



## APPLICATION INSTRUCTIONS PAWNBROKER MANAGER LICENSE

\*\*\*\*NOTE\*\*\*\* Licensing of Pawnbroker Businesses and Pawnbroker Managers is governed by the Municipal code of the City of Greeley. The full code may be found here:

[https://library.municode.com/co/greeley/codes/municipal\\_code?nodeId=TIT6BUTALIRE\\_CH6.1\\_OPA](https://library.municode.com/co/greeley/codes/municipal_code?nodeId=TIT6BUTALIRE_CH6.1_OPA)

The Code governs the issuance of such license and states, in part:

- **6.10.010 - Definitions.**

As used in this Chapter:

*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 ( $\frac{1}{5}$ ) of the original purchase price for each month plus the original purchase.

*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.

*Manager's certificate* shall mean the document issued by the City which authorizes an individual to perform his or her duties as manager for the pawnbroker.

*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price agreed upon by the customer and the pawnbroker in which a contract for purchase may, but does not have to, be rescinded by the customer.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. 36, 2016, §2(Exh. A), 12-20-2016)

- **6.10.020 - Pawnbrokers License and Manager's Certificate required.**

It is unlawful for any person to engage in the business of pawn brokering 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.

It is unlawful for any person to act as a manager for a pawnbroker business without first having obtained a manager's certificate from the City. Such license shall be kept current at all times, and the failure to maintain a current manager's certificate while acting as a manager shall constitute a violation of this Chapter.

(Ord. 36, 2016, §2(Exh. A), 12-20-2016)

- **6.10.030 - Application.**

All applicants for a pawnbroker's license shall file an application for such license with the Chief of Police on forms to be provided by the Chief of Police. 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 a financial interest in the pawnbroker establishment shall be named in each application form, and shall have been investigated as required by Section 6.10.050 prior to a license being granted. Each individual applicant, partnership, limited liability company and corporate applicant for a pawnbroker's license 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 and the revenue and finance code, and proof of the applicant's right to possession of the premises wherein the business of pawn brokering will be conducted.

All applicants for a manager's certificate shall file an application for such certificate with the Chief of Police on forms to be provided by the Chief of Police. Each applicant for a manager's certificate shall have been investigated as required by Section 6.10.050 prior to a certificate being granted.

(Ord. 36, 2016, §2(Exh. A), 12-20-2016)



- **6.10.040 - 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.

(Ord. 36, 2016, §2(Exh. A), 12-20-2016)

- **6.10.050 - Investigation.**

Investigation for a pawnbroker's license. No license shall be issued by the City until the application for a license has been investigated by the Chief of Police and received a statement of good standing issued by the Police Department.

An applicant for a pawnbroker's license or for the renewal of such license shall undergo a background investigation as directed by the Chief of Police. Each applicant for a license shall furnish sufficient documentation, such as a current driver's license, an 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.

Investigation for a manager's certificate. No pawnbroker 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 Chief of Police and received a statement of good standing issued by the Police Department.

An applicant for a manager's certificate or for the renewal of such certificate shall undergo a background investigation as directed by the Chief of Police. Each applicant for a certificate shall furnish sufficient documentation, such as a current driver's license, an 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.

An applicant for a manager's certificate shall pay a nonrefundable fingerprint and investigation fee in an amount not to exceed actual costs. 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 pay the associated fingerprint fee.

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 one (1) year; 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.

A pawnbroker's license or a manager's certificate may be revoked when the holder has been determined by the Chief of Police to be in violation of any of the provisions of this Chapter.

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.

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

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;

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

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

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 certified manager who is physically present on the licensed premises.

(Ord. 36, 2016, §2(Exh. A), 12-20-2016)

- **6.10.060 - Manager or change of manager.**

A pawnbroker may employ a manager to operate a pawn brokering business, provided that the pawnbroker retains complete control of all aspects of the pawn brokering 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.

A pawnbroker must register every manager whom the pawnbroker employs to operate a pawn brokering business.

In the event a pawnbroker changes the manager of a pawnbroker establishment, the pawnbroker shall immediately report such change and register the new manager on forms provided by the Chief of Police within thirty (30) calendar days of such change. In no event may a pawnbroker employ a manager who had not been given a manager's certificate.

Failure of a pawnbroker to report a change or failure of the manager to meet the standards and qualification as required in Section 6.10.050 above shall be grounds for termination of the pawnbroker's license.

(Ord. 36, 2016, §2(Exh. A), 12-20-2016)

- **6.10.070 - Renewal.**

A pawnbroker's license shall be renewed every three (3) years on forms provided by the Chief of Police. Renewals shall be processed pursuant to Section 6.04.230.

A manager's certificate shall be renewed annually on forms provided by the Chief of Police. Renewals shall be processed pursuant to Section 6.04.230.

- **6.10.080 - Bond required.**

Every applicant for a pawnbroker's license shall furnish a bond, valid for the term of the license, with a responsible surety, to be approved by the Chief of Police, in an amount to be set annually by the City Manager in writing, 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.

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 Chief of Police.



The Colorado Bureau of Investigation changed the way they will accept fingerprints for civil purposes, which includes licensing purposes of all kinds. These fingerprints must now be submitted via a State of Colorado Applicant Background Services vendor prior to submitting this application and fees for background investigation to Greeley Police Records at 1551 North 17<sup>th</sup> Avenue, Greeley, CO. Applicants will be required to pay fingerprinting fees directly to the vendor (this will include the fee for the fingerprinting and the fingerprint based background check.) Please see attached documents from IdentGO for information on fingerprinting or go to this website: <https://enroll.identogo.com/workflows/25yqkr>

IdentGO will ask for a SERVICE CODE. This is the service code you will need to provide: 25YQKR

Required Fees to be paid at the time your application is dropped off:

Pawnbroker Annual Fee -	\$50.00
CCIC Annual Fee -	<u>6.85</u>
Total	\$56.85

Please make checks or money orders payable to: Greeley Police Records for the total amount.

#### Private Security Service Professional License Checklist –

- \_\_\_\_\_ Complete and sign application form
- \_\_\_\_\_ Complete and have notarized the Release of Information Form
- \_\_\_\_\_ Take completed application and proof of identification to  
Greeley/Weld County Criminal Justice Records, 1551 N. 17<sup>th</sup> Ave, Greeley, CO
- \_\_\_\_\_ Payment to Greeley Police Records of \$56.85 for Pawnbroker  
Manager License