



PAWNBROKER LICENSE

It shall be unlawful for any person to engage in the business of pawnbroking except as provided in and authorized by City Code Chapter 6.52 and without first having obtained a license from the City. Such license shall be kept current at all times, and the failure to maintain a current license shall constitute a violation of the Chapter. All applicants for a pawnbroker's license shall file an application for such license with the Director of Finance on forms to be provided by the Director of Finance.

Each individual applicant, partner of a partnership, manager of a limited liability company, officer, director, and holder of ten percent or more of the corporate stock of the corporate applicant or holder of ten percent or more interest in a limited liability company, all manager, and any person with a financial interest in the pawnbroker establishment shall be named in each application form and each of them shall be fingerprinted; and each of them shall furnish three letters of character reference from residents of the City.

ADDITIONAL DOCUMENTS REQUIRED WITH APPLICATION

- Certificate of correct zoning and building code
- Proof of applicant's right to possession of premises
- Authority for release of information
- Evidence that the corporation is in good standing under the statutes of the State of Colorado
- Foreign corporations shall provide evidence that the corporation is authorized to do business in the State of Colorado
- \$10,000 bond

FEE REQUIRED FOR INITIAL APPLICATION

- \$25.00 nonrefundable application fee
- \$85.00 nonrefundable annual license fee
- \$6.85 CCIC fee

TERMS OF LICENSE

The term of a Pawnbroker license is for one year from the date of issuance.

1000 10TH St, Greeley, CO 80631
970.350.9728 FAX 970.350.9736



Pawnbroker License
Pawnbroker Manager Certificate

A background check is required of all applicants for the above licenses or certificates. The following is required prior to going to Greeley/Weld Criminal Justice Records Section, 1551 N. 17th Avenue, Greeley, CO for the background check.

Step 1:

- Fingerprint card obtained at the Weld County Jail, 2100 O St, Greeley, CO. There is a **\$10.00** fee charged by the Weld County Sheriff's Office for fingerprinting.

Step 2:

- Receipt from City of Greeley, Finance Department, indicating all City required fees have been paid.
- Completed and signed application form.
- Completed and signed Authority for Release of Information form.
- Proof of identification.
- Money order or company check made out to the Colorado Bureau of Investigations (**CBI**) for **\$16.50** per applicant.

Fingerprints must be obtained prior to Step 2. Once fingerprints have been obtained and all paperwork is completed please complete Step 2 process.

1000 10TH St, Greeley, CO 80631
970.350.9728 FAX 970.350.9736



APPLICATION FOR PAWNBROKER LICENSE

1000 10th St
Greeley, CO 80631
970.350.9728
970.350.9736 fax

PAWNBROKER APPLICATION ALL INFORMATION MUST BE COMPLETED - Illegible and/or incomplete applications will be rejected

GENERAL INFORMATION

1. Name of business: _____
2. Trade name of establishment (d/b/a): _____
3. Address of premises: _____
4. Business telephone: _____
6. Applicant is a:
 Sole Proprietorship Partnership
 Corporation Limited Liability Company

SOLE PROPRIETORSHIP INFORMATION

7. If sole proprietorship, list name, address, and date of birth of proprietor: _____

PARTNERSHIP INFORMATION

8. If partnership, list name, address, and date of birth of partners: _____

LIMITED LIABILITY INFORMATION

9. If limited liability company, list name, address, and date of birth of members and manager: _____

ALL INFORMATION MUST BE COMPLETED - Illegible and/or incomplete applications will be rejected

CORPORATION INFORMATION

10. If corporation, list name: _____

11. If corporation, list names, addresses, and dates of birth of:

President _____

Vice-President _____

Treasurer _____

Secretary _____

Director _____

Director _____

12. List all stockholders owning 10% (or more) of the issued stock:

Name	Address	Date of Birth	Position
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

11. If stock is pledged, state name and address of person or entity to whom pledged and terms thereof. If additional space is needed, use separate sheet. Attach copies of articles of incorporation and certificate of good standing from the State of Colorado. (If new corporation, attach certificate and articles of incorporation and organizational minutes.)

12. List any other persons who have a direct or indirect financial interest in this business and the percentage of their interest: _____

13. Has the corporation, any officer, director, manager, stockholder owning or controlling 10% or more of the corporation, member, entity, or person having an interest in the business been adjudicated bankrupt, entered into a "Wage-Earner Plan" pursuant to Chapter XIII of the Federal Bankruptcy Act, or made a general assignment for the benefit of creditors during the past three years?

() Yes () No If yes, please explain on separate sheet.

14. Has a judgment based on fraud ever been entered against the applicant, manager, partner, officer, director, or stockholder?

() Yes () No If yes explain.

15. Has the applicant, manager, partner, officer, director, or stockholder ever held a pawnbroker's license?

Yes () () No If yes, complete the following.

Name of licensee: _____

Relationship to this applicant: _____

Dates licensee was held: _____

City and state where license was held: _____

16. Has the applicant, manager, partner, officer, director, or stockholder ever been denied a pawnbroker license?

() Yes () No

17. Name of person denied a license: _____

18. Relationship to this applicant: _____

19. Date of denial: _____

20. City and state where denied: _____

21. Reason for denial: _____

22. Has the applicant, manager, partner, officer, director, or stockholder ever had a pawnbroker license suspended or revoked?

() Yes () No If yes, complete the following:

Name of person with suspended or revoked license: _____

Relationship to this applicant: _____

Dates of suspension or revocation: _____

City and state of suspension or revocation: _____

Reason for suspension or revocation: _____

FINANCIAL INFORMATION

23. State purchase price and/or terms of lease: _____

24. Attach a copy of mortgage agreement, deed, or lease.

25. Cash to be invested:

By Whom	Bank & Account #	Amount-Source	Purpose

26. Complete the following on all business loans obtained. Attach copies of loan agreements

By Whom	Bank & Account #	Amount-Source	Purpose

27. List account name, bank, bank address, account number, and the names of all authorized signatories on all business accounts:

28. Is there a written management agreement: () Yes () No

29. Is there a written partnership agreement? () Yes () No

30. Attach copies of all written agreements. If there are no written agreements or contracts, a statement must be provided detailing the oral agreements.

PROPERTY INFORMATION

31. Is the building owned or leased?

32. Name and address of the owner of the building in which the premises is located:

33. Is the land owned or leased? _____

34. Name and address of the owner of the land upon which the building is located:

ALL INFORMATION MUST BE COMPLETED - Illegible and/or incomplete applications will be rejected

35. Attach a copy of deed, lease, or other document showing applicant's right to possession of premises.

36. Name of applicants insurance company, agent, policy number, and effective date of policy:



**APPLICATION FOR
PAWNBROKER LICENSE**

1000 10th St
Greeley, CO 80631
970.350.9728
970.350.9736 fax

ZONING REVIEW / OCCUPANCY CERTIFICATE

GENERAL INFORMATION

Name of business: _____

Trade name of establishment (d/b/a): _____

Address of premises: _____

Business telephone: _____

Applicant is a:

_____ Sole Proprietorship _____ Partnership

_____ Corporation _____ Limited Liability Company

TO BE COMPLETED AND SIGNED BY COMMUNITY DEVELOPMENT DEPARTMENT

Community Development 1100 10th Street, Greeley, CO 80631

Phone: 970.350.9780 Fax: 970.350.9800

Zoning _____ Use by Right _____

Lawful Non-conforming _____

Comments: _____

Signed _____ Date _____

TO BE COMPLETED AND SIGNED BY INSPECTION DIVISION

Building Inspection 1100 10th Street, Suite 114, Greeley, CO 80631

Phone: 970.350.9830 Fax: 970.350.9844

Certificate Issued _____ Date _____

Occupancy Certificate Not Required or Previously Issued _____

Signed _____ Date _____



APPLICATION FOR LICENSE

1000 10th St
Greeley, CO 80631
970.350.9728
970.350.9736 fax

AUTHORITY FOR RELEASE OF INFORMATION

Name _____
(Last) (First) (Middle)

Sex _____ Date of Birth _____
Month/Day/Year

I, _____, do hereby authorize a review and full disclosure of all records specified below, or any part thereof, concerning myself, by and to ANY duly authorized agent of the City of Greeley, Greeley Police Department, or Private investigator working as an agent of the City of Greeley for purposes of the application, whether the said records are of Criminal Justice, public, private or confidential nature.

The intent of this authorization is to give my consent for full and complete disclosure of the records of financial or credit institutions, including records of deposits, withdrawals and balances of checking and savings accounts, and loans, and also the records of commercial or retail credit agencies (including credit reports and/or ratings); real and personal property tax statements and records, and other financial statements and records wherever filed; records of complaint, arrest, trial and/or convictions for alleged or actual violations of law, including criminal, civil and/or traffic records; records of complaint of a civil nature made by or against me, whosoever located.

I understand that all information obtained by a personal history background investigation, which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for licensing by the City of Greeley, Finance Department. I understand that all materials pertaining to this background investigation become the property of the City of Greeley, Finance Department and will not be returned to me.

I agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees, from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of or by reason of complying with this request. I further understand that in the event my application is not approved, the sources of confidential information will not be revealed to me.

A photocopy of this signed release form will be considered valid as an original hereof.
MUST BE SIGNED IN THE PRESENCE OF A NOTARY:

Affiant's Signature

Subscribed and sworn to before me this _____ day of _____.

Notary Public

Expiration Date

(Notary Seal)



CITY OF GREELEY

FINANCE DEPARTMENT

1000 10TH STREET

GREELEY, CO 80631

(970) 350-9733 FAX (970) 350-9736

<http://www.greeleygov.com>

APPLICATION FOR SALES TAX / USE TAX

NO LICENSE FEE IS REQUIRED. THE GREELEY SALES/USE TAX RATE IS 3.46%

BUSINESS INFORMATION

Name of Business: _____
DBA Name: _____
Physical Address: _____
Telephone Number: _____ Fax: _____
Email: _____ Web Site: _____
FEIN: _____ SSN: _____
Year company was founded: _____ Length of time at this location _____
Is this the headquarters for this company? Y N

BUSINESS DESCRIPTION

Please provide a detailed description of the nature of business (products sold and services provided):

NAICS Code: _____

If you do not know your NAICS code, please check which best describes your business activity:

- Agriculture Utilities Construction Manufacturing Wholesale Trade
 Retail Trade Transportation, Warehousing Information Real Estate, Rental, & Leasing
 Professional Health Care Accomodation, Food Services
 Other: _____

Type of Ownership (Select Only One):

Sole Proprietor LLC Partnership Corporation LLP Other _____

Name of Owner (s): _____

Address of Owner: _____

Filing Frequency:

- Monthly (tax collected is over \$50/month) Quarterly (tax collected is \$25.00-\$49.99/month)
 Annual (tax collected is less than \$25/ month)

MAILING AND CONTACT INFORMATION

Sales/Use Contact: _____ Title: _____

Telephone Number: _____ Fax: _____

Email: _____

Mailing Address: _____

Date Started or Date Business Will Open: _____

Name of Former Owner (If Purchasing Existing Business): _____

I declare under penalty of perjury, that this application has been examined by me and that the statements made herein are, to the best of my knowledge and beliefs, are true, correct and complete.

Authorized Signature: _____ Date: _____

FOR CITY USE ONLY:

ACCT # _____ GEO: _____ PROP ID: _____ SQ. FT. _____



CITY OF GREELEY

FINANCE DEPARTMENT

1000 10TH STREET

GREELEY, CO 80631

(970) 350-9733 FAX (970) 350-9736

<http://www.greeleygov.com>

APPLICATION FOR SALES TAX / USE TAX INSTRUCTIONS

GENERAL INFORMATION:

- * If the business or home occupation has a physical location within the City limits of Greeley, a Sales/Use Tax License/Zoning Review/Occupancy Certificate check-off list must be completed and signed by the Community Development and Building Inspection departments. These departments are located at 1100 10th Street, Greeley, CO 80631. There are no charges for these services and there is no sales/use tax license fee required.
- * If the business is a City of Greeley sewer user, the Commercial Sewer User Classification Questionnaire must be completed.
- * Return the completed and signed application, the completed and signed check-off list (if applicable) and sewer questionnaire (if applicable) to the following address: City of Greeley, Finance Department, 1000 10th Street, Greeley, CO 80631

BUSINESS INFORMATION:

- * Please provide the information indicated, and include area codes when listing telephone numbers.

BUSINESS DESCRIPTION:

- * If you know the North America Industry Classification System (NAICS) code, for your business fill in the blank. Provide a detailed description of your business, including products sold and services provided. Check the box best describing your business.
- * Type of Ownership:
 - Sole Proprietorship: Business is owned and operated by a single individual.
 - LLC: Limited Liability Company - combines the tax attributes of a partnership with the attributes of a corporation for liability purposes. An LLC may have one or several members and is created by filing "Articles of Organization" with the Secretary of State
 - Partnership: Business is owned by two or more individuals or other business entities.
 - Corporation: "C" Corporation - A legal entity existing separately from the parties creating the entity. "Articles of Incorporation" are filed with the Secretary of State and bylaws are adopted.
 - LLP: Limited Liability Partnership or Limited Liability Limited Partnerships (LLLP) - Legal Limited Liability Limited Partnership Act (7/1/95) created a legal structure similar to S Corp and a LLC. A "Registration Statement" is filed with the Secretary of State.
 - Other: Please select this category, and give a brief description if the entity is a Subchapter S ("S") Corporation, a Limited Partnership Association, or a Nonprofit Organization or any other type of ownership.

MAILING AND CONTACT INFORMATION:

Please provide the requested information, even if it is the same as the business information. If this is a new business, or an existing business was purchased, and is physically located in Greeley, the applicant will need to file an Initial Use Tax return, and pay any applicable use tax.

CITY OF GREELEY, COLORADO

SALES TAX LICENSE / ZONING REVIEW / OCCUPANCY CERTIFICATE

CHECK-OFF LIST

A) TO BE COMPLETED BY APPLICANT:

APPLICANT _____ DATE _____

LOCATION (not PO BOX) _____

SAME AS RESIDENCE? _____ YES _____ NO _____

PHONE NO _____ BUSINESS NAME _____

**TYPE OF
BUSINESS**

PLEASE CHECK CORRECT ONE AND BRIEFLY DESCRIBE ACTIVITY

SALES _____ SALES & SERVICE _____ SERVICE _____

MANUFACTURING _____ OTHER _____

ACTIVITY:

B) TO BE COMPLETED AND SIGNED BY COMMUNITY DEVELOPMENT DEPARTMENT

**Community Development 1100 10th Street, Greeley, CO 80631 Phone: (970) 350-9780
Fax: (970) 350-9800**

ZONING _____ USE BY RIGHT _____

LAWFUL NON-CONFORMING _____

HOME OCCUPATION _____

MEETS HOME OCCUPATION REQUIREMENT _____

OTHER _____

COMMENTS: _____

SIGNED _____ DATE _____

C) TO BE COMPLETED AND SIGNED BY INSPECTION DIVISION

Building Inspection 1100 10th Street, Suite 114, Greeley, CO 80631 Phone: (970) 350-9830 Fax: (970) 350-9844

CERTIFICATE ISSUED _____ DATE _____

OCCUPANCY CERTIFICATE NOT REQUIRED OR PREVIOUSLY ISSUED

SIGNED _____ DATE _____

CITY OF GREELEY

COMMERCIAL SEWER USER CLASSIFICATION QUESTIONNAIRE

When a business is opened or changes hands, the sewer account is reviewed for proper billing classification. It is important that you fill out this questionnaire accurately and completely, to ensure your business is receiving the correct billing rate. Please return this questionnaire along with your Sales Tax License Application.

Name of Business:

Short Business Description:

Contact Person:

Is this a home-based business? _____yes* _____no

**If yes, then please stop here and return the form.*

Outside Landscape square footage (this information is *very important* in establishing correct sewer billing information for commercial businesses.)

_____ Less than 15,000 ft² _____ more than 15,000 ft²

Please read the following classifications to determine which class your business best fits, and check the appropriate one. If it does not fit into any of the following classes, then please explain:

____ **Class I:** includes retail stores, offices, car washes, cleaners, laundromats, schools, colleges, churches, beauty shops, financial institutions, membership organizations without dining facilities, motels without dining facilities, gas stations without repair, and bed and breakfasts that serve only a continental breakfast.

____ **Class II:** includes bars and taverns without dining, service stations and garages with repair, animal clinics, hospital/convalescent homes, photo finishing, light manufacturing, coffee shops, convenience stores, and bed and breakfasts that cook a daily breakfast.

____ **Class III:** includes restaurants, hotels with dining facilities, bars and taverns with dining, and membership organizations with dining.

____ **Class IV:** includes food markets (grocery stores), butchers, bakers, and food manufacturing.

____ **Class V:** includes mortuaries and miscellaneous heavy commercial manufacturing.

If you have any questions, then please contact the City of Greeley Industrial Pretreatment Program at 970-350-9363. Thank you for your cooperation and assistance.

AFFIDAVIT OF LAWFUL PRESENCE

I, _____, swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

___ I am a United States citizen, or

___ I am a Permanent Resident of the United States, or

___ I am lawfully present in the United States pursuant to Federal law.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature

Date

For internal use only:
IDENTIFICATION PROVIDED

___ Colorado Driver's License
 ___ Colorado Identification Card Issued by Department of Motor Vehicles
 ___ United States Military Card
 ___ United States Military Dependent Identification Card
 ___ United States Coast Guard Merchant Mariner Card
 ___ Native American Tribal Document

For internal use only:
ALTERNATE I.D. PROVIDED
Only through July 1, 2007

___ Original birth certificate from any state of the United States
 ___ certificate verifying naturalized status by U.S. with photo and raised seal
 ___ Certificate verifying U.S. citizenship by U.S. government, e.g., U.S. passport
 ___ Order of adoption by a U.S. court with seal of certification
 ___ valid driver's license from any state of the U.S. or the Dist. of Columbia excluding AK, HI, IL, MD, MI, NE, NM, NC, OR, TN, TX, UT, VT and WI
 ___ 2Valid immigration documents demonstrating lawful presence, e.g., current foreign passport with current I-551 stamp or visa, current foreign passport with I-94, I-94 with asylum status, unexpired Resident Alien card, Permanent Resident card or Employment Authorization card

*A waiver may be available where no identification exists or can be obtained due to a medical condition, homelessness, or insufficient documentation to receive a Colorado I.D. or driver's license. Contact your department director.

ADVISEMENT REGARDING USE OF COLORADO DEPARTMENT OF REVENUE EMERGENCY RULES FOR TEMPORARY ADDITIONAL IDENTIFICATION DOCUMENTS OR PROCEDURES

The Colorado Department of Revenue requires the following advisement if the Applicant chooses to use one of the additional forms of identification authorized by its Executive Director pursuant to § 24-76.5-103(5)(a), C.R.S.:

1. Under current Colorado law, in order to receive benefits beyond July 1, 2007, Applicant must produce one of the following forms of identification: a valid Colorado driver's license or a Colorado identification card issued pursuant to Article 2 of Title 42, C.R.S.; a United States military card or a military dependent's identification card; a United States Coast Guard merchant mariner card; or a Native American tribal document.

2. As soon as possible, Applicant should begin working diligently to secure the appropriate identification document; and

3. A determination of eligibility for benefits based on an Alternative Identification or the Electronic Identification Indicator in no way constitutes a representation that Applicant has provided sufficient information or documentation to support the issuance of one of the forms of identification set forth in § 24-7605-103(4)(a) C.R.S.

Pawnbrokers

6.52.010 Definitions.

As used in this Chapter:

Applicant shall mean any individual, corporation, partnership, limited liability company or other business entity that has submitted an application to the Director of Finance for a license.

Contract for purchase shall mean a contract entered into between a pawnbroker and a customer pursuant to which money is advanced to the customer by the pawnbroker on the condition that the customer, for a fixed price and within a fixed period of time, not to be less than thirty (30) days, has the option to cancel said contract.

Customer shall mean a person who delivers personal property into the possession of a pawnbroker for the purpose of entering into a contract for purchase or a purchase transaction.

Fixed period of time shall mean that period of time, to be no less than thirty (30) days, as set forth in a contract for purchase, for an option to cancel said contract.

Fixed price shall mean that amount agreed upon to cancel a contract for purchase during the option period. Said fixed price shall not exceed one-fifth (1/5) of the original purchase price for each month plus the original purchase.

License shall mean any document or permit issued by the City which authorizes an individual, corporation, partnership, limited liability company or other business entity to conduct certain activities within the City. Any reference to *license* shall specifically include a manager's certificate.

Manager shall mean a person employed by a pawnbroker who is designated as manager or whose duties entail the exercise of discretion and independent judgment in the administration of the affairs of a pawnbroker's business and the supervision of other employees, as well as the making of loans, the execution of any documents required to be prepared pursuant to this Section and/or the purchasing of goods or property on behalf of the business.

Option shall mean the fixed time and the fixed price agreed upon by the customer and the pawnbroker in which a contract for purchase may, but does not have to, be rescinded by the customer.

Owner shall mean a natural person or legal entity, other than a pawnbroker, who claims to be vested with the legal or rightful title to the tangible personal property.

Pawnbroker shall mean a person, partnership, limited liability company or corporation regularly engaged in the business of making contracts for purchase or purchase transactions in the course of his or her business. The term does not include *secondhand dealers* as defined in and regulated by Sections 18-13-114 through 18-13-118, C.R.S.

Pawnbroker shall also include, without limitation, all owners, managers or employees of a pawnbroker business required to be licensed by the City whose regular duties include making contracts for purchase, purchase transactions or executing any documents required to be prepared pursuant to this Chapter.

Pawnbrokering shall mean the business of a pawnbroker as defined by this Section.

Peace officer shall mean any undersheriff, or deputy sheriff (other than one appointed with authority only to receive and serve summons and civil process), police officer, state patrol officer, town marshal or investigator for a district attorney or the Attorney General, who is engaged in full-time employment by the State or a city, county, town or judicial district within this State.

Pledge or pledged property shall mean any tangible personal property deposited with a pawnbroker pursuant to a contract for purchase in the course of his or her business as defined in this Section.

Pledgor shall mean a customer who delivers a pledge into the possession of a pawnbroker.

Purchase transaction shall mean the purchase by a pawnbroker in the course of his or her business of tangible personal property for resale, other than newly manufactured tangible personal property which has not previously been sold at retail, when such purchase does not constitute a contract for purchase.

Tangible personal property or personal property or property shall mean all personal property other than those in action, securities or printed evidences of indebtedness, which property is deposited with or otherwise actually delivered into the possession of a pawnbroker in the course of his or her business in connection with a contract for purchase of a purchase transaction. (Ord. 33, 2007 §1)

6.52.020 License required.

It is unlawful for any person to engage in the business of pawnbrokering except as provided in and authorized by this Chapter and without first having obtained a license from the City. Such license shall be kept current at all times, and the failure to maintain a current license shall constitute a violation of this Chapter. (Ord. 33, 2007 §1)

6.52.030 Application.

All applicants for a pawnbroker's license shall file an application for such license with the Director of Finance on forms to be provided by the Director of Finance. Each individual applicant, partner of a partnership, manager of a limited liability company, officer, director and holder of ten percent (10%) or more of the corporate stock of the corporate applicant or holder of ten percent (10%) or more interest in a limited liability company, all managers and any person with fingerprinted by the Police Department; and each of them shall furnish three (3) letters of character reference from residents of the City or the surrounding metropolitan area. Each individual applicant, partnership, limited liability company and corporate applicant shall, in addition, furnish as an attachment to, and part of, such application, evidence

that the proposed establishment meets the requirements of the zoning ordinance, the building code, the revenue and finance code, proof of the applicant's right to possession of the premises wherein the business of pawnbrokering will be conducted, a Financial Questionnaire, Consent to Release Financial Information and a current personal financial statement or a balance sheet and income account statement for the preceding twelve-month period prior to the date of the application. Each corporate applicant shall furnish

evidence that it is in good standing under the ordinances of the City, statutes of the State or, in the case of a foreign corporation, evidence that it is currently authorized to do business in the State. (Ord. 33, 2007 §1)

6.52.040 Application fee.

Each applicant, whether an individual, partnership, limited liability company or corporation, shall pay an application fee at the time of filing an application. The fee shall be set annually in writing by the City Manager. Said fee shall be set in an amount necessary to defray actual and reasonable expenses, whether direct or indirect. (Ord. 33, 2007 §1)

6.52.050 Investigation.

(a) No license shall be issued by the City until the application for a license has been investigated by the Chief of Police. Each applicant shall pay a nonrefundable investigation and/or fingerprint and photograph fee at the time the application is filed in an amount not to exceed that charged by the Colorado Bureau of Investigation. Further, each applicant shall furnish a birth certificate, alien registration card or other reasonable identification card to prove the applicant's name, date of birth and residency, and shall provide any other information which is requested on the application.

(b) No licensee shall employ a person as a manager, nor shall any person accept such employment as a manager, unless such person has been investigated and been granted a manager's certificate by the Director of Finance pursuant to the following:

(1) Prior to becoming employed by a licensee, an applicant for a manager's certificate or for the renewal of such certificate shall be fingerprinted and photographed by Police Services. Each applicant for a certificate or renewal of a certificate shall furnish a birth certificate, alien registration card or other reasonable identification card to prove the applicant's name, date of birth and residency, and shall provide any other information which is requested on the application.

(2) An applicant for a manager's certificate shall pay a nonrefundable fingerprint and investigation fee in an amount not to exceed that charged by the Colorado Bureau of Investigation. If, however, the applicant can provide proof of a criminal history investigation completed by the Colorado Bureau of Investigation within the year immediately preceding the application, such person need only submit a fingerprint card and photograph and pay the associated fee.

(3) Each manager's certificate shall have clearly imprinted thereon a statement that it is valid only for the period of time specified on said certificate. A provisional certificate shall be issued by the Chief of Police upon filing of the application, which provisional certificate shall remain in effect during the pendency of an applicant's background investigation. Each provisional or regular manager's certificate shall be stamped with the name of the pawnbroker and business locations for which it is valid. A regular certificate issued shall be for a maximum period of three (3) years; and such certificate shall automatically expire: (i) upon a change of employment by the certificate holder, unless renewed within ten (10) days thereafter, or (ii) if the holder is not employed in the pawn industry within the City for a period of ninety (90) days or more. A manager's certificate which has expired may be renewed by the application process described above.

(4) A manager's certificate may be revoked when the holder has been determined by the Administrative Hearing Officer to be in violation of any of the provisions of this Chapter in accordance with the procedures provided by Section 6.04.681 of this Title.

(5) Any applicant who has made a false statement upon the application for a pawnbroker license and/or application for a manager's certificate, in addition to being subject to revocation of said license and/or certificate, commits a misdemeanor punishable under Chapter 1.32 of this Code.

(c) No pawnbroker license or manager's certificate shall be renewed or issued to the following persons under the provisions of this Chapter:

(1) Subject to the provisions contained in Section 24-5-101, C.R.S., a person who has been convicted of: any felony or any crime which under the laws of this State would be a felony; any crime of which fraud or intent to defraud was an element, whether in this State or elsewhere; any crime of embezzlement or larceny against an employer or business; or any criminal conviction or civil violation related to any law or ordinance pertaining to the pawn industry;

(2) Any person under the age of eighteen (18);

(3) Any person who has made a false, misleading or fraudulent statement on his or her application for license or a manager's certificate.

(d) No employee under eighteen (18) years of age shall make loans, purchase any goods or property on behalf of the business or execute any document required to be prepared pursuant to this Chapter unless such employee is under the direct supervision of a manager who is physically present on the licensed premises. (Ord. 33, 2007 §1)

6.52.060 Manager or change of manager.

(a) A pawnbroker shall employ a manager to operate a pawnbrokering business, provided that the pawnbroker retains complete control of all aspects of the pawnbrokering business, including but not limited to the pawnbroker's right to possession of the premises, his or her responsibility for all debts and his or her risk of all loss or opportunity for profit from the business.

(b) In the event a licensee changes the manager of a pawnbroker establishment, the licensee shall immediately report such change and register the new manager on forms provided by the Director of Finance within thirty (30) calendar days of such change. The new manager shall be photographed, fingerprinted by the Police Department and furnish three (3) letters of character reference from residents within the City or within the surrounding metropolitan area, and shall be investigated by the Police Department as provided in Section 6.52.050 above. The licensee shall pay a nonrefundable investigation fee in the amount then charged by the Colorado Department of Public Safety and a manager registration fee. The manager registration fee shall be set by the City Manager. Said fee shall be set in an amount necessary to defray actual and reasonable

expenses, whether direct or indirect. Failure of a licensee to report such a change or failure of the manager to meet the standards and qualifications as required in Section 6.52.050 above shall be grounds for termination of the license. (Ord. 33, 2007 §1)

6.52.070 Annual license fee.

The annual license fee for carrying on the business of pawnbroking shall be payable to the Director of Finance at the time an initial application for a license is filed or at the time a renewal application is filed. Annual license fees shall be nonrefundable unless an application is denied. The fee shall be set annually in writing by the City Manager. Said fee shall be set in an amount necessary to defray actual and reasonable expenses, whether direct or indirect. (Ord. 33, 2007 §1)

6.52.080 Bond required.

(a) Every applicant for a pawnbroker's license shall furnish a bond with a responsible surety, to be approved by the Director of Finance, in the amount of ten thousand dollars (\$10,000.00), for the benefit of the people of the City, which bond shall be conditioned upon the safekeeping or return of all tangible personal property held by the pawnbroker, as required by law and ordinance, and the compliance with all of the provisions of this Chapter.

(b) No license shall be issued or renewed absent such approved bond. Termination or cancellation of an approved bond shall be grounds for summary suspension of the license and for subsequent revocation if a new bond is not furnished within thirty (30) days after demand by the Director of Finance. (Ord. 33, 2007 §1)

6.52.090 Director of Finance's approval required.

The Director of Finance shall have final authority to approve or deny any application or application for renewal, and to review any determination of the Police Department made with respect thereto. The Director of Finance in his or her discretion may issue the license or reject the application upon the basis of the criteria heretofore set forth, the recommendations of the Police Department and his or her determination of whether the applicant has made a sufficient showing of good character, financial responsibility, experience and general fitness to command the confidence of the public and to warrant the belief that the business will be operated lawfully, honestly and efficiently. The Director of Finance's decision may be appealed to the Administrative Hearing Officer in accordance with Section 6.52.210 of this Chapter. (Ord. 33, 2007 §1)

6.52.100 Required books and records.

(a) Every pawnbroker shall keep books and records sufficient to identify each pledge, contract for purchase or purchase transaction, and each forfeiture of property pursuant to the terms of a contract for purchase. Every customer shall provide to the pawnbroker the following information for such books and/or records:

- (1) The customer's name and date of birth.
- (2) The current street address, city, state and zip code of the customer's residence.
- (3) The customer's identification from:
 - a. An identification card issued in accordance with Section 42-2-302, C.R.S.;
 - b. A valid state driver's license;
 - c. A valid driver's license containing a picture issued by another state;
 - d. A military identification card;
 - e. A valid passport;
 - f. An alien registration card; or
 - g. An official identification document lawfully issued by a state or federal government entity.

(b) All transactions shall be kept in a numerical register in the order in which they occur, which register shall show the printed name and signature of the pawnbroker or agent, the purchase price or other monetary amount of the transaction, the date, time and place of the transaction and an accurate and detailed account and description of each item of tangible personal property involved, including but not limited to any and all trademarks, identification numbers, serial numbers, model numbers, owner-applied numbers, brand names or other identifying marks on such property. The books and records of the licensee shall also reveal the date on which a contract for purchase was terminated and whether, and by whom, the pawned personal property of the customer was redeemed, renewed or forfeited upon the expiration of the contract for purchase.

(c) If the pawned personal property is redeemed by a person other than the original customer, the person redeeming the property shall provide to the pawnbroker, and the pawnbroker shall record, the following information:

- (1) The person's name and date of birth.
- (2) The current street address, city, state and zip code of the person's residence.
- (3) The person's driver's license number or other identification number from another form of identification which is allowed under Paragraph (a) (3) of this Section.
- (4) A notarized permission slip from the original owner authorizing the person to pick the items up. (Ord. 33, 2007 §1)

6.52.110 Declaration of ownership.

(a) The pawnbroker shall at the time of making the loan contract for purchase or purchase transaction obtain a written declaration of ownership from the customer stating:

(1) Whether the property that is the subject of the transaction is solely owned by the customer and, if not solely owned by the customer, the customer shall attach a power of attorney from all co-owners of the property authorizing the customer to sell or otherwise dispose of the property;

(2) How long the customer has owned the property;

(3) Whether the customer or someone else found the property; and

(4) If the property was found, the details of the finding.

(b) The pawnbroker shall require the customer to sign his or her name, in the presence of the pawnbroker, on the declaration of ownership and in the register to be kept under this Chapter. Each such declaration shall also be signed by the pawnbroker at the time of the transaction. The customer shall be given a copy of the contract for purchase or a receipt for the purchase transaction. (Ord. 33, 2007 §1)

6.52.120 Video recording; digital camera; Internet subscription requirement.

(a) Every pawnbroker shall video record all transactions, including those which do not result in a contract for purchase or purchased transaction. The video recording media shall be in a format approved by the Police Department and of such quality that it clearly displays an identifiable image of the customer. All such video recording shall be kept by the pawnbroker for a minimum of ninety (90) calendar days and shall be subject to police review immediately upon request in accordance with Section 6.52.240 below. If the video recording contains photographic evidence of the tangible personal property pledged or attempted to be pledged in any actual or proposed contract for purchase, it shall be held for one hundred eighty (180) calendar days.

(b) Every pawnbroker shall take a digital photograph of all customers entering into contracts for purchase with the pawnbroker. The digital photograph shall be attached to the books and records of each pledged property, contract for purchase or purchase transaction and shall be maintained with said document.

(c) Every pawnbroker shall own, maintain and operate a computer system with Internet access that includes an Internet Subscription Service as described herein. Every pawnbroker shall subscribe to L.E.A.D.S. Online and maintain said subscription service with L.E.A.D.S. Online during the term of the pawnbroker's license. The pawnbroker shall enter and upload all information from its books and records regarding contracts for purchase, pledges and purchase transactions to L.E.A.D.S. Online on a daily basis. The online subscription service is currently at no cost to the pawnbroker.

(d) The Police Department shall enter into a contract for service and maintain its contract for service with L.E.A.D.S. Online in order to enhance its investigative services to protect both the pawnbrokers and members of the general public. (Ord. 33, 2007 §1)

6.52.130 Requirements for records.

(a) All records required to be kept under this Chapter must be kept in the English language, in a legible manner and shall be preserved and made accessible for inspection for a period of three (3) years after the date of redemption or forfeiture and sale of the property. Information from records and fingerprints inspected by the Police Department pursuant to this Chapter shall be used for regulatory and law enforcement purposes only.

(b) Upon the demand of any Police Department agent, the pawnbroker shall produce and show any tangible personal property given to the pawnbroker in connection with any contract for purchase or purchase transaction. The pawnbroker's books shall list the date on which each contract for purchase was canceled, whether it was redeemed, or forfeited and sold.

(c) Every pawnbroker shall provide the Police Department with records in a format approved by the Police Department of all tangible personal property accepted by the pawnbroker pursuant to a contract for purchase or a purchase transaction and copies of each customer's declaration of ownership. The records shall contain the same information required to be recorded in the pawnbroker's copy of contract for purchase pursuant to this Section. The required information shall be mailed or otherwise delivered to the Police Department within seven (7) calendar days of each contract for purchase or purchase transaction. The reporting format of the required information shall be one (1) of the following: (1) forms approved by the Police Department, together with a computer diskette containing the same information in a format approved by the Police Department; or (2) forms approved by the Police Department and electronic transmission to the Police Department of the same information in a format approved by the Police Department. (Ord. 33, 2007 §1)

6.52.140 Inventory of property held by City.

(a) The Police Department shall maintain an inventory of property removed by the Police Department from each pawnbroker location. The inventory shall be maintained to show the property removed from each pawnbroker location and shall include a description of the property, the date removed from the pawnbroker business, the reason why the property is held, any disposition ordered by the Court and the Police Department incident report number assigned in conjunction with the property taken.

(b) The Police Department shall maintain the property inventories as confidential commercial information and as criminal justice records in accordance with the provisions of Sections 24-72-201 and 24-72-301 et seq., C.R.S. Once each month, the Police Department shall mail or electronically provide a copy of each location's current inventory held by the Police Department to the owner of the business operating from that location. (Ord. 33, 2007 §1)

6.52.150 Pawn tickets.

At the time of making a contract for purchase or upon the subsequent renewal of any contract for purchase, the pawnbroker shall deliver to the customer a pawn ticket which contains the following information: the name and address of the licensee; a description of the pledge sufficient to adequately identify the pledge; the date of the transaction; and the amount, duration and terms of the contract

for purchase. The pawnbroker may insert on the pawn ticket any other terms, conditions and information not inconsistent with the provisions of this Chapter. The pawnbroker shall retain a duplicate copy of the executed pawn ticket. (Ord. 33, 2007 §1)

6.52.160 Minimum fixed period of time; maximum fixed price.

- (a) No contract for purchase shall be for a fixed period of time of less than thirty (30) calendar days.
- (b) No pawnbroker shall ask, demand or receive any fixed price that exceeds one-fifth ($1/5$) of the original purchase price for each month plus the amount of the original purchase price. (Ord. 33, 2007 §1)

6.52.170 Intermediate payments upon loans.

Pawnbrokers shall accept any intermediate payment offered by a customer upon a loan made under a contract for purchase which has not matured, so long as such payment is equal to or greater than ten percent (10%) of the fixed price as defined in Subsection 6.52.160(b) above, together with accrued charges. The acceptance of payments in lesser amounts shall be discretionary with the pawnbroker. A receipt showing the date of the payment and the amount shall be given to the customer for all monies received on account of, or in payment of, loans made under a contract for purchase. (Ord. 33, 2007 §1)

6.52.180 Holding period and sale of tangible personal property.

(a) A pawnbroker shall hold all property purchased by him or her through a purchase transaction for thirty (30) calendar days following the date of purchase, during which time such property shall be held separate and apart from any other tangible personal property and shall not be changed in form or altered in any other way.

(b) A pawnbroker shall hold all goods received through a contract for purchase within his or her jurisdiction for a period of ten (10) calendar days following the maturity date of the contract for purchase, during which time such goods shall be held separate and apart from any other tangible personal property and shall not be changed in form or packaged or altered in any way. If the customer has failed or neglected to redeem such property on or before the maturity date of the contract by repayment of the balance of the principal and payment of all accrued interest charges, the pawnbroker shall, immediately upon maturity of the contract, mail with sufficient postage a notice of the impending sale of the property delivered under the contract. Such notice shall be mailed to the customer at the address shown on the contract pertaining to the transaction. Ten (10) calendar days shall be allowed from the date of mailing of the notification for the customer to appear and reclaim the property or make satisfactory payments upon it. The pawnbroker shall not sell or otherwise dispose of the property prior to the expiration of the ten-day period. (Ord. 33, 2007 §1)

6.52.190 Hold order.

(a) Any authorized agent of the Police Department may order a pawnbroker to hold any tangible personal property deposited with or in the custody of any pawnbroker for purposes of further investigation by the Police Department. A hold order shall be effective upon verbal notification to the pawnbroker by an authorized agent of the Police Department and shall be for a period of thirty (30) calendar days. The written hold order shall be provided to the pawnbroker within twenty-four (24) hours of the verbal notification, unless the end of the twenty-four-hour period falls on a Saturday, Sunday or holiday, in which event the written notification of the hold order shall be provided to the pawnbroker on the following Monday or the next business day following a holiday. No sale or other disposition may be made of any tangible personal property deposited with or in the custody of the pawnbroker while the hold order remains in effect.

(b) Any sale or other disposition of the property after the pawnbroker has been notified by the Police Department of a hold order shall be unlawful and a violation of Chapter 1.32 of this Code. (Ord. 33, 2007 §1)

6.52.200 Seized property held by police; administrative hearing to determine possession.

When property which was removed from the pawnbroker, his or her employee, agent or any other person acting on his or her behalf, either by consent or seized by warrant and held by the Police Department as evidence is no longer needed as evidence for further legal proceedings or is immediately authorized by the District Attorney to be returned to the owner and there is no court order which concerns its disposition, the Police Department shall notify the pawnbroker, any other person claiming to be the lawful owner of the property and any other person who has notified the Police Department in writing of his or her claim of an interest in the property, of the right to an administrative hearing to determine who is entitled to possession of such property. Such notice shall be sent by the Police Department to such persons by certified mail, return receipt requested. A request for an administrative hearing shall be filed in writing with the Police Department within fourteen (14) days after the date the notice was mailed by the Police Department. The written request for a hearing must include the person's current address and a daytime telephone number or, in the case of a pawnbroker, his or her business address and telephone number. Absent any request for a hearing, possession of such seized property shall be restored to the owner. (Ord. 33, 2007 §1)

6.52.210 Administrative hearings.

(a) A hearing to determine the right to possession shall be conducted by the Administrative Hearing Officer within ten (10) calendar days of the Police Department's receipt of a written request for a hearing unless otherwise set by the Administrative Hearing Officer but, in no event, the date for such hearing shall not exceed twenty (20) calendar days, unless the person requesting the hearing waives the right to a hearing within that period.

(b) The hearing shall be conducted in accordance with the applicable provisions of this Code, Chapter 2.09 of this Code, Section 6.04.690 of this Title and the administrative hearing rules.

(c) The decision of the Administrative Hearing Officer shall be final and any appeal shall be to the District Court in accordance with applicable state law. The property shall be returned to the person determined to have the right to possession within thirty (30) calendar days after the date of the Administrative Hearing Officer's decision or at such time as any appeals have been exhausted. (Ord. 33, 2007 §1)

6.52.220 Unlawful transactions.

(a) It is unlawful for any pawnbroker, his or her employee, agent or any other person acting on his or her behalf to make a contract for purchase, acquire a pawn ticket by transfer or make a purchase transaction with the following:

(1) Any person under eighteen (18) years of age;

(2) Any person under the influence of alcohol or any illegal narcotic drug, substance, stimulant or depressant;

(3) Any person the pawnbroker knows and/or whose actions would give the pawnbroker probable cause to believe the tangible property, which is the subject of a contract for purchase or purchase transaction with that customer, was obtained illegally;

(4) Any person in possession of tangible personal property, which is the subject of a contract for purchase transaction, with an identification number thereon which is obscured. For the purposes of this Subsection, the term *obscure* means to destroy, remove, alter, conceal or deface so as to render the identification number illegible by ordinary means of inspection.

(b) With respect to a contract for purchase, no pawnbroker may permit any customer to be obligated on the same day in any way under more than one (1) contract for purchase agreement with the pawnbroker which would result in the pawnbroker's obtaining a greater amount of money than would be permitted if the pawnbroker and customer had entered into only one (1) contract for purchase covering the same tangible personal property.

(c) No pawnbroker shall violate the terms of any contract for purchase. (Ord. 33, 2007 §1)

6.52.230 Safekeeping; insurance.

Any pawnbroker licensed and operating under the provisions of this Chapter shall provide a safe place for the keeping of pledged property received by him or her, and shall have sufficient insurance on the pledged property held by him or her for the benefit of the pledgor to pay fifty percent (50%) of the fair-market value thereof in case of fire, theft or other casualty loss, which policy shall be deposited with the Director of Finance or his or her designee prior to approval of the license. Neither the pawnbroker nor surety shall be relieved from their responsibility by reason of such fire, theft or other casualty loss, or from any other cause, save full performance. (Ord. 33, 2007 §1)

6.52.240 Inspection of premises, contents and records.

At all times during the term of the license, the pawnbroker shall allow any authorized agent of the Police Department, or any person authorized at Section 6.04.640 of this Title, to inspect licenses and businesses, to enter the premises where the licensed business is located, including all off-site storage facilities, during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the items, wares, merchandise and records therein to verify compliance with this Chapter or other applicable laws. (Ord. 33, 2007 §1)

6.52.250 Hours.

Pawnbroker establishments shall be closed on Sundays and Christmas, Thanksgiving, Labor Day, New Year's Day, Memorial Day and Fourth of July holidays. (Ord. 44, 2007 §1; Ord. 33, 2007 §1)

6.52.260 Business limited to one location.

A pawnbroker shall conduct his or her pawnshop business from only one (1) business location, which shall be the location listed on the pawnbroker's license. This provision shall not prohibit a pawnbroker from using warehouses or other storage locations away from the licensed place of business, but such other location shall be used only if the pawnbroker first submits notice to the Police Department in writing of such off-site locations. Such off-site locations shall be open to any peace officer for inspection as provided for in Section 6.52.240 above. (Ord. 33, 2007 §1)

6.52.270 Location of pawnbroker businesses.

(a) The business premises of a pawnbroker business shall not be located within one (1) mile of the business premises of another pawnbroker business. This restriction shall apply to all pawnbroker business licenses issued under this Chapter after the effective date of the ordinance codified herein. This one-mile restriction shall not apply to the renewal of an existing pawnbroker business license nor shall it apply to the issuance of a pawnbroker license for an applicant who has received a City occupancy or sales tax license prior to the effective date of the ordinance codified herein for a structure in which a pawnbroker business shall be located.

(b) For the purpose of this Subsection, the distance between pawnbroker businesses shall be measured in a straight line, without regard to intervening structures, objects or City limits, from the property line of one (1) pawnbroker business to the property line of the other pawnbroker business. (Ord. 33, 2007 §1)

6.52.280 Compliance with all City rules and regulations.

The premises and business shall be operated at all times in compliance with City municipal codes, including but not limited to building, sanitation, fire and zone codes, as well as in conformity with business license regulations such as sales tax collected. (Ord. 33, 2007 §1)

6.52.290 Existing pawnbrokers, period for initial compliance.

All pawnbrokers currently engaged in existing business locations in the City on the effective date of the ordinance codified herein are permanently exempted from the location requirement stated in Section 6.52.270 above so long as that business remains in the same location. Except for the location requirement exemption stated above, all said pawnbrokers are hereby granted six (6) months from the effective date of the ordinance codified herein to be in full compliance with all other requirements of this Chapter, after which time said pawnbrokers shall be subject to the applicable requirements and penalties of this Chapter. (Ord. 33, 2007 §1)

6.52.300 Violations and penalties.

In addition to the revocation, suspension or denial of a license or manager's permit issued, any person, including but not limited to any customer or pawnbroker, who violates any of the provisions of this Chapter shall be guilty of a misdemeanor punishable in accordance with Chapter 1.32 of this Code. (Ord. 33, 2007 §1)

6.52.310 Notice of penalties required.

Every pawnbroker shall conspicuously post a notice, provided by the Police Department, in a place clearly visible to all customers which sets forth the penalties of this Chapter and of Section 12-56-104(5), C.R.S., concerning false information to a pawnbroker and Section 18-4-410, C.R.S., concerning theft by receiving. Such notification shall include information to the effect that stolen property may be confiscated by any peace officer and returned to the rightful owner without compensation to the buyer, and may also include any information regarding any reimbursement policy of the pawnbroker regarding confiscation. (Ord. 33, 2007 §1)