



CITY OF SANTA BARBARA

PERMIT APPLICATION PROCESS

PAWNBROKERS and SECONDHAND DEALERS

Finance File #

Police Department
ID #

City Stamp/Paid

Follow the steps below to process your application:

At City Hall De La Guerra Plaza	For lobby hours contact the Finance Department at (805) 564-5346 or email AccountsReceivable@SantaBarbaraCA.gov .	
Step 1	<p>Request a Pawnbrokers and Secondhand Dealers application package. It will contain:</p> <ul style="list-style-type: none"> ▪ Application for City Permit form with Arrest History. ▪ Authorization to Release Information form. ▪ State of California Application for Secondhand Dealer or Pawnbroker License form (JUS 125). ▪ Instructions for Drawings sheet (Site Plan and Floor Plan). ▪ Proposed Permit Use Clearance forms. ▪ Santa Barbara Municipal Code (SBMC), Chapter 5.44, Junk Dealers, Pawnbrokers and Secondhand Dealers. ▪ State Financial Code, Section 21303-21304. 	
At Home		
Step 2	<p>Complete all forms. In addition:</p> <ul style="list-style-type: none"> ▪ Acquire two (2) color, passport-size photographs for each applicant. ▪ Photocopy your driver's license (front and back). ▪ Pawnbrokers (only) must file a surety bond and/or a financial statement per State Financial Code, Section 21303-21304. <p>Retain the copy of SBMC, Chapter 5.44 and the State Financial Code, Section 21303-21304 for reference.</p> <p>If business will be conducted in a commercial business site, please refer to the Instructions for Drawings form and complete a site plan and floor plan. Approvals will be needed from several City departments. The first approval must be obtained from Community Development.</p> <p>Obtain business tax certificate: SantaBarbara.BizlicenseOnline.com</p>	
At Community Development 630 Garden Street	For lobby hours call (805) 564-5470 or visit santabarbaraca.gov for more information.	
Step 3	Schedule appointments and receive permit application instructions by visiting santabarbaraca.gov/services/construction-land-development . Fees are billed based on the staff time allocated to review submittal.	
	After review, Building and Safety might request corrections via a Review Correction Letter. Make corrections as directed by them.	
	After corrections have been made and all reviews approved, Community Development staff will sign the bottom portion of your Proposed Permit Use Clearance Forms. This concludes the Community Development portion of the process. Submit your application to the Finance Department via email at accountsreceivable@santabarbaraca.gov .	

At City Hall De La Guerra Plaza	For lobby hours contact the Finance Department at (805) 564-5346 or email accountsreceivable@santabarbaraca.gov.	Date completed and City Agent's Initials
Step 4	Submit all of the forms listed in Step 1 along with: <ul style="list-style-type: none"> Two (2) color, passport-size photographs for each applicant. Photocopy (front and back) of your driver's license. 	
	Payments: \$300 made payable to Department of Justice, Secondhand Dealer/Pawnbroker License fee. Separate check made payment to City of Santa Barbara \$210 processing permit fee.	
	Within 30 days of submitting your application at City Hall, set up an appointment to be fingerprinted at the Police Department. Please call (805) 897-2300 to set up your appointment.	
At the Police Department 215 E Figueroa St	For lobby hours and Live Scan appointment call the Records Department at (805) 897-2355.	
Step 5	Go to the Records Bureau to be fingerprinted. Make sure you have your Special Live Scan form with you in your packet.	
	After you have been fingerprinted, go to the Investigative Division office and leave your application packet with the clerk. They can be reached at (805) 897-2333 if you have any questions. Please do not leave your application at the Records Bureau.	

FOR POLICE DEPARTMENT – RECORDS DIVISION: Fingerprint cards for Secondhand Dealer applicants are NOT to be sent to DOJ in the usual manner. Please deliver them, along with the application paperwork, to PD Special Investigations.

POLICE DEPARTMENT USE ONLY

To be completed by Police Permit Investigator:

- ☐ City of Santa Barbara Police Department records check on applicant, Warrants, B.U.S.T.E.D., D.M.V.
- ☐ Criminal history check on fingerprints and fingerprints returned from D.O.J.
- ☐ Santa Barbara Sheriff's record checks on applicant.
- ☐ Applicant(s) interviewed by Permit Investigator.

Police Permit Investigator's recommendations on the issuance of the permit to the applicant:

CHIEF OF POLICE:

Approval of permit application: _____ Date: _____

Disapproval of permit application: _____ Date: _____



CITY OF SANTA BARBARA

APPLICATION FOR CITY PERMIT

Assigned Permit/ID Number _____

Finance Dept B/L _____

*Santa Barbara Municipal Code,
Chapter 5.44*

**TYPE: PAWNBROKERS and
SECONDHAND DEALERS**

Please complete the following:

Date of Application: _____

Name: _____

A.K.A. (list "also known as" names): _____

Residence Address (include street, city, and zip code):

Mailing Address, if different (include street, city, and zip code):

Phone Number: _____

Social Security No: _____

California Driver's License No.
(submit photocopy)

Are you a U.S. citizen? _____

Date of Birth: _____

Place of Birth: _____

Color of Hair: _____

Color of Eyes: _____

Height: _____

Weight: _____

Length of time in Santa Barbara: _____

Length of time in California: _____

***List the full address for your places of residence over the past five years, starting with the most recent.
After the address, show the dates (month and year) at each residence.***

1. _____

(from _____ to _____)
2. _____

(from _____ to _____)
3. _____

(from _____ to _____)
4. _____

(from _____ to _____)
5. _____

(from _____ to _____)

List your last five places of employment. Start with your current or most recent employer. List by business name, address, business phone number, and dates (month and year) of employment.

1. _____

(from _____ to _____)
2. _____

(from _____ to _____)
3. _____

(from _____ to _____)
4. _____

(from _____ to _____)
5. _____

(from _____ to _____)

Proposed Business Name: _____

List similar permits presently or previously issued in another city or state. List by permit title, city and state of issuance.

Arrest History: If you have had any arrests, list all of them. Use an additional sheet if necessary. Give the date (approximate), place (city and state), and the reason for the arrest.

Date:

Place (city and state):

Reason:

Signature below indicates the applicant understands that if any information requested on this form is misrepresented, it may be grounds for denial of this permit application.

Applicant's Signature

Date



CITY OF SANTA BARBARA

**AUTHORIZATION TO RELEASE INFORMATION
TO THE
CITY OF SANTA BARBARA, POLICE DEPARTMENT**

(Pursuant to Santa Barbara Municipal Code, Chapter 5.29)

As an applicant for a City permit within the City of Santa Barbara, I hereby authorize the release of any and all information that you may have concerning my work records education records, medical records, and information of a confidential or privileged nature to the City of Santa Barbara Police Department and its agents.

I hereby release you, your organization, or others, from any liability or damage, which may result from furnishing the information requested.

Printed (*Permit Applicant's Name*)

Signature (*Permit Applicant*)

Date



CITY OF SANTA BARBARA

INSTRUCTIONS FOR DRAWINGS

for submission to

COMMUNITY DEVELOPMENT DEPARTMENT
Building and Safety Division
630 Garden Street

1. Site Plan with the following information and drawn in 1/8 or 1/4 inch scale:

- a. Lot size.
- b. All structures with building dimensions.
- c. Show exits from subject structure and path of travel to the public way.
- d. Number of existing parking spaces.
- e. Indicate location and height of all walls and fences.
- f. Any bicycle parking locations that serve the proposed site.

2. Floor Plan with the following information and drawn in 1/8 or 1/4 inch scale: (You may also use an existing architectural floor plan of the building.)

- a. Identify size in square feet and use of all rooms/areas.
- b. Calculate the occupant loads (using California Building Code) for egress and minimum plumbing fixture requirements.
- c. Provide location and type of existing and proposed exit signs and illumination.

Any establishments with occupant loads in excess of 50 persons shall be equipped with internal or external illumination or self-luminous type exit signs.



CITY OF SANTA BARBARA

PROPOSED PERMIT USE CLEARANCE FORM

Community Development Department
630 Garden Street

Building and Safety Division
Business hours 8:30 a.m. to 12:00 noon and 1:00 p.m. to 4:30 p.m.
Monday through Friday, except holidays
Phone: 564-5485

Please present this completed form at the above address:

Date of Application: _____

Type of Permit applied for: _____

Applicant's Name: _____

The person named above is applying to the City for a permit to conduct a business that requires Building and Safety Division approval. Please review to determine the proposed or current site meets requirements for this type of business.

Business Address: _____

Name of Business: _____

Type of Business: _____

Contact phone number: Residential _____
 Business _____
 Other _____

New permit Renewal of permit) New address for business Existing address for business

Building Type: _____ Building Permit Required: _____

Certificate of Occupancy Required: _____ Occupancy Group: _____

To be completed by Community Development
Department:

☐

PERMIT USE
APPROVED

Signature

**BUILDING
OFFICIAL**

☐

PERMIT USE NOT
APPROVED

Date

COMMENTS: _____



CITY OF SANTA BARBARA

PROPOSED PERMIT USE CLEARANCE FORM

Fire Prevention Office - 925 Chapala St
Fire Department Fire Inspection
Business hours are 8:00 a.m. - 5:00 p.m.
Monday through Friday, except holidays
Call: (805) 564-5702 or
Email: FireInspectors@SantaBarbaraCA.gov
for appointments.

Please present this completed form at the above address:

Date of Application: _____

Type of Permit applied for: _____

Applicant's Name: _____

The person named above is applying to the City for a permit to conduct a business that requires Fire Department approval. Please review to determine the proposed or current site meets requirements for this type of business.

Business Address: _____

Name of Business: _____

Type of Business: _____

Contact phone number: Residential _____
Business _____
Other _____

() New permit () Renewal of permit () New address for business () Existing address for business

To be completed by Fire Department:

FIRE INSPECTION

☐

PERMIT USE APPROVED

☐

PERMIT USE NOT APPROVED

Signature _____

Date _____

APPROVED OCCUPANT LOAD: _____

COMMENTS: _____



CITY OF SANTA BARBARA

PROPOSED PERMIT USE CLEARANCE FORM

Community Development Department
630 Garden Street

Planning Division
Business hours 8:30 a.m. to 12:00 noon and 1:00 p.m. to 4:30 p.m.
Monday through Friday, except holidays
Phone: 564-5470

Please present this completed form at the above address:

Date of Application: _____

Type of Permit applied for: _____

Applicant's Name: _____

The person named above is applying to the City for a permit to conduct a business that requires Planning/Zoning Division approval. Please review to determine the proposed or current site meets requirements for this type of business.

Business Address: _____

Name of Business: _____

Type of Business: _____

Contact phone number: Residential _____

Business _____

Other _____

() New permit () Renewal of permit () New address for business () Existing address for business

Land Use Zone:

To be completed by Community Development Department:

ZONING OFFICIAL

☐

PERMIT USE APPROVED

☐

PERMIT USE NOT APPROVED

Signature _____

Date _____

COMMENTS: _____

TO: CHIEF OF POLICE, SHERIFF AND PAWNBROKER APPLICANT(S)

THIS NOTICE IS TO BRING TO THE ATTENTION OF THE LICENSING AGENCY AND PAWNBROKER APPLICANT(S) THE CONDITIONS PRECEDENT TO THE ISSUANCE OR RENEWAL OF A PAWNBROKER'S LICENSE, OUTLINED IN FINANCIAL CODE SECTIONS 21303 AND 21304 BELOW:

21303.(a) As a condition precedent to the issuance or renewal of a pawnbroker's license the applicant shall file a pawnbroker's two-year nonrevokable surety bond with the issuing authority, in the sum of twenty thousand dollars (\$20,000). The pawnbroker's bond required by this article shall be executed by an admitted surety in favor of the State of California and shall be filed by the applicant with the licensing authority.

(b) The bond shall be for the benefit of pledgors of pledged property when the property is not available for redemption, due to the criminal negligence, criminal malfeasance, or other criminal conduct of the pawnbroker, and the pledgor has complied with the conditions precedent to redemption under the terms of the loan contract. The pledgor has the burden of establishing by clear and convincing evidence that all conditions precedent to redemption under the terms of the loan contract have been performed.

21304.(a) As a condition precedent to the issuing of a pawnbroker's license, the applicant shall file with the issuing authority a financial statement confirming that the applicant has at least one hundred thousand dollars (\$100,000) in the form of liquid assets readily available for use in each licensed business for which the application is made, not including real property or in the absence of one hundred thousand dollars (\$100,000), an applicant may post a nonrevokable surety bond in the amount of one hundred thousand dollars (\$100,000) or the applicant may, in lieu of posting a surety bond, deposit money, certificates, accounts, bonds or notes, as provided in Section 995.710 of the Code of

Civil Procedure. The financial statement shall be filed by the applicant under penalty of perjury and signed by a California certified public accountant verifying that he or she has **reviewed** the financial statement.

(b) This section is not applicable to any person holding a secondhand dealer's license pursuant to Section 21641 or 21642 of the Business and Professions Code and who is actively engaged as a pawnbroker on the effective date of this section.

REQUEST FOR LIVE SCAN SERVICE

BCII 8016 (3/07)

Applicant Submission

ORI: _____ Type of Application: _____
Code assigned by DOJ
Job Title or Type of License, Certification or Permit: _____

Agency Address Set Contributing Agency:

Agency authorized to receive criminal history information

Mail Code (five-digit code assigned by DOJ)

Street No. Street or PO Box

Contact Name (Mandatory for all school submissions)

City State Zip Code

()
Contact Telephone No.

Name of Applicant: _____
(Please print) Last First MI

Alias: _____ Driver's License No: _____
Last First

Date of Birth: _____ Sex: ☐ Male ☐ Female Misc. No. BIL - _____
Agency Billing Number

Height: _____ Weight: _____ Misc. Number: _____

Eye Color: _____ Hair Color: _____
Street No. Street or PO Box

Place of Birth: _____
City, State and Zip Code

Social Security Number: _____

Your Number: _____
OCA No. (Agency Identifying No.)

Level of Service: ☐ DOJ ☐ FBI

If resubmission, list Original ATI
Number: _____

Employer: (Additional response for agencies specified by statute)

Employer Name

Street No. Street or PO Box

Mail Code (five digit code assigned by DOJ)

City State Zip Code

()
Agency Telephone No. (optional)

Live Scan Transaction Completed By: _____
Name of Operator Date

Transmitting Agency ATI No. Amount Collected/Billed



APPLICATION FOR SECONDHAND DEALER OR PAWNBROKER LICENSE

A. Type of Application (Check the appropriate box):

- ☐ Application for Secondhand Dealer License (21641 B&P)
- ☐ Application for Pawnbroker License (21300 FC)
- ☐ Application for Renewal:
- ☐ Secondhand Dealer License (21642 B&P) State License No.: _____
- ☐ Pawnbroker License (21301 FC) State License No.: _____
- ☐ Modifications (change of business, name, address, etc.)

DOJ USE ONLY

Received: _____

Check # _____

Check Amt: _____

B. Licensing Agency Information: (Completed by licensing agency only.)

SANTA BARBARA POLICE DEPARTMENT

Licensing Agency (Substation if applicable)

Date

PO BOX 539, SANTA BARBARA, CA 93102

Mailing Address

LORI PEDERSEN, BUSINESS MANAGER

(805) 897-2300

Licensing Official (Name, Title)

Phone

THE FOLLOWING SECTIONS ARE TO BE COMPLETED BY THE APPLICANT(S)

C. Business Owner(s): (Name of individual, partners, or corporate officers)

Name Date of Birth Title Phone

Name Date of Birth Title Phone

Name Date of Birth Title Phone

ATTACH ADDITIONAL SHEET IF NECESSARY. CHECK CIRCLE IF ADDITIONAL SHEET IS USED ☐

D. Business Information

Business Name Phone

Street Address City Zip Code

Business Ownership: ☐ Individual ☐ Partnership ☐ Corporation
(If corporate name differs from business name, complete the following):

Corporation Name Phone

Street Address City Zip Code

E. Off-Site Storage Location:

Will property belonging to the business be stored off the business premises? ☐ Yes* ☐ No *If "yes," please provide the information below:

Off-Site Storage Street Address City Zip Code

F. Multiple Secondhand Dealer or Pawnbroker Businesses:

Do any parties to this application have a financial interest in any other Secondhand Dealer or Pawnbroker Business in California?

☐ Yes* ☐ No *If "yes," please provide the Business Name, Address, City, and State assigned Secondhand Dealer or Pawnbroker License Number on an additional sheet of paper, and check circle if additional sheet is used ☐

G. Additional Information:

Have any parties to this application ever been convicted of an attempt to receive stolen property or any other property-related crime?

☐ Yes* ☐ No *If "yes," please provide the applicant's name, date, and details on the arrest or conviction on an additional sheet of paper, and check circle if additional sheet is used ☐

H. Certification:

"As the person responsible for completing the application for the business, I certify under penalty of perjury that the information on this application is true and complete to the best of my knowledge."

SIGNATURE

TITLE

DATE

INSTRUCTIONS AND INFORMATION FOR COMPLETING THE APPLICATION FOR SECONDHAND DEALER OR PAWNBROKER LICENSE

Section A. TYPE OF APPLICATION

For a new application, the applicant must identify the type of business license by checking the appropriate box. If the application is for a renewal of an existing state secondhand dealer's license or pawnbroker's license, the licensee must check the appropriate box and provide the state license number. If the application is for an initial pawnbroker's license, ensure that the surety bond and financial statement are filed with the issuing agency. If the application is for a renewal of a pawnbroker's license, ensure that the surety bond is filed with the issuing agency. If the application is for a modification of an existing state secondhand dealer's or pawnbroker's license, the licensee must check the modification box and provide the state license number.

Section B. LICENSING AUTHORITY INFORMATION

The licensing agency shall complete Section B. Enter agency information, the name, title, and phone number of official processing the application. Enter the date the completed application was received by your agency for transmittal to the Department of Justice (DOJ).

Section C. BUSINESS OWNERS

- If business is *Individually owned*, enter owner's name, date of birth, title, and home phone number.
- If business is a *Partnership*, enter each partner's name, date of birth, title, and home phone number.
- If business is a *Corporation*, enter each corporate officer's name, date of birth, title, and home phone number.
- To complete the application package, all parties listed in this Section must submit fingerprints for criminal offender record information background checks.
- Live Scan submissions, please submit a completed copy of the REQUEST FOR LIVE SCAN SERVICE, Applicant Submission form BCIA 8016SHDPB. The Applicant Submission form (BCIA 8016SHDPB) for the State Secondhand Dealer and Pawnbroker Unit includes pre-printed information.

Section D. BUSINESS INFORMATION

- Enter the business name and, if applicable, corporation name.
- Enter the address information of the business and, if applicable, corporation address.
- If the corporation name differs from the business name in Section D-1, provide the requested information.
- Check the appropriate type of business ownership.

Section E. OFF-SITE STORAGE LOCATION

If the applicant intends to store property belonging to the business other than at the business address in Section D, above, enter the Off-Site Storage Information. Exemption from disclosure of the off-site storage, on the licensure form, will require the local licensing agency to file with DOJ written instruction for exemption.

Section F. MULTIPLE SECONDHAND/PAWNBROKER BUSINESSES

If the response is "YES", attach a sheet disclosing: the business name, address, city, zip code, phone number and state assigned license number. If "NO", proceed to Section G.

Section G. ADDITIONAL INFORMATION

If the response is "YES", attach a sheet disclosing: applicant's name, date and details of the arrest, conviction and if available copy of the court disposition. If the response is "NO", proceed to Section H.

Section H. CERTIFICATION STATEMENT

The person responsible for completing the application or person responsible for the business must sign and date the certification.

DEPARTMENT OF JUSTICE FEE SCHEDULE:

Secondhand Dealer/Pawnbroker Application, JUS 125	= \$300 (New or renewal application, payable to DOJ)
Criminal Offender Record Information Background Check	= \$32 (Each applicant, payable to live scan agency.)

The DOJ fee schedule does not include any additional fee that the licensing authority may charge for processing this application, pursuant to the Business and Professions Code or Financial Code, or for the service of taking fingerprints for the criminal offender record information background check. Payment to the DOJ must be made by check, cashier's check or money order.

NOTE: The fees are non-refundable. Cash will not be accepted for payment. Make remittance payable to "Department of Justice."

Should the applicant(s) be printed using the fingerprint hard card (FD 258) because the printing agency has an exemption to the Live Scan requirement, the fingerprint hard card(s), along with the required fees, payable to the DOJ, must be sent in with the application.

Chapter 5.44

JUNK DEALERS, PAWNBROKERS AND SECONDHAND DEALERS

Sections:

- 5.44.010 Definitions.**
- 5.44.015 Exemptions.**
- 5.44.020 Permit and Tax Required.**
- 5.44.030 Application for Permit, Fees.**
- 5.44.040 Issuance of Permit - Permit
Prerequisite to Payment of Tax.**
- 5.44.050 Revocation of Permit - Authorized -
Grounds - Re-issuance.**
- 5.44.060 Revocation of Permit - Hearing -
Notice.**
- 5.44.070 Daily Reports.**
- 5.44.100 Daily Reports - Blank Forms.**
- 5.44.110 Daily Reports - Filing - Inspection.**
- 5.44.120 False Names, Addresses or Entries.**
- 5.44.130 Effect of Conducting More than
One (1) Business.**
- 5.44.140 Regulations for Keeping Metals.**
- 5.44.150 Records to be Kept.**
- 5.44.170 Reports, Etc., to be in English
Language.**
- 5.44.180 Holding Period Before Sale or
Disposition - for Pawnbrokers and
Secondhand Dealers.**
- 5.44.190 Waiting Period Before Sales - for
Junk Dealers and Collectors.**
- 5.44.200 Waiting Period Before Sales - When
Non-applicable.**
- 5.44.210 Hours of Business.**
- 5.44.220 Dealings with Minors.**
- 5.44.230 Certificate of Sales.**
- 5.44.240 Exemptions from Chapter.**
- 5.44.250 Unlawful Acts.**
- 5.44.300 Reporting Repair of Business
Machines.**

5.44.010 Definitions.

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) "Junk collector" means any person having no fixed place of business in the City engaged in or carrying on the business of collecting, buying or selling any old rags, sacks, bottles, cans, papers, rubber goods, metals, rubbish, manure, waste material, refuse matter of any kind or other articles of junk; provided however, that no permit issued under the provisions of this chapter shall be deemed or construed to authorize or permit anything in violation of Chapter 7.16, relating to garbage and rubbish or the collection or removal of dead animals.

(2) "Junk dealer" means any person having a fixed place of business in the City commencing, conducting, or carrying on the business of buying, selling or otherwise dealing in, either at wholesale or retail, of any old rags, sacks, bottles, cans, papers, metal or other articles commonly known as junk.

(3) "Non-profit organization" means a corporation organized under the General Non-Profit Corporation Law of the State of California and certified as exempt from Federal Income Tax by the Internal Revenue Service under Section 501(c)(3) of the Internal Revenue Code.

(4) "Pawnbroker" means any person commencing, conducting or carrying on or purporting to carry on the business of loaning money for himself, or for any other person, upon personal property, personal security, pawns or pledges, or the business of purchasing articles or personal property and reselling, or agreeing to resell, such articles to the vendors or their assignees, at prices agreed upon at or before the time of such purchase.

(5) "Pawnshop" means any room, store or place in which any such business as described in paragraph (3) is engaged in, carried on or conducted.

(6) "Secondhand dealer" means any person commencing, conducting or carrying on the business of buying, selling or otherwise dealing in secondhand or antique goods, wares, clothing or merchandise; provided, however, that nothing in this chapter shall apply to the exchange of secondhand furniture or furnishings as payment in whole or in part for new furniture or furnishings given in exchange by a regular dealer in new furniture or furnishings; provided further, that nothing in this chapter shall apply to the sale of any secondhand goods, wares or merchandise sold by any public warehouseman at any warehouse in the City for non-payment of any storage bill for the storage in such warehouse of goods, wares or merchandise so sold.

Wherever used in this Code, the terms "secondhand" includes "antique," and "secondhand dealer" includes "antique dealer" in goods, wares or merchandise of all types and descriptions.

(7) "Tangible personal property" means property defined in Section 21627 of the Business and Professions Code. (Ord. 4114, 1981; Ord. 3945, 1978; Ord. 3535, 1972.)

5.44.015 Exemptions.

A person is exempt from reporting the receipt or purchase of tangible personal property pursuant to this chapter if that person is a secondhand dealer as defined in Business and Professions Code Section 21626, has obtained a license pursuant to Section 21641 of said Code and reports the receipt or purchase of such tangible personal property pursuant to Section 21628 of the Business and Professions Code or Section 21208 of the California Financial Code. (Ord. 4114, 1981.)

5.44.020 Permit and Tax Required.

It shall be unlawful for any person to engage in, conduct, manage or carry on or purport to carry on in the City, the business of pawnbroker, secondhand dealer, junk dealer or junk collector without first applying for and receiving a permit, in writing from the Chief of Police and without first paying any applicable taxes as provided in Chapter 5.04. Said permit shall be valid for one (1) year and shall be renewed each successive year. (Ord. 4114, 1981; Ord. 3766, 1975.)

5.44.030 Application for Permit, Fees.

Any person desiring to obtain a permit to conduct or carry on any business mentioned in Section 5.44.010 shall file an application in writing therefor with the Chief of Police, specifying, by street and number, the place where such business is proposed to be conducted or carried on. Such application shall be signed by the applicant and shall contain the address of such applicant. The Chief of Police is

authorized to charge fees to pay for Department of Justice charges for processing of applications for permits and licenses authorized by this Code or State law. (Ord. 4114, 1981; prior Code §26.5.)

5.44.040 Issuance of Permit - Permit Prerequisite to Payment of Tax.

No permit to commence or conduct or carry on any business mentioned in Section 5.44.010 shall be granted by the Chief of Police to a person who fails, refuses, or neglects to comply with the laws or ordinances relating to and regulating the business for which such permit is sought. The Tax and Permit Inspector shall not accept payment of a tax from any person to conduct or carry on the business of pawn-broker, secondhand dealer, junk dealer or junk collector until the Chief of Police shall have granted a permit therefor. (Ord. 4114, 1981; Ord. 3125 §4, 1966; prior Code §26.6.)

5.44.050 Revocation of Permit - Authorized - Grounds - Re-issuance.

In the event that any person holding a permit to commence or conduct or carry on a business specified in Section 5.44.010 shall violate, or cause or permit to be violated, any of the provisions of this chapter or any provision of this Code or any other ordinance or of any law relating to or regulating any such business, or shall conduct or carry on such business in an unlawful manner, or shall cause or permit such business so to be conducted or carried on, it shall be the duty of the Board of Fire and Police Commissioners and the Board shall, in addition to other penalties provided for violation of this Code, revoke the permit issued for conducting or carrying on such business. If the permit is revoked, no permit shall be granted to such person to conduct or carry on any such business within six (6) months after such revocation. (Prior Code §26.7.)

5.44.060 Revocation of Permit - Hearing - Notice.

No permit issued under the provisions of this chapter shall be revoked until a hearing shall have been had by the Board of Fire and Police Commissioners in the matter of the revocation of such permit. Notice of the hearing shall be given in writing and served at least five (5) days prior to the date of hearing upon the holder of such permit, or his manager or agent, which notice shall state the ground of complaint against the holder of such permit or against the business carried on by such holder and shall also state the time when and place where such hearing will be had.

Such notice shall be served upon the holder of such permit by delivering the same to such person or his manager or agent, or any person in charge of or employed in the place of business of such holder, or if such person has no place of business, then at his place of residence; or by leaving such notice at the place of business or residence of such person of suitable age and discretion. If the holder of such permit cannot be found and service of such notice cannot be made upon him in the manner provided, then a copy of such notice shall be mailed postage fully prepaid, addressed to such holder of such permit at such place of business or residence, at least five (5) days prior to the date of such hearing. (Ord. 3766, 1975; Prior Code §26.8.)

5.44.155 Churches, Non-profit Organizations Exempted - Required to Keep Records.

No church or other non-profit organization shall be subject to the other provisions of this chapter, provided that any church or non-profit organization conducting a secondhand sale shall give the Chief of Police five (5) days' prior notice of the date and location of said sale, and shall keep complete records of all goods, wares, merchandise and things purchased, or received by said organization, for sale at said secondhand sale or sold by any individual at a secondhand sale conducted by any such church or organization. Every such record and all goods, wares, merchandise and things received by any such church or non-profit organization shall be open at all times during business hours to the inspection of the Chief of Police or any Police Officer. Said records shall be kept for one (1) year following said sale. (Ord. 3607, 1973.)

5.44.170 Reports, Etc., to be in English Language.

Every report and record required by the terms of this chapter to be filed or kept, shall be written or printed entirely in the English language, in a clear and legible manner. (Prior Code §26.19.)

5.44.180 Holding Period Before Sale or Disposition - for Pawnbrokers and Secondhand Dealers.

No pawnbroker or secondhand dealer shall sell or otherwise dispose of any article or thing within thirty (30) days after such article or thing has been purchased or received by such pawnbroker or second-hand dealer, except when the Chief of Police, for good cause, authorizes prior disposition with prior written authorization.

During the required holding period, the article or thing so purchased shall not be altered, changed or defaced and shall remain and be during the period in the same condition as when purchased or received by the pawnbroker or secondhand dealer. (Ord. 4114, 1981; prior Code §26.20.)

5.44.190 Waiting Period Before Sales - for Junk Dealers and Collectors.

No junk dealer or junk collector shall sell or otherwise dispose of any article or thing within three (3) days after such article or thing has been purchased or received by such junk dealer or junk collector. (Prior Code §26.21.)

5.44.200 Waiting Period Before Sales - When Non-applicable.

The provisions of this chapter shall not apply to the receipts or sale of any secondhand article by any person who received or purchased such secondhand articles from any other person who has made the required report to the Police Department and shall have held the articles for the length of time provided for in Sections 5.44.180 and 5.44.190; provided, however, that such person is required to report that such articles have been held by the person, from whom the articles were purchased for the length of time required by this chapter. (Prior Code §26.22.)

5.44.210 Hours of Business.

It shall be unlawful for any person engaged in conducting, managing or carrying on the business of pawnbroker, secondhand dealer, junk dealer or junk collector or for any agent or employee of any such person to accept any pledge of or to loan any money upon personal property, or to purchase or receive any goods, wares or merchandise or any article or thing, or in any manner whatsoever to engage in or conduct any such business between twelve midnight (12:00 a.m.) on Saturday and seven a.m. (7:00) of the following Monday, or between seven p.m. (7:00) of any day, other than Saturday or Sunday, and seven a.m. (7:00) of the following day. (Prior Code §26.23.)

5.44.220 Dealings with Minors.

No pawnbroker, secondhand dealer, junk dealer or junk collector shall purchase, or receive on deposit, or accept as a pledge any goods, wares, merchandise or anything whatsoever from, or make a loan to any person under the age of eighteen (18) years. (Prior Code §26.24.)

5.44.230 Certificate of Sales.

Pawnbrokers, secondhand dealers and junk dealers shall provide and furnish to the person from whom any goods, wares or merchandise are purchased a certificate of sale, a duplicate copy of which shall be kept on file by the purchaser. Such certificate of sale shall be signed by both the purchaser and seller. The duplicate copy of such certificate shall at all times be kept open to the inspection of the members of the Police Department. (Prior Code §26.25.)

5.44.240 Exemptions from Chapter.

Secondhand dealers of household furniture, and junk dealers or junk collectors of rags, bottles (other than milk or cream bottles), barrels, cans, shoes, lamps, stoves, household furniture, or scrap iron (when bought and sold for scrap) when purchasing or selling said items, are exempt from the requirements of this chapter for reports, records, waiting periods before resale and restrictions upon purchases from minors. Household furniture does not include sewing machines, musical instruments, oriental or Chinese rugs and all other merchandise bearing a serial number or evidence of having had a

serial number or personalized initials or inscription. (Ord. 4114, 1981; Ord. 3945, 1978; prior Code §26.26.)

5.44.250 Unlawful Acts.

It shall be unlawful for any person engaged in conducting, managing or carrying on the business of pawnbroker, secondhand dealer, junk dealer or junk collector or for any agent or employee of any such person to fail, refuse or neglect to file any report in the form, in the manner, at the time and in all respects in accordance with the requirements of this chapter, or to fail, refuse or neglect to keep a record in the form and in the manner required by this chapter, or to fail, refuse or neglect to exhibit to any law enforcement officer, immediately upon demand for the privilege of such inspection, any such record or any goods, wares or merchandise or things pledged to or purchased or received by such person. (Ord. 4114, 1981; prior Code §26.27.)

5.44.300 Reporting Repair of Business Machines.

A. Reporting. Every business machine dealer shall report all used business machines that he has repaired pursuant to the procedure approved by the Chief of Police. No report of repair shall be required of a dealer servicing or repairing a machine in the possession of the owner to whom that dealer sold the machine when it was new.

B. Definition. As used in this section, the term "business machine" includes, but is not limited to, typewriters, adding machines, check-writing devices, cash registers, calculators, addressing machines, copying and accounting equipment, letter-sorting and folding devices, and recording equipment, but does not include office furniture or fixtures. (Ord. 4114, 1981.)