



## Legislation Text

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**File #:** ORD. 2019-156, **Version:** 1

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To amend City Code § 26-983, concerning pawnbrokers and pawnshops, for the purpose of reflecting amendments to Va. Code § 54.1-4000.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 26-983 of the Code of the City of Richmond (2015) be and hereby is **amended** as follows:

**Sec. 26-983. Pawnbrokers and pawnshops.**

(a) Every natural person lending or advancing money or other things for profit on the pledge and possession of tangible personal property or other valuable things, other than securities or written or printed evidences of indebtedness or title, or dealing in the purchasing of personal property or other valuable thing on the condition of selling the property or other thing back to the seller at a stipulated price shall pay a license tax equal to \$750.00 and \$0.36 per \$100.00 of the gross receipts of the business in excess of \$100,000.00.

(b) Not more than 12 places in the City shall be licensed where the business of a pawnbroker, including a pawnbroker's sales store, may be conducted, and no license shall be granted to conduct a pawnshop or pawnbroker's sales store in the City, except to a natural person who is a qualified voter of the Commonwealth [~~or to a concern or corporation whose managing agents in the City are qualified voters thereof~~]. No such license shall be granted to any such voter[~~; concern or corporation,~~] except upon a certificate of the Chief of Police and of the Circuit Court of the City or a judge thereof in vacation, which shall explicitly state whether the natural person applying therefor is a proper person to conduct such business and whether the place where the business is proposed to be conducted is a proper and suitable place and whether such applicant has theretofore complied with the laws governing such business, so far as the records of the Department of Police

and of the Circuit Court show, if the applicant has theretofore engaged in such business. No license shall be granted to a natural person convicted of a felony or a crime involving moral turpitude within the last ten years. Prior to the issuance of a license, the applicant shall furnish the applicant's date of birth and a sworn statement or affirmation disclosing any criminal convictions or any pending criminal charges, whether within or without the Commonwealth. No license shall be granted to any natural person to operate or conduct more than two pawnshops or pawnbroker's sales stores in the City, provided that this shall not apply to any natural person who owned and was licensed to operate or conduct more than one pawnshop or pawnbroker's sales store in the City on January 1, 1948, but no license shall be granted after such date to any such person to operate or conduct any additional pawnshop or pawnbroker's sales store in excess of the number of pawnshops or pawnbroker's sales stores operated or conducted by any such person on January 1, 1948. If a properly licensed pawnbroker sells the pawnbroker's business, the Circuit Court of the City shall authorize the City to issue to the purchaser a new license for the same location if the purchaser has not been convicted of a felony or a crime involving moral turpitude in the last ten years. Prior to the issuance of the license, the purchaser shall furnish the purchaser's date of birth and any other information as may be required by the City.

(c) Every natural person to whom a license is to be granted under this section shall execute a bond with corporate surety in the penalty of \$500.00 payable to the City in a form satisfactory to the City Attorney. The bond shall be conditioned that such person will indemnify and save harmless the City and all other persons from any and all damages to the City and to all other persons and property directly or indirectly resulting from the operation of such pawnshop or pawnbroker's store or in the conduct of such business. The bond shall provide that suit may be brought thereon by the City or by any person entitled to indemnity thereunder and shall contain the further conditions that the licensee will make a daily report to the Chief of Police in the manner prescribed by the Chief and give all information called for by the prescribed manner of reporting and that the licensee will make use of any "call system" that may be installed or maintained by the City. The prescribed manner of reporting shall require at least the following information:

- (1) A full and complete list of all such articles bought, together with all marks, numbers, prints, letters and monograms on such articles;
  - (2) The name, address and date of birth of the seller of any such article;
  - (3) The seller's legible handwritten signature; and
  - (4) A current photograph in color of the seller in the format prescribed the Chief of Police.
- (d) Every natural person to whom a license is to be granted under this section shall execute a bond with corporate surety in the minimum amount of \$50,000.00 to secure the payment of any judgment recovered against such person as a licensed pawnbroker. The bond shall provide that suit may be brought thereon by any person who recovers a judgment against the pawnbroker for the pawnbroker's misconduct if the execution issued upon such judgment is wholly or partially unsatisfied

§ 2. That any license issued pursuant to section 26-983 of the Code of the City of Richmond (2015), as amended, as of the effective date of this ordinance, to a pawnbroker that is not a natural person is hereby extended until March 1, 2020.

§ 3. This ordinance shall be in force and effect on July 1, 2019.