

FRIDLEY CITY CODE
CHAPTER 31. PAWN SHOPS
(Ref. 970, 1060, 1077, 1137, 1240)

31.01 PURPOSE

The City council finds that the use of services provided by pawnbrokers provides an opportunity for the commission of crimes and their concealment because pawn businesses have the ability to receive and transfer property stolen by others easily and quickly. The City Council also finds that consumer protection regulation is warranted in transactions involving pawnbrokers. The City Council also finds that consumer protection regulation is warranted in transactions involving pawnbrokers. The City Council further finds that the pawn industry has outgrown the City's current ability to effectively or efficiently identify criminal activity related to pawn shops. The purpose of this chapter is to prevent pawn businesses from being used as facilities for the commission of crimes and to assure that such businesses comply with basic consumer protection standards, thereby protecting the public health, safety, and general welfare of the citizens of the City.

To help the police department better regulate current and future pawn businesses, decrease and stabilize costs associated with the regulation of the pawn industry, and increase identification of criminal activities in the pawn industry through the timely collection and sharing of pawn transaction information, this chapter also implements and establishes the required use of the Automated Pawn System (APS).

31.02 DEFINITIONS

The following words and terms when used in this Chapter shall have the following meanings:

1. Licensee.

The person, corporation, partnership, or association to whom a license is issued under this Chapter including any agents or employees of the person, corporation, partnership, or association.

2. Minor.

Any natural person under the age of eighteen (18) years.

3. Pawnbroker.

A person, corporation, partnership, or association who loans money on deposit or pledge of personal property or other valuable things or who deals in the purchasing of personal property or other valuable things on condition of selling the same back again at a stipulated price or who loans money secured by security interest on personal property or any part thereof. This Chapter does not apply to a person, corporation, partnership, or association doing business under and as permitted by any law of this State or of the United States relating to banks, building and loan associations, savings and loan associations, trust companies or credit unions.

4. Public Safety Director.

The Public Safety Director of the City of Fridley or the Director's designee.

5. City.

The City of Fridley, Minnesota, a municipal corporation.

6. Reportable Transaction.

Every transaction conducted by a pawnbroker in which merchandise is received through a pawn purchase, consignment or trade, or in which a pawn is renewed, extended, redeemed or voided, is a reportable transaction except:

A. The bulk purchase or consignment of new or used merchandise from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said merchandise, provided the pawnbroker must maintain a record of such purchase or consignment which describes each item, and must mark each item in a number which relates it to that transaction record.

B. Retail and wholesale sales of merchandise originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

7. Billable Transactions.

Every reportable transaction conducted by a pawnbroker except renewals, redemptions, or extensions of existing pawns on items previously reported and continuously in the licensee's possession is a billable transaction.

8. Acceptable Identification.

Acceptable forms of identification are a current valid Minnesota driver's license, a current valid Minnesota identification card, or a current valid photo identification card issued by another state or a province of Canada.

31.03. LICENSE REQUIRED.

No person, corporation, partnership, or association shall exercise, carry on or be engaged in the trade or business of pawnbroker without first obtaining a license from the City as provided in this Chapter.

31.04. INITIAL LICENSE APPLICATION.

1. General.

Applications for pawnbrokers' licenses to be issued under this Chapter shall contain information as required on forms prescribed by the City.

2. Nature of Application.

The application shall state whether the applicant is a natural person, corporation, partnership or other form of organization.

3. Natural Person,

If applicant is a natural person, the following information shall be furnished

A. True name, place and date of birth and street residence address and length of time at that address, of applicant.

B. Whether applicant has ever used or been known by a name other than his true name and, if so, what was such name or names, and information concerning dates and places where used.

C. The name of the business if it is to be conducted under a designation, name or style other than the full individual name of the applicant

D. Kind, name and location of every business or occupation applicant has been engaged in during the preceding five (5) years.

E. Names and addresses of applicant's employers and partners, if any, for the preceding five (5) years.

F. Whether applicant has ever been convicted of a felony, gross misdemeanor or misdemeanor, excluding traffic violations, and if so, the date and place of conviction and the nature of the offense.

G. If applicant has not resided in the City for three (3) years last preceding the date of application, at least four (4) character references from residents of the State of Minnesota.

4 Partnership.

If applicant is a partnership, the names and addresses of all partners and all information concerning each partner as is required of a single applicant. A managing partner, or partners, shall be designated. The interest of each partner in the business shall be disclosed.

5. Corporation.

If applicant is a corporation or other association, the following information shall be required,

A. Name and, if incorporated, the state of incorporation.

B. A true copy of the certificate of incorporation, articles of incorporation or association agreement and by-laws and, if a foreign corporation, a certificate of authority as described in Minnesota Statutes

C. The name, of the operating officer or proprietor or other agent in charge of the premises to be licensed, giving all the information about said person as is required of a single applicant. As used in this Chapter, the term "operating officer" shall mean the person responsible for the day-to-day operating decisions of the licensed premises.

D. A list of all persons who, singly or together with their spouse, or a parent, brother, sister or child or either of them, own or control an interest in said corporation or association in excess of five percent (5%) or who are officers or directors of said corporation or association; together with their addresses and all information as is required of a single applicant.

6. New Manager.

When a licensee places a manager in charge of a business, or if the named manager(s) in charge of a licensed business changes, the licensee must complete and submit the appropriate application within fourteen (14) days. The applicant must include all appropriate information required in section 31.04.

7. Description of premises.

A. Legal Description.

The exact legal description of the premises to be licensed, together with a plot plan of the area for which the license is sought showing dimensions, location of buildings, street access parking facilities.

B. Street Address.

The street address of the premises for which application is made.

8. Taxes.

Whether or not all real estate taxes, assessments, or other financial claims of the City, State or Federal government for the business and premises to be licensed have been paid, and if not paid, the years for which delinquent.

9. Other Information Required.

Such other information as the City Council shall require.

31.05. RENEWAL APPLICATIONS.

1. License Period, Expiration.

Each renewal license shall be issued for a maximum period of one year.

31.06. EXECUTION OF APPLICATION.

If application is by a natural person, it shall be signed and sworn to by such person; if by a corporation, by an officer thereof; if by a partnership, by one of the general partners; if by an incorporated association, by the operating officer or managing officer thereof. If the applicant is a partnership, the application, license and bond shall be made and issued in the name of all partners. Any false statement in an application shall result in denial of the application.

31.07. GRANTING LICENSES.

1. At the time of making an initial or renewal application, the applicant shall, in writing, authorize the Police Department to investigate all facts set out in the application and do a personal background and criminal record check on the applicant. The applicant shall further authorize the Police Department to release information received from such investigation to the City Council.

2. Each license shall be issued to the applicant only and shall not be transferable.

3. Each license shall be issued only for the premises described in the application and shall not be transferable to a different location.

4. No change in ownership, control or location of a license shall be permitted except by amendment to the license which amendment must be approved by the City Council.

5. No more than two (2) licenses shall be issued by the City at any time and priority shall be given to qualified applicants for renewal of existing license.

31.08. LICENSE FEES ESTABLISHED.

1. Billable Transaction Fees

Licensees shall pay a monthly transaction fee on all billable transactions as specified in Chapter 11, General Provisions and fees, of the Fridley City Code. Such fee shall be due and payable within 30 days. Failure to timely pay the billable transaction fee shall constitute a violation of this section.

2. Annual Fees.

The annual license fee for licenses required by this article shall be in the amounts as specified in Chapter 11, General Provisions and Fees, of the Fridley City Code.

3. Investigation Fees.

At the time, of each original application for a license, the applicant: shall pay, in full, an investigation fee. The investigation fee shall be as specified in Chapter 11, Provisions and Fees, of the Fridley City Code.

31.09. PAYMENT OF FEES.

1. Initial Fees.

The annual license and investigation fees for a new license shall be paid in full before the application for the license is accepted. Upon rejection of any application for a license or upon withdrawal of an application before approval of the issuance by the Council, the license fee only shall be refunded to the applicant except where rejection is for a willful misstatement in the license application. If any investigation outside the State of Minnesota is required, the applicant shall be charged the cost which shall be paid by the applicant, prior to issuance of a license, after deducting the initial investigation fee, whether or not the license is granted.

2. Pro Rated Fee for New Licenses.

If the application for a new license under this Chapter is made during a license year, a license may be issued for the remainder of the license year for a fee assessed proportionately by the number of months remaining in the license year. Any fraction of a month will be counted as a complete month.

No refund, reduction, or adjustment of a license fee shall be made to any licensee that ceases operation during the term of the license.

3. Renewal Fees.

The annual license fee for renewal of a license, shall be paid in full at the time the renewal application is filed with the City.

31.10. BOND REQUIRED.

At the time of filing, in application for a license, the applicant shall file a bond in the amount of Five Thousand Dollars (\$5,000) with the City. The bond, with a duly licensed surety company as surety thereon, must be approved as to form by the City Attorney. Said bond must be conditioned that the licensee shall observe the ordinances of the City, in relation to the business of pawnbroker, and that the licensee, will account for and deliver to any person legally entitled thereto any articles which may have come into the possession of the licensee as pawnbroker or in lieu thereof such licensee shall pay the person or persons the reasonable value thereof.

31.11. PERSONS AND PLACES INELIGIBLE FOR LICENSE.

1. No license shall be granted to or held by any person who:
 - A. Is a minor at the time the application is filed.
 - B. Has been convicted of any crime directly related to the occupation licensed, as prescribed by Minnesota Statutes, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a pawnbroker.

31.12. CONDITIONS OF LICENSES.

1. Records.

Every license, at the time of receipt of an article deposited, left, sold, purchased, pledged or pawned, shall immediately record, in English, on forms or in an electronic data storage and retrieval system approved by the Public Safety Director, the following information:

- A. An complete and accurate description of the article, including but not limited to, any manufacture name, brand name, model number, serial number, identification number, or other identifying mark.
- B. The amount of money received by the person pawning, pledging, or selling the article, together with the annual rate of interest and the amount required to redeem the article if it was pawned or pledged.
- C. The date, time and place of receipt of the article, and the unique alpha and/or numeric transaction identifier that distinguishes it from all other transactions in the licensee's records. Transaction identifiers must be consecutively numbered.
- D. The full name, date of birth, current residence, current telephone number if possessed, and a reasonably accurate description of the person from whom the article was received including at a minimum sex, height, weight, and race, color of eyes and color of hair.
- E. The identification number and state of issue from an acceptable form of identification.
- F. The name or unique identifier of the licensee or employee that conducted the transaction.
- G. The signature of the person identified in the transaction.
- H. The licensee must also take a color photograph or color video recording of:
 - (1) Each customer involved in a billable transaction.

- (2) Every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed.

If a photograph is taken, it must be at least two (2) inches in length by two (2) inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which it relates. Such photographs must be available to the Public Safety Director or his designee upon request. The major portion of the photograph must include an identifiable front facial close-up of the person who pawned or sold the item. Items photographed must be accurately depicted. The licensee must inform the person that he or she is being photographed by displaying a sign of sufficient size in a conspicuous place in the premises. If a video photograph is taken, the video camera must zoom in on that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate. The licensee must inform the person that he or she is being videotaped orally and by displaying a sign of sufficient size in a conspicuous place on the premises. The licensee must keep the exposed videotape for three (3) months and surrendering it to the police department upon request.

- I. Effective sixty (60) days from notification by the police department, licensees must fulfill the color photograph requirements in section 31.12.1.H by submitting them as digital images in a format specified by the issuing authority, electronically, cross-referenced to the reportable transaction they are associated with. Notwithstanding the digital images may be captured from required video recordings, this provision does not alter or amend the requirements in subdivision H.

- J. For renewals, extensions and redemptions, the licensee shall provide the original transaction identifier, the date of the current transaction, the type of transaction.

2. Disposition Of Articles.

- A. When any article of pawned or pledged property is redeemed from a licensee, the records shall contain an account: of such redemption with the date, interest charges accrued, and the total amount for which the article was redeemed.

- B. When an article of purchased or forfeited property is sold or disposed of by a licensee and the licensee receives one-hundred dollars (\$100.00) or more in payment thereof, the records shall contain an account of such sale with the date, and telephone number of the person to whom sold.

3. Inspection of Records.

The records referred to in this section shall be open to the inspection of the Public Safety Director at all reasonable times and shall be retained by the licensee for at least three (3) years. Entries of required digital images shall be retained a minimum of ninety (90) days.

4. Label Required

Licenseses must attach a label to every item at the time it is pawned, purchased or received in inventory from any reportable transaction. Permanently recorded on this label must be the number or name that identifies the transaction in the pawn shop's records, the transaction date, the name of the item and the description or the model and serial number of the item as reported to the police department, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels shall not be reused.

5. Receipt.

Every licensee must provide a receipt to the party identified in every reportable transaction and must maintain a duplicate of that receipt for three (3) years. The receipt must include at least the following information:

- A. The name, address and telephone number of the licensed business.
- B. The date and time the item was received by the licensee.
- C. Whether the item was pawned or sold, or the nature of the transaction.
- D. An accurate description of each item received including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.
- E. The signature of unique identifier or the licensee or employee that conducted the transaction.
- F. The amount advanced or paid.
- G. The monthly and annual interest rates, including all pawn fees and charges.
- H. The last regular day of business by which the item must be redeemed by the pledgor without risk that the item will be sold, and the amount necessary to redeem the pawned item on that date.
- I. The full name, residence address, residence telephone number, and date of birth of the pledgor or seller.
- J. The identification number and state of issue from an acceptable form of identification.
- K. Description of the pledgor or seller, including sex, height, weight, race, color of eyes and color of hair.

- L. The signature of the pledgor or seller.
 - M. All printed statements as required by Minnesota State Statute 325J.04, subdivision 2, or any other applicable statutes.
6. Daily Reports to Police.
- A. Unless otherwise authorized by the Police Department, licensees must provide to the Police Department the information required in Section 31.12.1 by transferring that information from their computer to the Police department via modem. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the City of Fridley using a dial callback protocol or other procedures that address security concerns of the licensees and the City of Fridley. The licensee must display a sign of sufficient size, in a conspicuous place on the premises, which informs all patrons that all transactions are reported to the Police Department daily.
 - B. Licensees will be charged monthly for billable transactions at the current rate established by the City Council.
 - C. If a licensee is unable to successfully transfer the required reports by modem, the licensee must provide the Police Department printed copies of all reportable transactions along with the video tape(s) for that date by 12:00 o'clock noon the next business day. If the problem is determined to be in the licensee's system and is not corrected by the close of the first business day following the failure, the license must provide the required reports as provided for herein, but may be charged a reporting failure penalty, established by the City Council, each day until the error is corrected. If the problem is determined to be outside the licensee's system, the licensee must continue to provide the information as provided herein, and resubmit all such transactions via modem when the error is corrected. Regardless of the cause or origin of the technical problems that prevented the licensee from uploading their reportable transactions, upon correction of the problem, the licensee shall upload every reportable transaction from every business day the problem existed.
 - D. If a licensee is unable to capture, digitize or transmit the photographs required in Section 31.12.1 the licensee must immediately take all required photographs with a still camera, immediately develop the pictures, cross reference the photographs to the correct transaction, and deliver them to the Police Department by 12:00 o'clock noon the next business day. Licensees may be subject to an additional charge for each photograph submitted in this manner after the close of the first business day following failure.
 - E. Notwithstanding any other provisions herein, the Public Safety Director, or his designee, upon presentation of extenuating circumstances, may extend the period before any additional charges are imposed for the manual reporting of billable transactions.

7. Redemption Period.

Any person pledging, pawning or depositing an article for security shall have a minimum of ninety (90) days from the date of that transaction to redeem the article before it may be forfeited and sold. During the ninety (90) day holding period articles shall not be removed from the licensed premises.

Licensees are prohibited from redeeming any article of property to anyone other than the person to whom the receipt was issued; or to any person identified in a written and notarized authorization to redeem the article(s) of property identified in the receipt; or to a person identified in writing by the pledgor at the time of the initial transaction and signed by the pledgor; or with the approval of the Public Safety Director. Written authorization for release of articles of property to persons other than the original pledgor must be maintained along with the original transaction record.

8. Holding Period.

No article of property pledged, pawned or on deposit for security with any licensee shall be permitted to be redeemed for a period of seventy-two (72) hours from the date of transaction, excluding Sundays and holidays, except upon written authorization of the Public Safety Director.

No article of property purchased by a licensee may be sold or otherwise disposed of for thirty (30) days from the date of the transaction except that articles of property for which there exists a valid certificate of title issued by the State of Minnesota, showing ownership and registration by the person from whom the article was received, may be sold or otherwise disposed of ten (10) days from the date of transaction.

9. Police Restrictions on Sale or Redemption.

A. Investigative Hold.

Whenever a law enforcement official from any agency, acting in the course and scope of his or her duties, notifies a licensee not to sell or permit to be redeemed an article of property in the licensee's possession, the article may not be sold, redeemed or removed from the premises by the licensee. The Investigative Hold shall be confirmed in writing by the originating agency within seventy-two (72) hours and will remain in effect for fifteen (15) days from the date of notification, or until the hold is cancelled, or until a Police Hold is issued pursuant to section 31.12.9.B, or until the article is confiscated, whichever comes first.

B. Police Hold.

Whenever the Public Safety Director notifies a licensee not to sell or permit to be redeemed an article of property in the licensee's possession, the article may not be sold, redeemed or removed from the premises by the licensee. The Police Hold shall be confirmed in writing within seventy-two (72) hours and will remain in effect for ninety (90) days from the date of notification unless the Public Safety Director determines the hold is still necessary and notifies the licensee in writing. When a Police Hold is no longer needed the Public Safety Director shall so notify the licensee.

C. Confiscation.

If an article of property in the licensee's possession is determined to be stolen, it may be confiscated and seized as evidence by any police officer. A request for restitution from any person charged in regards to the stolen property confiscated shall be made on behalf of the licensee. When an article of property is confiscated, the person doing so shall provide identification upon request of the licensee, and shall complete a confiscation report providing at a minimum the name and telephone number of the confiscating agency and investigator, and the case number of the police report related to the confiscation. The confiscation report shall be included with the daily reports to police, submitted by the licensee, for review by the Public Safety Director.

10. Payment by Check.

Payment of more than five hundred dollars (\$500.00) by any licensee for any article deposited, left, purchased, pledged or pawned shall be made only by a check, draft or other negotiable or nonnegotiable instrument or order of withdrawal which is drawn against funds held by a financial institution.

11. Posting License.

All licensees shall post their licenses, in a conspicuous place, in the licensed premises under the licensed activity.

12. Responsibility of Licensee.

The conduct of agents or employees of a licensee, while engaged in performance of their duties for their principal or employer under such license, shall be deemed the conduct of the licensee.

13. Penalty for Property Owner.

It is unlawful for any person who owns or controls any real property to knowingly permit it to be used for pawnbroking without a license required by this Chapter.

14. Business at Only One Place.

A license under this Chapter authorizes the licensee to carry on its business only at the permanent place of business designed in the license. However, upon written request, the Public Safety Director may approve an off-site locked and secure storage facility. The licensee shall permit inspection of the facility in accordance with Section 31.14. All provisions of this Chapter regarding record keeping and reporting apply to the facility and its contents. Articles of property shall be stored in compliance with all provisions of the City Code.

31.13. RESTRICTED TRANSACTIONS

1. No licensee shall be open for the transaction of business on any day of the week before 7:00 a.m. or after 10:00 p.m.
2. No licensee shall purchase, accept, or receive any article of property from any minor or from any person of unsound mind or from an intoxicated person.
3. No licensee shall purchase, accept, or receive any article of property which contains an altered or obliterated serial number or an article of property whose serial number has been removed.
4. No licensee purchase, accept, or receive any article of property knowing, or having reason to know, that the article of property is encumbered by a security interest. For the purpose of this section "security interest" means an interest in property which secures payment or other performance of an obligation.
5. No licensee no any agent or employee of a licensee shall purchase, accept, or receive any article of property from any person knowing, or having reason to know, that said person is not the true and correct owner of the property.
6. No licensee nor any agent or employee of a licensee shall purchase, accept, or receive any article of property, from any person, without first having examined an acceptable form of identification.

31.14. INSPECTION.

1. Premises.

Any licensee shall, at all times during the term of the license, allow Public Safety Director to enter the premises, where the licensee is carrying on business, including all off-site storage facilities as authorized in Section 31.12.14, during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the articles and records therein to locate goods suspected or alleged to have been stolen and to verify compliance with this Chapter or other applicable laws. No licensee shall conceal any article in his possession from the Public Safety Director.

2. Inspection by Police or Claimed Owner.

All articles of property coming into the possession of any licensee, under the terms hereof, shall be open to inspection and right of examination of any police officer or any person claiming to have been the owner thereof or claiming to have had an interest therein when such person is accompanied by a police officer.

31.15. CONDUCT OF PERSONS ON LICENSED PREMISES.

1. No person may pawn, pledge, sell, leave, or deposit any article of property not their own; nor shall any person offer or attempt to pawn, pledge, sell, leave, or deposit the property of another, whether with permission or without, nor shall any person pawn, pledge, sell, leave or deposit any article of property in which another has a security interest; with any licensee. (Ref 1240)

2. No minor may pawn, pledge, sell, leave, or deposit any article of property with any licensee.

3. No person may pawn, pledge, sell, leave, or deposit any article of property with any licensee without first having presented an acceptable form of identification

4. All licensees shall by adequate signage and separate written notice inform persons seeking to pawn, pledge, sell, leave, or deposit articles of property with the licensee of the foregoing requirements.

For the purpose of this section “adequate signage” shall be deemed to mean at least one sign, of not less than four (4) square feet in surface area, comprised of lettering of not less than three-quarters (3/4) of an inch in height, posted in a conspicuous place on the licensed premises and stating substantially the following:

TO PAWN OR SELL PROPERTY:

YOU MUST BE AT LEAST 18 YEARS OF AGE.

YOU MUST BE THE TRUE OWNER OF THE PROPERTY.

THE PROPERTY MUST BE FREE OF ALL CLAIMS AND LIENS.

YOU MUST PRESENT VALID PHOTO IDENTIFICATION.

VIOLATION OF ANY OF THESE REQUIREMENTS IS A CRIME.

For the purpose of this section “separate written notice” shall be deemed to mean either the receipt, as required in Section 31.12.5, or a printed form, incorporating a statement to the effect that the person pawning, pledging, selling, leaving, or depositing the article is at least eighteen (18) years of age; is the true owner of the article; and that the article is free of all claims and liens; which is acknowledged by way of signature of the person pawning, pledging, selling, leaving, or depositing the article.

5. No person seeking to pawn, pledge, sell, leave, or deposit any article of property with any licensee shall give a false or fictitious name; nor give a false date of birth; nor give a false or out of date address of residence or telephone number; nor present a false driver's license or identification card; to any licensee.

31.16. CORPORATIONS, PARTNERSHIPS OR ASSOCIATIONS.

1. Licenses issued to corporations shall be valid only as long as there is no change in the officers or ownership interest of the corporation unless such change is approved by the Council, in which event said license shall continue in force until the end of the then current license year. Failure to report any change in stockholders, officers, or managers shall be grounds for the revocation of all licenses held by the corporation. Every corporation licensed under the provisions of this section shall adopt and maintain in its bylaws a provision that no transfer of stock is valid or effective unless approved by the City Council and shall require that all of its certificates of stock shall have printed on the face thereof: "the transfer of this stock certificate is invalid unless approved by the City Council of Fridley, Minnesota," and failure to comply with this provision shall be grounds for the revocation of all licenses held by the corporation. The provisions of this section shall not apply to the issuance of any license to a corporation whose stock is traded on a public stock exchange.

2. Licenses issued to associations or partnerships shall be valid only as long as there is no change in the partnership or association agreement or in the ownership of said partnership or association unless such change is approved by the Council, in which event said license shall continue in force until the end of the then current license year.

3. Corporation, partnerships or associations shall submit written notice to the City of any such changes described herein on or before thirty (30) days prior to the effective date of any such change. In case of a corporation, the licensee shall submit written notice to the City when a person not listed in the initial application will be acquiring an interest and shall give all information about said person as is required of a person pursuant to the provisions of this Chapter.

31.18. REFUSAL, SUSPENSION OR REVOCATION.

1. It is unlawful for any applicant to make a false statement or omission upon any application form. Any false statement in such application, or any omission to state any information called for on such application form, shall upon discovery of such falsehood, work an automatic refusal of license, or if already issued, shall render any license issued pursuant thereto, void. Prior issuance is no effect to protect the applicant from prosecution for violation of this section or any part hereof.

2. The City Council may suspend or revoke a license issued under this Chapter for operation on any premises on which real estate taxes, assessments or other financial claims of the City or of the State are delinquent, or unpaid.

3. The City Council may suspend or revoke a license issued under this Chapter upon a finding of a violation of any of the provisions of this Chapter or any State Statute regulating pawnbrokers. Any conviction by the pawnbroker for theft, receiving stolen property or any other crime or violation involving stolen property shall result in the immediate suspension pending a hearing on revocation of any license issued hereunder.

4. Except in the case of a suspension pending a hearing on revocation, a revocation or suspension of a license by the Council shall be preceded by a public hearing. The hearing notice shall be given at least ten (10) days prior to the hearing, include notice of the time and place of the hearing, and shall state the nature of the charges against the licensee.

31.19. PENALTY.

Violation of any provision of this article shall be a misdemeanor.