



CITY OF RALEIGH

APPLICATION FOR PAWNBROKER LICENSE

The following criteria must be met before a license may be issued:

- The applicant must complete all of the attached forms.
- The applicant must attach an unaudited statement from an accountant verifying net assets or capital proposed to be used in the operation of the business.
- The applicant must attach an additional sheet listing the names and addresses of the members of the firm or partnership or the officers of the corporation.
- After the receipt of your request, a copy will be sent to the Fire Department, Inspections Department and Police Department for their approval.
- After the initial inspection of the premises and if there are corrections to be made, then the applicant must make those corrections and then call 516-2495 for re-inspection. If you have any questions concerning re-inspection of the premises or any questions concerning your inspection status, please contact Inspections at 516-2495.
- The applicant must comply with all requests made by the Police Department Detective Division, Fire Department and Inspections Department to assist them in completing their investigation and inspections process.

The Raleigh City Council must approve Pawnshop Licenses. Once Revenue Services has received written approval for an application from all investigating departments, the license application will be placed on the agenda for the next City Council meeting.

Upon approval from the Raleigh City Council, the business owner will be informed that their license can be issued. At that time, a bond in the amount of \$5,000 made payable to the City of Raleigh will be required. The surety bond must be executed by a surety company licensed to do business in the State of North Carolina. The applicant will pay a business license tax of \$275.00 and any additional applicable tax under the Business License tax ordinance. Annual license renewal fee of \$100 due each year by June 30th.

For questions concerning your application status, contact Revenue Services at 996-3200 or come to the Avery C. Upchurch Government Complex located at 222 West Hargett Street, 1st floor, Revenue Services Lobby, weekdays from 8:30am to 5:15pm.

APPLICATION FOR PAWNBROKER LICENSE
City of Raleigh

Revenue Services-03
PO Box 590, Raleigh, North Carolina 27602
(919) 996-3200

FOR OFFICE USE ONLY	
Account # _____	License # _____

Date of Application _____
Business Location Address _____
Name of Business _____
Mailing Address _____
City _____ State ____ Zip Code _____ Telephone(____) _____
Is Business: Corporation ____ Individual ____ Partnership ____ Other ____

In the case of a firm, partnership or corporation, please provide the names and addresses of the firm or partnership, or the officers of the corporation. **Attach an additional sheet if necessary.**

Name of Applicant _____
First Middle Last
Applicant's Residence Address _____
City _____ State ____ Zip Code _____ Telephone (____) _____
Number of Years at Residence _____
Previous Residence Address _____

State the amount of net assets or capital proposed to be used in the operation of this business. _____
AN UNAUDITED STATEMENT FROM AN ACCOUNTANT VERIFYING CONTAINED IN THE ABOVE STATED NET ASSETS MUST BE ATTACHED TO THIS APPLICATION.

BY SIGNATURE, THE APPLICANT CERTIFIES THAT THE FOLLOWING STATEMENTS ARE TRUE.

1. The applicant has not been convicted of a felony within the past ten years.
2. The application contains no misstatement of fact.
3. The applicant shall keep consecutive receipts/records of each pawn transaction.

STATE LAW PROVIDES THAT ANY PERSON WHO SHALL KNOWINGLY MAKE ANY FALSE STATEMENTS ON AN APPLICATION, SHALL BE GUILTY OF A MISDEMEANOR, AND UPON CONVICTION, SHALL BE FINED AND OR IMPRISONED AS PROVIDED BY LAW.

Signature of Applicant _____

CITY OF RALEIGH
POLICE DEPARTMENT | DETECTIVE DIVISION
INVESTIGATION FORM
996-3555

Date of Application _____

Type of License(s) Applied For:

Massage Business ____ Massagist ____ Pawnbroker ____

Name of Applicant _____

First *Middle* *Last*

Name of Business _____

Business Address _____

City _____ State ____ Zip Code _____ Telephone (____) _____

When was business formed? _____

When was business licensed? _____

Who is the owner of the business? Who is the operator of the business if not the owner? _____

Applicant's Residence Address _____

City _____ State ____ Zip Code _____ Telephone (____) _____

Number of years at residence _____

If high school graduate, what high school did applicant graduate from? _____

List all addresses lived at since high school (Street Address, City and State). (You may attach an additional sheet if needed). _____

Did the applicant attend college/university and if so where and when? List any degrees or special certifications.

(You may attach an additional sheet if needed) _____

Date of Birth _____ Place of Birth _____

Age ____ Sex ____ Race ____ Social Security Number _____

List all employment information since high school (business name, address, telephone number, your position and supervisor's name). (You may attach an additional sheet if needed). _____

How many employees does the business have? _____

What are the operating hours of business? _____

How did the applicant become involved in this business? _____

How and when did the applicant become the owner of this business if applicable? _____

List any other partners and/or shareholders in the business. _____

List any other businesses that the applicant is associated with. _____

List five (5) character references including address and telephone numbers.

ARTICLE C. PAWNBROKERS

Editor's note: Former Article C, 'Auctions,' was repealed by N.C. Session Laws of 1973, Ch. 552, §9 and Ord. (1974)479. Art. C consisted of substantive § 12-2101—12-2105, and derived from code 1959, §5-1—5—5. Ord. No. 1992-982, §§1—5, adopted June 1992, effective Oct 10, 1992, added §12-2101—12-2105, which the editor has designated a new Art. C.

Sec.12-2101. DEFINITIONS.

As used in this article the following terms shall be defined as follows:

Pawn or Pawn Transaction: A written bailment of personal property as security for debt, redeemable on certain terms within one hundred eighty (180) days, unless renewed, and with an implied power of sale on default.

Pawnbroker: A person engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders.

Pawnshop: The location at which or in which a pawnbroker regularly conducts business.

Person: Any individual, corporation, joint venture, association, or any other legal entity, however organized.

Pledged Goods: Tangible personal property which is deposited with or otherwise delivered into the possession of a pawnbroker in the course of his business in connection with a pawn transaction.

Purchase: Any item purchased from an individual for the purpose of resale whereby the seller no longer has a vested interest in the item.

Ord. No. 1992-982, §1,6-2-92)

Sec. 12-2102. LICENSING OF PAWNBROKERS.

(a) No person, firm, or corporation shall establish or operate a pawnbroker business without first having applied for and been granted the license provided by this section.

(b) Every application for a pawnbroker's license shall be upon a form approved by the City Manager and shall be filed with the Revenue Collector. Each application shall be made under oath and shall contain the following information:

(1) The name and address of the person, and in case of a firm or partnership, the names and addresses of the persons composing such firm or of the officers of a corporation.

(2) The name of the business and the street address and mailing address where the business is to be operated.

(3) A statement indicating the amount of net assets or capital proposed to be used by the petitioner in operation of the business. This statement shall be accompanied by an unaudited statement from an accountant verifying the information contained in the statement.

(4) An affidavit by the petitioner that he has not been convicted of a felony.

(5) A certificate from the Chief of Police, sheriff of the County, or the State bureau of investigation certifying that the petitioner has not been convicted of a felony.

(c) The Revenue Collector shall transmit a copy of the application to the Police Department for an investigative report, to the Inspections Department for a determination as to compliance with zoning and development regulations, and to the Fire Department to determine compliance with laws relating to fire protection. These departments shall report back to the Revenue Collector within a reasonable period of time not to exceed thirty (30) days.

(d) An application in proper form shall be placed on the printed agenda of the first regular Council meeting after completion of the reports and for which the normal agenda deadline date can be met.

(Ord. No, 1992-982, §2,6-2-92)

Sec. 12-2103. ISSUANCE OF LICENSE.

(a) Before issuing a license, the Council shall be satisfied that the applicant is a suitable person to hold a pawnbroker license and that the location is a suitable place to hold the proposed license. To be a suitable place, the establishment shall comply with all the rules and regulations set out in G.S. Chapter 91A. Other factors the Council may consider in determining whether the applicant and the business location are suitable shall include all of the following:

(1) The application contains no misstatement of fact.

(2) The applicant conforms to all requirements of applicable zoning, building, and fire prevention codes.

(3) The applicant shall not have been convicted of a felony within a ten-year period preceding the filing of the application.

(4) Parking facilities and traffic facilities in the neighborhood.

(5) The recommendations of the City of Raleigh Police Department.

(6) Any other evidence that would tend to show whether the applicant would comply with the provisions of G.S. Chapter 91A and the applicable provisions of this Code and whether the operation of the business at that location would be detrimental to the neighborhood.

(7) This ordinance [section] shall apply to all pawnbroker licenses pending on May 8, 1995, and to all applications for such licenses filed after that date.

(b) Upon approval of the application by the Council and upon receipt of a license fee of two hundred seventy-five dollars (\$275.00), the Revenue Collector shall issue a pawnbroker's license to the applicant. The license must be renewed annually.

(c) At the time of receiving the license the applicant shall file with the City Clerk a bond payable to the City in the amount of five thousand dollars (\$5,000.00) to be executed by the licensee and by two (2) sureties or a surety company licensed to do business in North Carolina, which shall be for the faithful performance of the requirements and obligations pertaining to the licensed business. The City

may sue for forfeiture of the bond upon breach, and any other person who obtains a judgment against a pawnbroker and upon which judgment execution is returned unsatisfied may maintain an action in his own name upon the bond to satisfy the judgment.

(Ord.No. 1992-982, §3, 6-2-92; Ord. No. 1995-639, §1,5-2-95; Ord.No. 1995-679, §1, 7-5-95)

Sec. 12-2104. REVOCATION OF PAWNBROKER'S LICENSE.

A license issued pursuant to §12-2103 may be revoked by action of the Council for substantial abuses of this article or G.S. 91A-1-22. Before the Council revokes a license pursuant to this chapter, and before the Council considers an application for a license pursuant to this chapter, a written notice shall be sent to the licensee or applicant affected, by certified mail, return receipt requested, to the address listed on the application. The notice shall advise the affected party of a right to appear before the Council, with or without legal counsel, at a stated time and place at least ten (10) days following the date of the notice for the purpose of presenting any evidence relevant to such revocation or application and for the purpose of cross-examining any person providing evidence against the respondent. A revocation hearing in be initiated by the Chief of Police or by the City Council.

(Ord.No. 1992-982, §4, 6-2-92)

Sec. 12-2105, RECORD KEEPING REQUIREMENTS.

(a) Every pawnbroker shall keep consecutively numbered records of each pawn transaction. The records shall correspond in all essential particulars to a detachable pawn ticket or copy thereof attached to the record.

(b) The pawnbroker shall at the time of making the pawn or purchase transaction enter upon the pawn ticket a record of the following information which shall be typed or written in ink and in the English language:

- (1) A clear and accurate description of the property, including model and serial number if indicated on the property.
- (2) The name, residence address, phone number, and date of birth of the pledgor.
- (3) The date of the transaction.
- (4) The type of identification and identification number accepted from pledgor.
- (5) Physical description of the pledgor.
- (6) The amount of money advanced.
- (7) The date and the amount due.
- (8) All monthly pawn charges, including interest, annual percentage rate on interest and total recovery fee.
- (9) Agreed upon stated value between the pledgor and the pawnbroker in case of loss or destruction of pledged item. Unless otherwise noted the stated value is the same as the loan value.

(c) The following shall be printed on all pawn tickets:

(1) The statement that "ANY PERSONAL PROPERTY PLEDGED TO A PAWNBROKER WITHIN THIS STATE IS SUBJECT TO SALE OR DISPOSAL WHEN THERE HAS BEEN NO PAYMENT MADE ON THE ACCOUNT FOR A PERIOD OF 60 DAYS PAST MATURITY DATE OF THE ORIGINAL CONTRACT. NO FURTHER NOTICE IS NECESSARY."

(2) The statement that "THE PLEDGOR OF THIS ITEM ATTESTS THAT IT IS NOT STOLEN, HAS NO LIENS OR ENCUMBRANCES, AND IS PLEDGOR'S TO SELL OR TO PAWN."

(3) The statement that "THE ITEM PAWNED IS REDEEMABLE ONLY BY THE BEARER OF THIS TICKET OR BY IDENTIFICATION OF THE PERSON MAKING THE PAWN."

(4) A blank line for the pledgor's signature or initials.

(d) The pledgor shall sign the pawn ticket and shall receive an exact copy of the pawn ticket which shall be signed or initialed by the pawnbroker or an employee of the pawnbroker. These records shall be available for inspection each regular workday by the Police Department. The records shall be mailed to the Police Department within twenty-four (24) hours after the record is created.

All pawnbrokers licensed under this article after April 1, 2003, are required to utilize a reporting system that offers an electronic data transmission system that is compatible with the standard used by the local City or county law enforcement computer system. The electronic data must be provided to the appropriate law enforcement agency as designated by the Raleigh Police Department within twenty-four (24) hours after the record is created.

(e) Except as otherwise provided in this part any person presenting a pawn ticket for redemption is presumed to be entitled to redeem the property described by the ticket.

(Ord. No. 1992-982, §5, 6-2-92)

Secs. 12-2106 — 12-2110. RESERVED.