



**PAWNBROKER LICENSE APPLICATION
CITY CODE CHAPTER 114**

**\$100.00 License Fee per Year
\$1.00 per billable transaction
\$25.00 per Person Background Check Fee (new license only)
\$5,000.00 Bond* (must be attached to completed application)**

NEW RENEW YEAR _____

Full name of Business Manager _____

Home Address _____

City and State _____

Email Address _____ Phone Number _____

Full Name of Applicant _____

Home Address _____

City/State _____

Business Name _____

Business Address _____

Legal Description of Business: _____

Is this application for: Sole Proprietor _____ Partnership _____ Corporation _____

If a Corporation: State of Incorporation: _____

Does the applicant/business owner hold a current pawnbroker, precious metal dealer, or secondhand goods dealer license from any other governmental unit?

YES _____ NO _____

If yes, where? _____

Full name and address of all Officers and Directors or Partners:

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Has the applicant, within the preceding five (5) years, been convicted of any felony and/or the violation of any law relating to theft, damage or trespass to property, sale of a controlled substance, or the operation of any business?

YES _____ NO _____

If yes, indicate the nature of any such offense and the penalty assessed

Is the pawnshop registered with local police department for Automated Pawn System Interchange File Specification?

YES _____ NO _____

Signature of Applicant _____

Date of Application _____

***BOND REQUIREMENTS: Amount of \$5000.00 executed by a corporation authorized to do business in Minnesota and conditioned that in conducting the business the licensee will observe all laws in relation to pawnbrokers and will conduct business in conformity thereto and that the licensee will account for and deliver to any personal legally entitled any goods which have come in to the licensee's hand through the licensee's business as a pawnbroker, or in lieu thereof, will pay the reasonable value in money to the person. THIS MUST BE ATTACHED TO THIS APPLICATION.**

City Staff Approval and Comments: (Signature, date, comments)

Fire Chief _____

Police Investigator _____

City Clerk/Council _____

Minnesota Government Data Practices Act – Chapter 13
“Tennessee Warning”

Data is requested from the applicant on various forms. The purpose and intended use of the requested data is to verify the applicant meets all state statute and city code provisions and, if the license or permit is approved, to verify that all required data remains current.

The following data collected, created, or maintained is classified under the Minnesota Government Data Practices Act as Private data **until license approval** when the data becomes **Public**: (13.41, Subd. 4).

1. Data submitted by applicants (other than names and designated addresses).
2. Orders for hearing and findings of fact.
3. Conclusions of law and specification of the final disciplinary action contained in the record of the disciplinary action.
4. Entire record concerning the disciplinary proceeding.
5. License numbers.
6. License status.

The following data collected, created, or maintained is classified as **Private**: (13.41, Subd. 2).

1. The identity of complainants who have made reports concerning licenses or applicants which appear in inactive complaint data unless the complainant consents to the disclosure.
2. The nature or content of unsubstantiated complaints when the information is not maintained in anticipation of legal action.
3. Inactive investigative data relating to violations of statutes or rules.
4. The record of any disciplinary proceeding except as limited by Subd. 4.

The following data collected, created, or maintained is classified as **Confidential**: (13.41, Subd. 3).

1. Active investigative data relating to the investigation of complaints against any license.

Under law, private data may be shared with licensing and inspection employees, approval authorities, insurance providers, law enforcement employees, contracted inspection officials, as required by court order and City officials who have a bona fide need for it. The City of Forest Lake may make any data classified as private or confidential accessible to an appropriate person or agency if the licensing agency determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

We ask that you complete or provide all data requested on the application form(s) unless we have noted that it is not required. Refusal to supply required information may mean that your application cannot be processed.

I READ AND UNDERSTAND THE ABOVE INFORMATION REGARDING MY RIGHTS AS A SUBJECT OF GOVERNMENT DATA.

Date

Signature of Applicant

§ 114.02 LICENSE REQUIRED.

(A) No person, partnership, or corporation shall engage in or carry on the business of a pawnbroker without a license issued by the city for each and every separate office or place of business operated by the licensee in the city.

(B) A license under this chapter shall authorize the licensee to carry on business only at the permanent place of business designated in the license. No license may be transferred to a different location or different licensee. However, upon written request, the Chief of Police, or Chief's designee, may approve an off-site locked and secured storage facility. The licensee shall permit inspection of the facility in accordance with § 114.04(E). All provisions of this chapter regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the city code. The licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premise that extends for more than 6 months.

(Prior Code, § 33.2) (Ord. 542, passed 3-13-2006)

§ 114.03 LICENSE APPLICATION, FEE, TERM.

(A) Every application for a license to maintain, operate or conduct a pawnbroker business shall file a complete application under oath with the city upon a form provided by the city and shall pay a nonrefundable application fee in an amount set by resolution. The application, once accepted, shall be referred to the Forest Lake Police Department for investigation. Copies of this application shall be forwarded to such other city departments as the City Council shall deem necessary for verification and investigation of the facts set forth in the application. The Chief of Police and such other department heads shall make written recommendations to the City Council as to the issuance or nonissuance of the license within 30 days of the filing of the application.

(B) (1) The billable transaction license fee shall be set by resolution of the City Council and shall reflect the cost of processing transactions from the licensee and other related regulatory expenses as determined by the City Council, and shall be reviewed and adjusted, if necessary, at least every 6 months. Licensees shall be notified in writing 30 days before any adjustment is implemented. The billable transaction fee for modem transactions shall not exceed the billable transaction fee for manual transactions. Billable transaction fees shall be billed monthly and are due and payable within 30 days. Failure to make a payment within 30 days is a violation of this chapter.

(2) All licenses shall expire at the end of each calendar year. A new application fee shall be required whenever there is a change in the facts presented by the application other than the date, applicant's home address or building owner's address, or in the case of any license not renewed prior to its expiration.

(C) All applicants requesting a license pursuant to this chapter may be required to submit to a background investigation, including, but not limited to a criminal history check. The complete application form shall contain all information indicated, including:

(1) Full name, place, date of birth, and street residence of the applicant;

(2) The business address of the applicant;

(3) A statement as to whether within the preceding 5 years, the applicant has been convicted of any felony and/or the violation of any law relating to theft, damage or trespass to property, sale of a controlled substance, or the operation of any business; the nature of any such offense and the penalty assessed;

(4) Whether the applicant is a natural person, corporation or partnership:

(a) If the applicant is a corporation, the state of incorporation and the full names and addresses of all officers and directors;

(b) If the applicant is a partnership, the full names and addresses of all partners;

(5) Whether the applicant holds a current pawnbroker, precious metal dealer or secondhand goods dealer license from any other governmental unit.

(6) Whether the applicant has previously been denied, or had revoked or suspended, a pawnbroker, precious metal dealer, or secondhand dealer license from any other governmental unit.

(7) The location of the business premises.

(8) If the applicant does not own the business premises, a true and complete copy of the executed lease.

(9) The legal description of the premises to be licensed.

(10) Whether all real estate and personal property taxes that are due and payable for the premises to be licensed have been paid, and if not paid, the years and amounts that are unpaid.

(11) The full name of the manager or proprietor of the business.

(D) Each application shall be accompanied by a bond in the amount of \$5,000, executed by a corporation authorized to do business in this state and conditioned that in conducting the business the licensee will observe all laws in relation to pawnbrokers and will conduct business in conformity thereto and that the licensee will account for and deliver to any person legally entitled any goods which have come into the licensee's hand through the licensee's business as a pawnbroker, or in lieu thereof, will pay the reasonable value in money to the person.

(E) The bond shall be maintained for so long as the pawnbroker does business as such for the benefit of the city or any person who shall suffer any damage through the act of the pawnbroker and shall not be terminable without the bond company giving written notice 30 days in advance of termination to the City Clerk.

(F) If the applicant is a natural person, the application shall be signed and sworn to by the person; if a corporation, by the agent authorized to sign; if a partnership, by a partner.

(G) No person shall make any material false statement in the application. In addition to other penalties, the licensee's license may be revoked by the City Council for giving false information on the application.

(Prior Code, § 33.3) (Ord. 542, passed 3-13-2006)

§ 114.99 PENALTY.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as set forth in § 10.99.

(Prior Code, § 33.11)