

City of Raymore Unified Development Code

Pawn Shop

Section 485.010: General Definitions

Pawn Shop	An establishment or person (pawnbroker) engaged in the business of receiving property in pledge or as security for money or other things advanced to the pawner or pledger.
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Section 410.020 Use Table

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
COMMERCIAL USES									
Banks and Financial Services									
Banks	-	P	P	P	P	-	-	-	
Payday Loan Store	-	-	C	C	C	-	-	-	Section 420.030D
Consumer Loan Establishment	-	-	C	C	C	-	-	-	Section 420.030D
Pawn Shop	-	-	C	C	-	-	-	-	

Uses identified with a “C” in the use table may be allowed in the designated zoning districts if approved in accordance with the conditional use procedure of Section 470.030. Approved conditional uses are subject to compliance with all other applicable provisions of the Unified Development Code.

Also applicable for Pawn Shops to locate in Raymore is City Code Chapter 630

CHAPTER 630: PAWNSHOP LICENSING AND REGULATIONS**SECTION 630.010: PURPOSE**

The intent of this Code is to regulate pawnshops and their business practices in order to protect and promote public safety and welfare.

SECTION 630.020: APPLICABILITY OF CODE

Every pawnshop establishment shall conform to the requirements of this Code and in accordance with Chapter 367 RSMo.

SECTION 630.030: SEVERABILITY

In any case where a provision of this Code is found to be in conflict with a provision of any other ordinance the provision which establishes the higher standard shall prevail. If any part of this Chapter should be declared invalid for any reason, such decision shall not affect the remaining portions of this Code.

SECTION 630.040: DEFINITIONS

For the purpose of this Chapter, the following definitions shall apply:

PAWNBROKER: Any person engaged in the business of lending money on the security of pledged goods or engaged in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

PAWNSHOP: The location at which or premises in which a pawnbroker conducts business.

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

PLEGGED GOODS: Tangible personal property which is deposited or otherwise actually delivered into possession of a pawnbroker in the course of their business in connection with a pawn transaction.

SECURED PERSONAL CREDIT LOAN: Every loan of money made in this State, the payment of which is secured by a security interest in tangible personal property which is physically delivered into the hands of the lender at the time of the making of the loan and which is to be retained by the lender while the loan remains an obligation.

VALUE: The fair market value of the article at the time and place of the acquisition of the article by the dealer, or, where no reasonable monetary value can be ascertained, the cost of replacement of the article. It is expressly provided that value, as used in this Code, shall not be determined by the cost of the article as paid by the dealer.

SECTION 630.050: PAWNSHOP LICENSE REQUIRED

It shall be unlawful for any person, organization or corporation within the City limits to act as agent for or cause the solicitation, advertising or promotion, or participate directly or indirectly in or for the operation of a pawnshop without first obtaining an occupational license issued by the City as provided for in Chapter 605 of the Raymore City Code. No such license shall be issued unless the pawnshop, or any person, organization or corporation engaged in the activity of such establishment fully complies with the provisions of this Code, regardless of the location of such establishment or place where such activity is conducted. The occupational license shall be applied for at least fourteen (14) days prior to the start of business.

SECTION 630.060: LICENSE REQUIREMENTS

- A. No person shall carry on the business of pawnbroker within the City without obtaining a license. The annual pawnshop license fee for the operation of a pawnshop shall be approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department.
- B. A criminal background check from the Missouri Highway Patrol, issued within the last thirty (30) days, shall be submitted with each application. No owner, manager, or employee shall have a felony or misdemeanor conviction which directly relates to the duties and responsibilities of the occupation of pawnbrokers or otherwise makes the applicant presently unfit to own, run or be employed in a pawnshop.
- C. Every pawnshop shall maintain a minimum of one million dollars (\$1,000,000.00) of liability insurance. Proof of insurance is required at the time the occupational license is applied for or renewed. Such policy shall provide that the City shall be notified of any cancellation or alteration by the insurance carrier within ten (10) days before such cancellation or alteration becomes effective.
- D. A no tax due letter issued by the Missouri Department of Revenue shall be submitted with the initial license application and each renewal.

SECTION 630.070: DISPOSAL OF GOODS

- A. No pawnbroker shall expose for sale, or sell or dispose of any article, or articles, within sixty (60) days of the time of purchasing, except when redeemed by the owner.

- B. No gold, silver, diamonds, or other precious or semi-precious gems or metals purchased by any pawnbroker shall be removed from the pawnbroker's place of business, re-cut or melted within sixty (60) days after receipt, except when redeemed by the owner.
- C. In case the person obtaining the loan fails to pay the interest or principle when due, the pawnbroker shall not sell the article pawned with them as security for such loan until the expiration of sixty (60) days from the date of such failure. The person failing may at any time within the sixty (60) days redeem the article if they pay the full amount of the principle and interest due at the date of such redemption according to the terms of the contract. If the person obtaining the loan fails to redeem the article within sixty (60) days that person shall thereby forfeit all right, title, and interest in such article to such pawnbroker who then acquires and possesses an absolute right in and to then hold and dispose of as their own property.

SECTION 630.080: BOOKS AND RECORDS

Each pawnshop shall keep consistent and adequate books and records of purchases relating to the licensee's pawn transactions. Said books and records shall be preserved for a period of at least two (2) years from the date of last transaction recorded therein. The records must contain, but are not limited to, the following information:

1. Time, date, and place of purchase of each item.
2. Name of individual acting on behalf of dealer in making purchases.
3. Name, age, and address of seller.
4. Confirmation of identification through a drivers license, state identification card, or other adequate picture ID. The dealer shall include in the record any identification numbers which may be displayed on the identification. Any purchase without such proof is prohibited.
5. A description of the item being sold with any identification numbers or markings.
6. A clear and identifiable fingerprint of the right index finger of the seller if said merchandise is valued over one hundred fifty dollars (\$150.00).
7. A clear and identifiable photograph accompanied by a detailed written description of each item if said merchandise is valued over one hundred fifty dollars (\$150.00).

SECTION 630.090: LAW ENFORCEMENT INSPECTIONS

A register of all property received, deposited, or purchased shall at all times be open to the inspection of Law Enforcement Officers upon request.

SECTION 630.100: RECEIPTS

Every pawnbroker shall give to each person who pledges property to secure a loan, or who leaves property with the pawnbroker for any reason, a plainly written receipt or ticket having upon it a full copy of all the entries required by this Chapter to be kept in the pawnbroker's register, and no charge should be made for such receipt.

SECTION 630.110: RECEIVING PLEDGED GOODS FROM MINORS

No pawnbroker shall take, buy or receive any personal property from any person under the age of seventeen (17) years without the written consent of such individual's parents or guardians. Said written consent shall be kept on file with the books and records.

SECTION 630.120: GEOGRAPHIC LIMITATIONS

The following special conditions and regulations shall apply to pawnshops to protect the character of residential and commercial areas and preserve the value of the property throughout the City.

1. A pawnshop shall not be established or expanded within one thousand (1,000) feet of the district boundary line of any Residential Zoning District.
2. A pawnshop shall not be established or expanded within one thousand (1,000) feet of the property line of a church, school or public park.
3. A pawnshop shall not be established or expanded within one thousand (1,000) feet of any other pawnshop.

SECTION 630.130: INTEREST RATES

The maximum rate of interest which may be charged for making and carrying any secured personal credit loan shall not exceed the maximum annual rate allowed by Chapter 408.500 RSMo. per month on the amount of such loan.

SECTION 630.140: EXEMPTIONS

The provisions of this Code shall not apply to the following:

1. Transactions between one (1) licensed, established dealer in the normal course of business and another licensed, established dealer.
2. Any precious metal or gem dealer, at least ninety percent (90%) of whose gross income is derived from the sale of newly manufactured merchandise and who certifies this to the City Clerk upon the enactment of this Code and whenever an occupational license shall be obtained or renewed.
3. Estates purchased through banks, attorneys or at an auction or estate sale.
4. Out of State purchases transacted through the United States Mail.
5. Industrial residue or by-products purchased from manufacturing firms.
6. Coins which are not currently in circulation, purchased for their numismatic value.

7. Monetized silver and gold coins.
8. Antique dealers.

SECTION 630.150: ENFORCEMENT

It shall be the duty and responsibility of the Raymore Police Department to enforce this Code. When, on the basis of a complaint, personal observation and/or other information an authorized Law Enforcement Officer reasonably suspects that a violation has occurred, it is the applicant's responsibility to cooperate with the Law Enforcement Officer(s).

SECTION 630.160: PENALTY

Any person, partnership, association, or corporation convicted of violating any of the provisions of this Code may be deemed guilty of a municipal ordinance violation. Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code. The severability of the penalty may include a warning up to the revoking of the license to do business and/or criminal prosecution depending on the seriousness of the offense.

SECTION 630.170: REVOCATION OF LICENSE

If any pawnbroker, or their agents, or employees, shall violate any of the provisions of this Code or Chapter 367 RSMo., and is convicted in any court of the City or State, they may have their pawnbroker's license suspended or revoked by the City Council after a hearing. Ten (10) days written notice of the hearing stating the grounds thereof shall be delivered to said pawnbroker at their place of business or by leaving or posting said notice at the address. The pawnbroker shall have the right at the hearing to be represented by an attorney, to cross examine witnesses, to present evidence, and to testify on their own behalf. The hearing shall be held in public at a regular or special meeting of the City Council. If suspension or revocation of the license occurs, no license fee shall be refunded.

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