

FORSYTH COUNTY, GEORGIA
ORDINANCE NUMBER 96 (Amendment C)

A Resolution and Ordinance amending Forsyth County Ordinance Number 96, the Forsyth County Pawnbrokers and Pawn Shop Establishment Ordinance, to modify the regulations governing Pawnbrokers and Pawn Shop Establishments related to knives and firearms; to repeal conflicting ordinances; and for other purposes.

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations;

WHEREAS, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the, unincorporated areas of the County; and,

WHEREAS, the governing authority of Forsyth County, to wit, the Board of Commissioners, desires to exercise its authority by amending the Forsyth County Pawnbrokers and Pawn Shop Establishment Ordinance to modify the regulations governing Pawnbrokers and Pawn Shop Establishments related to knives and firearms.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE BOARD OF COMMISSIONERS OF FORSYTH COUNTY, GEORGIA AS FOLLOWS:

Section 1.

Ordinance No. 96, the Forsyth County Pawnbrokers and Pawn Shop Establishment Ordinance (codified as Chapter 22, Article III of The Code of Forsyth County, Georgia) is hereby revised by modifying Section 96-2 by adding a new subsection (e) (codified as Section 22-91), and Section 96-15 (codified as Section 22-130), as follows:

"Sec. 96-2. – Licenses required for operation; general policies and purposes.

...

(e)(1) Pursuant to O.C.G.A. § 16-11-173(b), firearms shall not be regulated pursuant to this Article. However, pawnbrokers must comply with all requirements, including but not limited to record-keeping requirements, for firearms as specified in O.C.G.A. § 44-12-132, of Title 44, Chapter 12, Article 3, Part 5 of the Official Code of Georgia Annotated, and shall be subject to all applicable criminal penalties under State law for any violation of same.

(2) Pursuant to O.C.G.A. § 16-11-136(b), knives shall not be regulated pursuant to this Article. However, pawnbrokers must comply with all requirements, including but not limited to record-keeping requirements, for knives as specified in O.C.G.A. § 44-12-132, of Title 44, Chapter 12, Article 3, Part 5 of the Official Code of Georgia Annotated, and shall be subject to all applicable criminal penalties under State law for any violation of same.

...

Sec. 96-15. – Sale of ~~Knives~~, Metal Knuckles, Blackjacks and Other Weapons.

It shall be unlawful for any licensee under this division to sell, offer for sale or expose for sale any kind of metal knuckles, ~~dirks, sword-in-canes, spears, Bowie knives or switchblade knives~~, or any blackjacks or similar weapons. A licensee or employee thereof violating this section shall be deemed guilty of an offense."

Section 2. Repealer.

All laws, resolutions, or ordinances or parts thereof that conflict with the provisions of this Amendment are hereby repealed.

Section 3. Severability.

Should any section, subsection, clause, sentence, phrase, or part of this Ordinance for any reason be held, deemed, or construed to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions thereof and the Board of Commissioners hereby declares that it would have passed this Ordinance, each section, subsection, clause, sentence, phrase, and part thereof irrespective to the

fact that one or more sections, subsections, clauses, sentences, phrases, or parts thereof, be declared unconstitutional or invalid.

Section 5. Effective Date.

The effective date of this Amendment shall be the date of adoption.

SO RESOLVED this 5th day of September, 2013.

FORSYTH COUNTY BOARD OF COMMISSIONERS



RALPH J. AMOS, Chairman



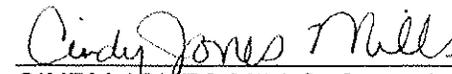
JIM BOFF, Vice Chairman



BRIAN R. TAM, Secretary

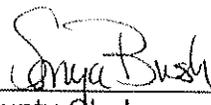


TODD LEVENT, Commissioner



CINDY JONES MILLS, Commissioner

Attested to:



County Clerk