

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 REGULATIONS

SECTION 630.010: TITLE

This Chapter will be known as the "Pawnshop Code" and may be cited as such, and will be referred to in this Chapter as the "Code".

SECTION 630.020: PURPOSE

The intent of this Code is to regulate pawnshops and their business practices in order to protect and promote public safety and welfare. This will be accomplished by:

1. Requiring a clean, healthy and safe environment in which business may be conducted.
2. Promoting professionalism and prohibiting illegal acts.
3. Requiring insurance coverage.
4. Enabling authorities to collect information that will assist law enforcement officials with investigations of stolen property.

5. Providing an annual license fee to partially cover the expenses associated with the background investigation and review and processing of reports.
6. Providing geographic limitations designed to preserve the value of the property throughout the City.
7. Providing geographic limitations designed to protect the character of residential and commercial areas.

SECTION 630.030: APPLICABILITY OF CODE

Every pawnshop establishment shall conform to the requirements of this Code, irrespective of when such pawnshop started business within the City limits.

SECTION 630.040: SEVERABILITY

In any case where a provision of this Code is found to be in conflict with a provision of any other ordinance or other legislation of the City existing on the effective date of this Code, the provision which establishes the higher standard for the promotion and protection of the safety, welfare and health of the people shall prevail. If any part of this Chapter should be declared invalid for any reason, such decisions shall not affect the remaining portions of this Code.

SECTION 630.050: DEFINITIONS

For the purpose of this Code, the following words and phrases shall have the following interpretation and/or meanings.

ANTIQUÉ DEALER: Those who sell relics or objects of an earlier period which are considered valuable and the value of which is based on age.

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.

PLEGDED GOODS: Tangible personal property which is deposited or otherwise actually delivered into possession of a pawnbroker in the course of his/her 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 is a subsisting 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 630.060: OCCUPATIONAL LICENSE REQUIRED

- A. 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. 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.
- B. It shall be further unlawful for any person, organization or company within the City limits to participate directly or indirectly in or for the operation of business activity under a different name or designation than those herein specified but for the purpose of carrying out activity or activities defined in this Code.

SECTION 630.070: LICENSE REQUIREMENTS

- A. No person shall carry on the business of pawnbroker within the limits of Raymore, Missouri, without obtaining a license therefore. The annual pawnshop license fee for the operation of a pawnshop shall be one thousand dollars (\$1,000.00) per year.
- B. The applicant must have net assets of at least one hundred thousand dollars (\$100,000.00) readily available for the use in conducting business as a pawnshop. If the City is unable to verify that the applicant meets the net assets required, the applicant must present a finding, including the presentation of a current balance sheet, by an independent certified public accountant that the accountant has reviewed the books and records of the applicant and the applicant meets the net assets requirement of this Code.
- C. 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.
- D. Every person to whom a license shall be granted to carry on the business of a pawnbroker shall enter into a bond to the City, with good and sufficient security

to be approved by the City Manager, in the penal sum of one thousand dollars (\$1,000.00), conditioned for the due observance of this code and all ordinances that may be passed or be enforced regarding pawnbrokers, at any time during the continuance of any such license.

- E. A minimum of one million dollars (\$1,000,000.00) of liability insurance is required for every pawnshop at the time the occupational license is applied for.

SECTION 630.080: DISPOSAL OF GOODS

- A. No pawnbroker shall expose for sale, or sell or dispose of any article, or articles, within seven (7) 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 received by any pawnbroker shall be removed from the pawnbroker's place of business, re-cut or melted within seven (7) days after receipt thereof, 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 him/her 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 he/she pays 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 his/her own property.

SECTION 630.090: 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 seven (7) 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 purchase.
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 item being sold with any identification numbers or markings.

6. A clear and identifiable finger print 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 630.100: WEEKLY REPORT TO POLICE DEPARTMENT

It shall be the duty of every pawnbroker to make out and deliver to the Police Department, on Tuesday of every week, a legible and correct copy of his/her register of all property received, deposited, or purchased during the previous week. Furthermore, the register shall at all times be open to the inspection of commissioned Police Officers.

SECTION 630.110: 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 630.120: 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 630.130: HOURS OF BUSINESS OPERATION

Business shall only be conducted between the hours of 7:00 A.M. and 8:00 P.M.

SECTION 630.140: SIGNAGE

All signs pertaining to a pawnshop shall be affixed to the building in which business is being conducted. In addition, all pawnshops are required to obtain a sign permit from the Planning and Zoning Administrator before establishment of said sign.

SECTION 630.150: 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 seven hundred fifty (750) 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 five hundred (500) feet of any other pawnshop.

SECTION 630.160: INTEREST RATES

The maximum rate of interest which may be charged for making and carrying any secured personal credit loan shall not exceed two percent (2%) per month on the amount of such loan.

SECTION 630.170: 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 Director of the Department of Finance upon the enactment of this Code and thereafter whenever a retail 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 bullion including Krugerrands, Canadian Maple Leaf, Mexican 500 Pesos and United States silver and gold coins.
8. Antique dealers.

SECTION 630.180: 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 Police Officer reasonably suspects that a violation has occurred, it is the applicant's responsibility to cooperate with the Police Officer(s).

SECTION 630.190: PENALTY

Any person, partnership, association, or corporation convicted of violating any of the provisions of this Code may be deemed guilty of a public offense. 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 630.200: REVOCATION OF LICENSE

If any pawnbroker, or his/her agents, or employees, shall violate any of the provisions of this Code or Chapter 367 of the Revised Statutes of Missouri, and is finally convicted in any court of the City or State, he/she may have his/her 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 his/her place of business or by leaving or posting said notice at said 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 his/her 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.