

CITY OF INDEPENDENCE, MISSOURI
PAWNSHOP APPLICATION PROCEDURES

Businesses wishing to operate a pawnshop business in the City of Independence must obtain approval from the City of Independence Planning Commission and City Council. A completed license application must be submitted and will take approximately eight to ten weeks to process.

You must first contact Zoning at (816) 325-7421 or (816) 325-7823 for an application for the Special Use Permit to begin this process.

The following required forms must be printed, fully completed and submitted with the fees. These forms will need to be submitted to the Cashier at City Hall located on the second floor of City Hall, 111 East Maple Street, Independence for continued processing and approval for your business license.

The application is reviewed by several City Departments. Criminal History Background information on the individuals operating the business is checked through the Police Department and the location of the business is reviewed for compliance and other applicable City Codes.

After processing by the City staff, the application and an inspection report is forwarded to the City Council for consideration.

The City Business License will be mailed upon approval. Once a license is issued it will be necessary that all managers/owners apply for a City of Independence individual permit.

Your business is required to have a Missouri Retail Sales Tax License issued by the State of Missouri Department of Revenue. You may contact the Missouri Department of Revenue at 573-751-3505 or visit the web site at <http://www.dor.mo.gov/business>. You must have this number issued to you by the State of Missouri before making application for your Independence business license and submit a "NO TAX DUE" statement issued by the Missouri Department of Revenue.

If your business serves food, drinks or sells packaged foods, you will need to contact the Health Department at 816-325-7803, for a Health Permit. You may also contact the Health Department at 816-325-7185 regarding the Clean Indoor Air Act of 2006. Smoking is now prohibited within enclosed areas of public places and places of employment. "No Smoking" signs or the international "No Smoking" symbol shall be clearly and conspicuously posted at every entrance.

To access the City's Business License Code (Chapter 5) on the internet at www.ci.independence.mo.us, click on City Government and then click on the City Code link.

CHAPTER 5, ARTICLE 8
Junk, Secondhand Dealers and Pawnbrokers

Definition: Junk or Secondhand Dealer - Any person engaged in the business of buying for resale or trade any article.

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 condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Manager - Any person who manages, directs, administers, or is in charge of the affairs and/or conduct of any portion of a pawnshop.

Owner or Owners - The proprietor, if a sole proprietorship; all partners (general and limited), if a partnership; or all officers, directors, and persons holding ten percent (10%) or more of the outstanding shares, if a corporation.

Junk and Secondhand Dealers

Every junk or secondhand dealer buying for trade or sale any articles in excess of a value of \$150.00 shall keep a register in which shall be entered, by number, the date and time the article was received and sold by the dealer along with an appropriate description of the article (including any identifying numbers), together with the name, age, and address of the person selling or leaving the article and the amount of money paid for the article.

Register entries shall be completed within a reasonable time after the receipt or purchase of any article.

Register entries shall be made with ink or indelible pencil and such entry shall not be erased, obliterated, or altered.

A tag bearing a register entry number shall be attached to each purchased job lot or shipment of merchandise or commodity showing the date received.

Merchandise or a commodity need not be tagged if by its nature it is in such form as to make it impossible to be appropriately tagged. This exception does not eliminate other record keeping requirements of the City Code.

Every junk or secondhand dealer shall deliver or otherwise make available a copy of the dealers register upon request of the Chief of Police or any designee.

No article purchased or received by any junk or secondhand dealer shall be resold until after proper registration has been made by the dealer.

The register entry number and date tag shall remain attached to each article that has been tagged until such articles are resold.

Pawnshops

A Pawnshop would be permitted in C-2 (General Commercial) with a Special Use Permit. Contact Zoning at 325-7421 or (816) 325-7823 for the application.

At the time of making any secured personal credit loan, a pawnbroker shall execute and deliver to the borrower a receipt for and describing the tangible personal property subjected to the security interest to secure the payment of the loan. The receipt shall contain the following:

Receipt for Pledged Goods

1. Name and address of the pawnshop;
2. Name, address, and date of birth of the pledgor, the pledgor's description, and the driver's license number, military identification number, social security number, identification certificate number, or other official number capable of identifying the pledgor;
3. The right index finger of the pledgor for all pledged goods for which the amount of cash advanced or credit extended to the pledgor exceeds \$50.00;
4. The date and time of transaction;
5. Identification and description of the pledged goods, including brand name, and serial numbers if reasonably available;
6. The amount of cash advanced or credit extended to the pledgor;
7. The amount of the pawn service charge;
8. The total amount which must be paid to redeem the pledged goods on the maturity date;
9. The maturity date of the pawn transaction;
10. A statement to the effect that the pledgor is not obligated to redeem the pledged goods, and that the pledged goods may be forfeited to the pawnbroker sixty days after the specified maturity date.

If the pawn ticket is lost, destroyed or stolen, the pledgor may so notify the pawnbroker in writing, and receipt of such notice shall invalidate such pawn ticket, if the pledged goods have not previously been redeemed. Before delivering the pledged goods or issuing a new pawn ticket, the pawnbroker shall require the pledgor to make a written affidavit of the loss, destruction or theft of the ticket. The pawnbroker shall record on the written statement the identifying information required, the date of the statement is given, and the number of the pawn ticket lost, destroyed, or stolen. The affidavit shall be signed by a notary public.

Receipt entries shall be made with ink or indelible pencil and said entries shall not be erased, obliterated or altered in any way so as to cause said entries to become illegible.

Receipts must be maintained in a form which contains a pre-printed sequential numbering or lettering system.

An identifying tag must be attached to all pledged goods and shall remain on said pledged goods until redeemed or otherwise disposed.

Every pawnbroker shall deliver or otherwise make available a copy of all receipts upon request of the Chief of Police or any designee.

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 per month on the amount of such loan. Pawnbrokers may also charge for the storage and security of such pledged property.

Loans Due and Return of Collateral

Every secured personal credit loan shall be due and payable in lump sum thirty days after the date of the loan contract, or, if extended, thirty days after the date of the last preceding extension of the loan, and if not so paid when due, it shall, on the next day following, be in default. The pawnbroker shall retain possession of the tangible personal property subjected to the security interest to secure payment of any secured personal credit loan for a period of sixty days next following the date of default. If, during the period of sixty days, the borrower shall pay to the pawnbroker the principal sum of the loan, with the loan fee or fees, and the interest due thereon to the date of payment, the pawnbroker shall thereupon deliver possession of the tangible personal property to the borrower.

But if the borrower fails, during the period of sixty days, to make payment, then title to the tangible personal property shall, on the day following the expiration of the period of sixty days, pay to the pawnbroker, without foreclosure, and the right of redemption by the borrower shall be forever barred.

A pledgor shall have no obligation to redeem pledged goods or make any payment on a pawn transaction.

Except as otherwise provided by law, any person providing proper identification and presenting a pawn ticket to the pawnbroker shall be presumed to be entitled to redeem the pledged goods described therein.

Restrictions on Pawnshop Operations

A pawnbroker shall not:

1. Accept a pledge from a person who is under eighteen years of age;
2. Make any agreement requiring the personal liability of a pledgor in connection with a pawn transaction;

3. Accept any waiver, in writing or otherwise, of any right or protection accorded a pledgor under state law or city ordinance;
4. Fail to exercise reasonable care to protect pledged goods from loss or damage;
5. Fail to return goods to a pledgor upon payment of the full amount due the pawnbroker or the pawn transaction. In the event such pledged goods are lost or damaged as a result of pawnbroker negligence while in the possession of the pawnbroker it shall be the responsibility of the pawnbroker to replace the lost or damaged goods with like kind of merchandise. Pawnbrokers shall not be responsible for loss of pledged articles due to acts of God, acts of war, or riots. Each pawnbroker shall employ, if reasonably available, a reputable company for the purpose of fire and theft security;
6. Conduct transactions involving the purchase or receipt or the trade, sale or other disposition of articles between the hours of midnight and 9:00 a.m. Monday through Saturday or before noon or after 5:00 p.m. on Sunday.

Recordkeeping

Each pawnbroker shall keep, consistent with accepted accounting practices, adequate books and records relating to the pawnbrokers transactions, which books and records shall be preserved for a period of at least two years from the date of the last transaction recorded therein.

Pawnshop Manager's Permit

Any person working as a manager at a pawnshop must first obtain a Pawnshop Manager's Permit from the License Division. Each applicant for a Pawnshop Manager's permit must provide the License Division with a completed application and have a valid and current picture identification showing applicant's birth date (i.e. driver's license, State identification card, passport, or armed services identification card).

Background Investigation

A Pawnshop License or Pawnshop Manager's Permit shall not be issued if applicant has been convicted of a felony or released from confinement for conviction of a felony, whichever event is later, within five years immediately preceding the application, or has not been convicted of a misdemeanor, or released from confinement for conviction of a misdemeanor, whichever event is later, within two years immediately preceding the application, where such felony or misdemeanor involved the operation of a pawnshop, theft, stealing, robbery, burglary or receipt of stolen property and related offenses, as defined in the Missouri Criminal Code, or similar statutes, or has not been convicted of a municipal ordinance violation, or released from confinement for conviction of a municipal ordinance violation, whichever event is later, within two years immediately preceding the application where such municipal ordinance violation involved the operation of a pawnshop, theft, stealing, robbery, burglary, or receipt of stolen property.

It will be responsibility of the applicant to provide an original State of Missouri Criminal Record History Check for each owner/applicant. You may contact the Missouri Highway Patrol office at (573) 526-6153.

Compliance with Other City Ordinances Required

Pawnshop owners shall comply with all building codes, zoning, fire, health, and property maintenance ordinances of the City. Failure to comply with such ordinances or regulations may be a basis for suspension, revocation or non-renewal of the license.

Special Conditions

No pawnshop shall be permitted within 1,200 feet of any religious institution, school, or public park, or any property zoned for residential use. Applicants will provide the License Division with a plot plan prepared by a registered engineer or land surveyor showing the proposed location of the pawnshop and all property uses, and zoning within 1,200 feet, measured in a straight line from the closest exterior structural wall of the pawnshop to the closest property line of the religious institution, school, or public park, or the property zoned for residential use.

No pawnshop shall be allowed to locate or expand within 1,000 feet, measured in a straight line, or any other pawnshop.

Manager or Owner on Premises

There shall be a manager or owner on duty at a pawnshop at all times the pawnshop is open for business. The name of the manager or owner on duty shall be prominently posted during business hours.

It shall be the responsibility of the manager or owner of the pawnshop to have on the premise the names, addresses, home telephone numbers, dates and places of birth and social security numbers of all current and former employees (prior to two years).

Penalty

Any person violating any of the provisions of this Article shall upon conviction thereof be punished by a fine of up to Five Hundred Dollars (\$500.00) for each violation. Each and every day upon which such violation continues shall be deemed a separate offense.

BUSINESS LICENSE APPLICATION

City of Independence, Missouri

Finance Department - Licensing Division

P O Box 1019, Independence, MO 64051 (Mailing Address)

111 East Maple, Independence, MO 64050 (Street Address)

Web Site Address: www.indepmo.org/businesslicense

Telephone: 816-325-7079 or 325-7063 Fax: 816-325-7075

Name of Business Owner/Corporation _____
Mailing Address _____ Suite/Unit # _____
City & State _____ Zip _____ - _____ Attn: _____
Phone # () _____ Ext. _____ Fax # () _____
Contact Person _____ Cell Phone # () _____ EMail _____

Business Name _____
Business Address _____ Suite/Unit # _____
City & State _____ Zip _____ - _____ Attn: _____
Phone # () _____ Ext. _____ Fax # () _____
Contact Person _____ Cell Phone # () _____ EMail _____

Should renewals be mailed to? (Check One) Owner Address _____ Business Address _____
Should licenses be mailed to? (Check One) Owner Address _____ Business Address _____
Business Ownership (Check One): (1) Individual ____ (2) Partnership ____ (3) Corporation ____ (4) LP ____ (5) LLC ____
Describe type of business: _____
Number of Employees _____ MO Sales Tax No. _____ Taxpayer I.D. or SSN _____
Date business began operating in Independence, or is expected to begin: _____
Projected Gross Receipts for Next Twelve Months \$ _____ *

Do Not submit this application without a Missouri Retail Sales Tax Number or a "No Tax Due" statement dated within the last 90 days.

FEE CALCULATION

The following businesses pay a flat annual business license fee as follows:

Pawnshops - Application fee: \$500.00
First location: \$500.00
Additional location: \$250.00

Additional Fees (if applicable)

Amusement Device _____ @ \$15.00 per machine \$ _____
Billiard Table _____ @ \$20.00 per table \$ _____
Coin Operated Pool Table _____ @ \$10.00 per table \$ _____
Game Board _____ @ \$50.00 per board \$ _____
Cigarette Machine _____ @ \$15.00 per machine \$ _____
Juke Box _____ @ \$50.00 per machine \$ _____

TOTAL FEES DUE WITH APPLICATION \$ _____

LICENSE DIVISION - CITY OF INDEPENDENCE, MISSOURI

111 East Maple, Independence, Missouri 64050

(816) 325-7079

PAWNSHOP LICENSE APPLICATION

PLEASE PRINT

Date _____

DATE OF SPECIAL USE PERMIT ORDINANCE _____

Business Name _____

Business Address _____

City, State & Zip Code _____

Business Telephone No. _____

Type of Ownership: Individual () Partnership () Corporation ()

If individual ownership, name of owner _____

Home Address of Owner (including City, State, and Zip Code) _____

Home Telephone No. _____ Social Security No. _____ Date of Birth _____

Has any owner, partner or corporate officer ever been convicted of a violation of any Municipal, State, or Federal law (excluding traffic)? Yes _____ No _____ If yes, state charge, date of conviction, City and State of conviction _____

PARTNERSHIP INFORMATION

| <u>Names of Partners</u> | <u>Home Address</u> | <u>City, State & Zip</u> | <u>Phone No.</u> | <u>SSN #</u> | <u>DOB</u> |
|--------------------------|---------------------|------------------------------|------------------|--------------|------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

CORPORATE INFORMATION

Corporation name, address and telephone number _____

Date of Incorporation _____ State Incorporated in _____

| <u>Names of Corporate Officer</u> | <u>Home Address</u> | <u>City, State & Zip</u> | <u>Phone No.</u> | <u>SSN #</u> | <u>DOB</u> |
|-----------------------------------|---------------------|------------------------------|------------------|--------------|------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

1. Owner(s) must attach a current balance sheet, prepared by an independence certified public accountant the said accountant has reviewed the books and records of the applicant(s) and that the applicant(s) meet the net asset requirements of \$50,000 readily available for use in conducting business as a pawnshop. Said statement must be signed and notarized.

2. A certificate of public liability insurance shall be attached to this application, covering all operations of said owner(s) or applicant(s). Said public liability insurance shall be in the minimum amounts of \$100,000 for each person injured, \$300,000 in the case of injury to two or more persons in any one occurrence, and \$100,000 for damage to property. Such policy shall provide that the City of Independence be named as certificate holder and shall be notified of any cancellation or alteration by the insurance carrier within ten days before such cancellation or alteration becomes effective.

3. **BACKGROUND INVESTIGATION** - The State of Missouri charges a fee **per person** for a criminal record check, which is conducted by the Missouri Highway Patrol in Jefferson City. At the time of application, you must submit the **original** State of Missouri Criminal Record History on each Owner/Partners/Principle Corporate Officers (if a corporation). The Missouri State Highway Patrol office has notified the City that the processing time for a criminal record check is approximately four to six weeks if processed by mail.

To expedite the criminal record checks, the applicant may obtain them the same day from the Missouri Highway Patrol Office in Jefferson City, Missouri. The **original** criminal record check must be submitted to the License Division with the application. The address for the Missouri Highway Patrol office is 1510 East Elm Street, Jefferson City, Missouri, and their telephone number is 573-526-6153. It is recommended that you contact the Highway Patrol office regarding their requirements for issuance of a criminal record check. A copy of the Missouri State Highway Patrol Request for Criminal Record form is attached.

4. A certified survey of all property within 1,200 of the proposed location is to be attached indicating the proposed location of the pawnshop and all surrounding structures, their uses, and zoning. This survey must show the distance and location of any religious institution, school, public park, other pawnshop, or any property zoned for residential use. Such distance shall be measured in a straight line from the closest exterior structural wall of the pawnshop to the closest property line of the religious institution, school, public park, other pawnshop, or any property zoned for residential use. **If the items taken in for pawn are not offered for resale at the premises**, disregard the above survey requirement. However, a notarized statement (form provided) will be required.

5. Processing Fee - Each application shall be accompanied by a processing fee of \$500.00 if the applicant is unlicensed in the City of Independence at the time of applying for a pawnshop license, **or** \$250.00 if the application involves a second or additional license to an applicant previously licensed for a separate location in the City of Independence or involves substantially identical principals and owners of a licensed pawnshop at a separate location.

6. Application Fee - \$500.00

Return FULLY completed forms and attachments to the Cashier's window at the second floor of City Hall which is located at 111 E. Maple, Independence, MO. All payments are due at the time of application. PARTIAL APPLICATIONS WILL BE RETURNED.

I (we) affirm that the answers given on this application are true and complete to the best of my (our) knowledge and belief. I (we) understand that an Business License can only be granted subject to the restrictions upon its use. I (we) hereby agree that I (we) hereby agree that I (we) will observe those restrictions as specifically enumerated in Chapter 5 of the City Code of the City of Independence, and Section 367.043 RS.MO.

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Subscribed and sworn before me, a Notary Public of the State of Missouri, this ____ day of _____ 20__.

My Commission Expires: _____

Notary Public

YOU MUST FIRST BE APPROVED BY ZONING FOR A SPECIAL USE PERMIT TO CONTINUE YOUR APPLICATION PROCESS.

Once the application is approved a license will be mailed.

LICENSE DIVISION - CITY OF INDEPENDENCE, MISSOURI
111 East Maple, Independence, Missouri 64050
(816) 325-7079

PAWNSHOP LICENSE APPLICATION
STATEMENT OF NO RESALE

Date_____

It shall be understood that my business, known as _____
is classified by the City of Independence as a pawnshop. My business **will not** offer retail sales of any items taken
in as security for a loan, and therefore, is exempt under Section 5.08.011 of the City Code from the restriction
against pawn shops locating within 1,200 feet of a religious institution, school, public park, or property zoned for
residential use.

If at any time, items are offered for retail sale at the licensed premises, I understand my City of Independence
Occupation License can be revoked or suspended.

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Signature of Owner, Partner, Corporate Officer

Subscribed and sworn before me, a Notary Public of the State of Missouri, this ____ day of _____ 20__.

My Commission Expires: _____

Notary Public

MANAGER’S PERMIT INFORMATION

It shall be unlawful for any person, other than an owner, to work as a manager at a pawnshop without having first obtained from the License Officer a permit to do so or to continue to work as a manager at such business after such person’s permit has been revoked or suspended.

The fee for this permit is \$15.00. It will be valid for a period of three years from the date of issuance and will need to be renewed. There is no refund of the application fee if the permit is denied; however, there is no fee to apply for a duplicate. Once the permit is issued, the permit must be posted on the premises at the place of employment when on duty and the same must be exhibited to any duly authorized law enforcement officer or citizen upon request.

As a convenience, the City of Independence has a website to allow you to apply for or renew your “Employee Permit” over the internet. You must have a printer available for printing the actual permit when using this process and a credit card for payment. To use this service, please go to the web site at www.indepmo.org/businesslicense. Click on “**Employee Licenses/Permits**” and then select the desired process. Permits issued by other cities or governments are not valid for businesses within the city limits of Independence.

If you have no access to the internet you must come in person to the second floor of City Hall, 111 E. Maple between the hours of 8 A.M. and 4:15 P.M. Monday thru Friday where computer terminals are provided for your use. The application/renewal process has now become solely automated and has to be done on the computer.

When making application it is required for you **to bring** (if making application at City Hall) **or mail** (if application was made on the web) one recent passport size photo and the required processed State of Missouri Criminal Record to the “License Division/Cashier” at City of Independence City Hall, 111 E. Maple, P O Box 1019, Independence, MO 64051. **Your permit will not be valid until this document has been received by the City of Independence License Division.**

STATE CRIMINAL RECORD CHECK - The State of Missouri charges a fee **per person** for a criminal record check, which is conducted by the Missouri Highway Patrol in Jefferson City. **You must apply for and submit an original processed** State of Missouri Criminal Record History. The Missouri Highway Patrol has notified the City that the processing time for a criminal record check is approximately four to six weeks if processed by mail. The **original** criminal record check **must be submitted** to the License Division before your permit will be valid.

To expedite the criminal record check, Missouri State Highway Patrol now provides the ability to request a criminal background check on their website at www.machs.mshp.dps.mo.gov you may also obtain them the same day by driving to the Missouri Highway Patrol office in Jefferson City, Missouri. The address for the Missouri Highway Patrol office is 1510 East Elm Street, Jefferson City, Missouri, and their telephone number is (573)-526-6153.

The following business located in Jefferson City, Missouri might be able to obtain the required criminal history for a processing fee. **Inform them you must have the original mailed to you.**

Missouri Record Search.....573-635-0142
Harmon Processing.....573-635-6690
Missouri Record Service.....573-893-4428
C & S Business Services, Inc.....573-635-9295
Strum Research.....573-496-3534
The Security Group LLC.....573-761-7577