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ORDINANCE FOR UNINCORPORATED PORTIONS OF
PIKE COUNTY, MISSISSIPPI TO REQUIRE BUSINESSES
OPERATING WITHIN THE UNINCORPORATED AREA TO OBTAIN
SPECIFIC PERFORMANCE WHEN PURCHASING ITEMS FROM
INDIVIDUALS FOR USE IN THEIR BUSINESS OR FOR RESALE

On motion by Supervisor Theodore Ballock, seconded by Supervisor Cexie Elmore, a resolution was duly adopted by the Board of Supervisors of Pike County, Mississippi providing for a proposed ordinance applicable to unincorporated portions of Pike County, Mississippi, requiring businesses operating within its area to obtain specific information when purchasing items from individuals for use in their business or for resale. It is the intention of the Board of Supervisors to require all businesses operating in the unincorporated areas of Pike County, Mississippi to obtain the same basic information already required of pawn shops pursuant to Mississippi Code Annotated, Section 75-67-305.

I. Every merchant doing business in the unincorporated portions of Pike County, Mississippi shall be required to keep and maintain a record of purchases (hereinafter referred to as "Purchase Docket") made from individuals for items for use and/or resale in the merchant's business.

(a) For the purpose of this ordinance the term "merchant" includes any wholesale or retail business operating within the unincorporated portions of Pike County, Mississippi. The term also includes any and all auction houses and any individual or organization conducting an auction.

(b) The Purchase Docket and records shall not be construed to be public records; however, they shall be made

available to law enforcement agencies should a question or controversy arise as to the origin and/or ownership of merchandise. Further, law enforcement officials shall have the right to inspect the records in order to verify that the merchant is in compliance with this ordinance.

II. At the time of making the purchase transaction, the merchant shall enter upon the record the following information, which shall be typed or clearly written in ink and in the English language:

- (a) A clear and accurate description of the property, including model and serial number if indicated on the property;
- (b) The name, residence address, and date of birth of pledgor or seller;
- (c) Date of purchase transaction;
- (d) Driver's license number or social security number or Mississippi identification card number, as defined in Section 45-35-1, Mississippi Code Annotated of 1972, of the seller or identification information verified by at least two (2) forms of identification, one(1) of which shall be a photographic identification;
- (e) Description of the seller including approximate height, sex and race;
- (f) Amount paid for the items;
- (g) The check or money order number used to pay for the items;
- (h) The seller shall be required to sign the Purchase

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Docket in ink.

III. The merchant purchasing the items from an individual must pay the individual for the items with a bank check or money order and the instrument must be made payable to the same person listed in the Purchase Docket as having been the seller.

IV. If any merchant, its agents or employees, either knowingly, or without the exercise of due care, fails to abide by this ordinance, or who willfully makes a false entry in any record specifically required by this ordinance, shall be guilty of a misdemeanor, punishable by any or all of the following:

(a) For a first offense, the merchant or employee, shall be punished by a fine not in excess of \$1,000.00 or by imprisonment in the county jail for not more than six months, or both fined and imprisonment;

(b) For a second offense, the merchant or employee, shall be punished by a fine not in excess of \$5,000.00 or by imprisonment in the county jail for not more than one year, or both fine and imprisonment;

(c) Third or subsequent offenses shall be punished as second offenses.

V. Nothing in this ordinance shall be construed to lessen, change, abrogate or alter the provisions of any law or regulation passed by the Legislature or agencies of the State of Mississippi or of the Federal Government.

VI. The provisions of this ordinance are severable. If any part of this ordinance is declared invalid or unconstitutional, such declaration will not affect the parts which remain.