

* BY-LAW NO. 16-97 *

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF LAKEVIEW TO REGULATE THE OPERATIONS OF
A PAWNBROKER.

Pawnbroker

- 1) a) Every Pawnbroker shall have a sign with his name and the word "Pawnbroker" in large legible characters thereon placed over the door outside the shop or other place used by him for carrying on his business;
- b) Every Pawnbroker shall at all times keep posted in a conspicuous position on his premises so as to be easily seen and read by persons pledging goods, on a card or sign having printed or painted thereon the following information:
 - i) the rate of profit allowed by the statutes of Canada to be taken by pawnbrokers;
 - ii) the amount which the pawnbroker is entitled to charge for notes which he is required to furnish under the provisions of this by-law to a person pledging goods.
- c) Every pawnbroker shall before the hour of twelve o'clock in the forenoon on Monday of each week make out, sign and deliver to the Detachment Commander of the RCMP, a book containing a true and correct written statement of all goods and articles received on deposit or by way of pledge during the next preceding twenty-four hours, which statement shall include a true and correct copy of the entries made in the book during the stated period.
- d) At the time of taking any pawn or pledge every pawnbroker shall deliver to the person pledging article or goods a written or printed note containing:
 - i) the number of the entry made in the book in respect thereof;
 - ii) the day and month of the year in which the pledge was taken;
 - iii) the name and address of the person pledging;
 - iv) the description of the goods or articles pledged;
 - v) the amount of money advanced thereon;
 - vi) the name and address of the pawnbroker.

and the pawnbroker shall not receive or retain any goods or articles as pledges or pawns unless the person pledging them accepts the note;

- e) The pawnbroker shall be entitled to charge for the note required by this section to be delivered by him to the person pledging goods or articles, the following fees:
 - i) when the sum advanced is five dollars or lessnil
 - ii) when the sum is more than five dollars8%

which schedule of charges shall be printed in large legible type on the back of each note given to a customer by a pawnbroker. Every pawnbroker shall securely attach to the goods or articles pledged: a duplicate of the note given to the person pledging the goods or articles in the event of such goods being redeemed, shall write or endorse on the duplicate note a true statement of the profit taken by him and shall keep such duplicate note in his custody for one year following the date on which the goods were redeemed.

- f) All books, accounts, entries and notes of all goods pawned shall at all times be open to the inspection of the Detachment Commander of the RCMP or the License Inspector or his assistant or any member of the RCMP
- g) No pawnbroker shall solely because of the non-production of the note, refuse to

deliver pledged goods or articles to the person entitled thereto upon payment of the amount lawfully owing thereon if the Detachment Commander certifies that the loss of the note has been proved to his satisfaction.

- h) Every pawnbroker shall keep a book recording particulars of all sales at auction of unredeemed goods, as follows:
- i) number of the pledge;
 - ii) date of pledge;
 - iii) name of person pledging;
 - iv) date of sale;
 - v) money received in respect of each pledge;
 - vi) name and address of auctioneer.
- i) No pledged goods shall be forfeited or sold until the expiration of three months from the date such goods were pledged, exclusive of the day of pledging but, this section shall not be deemed to authorize a sale or forfeiture if
- i) the parties have agreed upon a longer period for holding the goods;
 - ii) such sale or forfeiture would be in any other way contrary to the law.
- j) Every pawnbroker shall permit the person who pawned the goods or the person for whom they were pawned or either person's legal representative or agent to inspect the record of sale of goods by auction on payment of twenty-five cents for each inspection.
- 2) No pawnbroker shall:
- a) receive on deposit or pledge any goods, articles or thing before the hour of 8:00 o'clock a.m. or after 9:00 o'clock p.m. nor carry on his trade on any Sunday or statutory holiday;
 - b) take or receive in pawn or pledge for money loaned, any property, bonds, notes, securities, article or thing produced or presented by any person under the age of 18 years, or the ownership of which is in or which is claimed by such person or which may be in the possession or under control of such a person;
 - c) employ any person under the age of 18 years;
 - d) take any article in pawn from any person who appears to be under the influence of alcohol or drugs;
 - e) carry on the trade of auctioneer.

DONE AND PASSED as a by-law of The Rural Municipality of Lakeview at Langruth in the Province of Manitoba this 25 th day of November 1997 A.D.

Read a first time this 10th day of November 1997

Read a second time this 25th day of November 1997.

Read a third time this 25th day of November 1997.

Isaac Wiebe, Reeve

Ron Brown, Chief Administrative Officer