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# MEMO

## Legal Department

**To:** Mayor Haila and Ames City Council

**From:** Mark O. Lambert, City Attorney

**Date:** February 5, 2021

**Subject:** Drafting error in ordinance

In 2015, the City's Attorney's office drafted, and the Council adopted, a revision to the Section 17.25 of the Ames Municipal Code, "Pawnbrokers, Itinerant Dealers, and Secondhand Dealers."

Part of the purpose of revising this ordinance six years ago was to expand the requirements the City had on pawnbrokers (keeping records of items received, who they were purchased from, serial numbers, etc.) by applying those same requirements to "secondhand goods dealers" as well.

**Recently, because of questions from a potential applicant, it was discovered that an omission was made in the drafting of the ordinance.** Although the ordinance requires secondhand dealers to keep records of transactions, similar to what pawnbrokers are required to do, **the ordinance failed to require that the secondhand dealers obtain a permit from the City Clerk. The ordinance only requires pawnbrokers and itinerant dealers to obtain a permit.**

The City Attorney's office is asking the Council to direct the City Attorney to draft an ordinance that makes clear that secondhand dealers are required to obtain a permit from the City.

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