

PAWN SHOP/DEALER IN PRECIOUS METALS AND GEMS

Pawn Shop Application Form

Minimum Fees (Must be paid with certified funds):

Annual Regulatory \$2000

Annual Occupation Tax \$89

Initial Registration Fee \$25

Non refundable Processing Fee \$100

Copy of signed lease agreement

Copies of owner's Driver's License & Social Security Cards

O.C.G.A. §50-36-1(e)(2) Affidavit Verifying Status from each owner (must be notarized)

**Consent Form/Statement of Arrests and Dispositions (must be notarized -
If residence is outside state of Georgia, must provide criminal history provided by
state of residency)**

**If incorporated, must provide copy of certificate of incorporation and articles
incorporation.**

Private Employer Affidavit (must be notarized)

CITY of MARIETTA
Business License and Revenue Division
205 Lawrence Street
PO Box 609
Marietta, Georgia 30061
Phone:(770) 794-5520 Fax:(770) 794-5685

For Office Use Only
Tax Cert. No. _____
Account No. _____
SIC Code _____
Zoning _____
Dntc _____

PAWN SHOP/DEALER IN PRECIOUS METALS & GEMS APPLICATION

INSTRUCTIONS: PLEASE TYPE APPLICATION AND ANSWER ALL QUESTIONS.

1. Full Name of Business _____
Under What Name is the Business to be Operated? _____
Is the Business a Proprietorship () ; Partnership () ; Corporation, Domestic () ; Foreign ()
Nature and Character of Business _____
Projected Gross Receipts (In the State of Georgia from this location) _____
Federal Tax ID Number _____ Georgia Sales Tax Number _____
2. Location _____
If the location is not owned, please state name of property owner _____
3. Business Telephone _____ Beginning Date of Business in Marietta _____
4. Full and True Legal Name of Applicant _____
Any Aliases or Name Changes used in last five (5) years _____

Date of Birth _____ Social Security Number _____
Driver's License Number _____ State _____
Full Name of Spouse _____
Date of Birth _____ Social Security Number _____
Driver's License Number _____ State _____
Are you a Citizen of the United States? Yes () No () Persons that are not U.S. Citizens must provide original immigration card I-551 to the Business License Division for verification and copying. Naturalized citizens must provide their original certificate of naturalization for verification by the Business License Division. This applies to the applicant, each owner, each partner, each stockholder with 20% or more ownership, and their spouses. (Passports will not be accepted.)
Where were you born? Street _____ County _____
City _____ State _____
Current Address: Street _____ County _____
City _____ State _____
Do you reside in Cobb County? Yes () No () How Long _____
Number of years at present address _____ In Georgia _____
Telephone: Residence _____

What has been your occupation for the past five (5) years? Give specific details.

5. List all Partners, Individuals and Employees associated with this business.
Give name, address, telephone number, date of birth, and social security number.

6. List name and percent of ownership of all parties.

7. Do you have other stores or locations?

8. If the applicant, any partners or any corporate officers or directors have been arrested or convicted of any crime involving good moral character, felony, theft, fraud, deceptive business practices, or convicted of an attempt to commit any of above mentioned offenses in the past ten (10) years, the applicant shall provide a complete description of any such crime including date of violation, date of conviction, jurisdiction and any disposition, including any fine or sentence imposed and whether the terms of disposition have been fully completed.

9. How is the proposed location zoned? _____
By Zoning Administrator _____

10. Are there any fees, taxes, fines, utilities or other charges due to the City of Marietta or Marietta Power?
Yes () No () If yes, please specify. _____

11. Who is the Majority Partner or Stockholder?

12. Please give three (3) character references from individuals who are in no way related to the applicant or individual shareholders, officers or directors of a corporation and who are not or will not benefit financially in any way from the application if the license is granted and who have not been convicted of any crime involving moral character. Please include name, address and telephone number.

13. Are there any City employees employed by, has a vested ownership interest or is connected in any way, directly or indirectly, with the operation of this pawnshop? Yes () No () If yes, please specify.

14. Has applicant received a copy of the City Code and are you thoroughly familiar with them? Yes () No ()

GEORGIA, COBB COUNTY

I, _____, being duly sworn according to law, do swear, that the facts made by me in the above and foregoing answers to questions are true and no false or fraudulent statement is made herein.

Notary Signature
Sworn to and subscribed before me this _____ day of _____
20 ____.

Signature of Applicant

Date (mm/dd/yy)

Fingerprinted at Marietta Police Department by _____ Date _____

Received in City of Marietta Business License Division on _____ at _____

by _____
Business License and Revenue Division

NON-PRORATABLE FEES ARE AS FOLLOWS:

Pawnshop Occupation Tax	\$89.00	minimum based on gross receipts
General Merchandise	\$89.00	minimum based on gross receipts
Pawnshop Only Regulatory Fee	\$1,500.00	per location, per annum
Pawnshop and Precious Metals and Gems Regulatory Fee	\$2,000.00	per location, per annum
Precious Metals & Gems without		
Pawnshop Regulatory Fee	\$500.00	per location, per annum
Processing Fee	\$100.00	per location
Permit Fee, each employee	\$50.00	
Precious Metals, if applicable	\$25.00	First year, \$10.00 renewal

MARIETTA POLICE DEPARTMENT
240 LEMON ST. MARIETTA, GA. 30060
PHONE 770-794-5334 FAX 770-794-5301
CHIEF OF POLICE - DAN FLYNN

Georgia Crime Information Center
Criminal History Consent Form

I hereby authorize MARIETTA POLICE DEPARTMENT to receive and review any Georgia criminal history record information pertaining to me which may be in the files of any state or local criminal justice agency in Georgia. I understand that this information will be used as part of a background investigation completed by the Marietta Police Department.

Full Name: (PRINT)

LAST FIRST MIDDLE (MAIDEN)

ADDRESS CITY STATE ZIPCODE

SEX RACE DATE OF BIRTH PLACE OF BIRTH SOCIAL SECURITY NUMBER

List any convictions and/or plea of nolo contendere that has been entered on your record for any felony or misdemeanor charge in any Superior, State, and/or Municipal Court of any state of the United States

SIGNATURE DATE

Special provisions (check if applicable):

- Permit Application, (Purpose code 'E')
- Business License Application (Purpose code 'E')
- Other (Purpose code 'E')

One of the following must be checked:

- This authorization is valid for 90 / 180 days (circle one) from date of signature.

DO NOT WRITE BELOW...POLICE USE ONLY

- GEORGIA RECORD FOUND (SEE ATTACHED)
- NO GEORGIA RECORD FOUND

EMPLOYEE SIGNATURE _____ DATE _____

Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, as an applicant for a(n) business license/occupation tax certificate as referenced in O.C.G.A. § 36-60-6(d), from the City of Marietta, Georgia, the undersigned applicant representing the private employer known as

_____ [printed name of private employer i.e. business name] verifies one of the following with respect to my application for the above mentioned document:

1. Check box (a) or (b) below

(a) On January 1st of the below signed year the individual, firm, or corporation employed more than ten (10) employees.

(b) On January 1st of the below signed year the individual, firm, or corporation employed ten (10) or fewer employees.

*****If the employer checked box (a) must fill out Section 2 below.**

2. By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm or corporation has registered with and utilizes the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. Furthermore, the undersigned private employer hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties allowed by such statute.

Executed on the ___ date of _____, 201___ in _____ (city), _____ (state)

Signature of Authorized Officer or Agent

Printed Name of and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE ___ DAY OF _____, 201___.

NOTARY PUBLIC

My Commission Expires:

Affidavit Verifying Status (O.C.G.A. § 50-36-1(e)(2) Affidavit)

Please read carefully before completing

- Affidavit must be notarized prior to being submitted to the Business License Division. **The City cannot notarize this affidavit. *****
- Include a copy of applicant's secure and verifiable identification document. A list of secure and verifiable documents is provided by the Attorney General on the Georgia Department of Law website.

By executing this affidavit under oath, as an applicant for a(n) Business License/Occupation Tax Certificate, as referenced in O.C.G.A. § 50-36-1, from the City of Marietta, Georgia, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) I am a United States citizen. (Provide state issued identification document. Example: driver's license)
- 2) I am a legal permanent resident of the United States. (Provide copy of alien registration document)
- 3) I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. (Provide copy of alien registration document)

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties allowed by such statute.

Executed in _____ (city), _____ (state)

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 201____.

Signature of Applicant

NOTARY PUBLIC

Printed Name of Applicant

My Commission Expires:

****This affidavit does not apply to an applicant applying for or renewing an application for a public benefit within the same agency or political subdivision if the applicant has previously complied with the requirements of Georgia Code Section 50-36-2 by submission of a secure and verifiable document, as defined in Code Section 50-36-2, and a signed and sworn affidavit affirming that such applicant is a United States citizen.*

CHAPTER 8-16 - PRECIOUS METALS AND GEMS

8-16-010 - Authority.

This chapter is enacted pursuant to O.C.G.A. § 43-37-5.

(Code 1978, § 8-4001; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-020 - Occupation tax certificate required.

Except where prohibited by O.C.G.A. § 48-5-354, all persons who are required to register under this chapter shall, in addition to the registration required herein, purchase a business license.

(Code 1978, § 8-4002; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-030 - Definitions.

As used in this chapter the following definitions shall apply:

- A. "Chief of police" shall mean the chief of the Marietta police department.
- B. "Dealer in precious metals or gems" means any person engaged in the business of purchasing precious metals or gems or goods made from precious metals or gems from persons or sources other than manufacturers or manufacturers' representatives or other dealers in precious metals or gems or a person engaged in any other business if, in conjunction with such business, precious metals or gems or goods made from precious metals or gems are purchased from persons or sources other than manufacturers or manufacturers' representatives or other dealers in precious metals or gems where the said purchase is for resale in its original form or as changed by remounting, melting, reforming, remolding, or recasting or for resale as scrap or in bulk.
- C. "Gems" means any precious or semiprecious stone cut and polished.
- D. "Numismatic coins" means coins whose value as collectors' items exceeds the value of the content of the precious metals in the coins.
- E. "Person" shall extend and be applied to associations, firms, partnerships and bodies politic and corporate, or any combination thereof, as well as to individuals.
- F. "Precious metals" means gold, silver, or platinum or any alloy containing gold, silver or platinum.

(Code 1978, § 8-4003; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-040 - Registration required.

- A. No person shall engage in business as a dealer in precious metals or gems until he has registered as a dealer in precious metals or gems for each separate place of business as provided herein. The registration shall be in writing and shall be sworn to or affirmed by the dealer in precious metals or gems. The dealer shall register with the chief of police of the city. The chief of police shall forward a copy of the registration to the sheriff of Cobb County within seven days of registration.
- B. The registration shall contain the name, address, and age of the dealer in precious metals or gems, together with the names, addresses and ages of all other persons having an ownership interest or actually employed in the business.
- C. No person shall be eligible to register as a dealer in precious metals or gems if any employee or stockholder, other than stockholders owning less than ten percent of the outstanding shares of a publicly held corporation, has been convicted of a felony under the laws of this state or any other state or the United States. This provision shall not apply to any person who has been convicted of a felony after ten years have expired from the date of completion of the felony sentence.
- D. All registrations shall contain the address of the premises upon which the business is conducted and the zoning and planning classification of the premises.
- E. If the registrant is a corporation or partnership, the registrant shall submit a copy of the charter or a copy of the articles of partnership with the application.
- F. Each dealer shall be required to notify the chief of police within seven calendar days of any change of address of the dealer or business or any change of ownership in the business. A copy of the change of address or ownership in the business shall be transmitted to the sheriff of Cobb County within seven days of the notification.
- G. Each applicant for registration shall pay an initial registration fee of \$25.00 to be retained by the city to cover the cost of registering such persons. The registration shall be renewed annually by payment of a renewal fee of \$10.00.

(Code 1978, § 8-4004; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-050 - Records required—Content.

- A. Every dealer in precious metals or gems shall maintain a book, in permanent form, in which shall be entered at the time of each purchase of precious metals or gems or goods made from precious metals or gems the following:
 - 1. The date and time of the purchase transaction;
 - 2. The name of the person making the purchase from the seller;
 - 3. The name, age and address of the seller of the items purchased and the distinctive number from such seller's driver's license or other similar identification card containing a photo of the seller;
 - 4. A clear and accurate identification and description of the purchased goods, including the serial, model or other number, and all identifying marks inscribed thereon;

5. The price paid for the goods purchased;
 6. The number of the check issued for the purchase price, if payment is made by check; and
 7. The signature of the seller.
- B. The permanent record book required herein shall be in legible English. Entries shall appear in chronological order. No blank lines may be left between entries. No obliterations, alterations, or erasures may be made. Corrections shall be made by drawing a line of ink through the entry without destroying its legibility. The book shall be maintained for each purchase of precious metals or gems or goods made from precious metals or gems for at least two years. The book shall be open to the inspection of any duly authorized law enforcement officer during the ordinary hours of business or at any reasonable time.
- C. Dealers exclusively engaged in buying or exchanging for merchandise scrap dental gold and silver from licensed dentists by registered or certified mail may record the post office record of the mailed parcel in lieu of the seller's age and driver's license number.

(Code 1978, § 8-4005; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-060 - Written reports required.

- A. Every dealer in precious metals or gems shall make a report in writing to the chief of police of all precious metals or gems or goods made from precious metals or gems purchased on the day previous to the date of the report on forms approved or prescribed by the chief of police. The report shall contain the information specified in paragraphs (1) through (5) of Subsection (A) of Section 8-16-050 and shall be typewritten or handwritten in legible English and mailed or delivered to the chief of police within 24 hours after the day on which the transactions occurred.
- B. All reports shall be maintained in a locked container under the direct supervision of the chief of police and shall be available for inspection only for law enforcement purposes.
- C. The chief of police may, in his discretion, authorize any person to inspect the reports in an effort to locate stolen property who demonstrates theft of precious metals or gems by the presenting of an incident report or other similar document.

(Code 1978, § 8-4006; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-070 - Requirements, unlawful activities.

- A. It is unlawful for any dealer in precious metals or gems or any agent or employee of a dealer in precious metals or gems who makes purchases of precious metals or gems or of goods made from precious metals or gems to:
1. Make any false statement in the registration provided for in Section 8-16-040;
 2. Fail to maintain and make entries in the permanent record book as required by Section 8-16-050;
 3. Make any false entry therein;

4. Falsify, obliterate, destroy, or remove from the place of business such permanent record book;
 5. Refuse to allow any duly authorized law enforcement officer to inspect such permanent record book, or any precious metals or gems or goods made from precious metals or gems in his possession, during the ordinary hours of business or at any reasonable time;
 6. Sell, exchange, or remove from the legal possession of the buyer or to alter the form of any precious metals or gems or goods made from precious metals or gems purchased by remounting, melting, cutting up, or otherwise altering the original form until at least seven calendar days have elapsed from the time of purchase or acquisition;
 7. Fail to make the written report as required in Section 8-16-060; or
 8. Purchase any precious metals or gems from any person under 17 years of age.
- B. It is unlawful for any person to advertise or transact business as a dealer in precious metals or gems without first registering pursuant to the provisions of Section 8-16-040.
- C. It is unlawful for any dealer in precious metals or gems to purchase precious metals in a melted or smelted state unless the purchase is from a registered dealer in precious metals or gems.
- D. It is unlawful for any dealer to sell any precious metals or gems purchased from any person, other than a wholesaler or other retailer, within seven days of purchase. If the chief of police has probable cause to believe the goods are stolen, the chief of police may give notice in writing to the dealer not to sell such property for an additional 15 days.

(Code 1978, § 8-4007; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-080 - Penalties.

Any person violating the provisions of Subsections (A), (B), (C) or (D) of Section 8-16-070 shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punished as for a misdemeanor.

(Code 1978, § 8-4008; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-16-090 - Exemptions.

The provisions of this chapter shall not apply to dealers exclusively engaged in the sale or exchange of numismatic coins or other coinage.

(Code 1978, § 8-4009; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)