



2012 Pawnbroker Licensing Packet

This packet contains the following:

- ✓ Letter to all applicants outlining the licensing program
- ✓ 2012 License Application
- ✓ City Code for general licensing requirements and specific licensing requirements for the Pawnbroker license
- ✓ Workers Compensation Certificate of Compliance form which needs to be filled out and signed by applicant

Please read all information provided and complete the application and return with payments before December 31, 2012 to ensure a license will be issued before January 1, 2012.

If you have any questions regarding this packet, you may contact Ann Boettcher, Inspection Services Manager at 952-924-2504 or aboettcher@stlouispark.org.



RENEWAL APPLICATION PAWN BROKER LICENSE

Dear Licensee,

Thank you for your interest in renewing your pawn broker license in St. Louis Park. All City application materials must be completed and received before your application can be processed. Corporation information requested as part of this application packet to assist us in updating our records regarding your business.

Enclosed you will find the application and copy of the ordinance adopted by Council on October 3, 2011. The 2012 annual license fee of \$2000.00 is due at the time the application is filed.

Please complete the application, enclose your check made payable to the City of St. Louis Park for the annual license fee of \$2000.00 and return to the Inspections Department.

The City has received notice from the Minnesota Department of Labor and Industry that all licensed establishments must complete and submit a "Certificate of Compliance" form proving evidence of compliance with the workers' compensation insurance coverage requirement by MN Statutes Chapter 176. This **signed form is in addition** to any other required license insurance certificates and will be required with license renewals each year going forward. **Please complete and sign the enclosed form and return with your license application.**

If your Workers' Compensation policy is ever cancelled within the license period, you are required to notify the City by resubmitting this form. **If you have any questions regarding the new policy please contact the Minnesota Department of Labor and Industry at 651-284-5005.**

If you have any questions about our ordinance, these forms or the City's process of renewing your license, please feel free to contact me at 952-924-2504 or you may email me at aboettcher@stlouispark.org

Minnesota Department of Labor and Industry
 Construction Codes and Licensing Division
 Licensing and Certification Services
 443 Lafayette Road North
 St. Paul, MN 55155
 Phone: (651) 284-5034
 Fax: (651) 284-5743
 www.dli.mn.gov
 dli.license@state.mn.us

Certificate of Compliance Minnesota Workers' Compensation Law

**THIS FORM MUST BE COMPLETED AND SIGNED BY ALL
 BUSINESS TYPES**

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

CONTRACTOR'S LICENSE or CERTIFICATE NO (if applicable)	BUSINESS TELEPHONE NO.	FAX TELEPHONE NO.
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BUSINESS NAME (Use the person(s) name if business structure is sole proprietor or partnership (i.e., John Doe, or John Doe and Jane Doe), otherwise it is the legal name of the business entity.)

DBA ("doing business as" or also known as an assumed name) (if applicable)

BUSINESS ADDRESS (must be physical street address, no PO boxes)	CITY	STATE	ZIP CODE
COUNTY	E-MAIL ADDRESS		

YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1 or 2 below.

NUMBER 1 – Workers' compensation insurance policy information

INSURANCE COMPANY NAME (not the insurance agent)

POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 – Reason for exemption from workers' compensation insurance

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I am self-insured for workers' compensation (include a copy of authorization to self-insure from the Minnesota Department of Commerce).

I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered:

Other: _____

I certify that the information provided on this form is accurate and complete.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: You must notify us if there is any change to your Workers' Compensation Insurance Information or Employee Status Change by resubmitting this form.
 This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

Sec. 8-1. Definitions.

Pawnbroker means a person who loans money on deposit or pledge of personal property or other valuable thing; who deals in the purchasing of personal property or other valuable thing on condition of selling such personal property or other valuable thing back again at a stipulated price; or who loans money secured by chattel mortgage or on personal property, taking possession of the property or any part thereof so mortgaged. To the extent that a pawnbroker business includes buying personal property previously used, rented, or leased, the provisions of this chapter shall be applicable. Any bank, savings and loan association, or credit union shall not be deemed a pawnbroker for purposes of this chapter.

*Subdivision XII. Pawnbroker**

Sec. 8-421. Purpose.

(a) The city council finds that the use of services provided by pawnbrokers potentially provides an opportunity for the commission of crimes and their concealment because such businesses have the ability to receive and transfer stolen property easily and quickly. The city council also finds that consumer protection regulation is warranted in transactions involving pawnbrokers. The purpose of this section is to prevent pawn businesses from being used as facilities for the commission of crimes and to assure that such businesses comply with basic consumer protection standards, thereby protecting the public health, safety, and general welfare of the citizens of the city.

(b) To help the police department better regulate current and future pawn businesses, decrease and stabilize costs associated with the regulation of the pawn industry, and increase identification of criminal activities in the pawn industry through the timely collection and sharing of pawn transaction information, this section also implements and establishes the required use of the automated pawn system (APS).

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-422. Regulations adopted.

The regulations pertaining to pawnbrokers set forth in M.S.A. ch. 325J, as amended, are hereby adopted herein by reference as if fully stated herein.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-423. General provisions apply.

All provisions of Chapter 8, Article II: General Provisions, apply to this section unless stated otherwise in the individual provisions of this section.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-424. License required.

No person shall engage in the business of pawnbroker in the city without first obtaining a license from the city.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-425. Application.

(a) *Form of application.* In addition to any information that may be required by the county pursuant to M.S.A. § 471.924, every application for a license under this section shall be made according to provisions contained in sections 8-36 of this chapter.

***Editor's note**--Ord. No. 2233-02, § 1, adopted Nov. 18, 2002, deleted provisions formerly set out as subdiv. XII of div. 3 of art. II of this chapter. Former subdiv. XII, §§ 8-421--8-425, pertained to pawnbrokers and derived from Ord. No. 2181-00, § 4(16-313A--E), adopted Nov. 6, 2000. Section 2 of Ord. No. 2233-02 added new provisions as subdiv. 12, §§ 8-241--8-437, as herein set out.

(b) *Application verification.* All applications for pawnbroker licenses shall be referred to the police department for verification and investigation of the facts set forth in the application. The police department shall make a written report and recommendation to the city clerk as to issuance or non-issuance of the license. The city clerk may order and conduct such additional investigation as deemed necessary.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-426. Licensee eligibility.

(a) To be eligible for or to maintain a pawnbroker license, a person must operate lawfully and fairly within the purposes of M.S.A. ch. 325J and this section and:

- (1) May not be a minor at the time that the application for a pawnbroker's license is filed;
- (2) May not have been convicted of any crime directly related to the occupation licensed as prescribed by M.S.A. § 364.03, subd. 2, unless the person has shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a licensee under this chapter as prescribed by M.S.A. § 364.03, subd. 3; and
- (3) Must be of good moral character or repute.
- (4) Must not hold an intoxicating liquor license within the city.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-427. License restrictions.

(a) *Number of licenses issued.* On the effective date of this subdivision XII, the maximum allowable number of pawnbroker licenses shall be two. Pawnbroker licensees existing on the effective date of this subdivision XII are eligible to apply for renewal at the existing licensed premises, and if renewed, may continue until the license for that licensed premises is revoked or is not renewed.

(b) *License transfer not allowed.* Each license under this section shall be issued to the applicant only and shall not be transferable to any other person. No licensee shall loan, sell, give, or assign a license to another person.

(c) *Inactive license.* The city council may revoke the pawn license of any business that shows no pawn activity for a period of six months. A hearing shall be held to determine the status of the pawn operation and if satisfactory intent to do business under the license is not demonstrated, the city council may revoke the license.

(d) *Premises.* A license under this division shall be issued only for the exact rooms and square footage of the premises described in the application.

(e) *Zoning requirements met.* No license shall be granted until all applicable zoning requirements are met or until all conditions for approval of the use have been satisfied.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-428. Fees.

(a) *Investigation fee.* An applicant for any license under this chapter shall, at the time an original application is submitted, pay the city a nonrefundable investigation fee as set from time to time by the city council and listed in appendix A to this Code, to cover the costs involved in verifying the license application and to cover the expense of any investigation needed to assure compliance with this section.

(b) *License fee.* The licensee shall pay an annual license fee as set from time to time by the city council and listed in appendix A to this Code.

(c) *Billable transaction fees.* Licensees shall pay a monthly transaction fee on all billable transactions as defined in section 8-429(b). Such fee shall be as set from time to time by the city council and listed in appendix A to this Code. Billable transaction fees are payable within 30 days. Failure to timely pay the billable transaction fee shall constitute a violation of this section.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-429. Transactions.

(a) *Reportable transactions.* Every transaction conducted by a pawnbroker in which merchandise is received through a pawn, purchase, consignment or trade, or in which a pawn is renewed, extended, redeemed or voided, is a reportable transaction except:

- (1) The bulk purchase or consignment of new or used merchandise from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said merchandise, provided the pawnbroker must maintain a record of such purchase or consignment which describes each item, and must mark each item in a manner which relates it to that transaction record.
- (2) Retail and wholesale sales of merchandise originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

(b) *Billable transactions.* Billable transactions are defined as every reportable transaction conducted by a pawnbroker, except renewals, redemptions, or extensions of existing pawns on items previously reported and continuously in the licensee's possession.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-430. General operating requirements.

(a) *Records required.* At the time of any reportable transaction other than renewals, extensions or redemptions, every licensee must immediately record in English the following information by using ink or other indelible medium on forms or in a computerized record approved by the police department:

- (1) A complete and accurate description of each item including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.

- (2) The purchase price, amount of money loaned upon, or pledged therefor.
- (3) The maturity date of the transaction and the amount due, including monthly and annual interest rates and all pawn fees and charges.
- (4) Date, time and place the item of property was received by the licensee, and the unique alpha and/or numeric transaction identifier that distinguishes it from all other transactions in the licensee's records. Transaction identifiers must be consecutively numbered.
- (5) Full name, current residence address, current residence telephone number, date of birth and accurate description of the person from whom the item of the property was received, including: sex, height, weight, race, color of eyes and color of hair.
- (6) The state of issue and identification number from a current valid photo driver's license or a current valid state photo identification card from any state or from any province of Canada.
- (7) The signature of the person identified in the transaction.

(b) *Photographs required.* Effective 90 days from the effective date of this subdivision XII, the licensee must also take a color photograph or color video recording of:

- (1) Each customer involved in a billable transaction.
- (2) Every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed.
- (3) Photographs must be at least two inches in length by two inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the chief of police, or the chief's designee, upon request. The major portion of the photograph must include an identifiable front facial close-up of the person who pawned or sold the item. Items photographed must be accurately depicted. The licensee must inform the person that he or she is being photographed by displaying a sign of sufficient size in a conspicuous place in the premises. If a video photograph is taken, the video camera must zoom in on the person pawning or selling the item so as to include an identifiable close-up of that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate. The licensee must inform the person that he or she is being videotaped orally and by displaying a sign of sufficient size in a conspicuous place on the premises. The licensee must keep the exposed videotape for three months, and furnish it to the police department upon request.

(c) *Digitized photographs.* Licensees may fulfill the color photograph requirements in subsection 8-430 (b) by submitting them as digital images, in a format specified by the issuing authority, electronically cross-referenced to the reportable transaction they are associated with. Notwithstanding the digital images may be captured from required video recordings, this provision does not alter or amend the requirements in subsection 8-430(b).

(d) *Renewals, extensions and redemptions.* For renewals, extensions and redemptions, the licensee shall provide the original transaction identifier, the date of the current transaction, and the type of transaction.

(e) *Disposition of articles.*

- (1) When an article of pawned or pledged property is redeemed from a licensee, the records shall contain an account of such redemption with the date, interest charges accrued, and the total amount for which the article was redeemed.
- (2) When an article of purchased or forfeited property is sold or disposed of by a licensee and the licensee receives \$100.00 or more in the payment thereof, the records shall contain an account of such sale with the date, the amount for which the article was sold, and the full name, current address, and telephone number of the person to whom sold.

(f) *Inspection of records.* The records must at all reasonable times be open to inspection by the police department or department of licenses and consumer services. Data entries shall be retained for at least three years from the date of transaction. Entries of required digital images shall be retained a minimum of 90 days.

(g) *Daily reports to police.* Effective 90 days from the effective date of this subdivision XII, licensees must submit every reportable transaction to the police department daily in the following manner:

- (1) Licensees must provide to the police department all information required in section 8-430 (a) through (f) and other required information, by transferring it from their computer to the automated pawn system via modem. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the issuing authority using procedures that address security concerns of the licensees and the issuing authority. The licensee must display a sign of sufficient size, in a conspicuous place in the premises, which informs all patrons that all transactions are reported to the police department daily.
- (2) Billable transaction fees. Licensees will be charged for each billable transaction reported to the police department.
- (3) If a licensee is unable to successfully transfer the required reports by modem, the licensee must provide the police department printed copies of all reportable transactions along with the video tape(s) for that date, by 12:00 [noon] the next business day;
- (4) If the problem is determined to be in the licensee's system and is not corrected by the close of the first business day following the failure, the licensee must provide the required reports as detailed in section 8-430(g)(3), and must be charged a \$50.00 reporting failure penalty, daily, until the error is corrected; or
- (5) If the problem is determined to be outside the licensee's system, the licensee must provide the required reports in section 8-430(g)(3), and resubmit all such transaction via modem when the error is corrected.

- (6) If a licensee is unable to capture, digitize or transmit the photographs required in section 8-430(c), the licensee must immediately take all required photographs with a still camera, cross-reference the photographs to the correct transaction, and make the pictures available to the police department upon request.
- (7) Regardless of the cause or origin of the technical problems that prevented the licensee from uploading their reportable transactions, upon correction of the problem, the licensee shall upload every reportable transaction from every business day the problem had existed.
- (8) The police department may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.

(h) *Receipt required.* Every licensee must provide a receipt to the party identified in every reportable transaction and must maintain a duplicate of that receipt for three years. The receipt must include at least the following information:

- (1) The name, address and telephone number of the licensed business.
- (2) The date and time the item was received by the licensee.
- (3) Whether the item was pawned or sold, or the nature of the transaction.
- (4) An accurate description of each item received including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.
- (5) The signature or unique identifier of the licensee or employee that conducted the transaction.
- (6) The amount advanced or paid.
- (7) The monthly and annual interest rates, including all pawn fees and charges.
- (8) The last regular day of business by which the item must be redeemed by the pledger without risk that the item will be sold, and the amount necessary to redeem the pawned item on that date.
- (9) The full name, current residence address, current residence telephone number, and date of birth of the pledger or seller.
- (10) The state of issue and identification number from a current valid photo driver's license or a current valid state photo identification card from any state or from any province of Canada.
- (11) Description of the pledger or seller including approximate sex, height, weight, race, color of eyes and color of hair.
- (12) The signature of the pledger or seller.
- (13) All printed statements as required by M.S.A. § 325J.04, subd. 2, or any other applicable statutes.

(i) *Redemption period.* Any person pledging, pawning or depositing an item for security must have a minimum of 90 days from the date of that transaction to redeem the item before it may be forfeited and sold. During the 90 day holding period, items may not be removed from the licensed location except as provided in section 8-430(s). Licensees are prohibited from redeeming any item to anyone other than the person to whom the receipt was issued or, to any person identified in a written and notarized authorization to redeem the property identified in the receipt,

or to a person identified in writing by the pledger at the time of the initial transaction and signed by the pledger, or with approval of the police license inspector. Written authorization for release of property to persons other than original pledger must be maintained along with original transaction record in accordance with section 8-430(h).

(j) *Holding period.* Any item purchased or accepted in trade by a licensee must not be sold or otherwise transferred for 30 days from the date of the transaction. An individual may redeem an item 72 hours after the item was received on deposit, excluding Sundays and legal holidays.

(k) *Police order to hold property.*

(1) *Investigative hold.* Whenever a law enforcement official from any agency notifies a licensee not to sell an item, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within 72 hours and will remain in effect for 15 days from the date of initial notification, or until the investigative order is canceled, or until an order to hold/confiscate is issued, pursuant to section 8-430(k)(2), whichever comes first.

(2) *Order to hold.* Whenever the chief of police, or the chief's designee, notifies a licensee not to sell an item, the item must not be sold or removed from the licensed premises until authorized to be released by the chief or the chief's designee. The order to hold shall expire 90 days from the date it is placed unless the chief of police or the chief's designee determines the hold is still necessary and notifies the licensee in writing.

(l) *Order to confiscate.* If an item is identified as stolen or evidence in a criminal case, the police chief or chief's designee may:

- (1) Physically confiscate and remove it from the shop, pursuant to a written order from the police chief or the chief's designee, or
- (2) Place the item on hold or extend the hold as provided in section 8-430(k) (2), and leave it in the shop.
- (3) When an item is confiscated, the person doing so shall provide identification upon request of the licensee, and shall provide the licensee the name and phone number of the confiscating agency and investigator, and the case number related to the confiscation.
- (4) When an order to hold/confiscate is no longer necessary, the chief of police, or chief's designee shall so notify the licensee.

(m) *Inspection of items.* At all times during the terms of the license, the licensee must allow law enforcement officials to enter the premises where the licensed business is located, including all off-site storage facilities as authorized in section 8-430(s), during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the items, ware and merchandise and records therein to verify compliance with this chapter or other applicable laws.

(n) *Label required.* Licensees must attach a label to every item at the time it is pawned, purchased or received in inventory from any reportable transaction. Permanently recorded on this label must be the number or name that identifies the transaction in the shop's records, the transaction date, the name of the item and the description or the model and serial number of the item as reported to the police department, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels shall not be re-used.

(o) *License display.* A license issued under this section must be posted in a conspicuous place in the premises for which it is used. The license issued is only effective for the compact and contiguous space specified in the approved license application.

(p) *Responsibility of licensee.* A licensee under this section shall be responsible for the conduct of the business being operated and shall maintain conditions of order. The conduct of agents or employees of a licensee, engaged in performance of duties for the licensee, shall be deemed the conduct of the licensee.

(q) *Gambling.* No licensee under this section may keep, possess, or operate, or permit the keeping, possession, or operation on the licensed premises of dice, slot machines, roulette wheels, punchboards, blackjack tables, or pinball machines which return coins or slugs, chips, or tokens of any kind, which are redeemable in merchandise or cash. No gambling equipment authorized under M.S.A. ch. 349, may be kept or operated and no raffles may be conducted on the licensed premises and/or adjoining rooms. The purchase of lottery tickets may take place on the licensed premises as authorized by the director of the lottery pursuant to M.S.A. ch. 349A.

(r) *Penalty for property owner.* It is unlawful for any person who owns or controls real property to knowingly permit it to be used for pawn brokering without a license.

(s) *Property to be kept on premises.* All property deposited, left, pledged, pawned, or held for sale must be stored in an enclosed facility and may not be stored outside of the premises. The city may, however, permit the licensee to designate one off premises locked and secured facility in which the licensee may store only cars, boats, and other motorized vehicles. The licensee shall permit immediate inspection of the facility at any time during business hours by the city. All provisions in this section regarding record keeping and reporting shall apply to oversized items. All property shall be stored in compliance with zoning and/or fire regulations and in an orderly manner subject to inspection by the fire department. The premises shall also be equipped with an operational security alarm.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-431. Restricted transactions.

(a) *Hours of operation.* No pawnbroker shall keep the pawnbroker business open for the transaction of business on any day of the week before 7:00 a.m. or after 10:00 p.m.

(b) *Minors.* The pawnbroker shall not purchase or receive personal property of any nature on deposit or pledge from any minor.

(c) *Prohibited goods.* No licensee under this section shall accept any item of property which contains an altered or obliterated serial number or "operation identification" number or any item of property whose serial number has been removed.

(d) *Security interest.* No licensee nor any agent or employee of a licensee shall purchase, accept, or receive any article of property knowing, or having reason to know, that the article of property is encumbered by a security interest. For the purpose of this section, "security interest" means an interest in property which secures payment or other performance of an obligation.

(e) *True owner.* No licensee nor any agent or employee of a licensee shall purchase, accept, or receive any article of property, from any person, knowing, or having reason to know, that said person is not the true and correct owner of the property.

(f) *Proper identification.* No licensee nor any agent or employee of a licensee shall purchase, accept, or receive any article of property, from any person, without first having examined a

current valid photo driver's license or a current valid state photo identification card from any state or from any province of Canada.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-432. Inspections by police or claimed owner.

(a) *Premises.* Any licensee shall, at all times during the term of the license, allow the police department to enter the premises, where the licensee is carrying on business, including all off-site storage facilities as authorized in section 8-430(s), during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the articles and records therein to locate goods suspected or alleged to have been stolen and to verify compliance with this section or other applicable laws. No licensee shall conceal any article in his possession from the police department.

(b) *Property.* All articles of property coming into the possession of any licensee shall be open to inspection and right of examination of any police officer or any person claiming to have been the owner thereof or claiming to have had an interest therein when such person is accompanied by a police officer.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-433. Conduct of persons on licensed premises.

(a) *Property of another.* No person may pawn, pledge, sell, leave, or deposit any article of property not their own; nor shall any person pawn, pledge, sell, leave, or deposit the property of another, whether with permission or without; nor shall any person pawn, pledge, sell, leave, or deposit any article of property in which another has a security interest; with any licensee.

(b) *Minors.* No minor may pawn, pledge, sell, leave, or deposit any article of property with any licensee.

(c) *Proper identification.* No person may pawn, pledge, sell, leave or deposit any article of property with any licensee without first having presented a current valid photo driver's license or a current valid state photo identification card from any state or from any province of Canada.

(d) *False identification.* No person seeking to pawn, pledge, sell, leave, or deposit any article of property with any licensee shall give a false or fictitious name; nor give a false date of birth; nor give a false or out of date address of residence or telephone number; nor present a false driver's license or identification card; to any licensee.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-434. Required signage.

(a) All licensees shall by adequate signage and separate written notice inform persons seeking to pawn, pledge, sell, leave, or deposit articles of property with the licensee of the foregoing requirements.

- (1) For the purpose of this subsection, "adequate signage" shall be deemed to mean at least one sign of not less than four square feet in surface area, comprised of lettering of not less than three-quarters of an inch in height, posted in a conspicuous place on the licensed premises and stating substantially the following:

TO PAWN OR SELL PROPERTY:

YOU MUST BE AT LEAST 18 YEARS OF AGE.

YOU MUST BE THE TRUE OWNER OF THE PROPERTY.

THE PROPERTY MUST BE FREE OF ALL CLAIMS AND LIENS.

YOU MUST PRESENT VALID PHOTO IDENTIFICATION.

VIOLATION OF ANY OF THESE REQUIREMENTS IS A CRIME.

- (2) For the purpose of this subsection, "separate written notice" shall be deemed to mean either the receipt, as required in section 8-430(h), or a printed form, incorporating a statement to the effect that the person pawning, pledging, selling, leaving, or depositing the article is at least 18 years of age; is the true owner of the article; and that the article is free of all claims and liens; which is acknowledged by way of signature of the person pawning, pledging, selling, leaving, or depositing the article.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-435. General restrictions.

- (a) No pawnbroker licensed under this section shall:
 - (1) Lend money on a pledge at a rate of interest above that allowed by law;
 - (2) Knowingly possess stolen goods;
 - (3) Sell pledged goods before the time to redeem has expired;
 - (4) Refuse to disclose to the city, after having sold pledged goods, the name of the purchaser or the price for which the item sold; or
 - (5) Make a loan on a pledge to a minor.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-436. Suspension or revocation of license.

(a) The city council may suspend or revoke a license issued under this section upon a finding of a violation of:

- (1) Any of the provisions of this section;
- (2) Any state statute regulating pawnbrokers; or
- (3) Any state or local law relating to moral character and repute.

(b) A revocation or suspension by the city council shall be preceded by written notice to the licensee and a public hearing. The written notice shall give at least ten days' notice of the time and place of the hearing and shall state the nature of the charges against the pawnbroker. The notice may be served upon the pawnbroker personally or by United States mail addressed to the most recent address of the business in the license application.

(Ord. No. 2233-02, § 2, 11-18-2002)

Sec. 8-437. Penalty.

Violation of any provision of this subdivision shall be a misdemeanor.

(Ord. No. 2233-02, § 2, 11-18-2002)

Secs. 8-438--8-440. Reserved.