



CITY OF ANOKA  
2015 First Avenue, Anoka, MN 55303  
Licensing: 763-576-2710

**PAWNSHOP/PAWNBROKER**

Information included in this application is PUBLIC INFORMATION and will be provided to the public upon request

*PLEASE FULLY COMPLETE THE APPLICATION AND PRINT LEGIBLY*

**Required Documentation: Applications cannot be accepted without the following attachments and payment.**

- Copy of Current Photo I.D.
- SP:C1 Tax Clearance Form
- Worker's Compensation Form
- If Applicable, Supplemental Details Sheet

**CHOOSE APPROPRIATE TYPE OF YOUR APPLICATION**

- New Applicant:
- Renewal Applicant:

- Payment of Investigation Fee \$25.00
- Payment of \$2,000
- Payment of \$1.50 per billable transaction (billed by the Anoka Police Department)
- Payment of \$2,000
- Payment of \$1.50 per billable transaction (billed by the Anoka Police Department)

*If you have a license that has lapsed or you are submitting your application past it's due date, you must pay an additional \$25.00 or 10% of the total licensing fee (whichever is greater).*

*If your license has lapsed and is being submitted over thirty (30) days past it's expiration date or due date, you must apply as a new license and pay all applicable fees related to a new license.*

**PERSONAL INFORMATION**

Individual Submitting Application (Full First, Middle, Last Name)

Home Street Address City/State Zip

Home Phone (including area code) Cell Phone (including area code)

Date of Birth: Drivers License #

State of Issuance:

**BUSINESS LOCATION INFORMATION**

**Business Name**

**Business Street Address**

**City/State**

**Zip**

**Business Phone (including area code)**

**Alternate Phone (including area code)**

**PLEASE ANSWER ALL QUESTIONS TRUTHFULLY AND TO THE BEST OF YOUR KNOWLEDGE**

*(attached additional sheets as necessary)*

1. Have you ever been convicted of any misdemeanor or felony violation of local ordinances (with the exception of misdemeanor traffic violations)? Yes  No

If yes, provide details of convictions (date of offense, date of conviction, location, charge):

\_\_\_\_\_

2. Have you ever been denied a license to conduct a like or similar activity or had such license suspended, revoked, or canceled, in any City/State?

Yes  No  If yes, provide details: \_\_\_\_\_

\_\_\_\_\_

4. List all names, nicknames and aliases by which you have been known:

\_\_\_\_\_

5. List two (2) of your previous addresses, immediately prior to your present address:

Street Address City/State Zip

Street Address City/State Zip

(I) do hereby swear that the answers in this application are true and correct to the best of my knowledge. I do authorize the City of Anoka, its agents, and employees, to obtain any necessary information and to conduct an investigation, if necessary, into the truth of the statements set forth in this application and my qualifications for said license. I do understand that providing false information shall be grounds for denial of my license. I fully understand that it is my responsibility to be familiar the requirements of the City, which is detailed in the pertinent section of the Anoka City Code, which was provided to me with my original application, and of which I may request additional copies of by contacting the office of the City Clerk.

**Signature of applicant:**

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

*(for office use only)*

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_ Complete  Incomplete

# SUPPLEMENTAL DETAILS

**LICENSE TYPE:**

**PAWNSHOP/PAWNBROKER**

**Additional Documentation:**

**Applications cannot be accepted without the following:**

- \$5,000 Corporate Surety Bond or cash bond in the same amount
- Proof of Incorporation, Articles of Incorporation & Bylaws
- List of current employees, providing full name, address and date of birth (you must advise the City within 10 days of hiring any new or additional employees).

YES       NO

I have operated a pawn shop previously (do not include current location).

*If yes, please provide details as to when and where and under which name your business was licensed.*

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YES       NO

I currently operate a pawn shop in another location.

*If yes, please provide details as to when and where and under which name your business is licensed.*

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YES       NO

I am currently applying for a license to operate a pawn shop in another location.

*If yes, please provide details as to when and where and under which name your business will be licensed.*

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YES       NO

Have any of your current employees been convicted of a felony, gross misdemeanor, or misdemeanor or had an application for a pawn shop denied, revoked, or suspended within the last five years? If this answer changes during your license period, you must notify the City Clerk.

*If yes, please provide details as to; who, when, where and details on the conviction (please attach this information separately to application).*

YES       NO

Have any of your current employees operated a pawn shop in the past five years?

*If yes, please provide details as to; who, when, where (please attach this information separately to application).*

**The Manager at the business I am licensing is:**

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(Full First, Middle, Last Name)

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Home Street Address

City/State

Zip

---

Home Phone (including area code)

Cell Phone (including area code)

YES       NO

I am the owner of the property premises for which this license will be granted.

*If no, you must attach proof of your authorized use or lease with the owner, providing the name, address and phone number of the property owners.*

YES       NO

I am the sole owner of the business for which this license will be granted.

*If jointly owned or partnership, you must provide the following information on any/all joint owners and partners.  
(Use additional sheets as necessary)*

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Joint Owner/Partner

(Full First, Middle, Last Name)

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Home Street Address

City/State

Zip

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Home Phone (including area code)

Cell Phone (including area code)

Date of Birth: \_\_\_\_\_ Drivers License # \_\_\_\_\_

State of Issuance: \_\_\_\_\_



CITY OF ANOKA
2015 First Avenue, Anoka, MN 55303
Licensing: 763-576-2710

AUTHORIZATION AND CONSENT FOR RELEASE OF INFORMATION
FOR CITY OF ANOKA BACKGROUND CHECK
PLEASE ATTACH A COPY OF YOUR DRIVERS LICENSE.

License you are applying for: \_\_\_\_\_

Full Name: \_\_\_\_\_
First Middle Last

Home Address: \_\_\_\_\_
House # Street City State & Zip

Home Phone Number: \_\_\_\_\_
Include Area Code

If applicable, complete the following:

Business Name \_\_\_\_\_

Business Address: \_\_\_\_\_
Building # Street City State & Zip

Business Phone Number: \_\_\_\_\_
Include Area Code

Date of Birth: \_\_\_\_\_

Drivers License Number (copy of DL attached): \_\_\_\_\_

DL/State of Issuance: \_\_\_\_\_

I understand that the above-mentioned information about me may be protected under state and /or federal privacy laws or City policy and may not be disclosed without my prior written consent unless otherwise required by law.

I hereby release the City of Anoka from any and all liability for its receipt and use of information and records received pursuant to this consent. I further acknowledge that I have carefully read this release, fully understand its terms and legal significance, and execute it voluntarily.

Signature of Individual Authorizing Release

Date

**LICENSE APPLICANT:**

**Pursuant to Minnesota Statute 270C.72 Tax Clearance; Issuance of Licenses, the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota Business Tax Identification Number and the Social Security Number of each license applicant.**

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance, renewal, or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest.
2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service.
3. Failure to supply this information may jeopardize or delay the processing of your licensing issuance or renewal application.

Please supply the following information and return along with your application to the agency issuing the license. **DO NOT RETURN TO THE DEPARTMENT OF REVENUE.**

Licensing Authority: City of Anoka  
 License Year Applying for: \_\_\_\_\_

**PERSONAL INFORMATION:**

Applicant name: \_\_\_\_\_  
 Applicant address: \_\_\_\_\_  
 Social Security No: \_\_\_\_\_

**BUSINESS INFORMATION:**

Business name: \_\_\_\_\_  
 Business address: \_\_\_\_\_

Minnesota Tax Identification No.: \_\_\_\_\_  
 Federal Tax Identification No.: \_\_\_\_\_

**If a Minnesota Tax Identification Number is not required, you must explain on the reverse side.**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE AND TITLE (if any)

**-CERTIFICATE OF COMPLIANCE-  
MINNESOTA WORKERS' COMPENSATION LAW**

**Minnesota Statute 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 an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Section 176.181 Subdivision 2. The information required is: the name of the insurance company, the policy number, the dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and put in their company file. It will be furnished, upon request, to the Department of Labor and Industry to check for compliance with Minnesota Statute Section 176.181, Subdivision 2.**

**This information is required by law.** Licenses and permits to operate a business or engage in an activity may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided and/or falsely reported, it may result in a \$2,000 penalty assessed against the applicant by the Commissioner or the Department of Labor and Industry payable to the Special Compensation Fund.

Provide the information specified above in the spaces provided, or certify the precise reason your business is excluded from compliance with the insurance coverage requirement for workers' compensation.

Insurance Company Name: \_\_\_\_\_  
(NOT the Insurance Agent)

Policy Number or Self-Insurance Permit Number: \_\_\_\_\_

Dates of Coverage: \_\_\_\_\_ to \_\_\_\_\_

**\*\*\*\*\* (OR) \*\*\*\*\***

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

- I have no employees.
- I am self-insured (you must include the permit to self-insure)
- I have no employees who are covered by the workers' compensation law  
(these include: Spouse, Parents, Children, and certain farm employees)
- Other (must specify): \_\_\_\_\_

**APPLICANTS MUST COMPLETE AND SIGN BELOW:**

I HAVE READ AND UNDERSTAND MY RIGHTS AND OBLIGATIONS WITH REGARD TO BUSINESS LICENSES, PERMITS AND WORKER'S COMPENSATION COVERAGE. I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS ACCURATE AND COMPLETE AND THAT A VALID WORKERS' COMPENSATION POLICY WILL BE KEPT IN EFFECT AT ALL TIMES AS REQUIRED BY LAW.

Name: \_\_\_\_\_  
Last Name First Name Middle Name

Doing Business As: \_\_\_\_\_  
(If applicable) (Business Name if different than your name)

Business/Home Address: \_\_\_\_\_

Business/Home Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## CHAPTER 22. LICENSING; BUSINESSES & SERVICES

### ARTICLE III. PAWNBROKERS\*

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\*State law references--Pawnbrokers, Minn. Stats. ch. 325J; local regulation of pawnbrokers, Minn. Stats. §§ 325J.02(b), 325J.13.  
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#### Section 22-81. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Pawnbroker.* Means a person engaged in whole or in part in the business of lending money on the security of pledged goods left in pawn, or in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. The following are not pawnbrokers:

- (a) Any bank regulated by the state, the comptroller of the currency of the United States, the Federal Deposit Insurance Corporation, the board of governors of the Federal Reserve System, or any other federal or state authority and their affiliates;
- (b) Any bank or savings association whose deposits or accounts are eligible for insurance by the Federal Deposit Insurance Corporation or any successor to it and all affiliates of those banks and savings associations;
- (c) Any state or federally chartered credit union; and any industrial loan and thrift company or regulated lender subject to licensing and regulation by the state department of commerce.

*Pawnshop.* Means the location at which or premises in which a pawnbroker regularly conducts business.

*Pawn transaction.* Means any loan on the security of pledged goods or any purchase of pledged goods on the condition that the pledged goods are left with the pawnbroker and may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

*Pledged goods.* Means tangible personal property other than choses in action, securities, bank drafts, or printed evidence of indebtedness, that are purchased by, deposited with, or otherwise actually delivered into the possession of a pawnbroker in connection with a pawn transaction.

**State law reference--**Similar provisions, Minn. Stats. § 325J.01.

#### Section 22-82. Hours of operation.

No property shall be received or sold as a pledge or purchase by any pawnbroker before 7:00 a.m., or after 9:00 p.m. on any day. Further, no pawnbroker shall be open for business on Thanksgiving Day or Christmas Day.

#### Section 22-83. Records required.

- (a) Every pawnbroker purchasing or receiving on deposit for a loan any article of personal property shall give to the person selling or depositing such article a plain written or printed ticket or receipt for the article so sold or deposited, showing the terms of such sale or loan.
- (b) Each licensee under this article shall keep a record of each transaction made in the course of his business. Such records shall be in a form prescribed by the city clerk and shall, in all instances, be legibly made in ink and be in the English language. The records so kept shall include the following information about each transaction:



- (1) The name, address, home telephone number and business telephone number, and date of birth of the person pledging or selling the item.
  - (2) The time and date of the transaction.
  - (3) A complete description of the item pledged or sold, including all identifying numbers and identifying marks.
  - (4) A physical description of the person pawning or selling the item, which may include:
    - a. Race;
    - b. Sex;
    - c. Height;
    - d. Weight;
    - e. Color of eyes;
    - f. Color of hair;
    - g. Other physical characteristics.
  - (5) The amount of money paid or loaned for the item.
  - (6) The signature of the person pledging or selling the item.
  - (7) The identification number from any of the following forms of identification of the seller:
    - a. Current valid driver's license containing a picture issued by a province of Canada or a state;
    - b. Current valid photo identification card issued by a province of Canada or a state;
    - c. The identification information from the current valid driver's license or current valid photo identification card must either be stamped or photocopied by the pawnbroker and the actual identification must be displayed to the pawnbroker at the time of the transaction.
  - (8) The maturity date of the pawn transaction and the amount due.
  - (9) The monthly and annual interest rates, including all pawn fees and charges.
  - (10) Any other information the police chief shall require.
  - (11) A color photograph or color video recording of:
    - a. Each customer involved in a billable transaction.
    - b. Each item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed.
    - c. If a photograph is taken, it must be at least two inches by two inches and maintained in such a manner that the photograph can be readily matched and correlated to all other records of the transaction. Such photograph must be available to the chief of police or his designee upon request. The photograph must include an identifiable front facial close-up of the person and items photographed must be accurately depicted.
- (c) Every pawnbroker shall make available to the chief of police every day, before the hour of 12:00 noon, a complete, legible and correct copy of the records required by this section for all transactions which occurred on the previous day. The records required by this section shall be kept at the licensee's place of business for three years, and shall be available for police inspection at any reasonable time.

**State law references**--Entries on pawn tickets, Minn. Stats. § 325J.04, subd. 1; retention of records, Minn. Stats. § 325J.05(b).

**Section 22-84. Reports to police.**

- (a) Every licensee must provide to the police department every day before the hour of 12:00 noon all information required in section 22-83 in a form as directed by the police department. All records required in this article shall be kept at the licensee's place of business for three years and shall be available for police inspection at any reasonable time. A licensee must display a sign of sufficient size, in a conspicuous place on the premises, which informs all patrons that all transactions are reported to the police department.
- (b) Licensees will be charged for billable transactions as set forth in section 22-85.

**Section 22-85. Billable transaction fees.**

In addition to an annual license fee, every licensee shall pay a billable transaction fee for each transaction in an amount set by the Council. The billable transaction fee shall reflect the cost of processing transaction information and other regulatory expenses. The billable transaction fee shall be billed monthly and is due and payable within 30 days of billing. Failure to timely pay the billable transaction fee shall constitute a violation of this article and shall constitute grounds for suspension or revocation of license.

**Section 22-86. Verification of identification of property.**

All employees of a pawnshop shall verify the identification information from any pawned property by personal inspection of the property to determine any serial numbers or other identification information on the property.

**Section 22-87. Purchase of precious metals.**

No check issued by a pawnbroker when purchasing precious metals may be cashed at the pawnshop where the check has been issued.

**Section 22-88. Printed pawn ticket.**

The following shall be printed on all pawn tickets:

- (a) The statement that "Any personal property pledged to a pawnbroker within this state is subject to sale or disposal when there has been no payment made on the account for a period of not less than 60 days past the date of the pawn transaction, renewal, or extension; no further notice is necessary. There is no obligation for the pledgor to redeem pledged goods."
- (b) The statement that "The pledgor of this item attests that it is not stolen, it has no liens or encumbrances against it, and the pledgor has the right to sell or pawn the item."
- (c) The statement that "This item is redeemable only by the pledgor to whom the receipt was issued, or any person identified in a written and notarized authorization to redeem the property identified in the receipt, or a person identified in writing by the pledgor at the time of the initial transaction and signed by the pledgor. Written authorization for release of property to persons other than the original pledgor must be maintained along with the original transaction record."
- (d) A blank line for the pledgor's signature.

**State law reference**--Similar provisions, Minn. Stats. § 325J.04, subd. 2.

**Section 22-89. Holding of property.**

When the Chief of Police, or any member of the police force designated by the Chief of Police, notifies any pawnbroker not to sell any property received on deposit or purchased by him, or not to permit the same to

be redeemed, the pawnbroker shall not sell nor permit such property to be redeemed until such property is released in writing by the Chief of Police, or their designee.

No personal property deposited with or purchased by any licensee under this Chapter shall be sold or permitted to be redeemed from the place of business of the licensee until seventy-two hours after a copy of the records required by this Chapter have been made available to the Chief of Police, or his designee, except upon written permission of the Chief of Police or their designee.

The following hold limits are placed on personal property deposited with or purchased by any licensee under this Chapter:

Buys: Sixty (60) days after a copy of the records required by this Chapter have been made available to the Chief of Police, or his designee, except upon written permission of the Chief of Police or his designee.

Pawns: Ninety (90) days after a copy of the records required by this Chapter have been made available to the Chief of Police, or his designee, except upon written permission of the Chief of Police or his designee.

**State law reference**--Similar provisions, Minn. Stats. § 325J.06.

**Section 22-90. Redemption.**

Any person who pawns an item shall have at least 30 days to redeem the item before it may be sold. Only the person who pawned the property and displayed identification to the pawnbroker or any person with the written consent of the person who pawned the property shall redeem the pawned property.

**Section 22-91. Effect of non-redemption.**

- (a) A pledgor shall have no obligation to redeem pledged goods or make any payment on a pawn transaction. Pledged goods not redeemed within at least 60 days of the date of the pawn transaction, renewal, or extension shall automatically be forfeited to the pawnbroker, and qualified right, title, and interest in and to the goods shall automatically vest in the pawnbroker.
- (b) The pawnbroker's right, title, and interest in the pledged goods under subsection (a) of this section is qualified only by the pledgor's right, while the pledged goods remain in possession of the pawnbroker and not sold to a third party, to redeem the goods by paying the loan plus fees and/or interest accrued up to the date of redemption.
- (c) A pawn transaction that involves holding only the title to property is subject to Minn. Stats. chs. 168A or 336.

**State law reference**--Similar provisions, Minn. Stats. § 325J.06.

**Section 22-92. Permitted charges.**

- (a) A pawnbroker may contract for and receive a pawnshop charge not to exceed three percent per month of the principal amount advanced in the pawn transaction plus a reasonable fee for storage and services. A fee for storage and services may not exceed \$20.00 if the property is not in the possession of the pawnbroker.
- (b) The pawnshop charge allowed under subsection (a) of this section shall be deemed earned, due, and owing as of the date of the pawn transaction and a like sum shall be deemed earned, due, and owing on the same day of the succeeding month. However, if full payment is made more than two weeks before the next succeeding date, the pawnbroker shall remit one-half of the pawnshop charge for that month to the pledgor.
- (c) Interest shall not be deducted in advance, nor shall any loan be divided or split so as to yield greater interest or fees than would be permitted upon a single, consolidated loan or for otherwise evading any provisions of this section.

- (d) Any interest, charge, or fees contracted for or received, directly or indirectly, in excess of the amount permitted under this section, shall be uncollectible and the pawn transaction shall be void.
- (e) A schedule of charges permitted by this section shall be posted on the pawnshop premises in a place clearly visible to the general public.

**State law reference**--Similar provisions, Minn. Stats. § 325J.07.

**Section 22-93. Prohibited transactions.**

No pawnbroker shall knowingly purchase or receive on deposit or pledge anything of value as security for a loan of money from any person under lawful age, nor from intoxicated persons, those of unsound mind, or from any individual with a criminal record relating to a theft-related offense.

**State law reference**--Transactions with minors, Minn. Stats. § 325J.(5).

**Section 22-94. Prohibited acts.**

A pawnbroker and any clerk, agent, or employee of a pawnbroker shall not:

- (a) Make any false entry in the records of pawn transactions;
- (b) Falsify, obliterate, destroy, or remove from the place of business the records, books, or accounts relating to the licensee's pawn transactions;
- (c) Refuse to allow the chief of police, the attorney general, or any other duly authorized state or federal law enforcement officer to inspect the pawn records or any pawn goods in the person's possession during the ordinary hours of business or other times acceptable to both parties;
- (d) Make any agreement requiring the personal liability of a pledgor or seller, or waiving any provision of this section, or providing for a maturity date less than one month after the date of the pawn transaction;
- (e) Fail to return pledged goods to a pledgor or seller, or provide compensation as set forth in this chapter, upon payment of the full amount due the pawnbroker unless either the date of redemption is more than 60 days past the date of the pawn transaction, renewal, or extension and the pawnbroker has sold the pledged goods pursuant to this chapter, or the pledged goods have been taken into custody by a court or a law enforcement officer or agency;
- (f) Sell or lease, or agree to sell or lease, pledged or purchased goods back to the pledgor or seller in the same, or a related, transaction;
- (g) Sell or otherwise charge for insurance in connection with a pawn transaction; or
- (h) Remove pledged goods from the pawnshop premises or other storage place approved by a municipality at any time before unredeemed, pledged goods are sold pursuant to this chapter.

**State law reference**--Similar provisions, Minn. Stats. § 325J.08.

**Section 22-95. Redemption; risk of loss.**

Any person to whom the receipt for pledged goods was issued, or any person identified in a written and notarized authorization to redeem the pledged goods identified in the receipt, or any person identified in writing by the pledgor at the time of the initial transaction and signed by the pledgor shall be entitled to redeem or repurchase the pledged goods described on the ticket. In the event the goods are lost or damaged while in possession of the pawnbroker, the pawnbroker shall compensate the pledgor, in cash or replacement goods acceptable to the pledgor, for the fair market value of the lost or damaged goods. Proof of compensation shall be a defense to any prosecution or civil action.

**State law reference**--Similar provisions, Minn. Stats. § 325J.09.

**Section 22-96. Motor vehicle title pawn transactions.**

- (a) In addition to the other requirements of this article, a pawnbroker who holds a title to a motor vehicle as part of a pawn transaction shall:
  - (1) Be licensed as a used motor vehicle dealer under Minn. Stats. § 168.27, and post such license on the pawnshop premises;
  - (2) Verify that there are no liens or encumbrances against the motor vehicle with the department of public safety; and
  - (3) Verify that the pledgor has automobile insurance on the motor vehicle as required by law.
- (b) A pawnbroker may not sell a motor vehicle covered by a pawn transaction until 90 days after recovery of the motor vehicle.

**State law reference**--Similar provisions, Minn. Stats. § 325J.095.

**Section 22-97. Conduct of persons on licensed premises.**

- (a) No person may pawn, pledge, sell, leave, or deposit any article of property of another person or entity, whether with or without their permission, 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) No minor may pawn, pledge, sell, leave, or deposit any article of property with any licensee.
- (c) 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 current valid picture identification card.
- (d) 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 requirements of this section. For the purpose of this section the term "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.

For the purpose of this section the term "separate written notices" shall be deemed to mean either the receipt, 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.

- (e) 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.
- (f) Violations of this section shall constitute a misdemeanor.

**Sections 22-98 thru 22-115. Reserved.**

**Section 22-116. License Required.**

- (a) A person shall not engage in business as a pawnbroker or otherwise portray the person as a pawnbroker unless the person has a valid license authorizing engagement in the business. Any pawn transaction made without benefit of a license is void.
- (b) A separate license is required for each place of business. The city may issue more than one license to a person if that person complies with this article for each license.

**State law reference--**Similar provisions, Minn. Stats. § 325J.02(b), (c).

**Section 22-117. Application procedure.**

- (a) Every applicant for a license to maintain, operate, or conduct a pawnbroker shop shall file a completed application under oath with the city upon a form provided by the office of the city clerk and pay a nonrefundable application fee in an amount set by the council. The application, once accepted, shall be referred to the city 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 a written recommendation to the city council as to the issuance or non-issuance of the license within 30 days.
- (b) The completed application form shall contain all information indicated, including, but not limited to, the following:
  - (1) Name, place, date of birth, and street residence of the applicant and any and all managers, employees or agents to be employed at the pawn shop. This information shall be supplemented and updated when a new employee is hired by the pawnshop.
  - (2) The business address and the name and address of the owner of the premises.
  - (3) A statement as to whether the applicant and any employee has ever been convicted of any crimes and, if so, the state and county of conviction, the date of conviction, and the specific crime so convicted.
  - (4) Whether the applicant is a natural person, corporation, or partnership.
    - a. If the applicant is a corporation, the state of the incorporation and the names and addresses of all officers and directors.
    - b. If the applicant is a partnership, the names and addresses of all partners.
  - (5) The name, address and home phone number of the manager or proprietor of the business.
- (c) If the applicant is a natural person, the application shall be signed and sworn to by the person; if a corporation, by an agent authorized to sign; if a partnership, by a partner.
- (d) No person shall make any false statement in the application. The making of any false statement in any application is a misdemeanor, and in addition to all other penalties, the licensee's license may be revoked by the city council for giving any false information on the application.

- (e) A new application fee shall be required whenever there is any change in the facts presented by the application other than date, applicants' home address or building owners' address, or in the case of any license not renewed prior to its' expiration.

**Section 22-118.**

**Bond.**

- (a) Each application shall be accompanied by a bond in the amount of \$5,000.00 executed by a corporation authorized to do business in this state and conditioned that in conducting such 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.
- (b) The bond shall be maintained 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 such pawnbroker and shall not be terminable without advance of termination to the city clerk.

**Section 22-119.**

**Licensee eligibility.**

- (a) To be eligible for or to maintain a pawnbroker license, a person must operate lawfully and fairly within the purposes of this article 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 Minn. Stats. § 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 article as prescribed by Minn. Stats. § 364.03, subd. 3; and
  - (3) Must be of good moral character or repute.
- (b) Any change, directly or beneficially, in the ownership of any licensed pawnshop shall require the application for a new license and the new owner must satisfy all current eligibility requirements.

**Section 22-120.**

**Compliance with zoning ordinance.**

No pawnbroker license shall be granted for a location where a pawnshop would not be allowed under City Zoning Regulations.

**State law reference**--Similar provisions, Minn. Stats. § 325J.03.

**Section 22-121.**

**Number of licenses.**

No more than two pawnbroker licenses shall be issued by the city at any time and priority shall be given to qualified applicants for renewal of existing licenses.

**Section 22-122.**

**Annual fee.**

The annual fee to be paid to the city for the license required by this division shall be as established by the council.

**Section 22-123.**

**Transfer.**

A license under this division shall authorize the licensee to carry on its business only at the permanent place of business designated in the license. No license may be transferred to a different location or a different licensee.

**Section 22-124. Continuing effect of license.**

Each license shall remain in full force and effect until surrendered, suspended, revoked, or expired.

**State law reference**--Similar provisions, Minn. Stats. § 325J.02(d).

**Section 22-125. Expiration.**

All licenses shall expire at the end of each calendar year.

**Section 22-126. Pre-existing contracts.**

No expiration, revocation, suspension, or surrender of any license shall impair or affect the obligation of any preexisting lawful contract between the licensee and any pledgor.

**State law reference**--Similar provisions, Minn. Stats. § 325J.02(e).

**Section 22-127. Notification to police of expiration, suspension, revocation, etc.**

The police shall be notified by the city of any licensee whose license has expired or been surrendered, suspended, or revoked as provided by this article.

**State law reference**--Similar provisions, Minn. Stats. § 325J.02(f).

**Section 22-128. Denial, suspension, or revocation of license.**

- (a) Any license under this article may be denied, suspended, or revoked for any of the following reasons:
  - (1) The use conflicts with chapter 74 of this Code;
  - (2) The use conflicts with any health, building, building maintenance or provisions, or this Code, or state law;
  - (3) The applicant has failed to comply with one or more provisions of this article;
  - (4) Fraud, misrepresentation, or bribery in securing a license;
  - (5) Fraud, misrepresentation, or false statements made in the course of the applicant's business;
  - (6) Violation, within the preceding five years, of any law relating to theft, damage or trespass to property, sale of a controlled substance, or operation of business committed by the applicant or any employee or agent of the applicant;
  - (7) At any time when two pawnbroker's licenses have currently been issued by the city.
- (b) Any fee paid to the city for a license will be forfeited to the city upon suspension or revocation of the license.

**Section 22-129. Temporary suspension of license.**

- (a) The chief of police may temporarily suspend the license of a pawnshop for a period not to exceed five business days for the following reasons:
  - (1) Filing false information in the course of the application.



- (2) Failure to inform the city of the required information when hiring a new employee.
- (3) Conviction of any crime by the licensee or employee, of any law relating to theft, damage or trespass to property, sale of a controlled substance or operation of a business.
- (4) Failure to comply with any provisions of this article.

- (b) Within the five business days, the city council shall conduct a hearing to consider further suspension or revocation of the license.

**State law references--**Pawnbrokers, Minn. Stats. ch. 325J; local regulation of pawnbrokers, Minn. Stats. §§ 325J.02(a), 325J.13.

**Sections 22-130 thru 22-150. Reserved.**