

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2014/9**

ORDINANCE AMENDING CHAPTER 5.48 (JEWELRY AND PRECIOUS METALS), CHAPTER 5.48.052 (MAINTENANCE OF RECORD OF TRANSACTIONS) AND CHAPTER 5.48.060 (LICENSE FEES) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD

WHEREAS, the Chief of Police has recommended to the Public Safety Committee the development of an ordinance requiring jewelry, precious metal and secondhand dealers to participate in an online data base that tracks the sale of property to and from businesses that engage in the business of purchasing and/or selling used goods such as precious and semi-precious stones, jewelry, gold and other tangible goods as defined in Chapter 5.48; and

WHEREAS, the Public Safety Committee discussed this matter and recommends the “Pro Plus Pawn Safe Box” program; and

WHEREAS, the governing body agrees with the recommendation of the Chief and the Public Safety Committee.

NOW, THEREFORE BE IT ORDAINED as follows:

SECTION 1

Chapter 5.48 (Jewelry and Precious Metals) shall be amended and supplemented as follows:

Chapter 5.48 Jewelry, Precious Metals and Secondhand dealers

Chapter 5.48.052 Maintenance of Record of Transactions; Posting of license; Assignment of license

A. All licensees shall be required to maintain, for a period of seven (7) years, the original receipt for all transactions of regulated items/precious metals as regulated by this

Chapter. Same shall be available during normal business hours for inspection by members of the Freehold Borough Police Department.

All licensees shall be required to provide the Seller in each transaction with a copy of the receipt for any sale of a regulated item/precious metal.

B. All licensees shall maintain a record of each purchase, which shall be electronically recorded at the time of the transaction, by utilizing a secure internet based computerized service, contracted by the Borough of Freehold, allowing the licensee access to their internet based account and transaction entry screen. All entry screens shall be filled out completely at the time of the transaction and shall contain the following information:

1. Pre-programmed name, address and phone number of the licensed establishment:
2. Pre-programmed Borough issued license number of the licensee;
3. Electronically assigned transaction number; serialized by the program;
4. Electronically assigned date and time of transaction;
5. Description of the item(s) (each item entered separately):
 - a. Type of item from program drop down list (i.e. watch, bracelet, ring, etc.);
 - b. Serial number (original or applied), if applicable;
 - c. Weight of item in grams;
 - d. Price paid to Seller in dollars and cents;
 - e. Description of item (i.e. gold box chain necklace, gold Movado watch, etc.);
6. Name, address, date of birth, phone number, driver's license number or other identifying number from other government issued photo ID;
7. Digital color photographs, taken at time of transaction of the Seller (full face) and the Seller's identification (both clear and readable), as well as digital photos of the item(s) being purchased by the licensee. All purchased items must be laid out neatly and clearly in the photos and must be taken with a minimum five megapixel camera. Similar or like items may be photographed together.

8. The Seller's signature or right index finger print must be captured electronically at the time of the transaction.

C. All transactional records of merchandise purchased by each licensed business shall be recorded and maintained by the contracted service and shall be available and accessible for inspection electronically via internet or in person by members of the Freehold Borough Police Department. Each electronically recorded transaction shall be maintained by the contracted service for a period of seven years from the date of the recorded purchase.

D. The license shall be posted in a conspicuous place at the location of the sale or sales licensed under this chapter.

E. No license issued under this chapter shall be assignable by the licensee.

Chapter 5.48.060 License fees.

The annual license fee shall be \$500.00, which shall include the participation in the contracted on-line service and administrative costs borne by the Borough, inspection of the license premises and records. Said fee may be pro-rated.

SECTION 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

SECTION 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

SECTION 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

APPROVED: JULY 21, 2014

ADOPTED: AUGUST 4, 2014

APPROVED:

J. NOLAN HIGGINS, MAYOR

ATTEST:

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK