

**CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. 20-005**

**AN ORDINANCE AMENDING SECTION 111.07 OF THE WEST ST. PAUL CITY  
CODE REGARDING AN AUTOMATED PAWN SYSTEM FOR  
PAWNBROKERS AND PRECIOUS METAL DEALERS**

The City of West Saint Paul does ordain:

**SECTION 1.** West St. Paul City Code Section 111.07(A)(2) relating to the required use of an automated pawn system is hereby amended as follows:

(A) *Purpose.*

(1) The City Council finds that pawnbrokers and precious metal dealers potentially provide an opportunity for the commission of crimes and their concealment because these businesses have the ability to receive and transfer stolen property quickly and easily. The City Council also finds that consumer protection regulation is warranted in transactions involving pawnbrokers and precious metal dealers. The City Council further finds that the pawnbroker and precious metal industries have outgrown the city's current ability to effectively or efficiently identify criminal activity related to pawnshops and precious metal dealers. The purpose of this section is to prevent pawnbroker and precious metal businesses from being used as facilities for the disposition of illegally-obtained property, to aid in the identification of individuals involved in criminal activities through the timely collection and sharing of transaction information, and to ensure that the businesses comply with basic consumer protection standards, thereby protecting the public health, safety and general welfare of the citizens of the city.

(2) To help the Police Department better regulate current and future pawnbroker and precious metal businesses, decrease and stabilize costs associated with the regulation of the pawnbroker and precious metal industries, and increase identification of criminal activities in the pawnbroker and precious metal industries through the timely collection and sharing of pawnbroker and precious metal transaction information, this section also implements and establishes the required use of ~~the an A~~automated ~~P~~pawn ~~S~~system (APS), as approved by the Police Department.

**SECTION 2.** West St. Paul City Code Section 111.07(F)(11) relating to the daily reports to the Police Department using automated pawn system is hereby amended as follows:

(F) *General license restrictions and conditions.*

(11) *Daily reports to Police Department using APS.* All required transaction record data must be transmitted electronically to the ~~State~~ Police Department at the close of each business day using ~~the current version of~~ APS. If the licensee is unable to report using APS due to technology failures or interruptions, then all required records, including printed copies of all reportable transactions along with the required photographs or video tape for that day, must be maintained at the licensed

premises and be made immediately available for inspection upon request by a police officer. If the electronic transmission failure is determined to be in the licensee's system, the licensee must take all reasonable steps including the replacement of its computer system and related components in order to return the electronic reporting system to working condition as soon as possible. If the nonfunctioning system or repair will require more than ten days to return the system to a working condition, the licensee must notify the Police Department. Failure by the licensee to correct a problem with its computer or other systems causing the licensee's inability to electronically transmit required transaction data to APS or failing to notify the Police Department of the malfunction within ten days is a violation of this section. Regardless of the origin of the technical problems that prevented the licensee from transmitting the required reports electronically, upon correction of the problem, the licensee must electronically transmit every reportable transaction to APS from each business day that the problem existed.

**SECTION 3. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The Police Department collects and shares pawnbroker and precious metal transaction information to identify criminal activities in the pawnbroker and precious metal industries. The collection of this data is done through an automated pawn system. The Police Department will be changing from the current Automated Pawn System that is used to collect and store such data to another system.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this 23<sup>rd</sup> day of March 2020.

Attest:

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David J. Napier, Mayor

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Shirley R Buecksler, City Clerk