, in a manner prescribed by the Police Department. The Dealer will maintain a copy of the original receipt at the business for a minimum of 1 year (these receipts must be available for inspection by any law enforcement personnel or Township Zoning Officer/Codes Enforcement Officer upon request).
- C. All goods purchased by such businesses must be retained in the possession of the business for thirty (30) days and must remain in the County of Cambria during the waiting period.
- D. No such business shall purchase any article of value from any person under eighteen (18) years of age, or from any intoxicated person or any person known to be a thief or associate of thieves, or receiver of stolen property, or from any person whom the business has reason to suspect or believes to be such, and/or from persons or person who are/is in the possession of what reasonably can be concluded to be stolen property.
- E. All owners of such businesses who have reasonable suspicion or acquire knowledge as to stolen / unlawfully obtained property shall immediately or as soon as possible notify the Cambria Township Police Department and/or other appropriate Law Enforcement Agency.

SECTION IV – EXCLUSIONS

The provisions of this Ordinance shall not apply to:

- A. Businesses selling articles on consignment.
- B. Transactions involving only clothing.
- C. Purchases made by dealers from wholesalers or other suppliers, but shall only apply to those purchases made from the public,

- D. Bona fide trade, turn-ins or donation of secondhand goods, wares or merchandises or other goods where no cash is transferred or paid by the business.

SECTION V – VIOLATIONS AND PENALTIES

- A. Any person / business failing, neglecting or refusing to comply with any of the above provisions of this Ordinance shall, upon summary conviction thereof in a summary proceeding before a District Justice of Cambria County, be fined a sum of not more than Six Hundred Dollars (\$600.00) for the first offense, plus costs. In default of payment of such fines and costs, such person shall be imprisoned for a period not exceeding thirty (30) days. Every day that a violation continues shall be a separate violation.

SECTION VI - SEVERABILITY

The provisions of this Ordinance are severable. If any part of this Ordinance, is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions of this Ordinance shall not be affected thereby.

It is the intention of the Township of Cambria that this Ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

SECTION VII – REPEALER


All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

All Ordinances not specifically amended hereby remain in full force and effect.

ENACTED AND ORDAINED this 23 day of Feb. 2015.

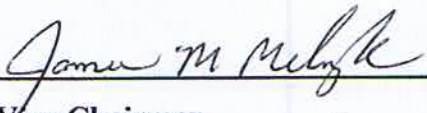
Township of Cambria by:

Cambria Township Board of Supervisors

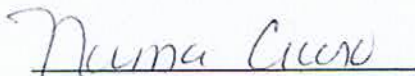


Chairman


Attest:



Vice-Chairman



Secretary



Supervisor