CALL TO ORDER
Alderman Anglace called the public hearing to order at 8:35 p.m.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was waived because it was recited at the start of the Public Hearing on the Budget held immediately prior to this public hearing.

ROLL CALL
Alderman John F. Anglace, Jr., President – present
Alderman Lynne Farrell - present
Alderman John “Jack” Finn – present
Alderman Stanley Kudej – present
Alderman Noreen McGorty - present
Alderman John P. Papa – present
Alderman Eric McPherson - present
Alderman Anthony Simonetti - present

PUBLIC HEARING

1. AMENDMENT TO ARTICLE VI. PAWNBROKERS:
ARTICLE VI. PAWNBROKERS

Sec. 9-111. Pawnbroker defined.

Any person, partnership, limited liability company, corporation who engages in the business of loaning money upon deposits or pledges of wearing apparel, jewelry, ornaments, household goods or other personal property, or of purchasing such property on condition of selling the same back again at a stipulated price, is hereby defined for purposes of this ordinance as a pawnbroker. This article shall not apply to loans made upon stocks, bonds, notes, or other written or printed evidence of ownership of property or of indebtedness to the holder or owner of any such securities.

(Ord. No. 670, 5-12-94)

Sec. 9-112. License.

It shall be unlawful for any person or entity to engage in the City of Shelton in business as a pawnbroker, as defined by the laws of the State of Connecticut, (CGS Chapter 408, Section 21-39 through 21-45,) and the ordinances of the City of Shelton without a license, hereafter, pursuant to section 21-40 of the Connecticut General Statutes and this article.

(Ord. No. 670, 5-12-94)

Sec. 9-113. Application for license.

Applications for a pawnbroker’s license shall be made to the Chief of Police of the City of Shelton on forms provided by said Chief. Said application shall be reviewed by the Chief of Police, who shall grant or deny such license. Said license shall only be refused for cause, which cause shall be one which would be sufficient to revoke a license, as provided by section 21-40 of the Connecticut General Statutes. (The Chief of Police shall have the authority and discretion, with cause, on whether to approve, refuse or revoke any application for a Pawnbroker’s license.) The Chief of Police may grant licenses to suitable persons. The Chief of Police may reject said application for cause provided that said “cause” shall be one which would be sufficient to revoke a license as provided by Section 21-40 of the Connecticut General Statutes. Upon approval by the Chief of Police said license shall be on the first day of an application for a renewal to the office of the Chief of Police, valid for one (1) year from the date of issuance, unless sooner revoked, with cause, by the Chief of Police. If such license be the responsibility of the license holder to renew his/her license. The person so licensed shall pay, for the benefit of any such city, to the authority for granting such license a license fee of fifty dollars ($50.00) and twenty-five dollars ($25.00) per year thereafter for renewal of such license, and shall file, with the mayor’s office of such city a bond to such city with competent surety, in the penal sum of two thousand dollars ($2,000.00), to be approved by such licensing authority, and conditioned for the faithful performance of the duties and obligations.
pertaining to the business so licensed. The person so licensed shall also hold a Precious Metals and Stones Permit.

The application for a pawnbroker's license shall contain the following information:

1) The name, age, and address of the applicant in the case of an individual; in the case of a partnership, the names and addresses of the partners; in the case of an unincorporated association, the names and address of members thereof; in the case of a corporation, the names and addresses of the officers and directors and the name and address of any person owning more than sixty (60) percent of stock in the corporation.

2) The citizenship of the applicant, his place of birth, and if a naturalized citizen, the time and place of naturalization.

3) An inventory of goods, wares and merchandise on hand at the time the application is made.

4) The name, location and description of the premises or place of business which is to be operated under such license.

5) A statement whether the applicant has made similar applications for a similar license on the premises other location than described in this application, and the disposition of each such application, (whether in state or out of state.)

6) A statement that the applicant is the owner of does beneficially own the premises or does have a written lease thereon for the full period for which the license is issued; i.e. one (1) year.

7) A statement that the applicant has never been convicted of a felony as prescribed in the Connecticut State Statutes Section 53a-25 Definition, Classification and Designation,
   a. Section: 53a-122 Larceny 1st Degree or 53a-123 Larceny 2nd Degree or 53a-124 Larceny 3rd Degree.
   b. Section: 53a-138 Forgery 1st Degree or 53a-139 Forgery 2nd Degree.
   c. Section: 53a-134 Robbery 1st Degree or 53a-135 Robbery 2nd Degree or 53a-136 Robbery 3rd Degree.
   d. Section: 53a-101 Burglary 1st Degree or 53a-102 Burglary 2nd Degree.
   e. Section: 53a-106 Possession of Burglar's Tools.
   f. Weapons: Section 29-34 False Information or 29-35 Carrying of pistol or revolver without permit or 29-36 Altering or removing identification mark.
   g. Violation of any Connecticut Statute regarding pawnbrokers.
   h. Convicted of violating any municipal or county pawnbrokers ordinance.

8) A statement that if a partnership, all members of the partnership shall be qualified to obtain a license; and, whether a previous license
obtained in any other state or subdivision thereof or by the federal government has been revoked, and the reason therefore.

(Ord. No. 670, 5-12-94)

(The Shelton Police Department will complete a background check, including a criminal records check, on the applicant and any person employed in responsible for the operation of the Pawnbroker’s business. A successful completion of this background is mandatory both prior to the issuance of a Pawnbroker’s permit is renewed.)

(The Chief of Police also has the authority to place a moratorium on issuing all Pawnbrokers’ permits.)

Sec. 9-114. Change of address.

In the event the licensee shall change any of the addresses stated in the application during the term for which the license is issued, such licensee shall notify the license collector (chief of police) in writing, certified mail or hand delivery to police headquarters of such change not later than one (1) business day after such change.

(Ord. No. 670, 5-12-94)

Sec. 9-115. Operations.

All operations carried on pursuant to said license shall be in accord with the provisions of (Chapter 439) sections 21-39 through 21-47 of the Connecticut General Statutes.

(Ord. No. 670, 5-12-94)

The Pawnbroker shall only operate at the address that his/her license has been issued to and shall be required to post his/her license and tax ID number in an area visible to the public within the premises. Additional permits shall be required for additional locations and each the permit is non-transferable. It shall be the responsibility of the licensee holder to renew his/her license.

(Pawnbrokers shall provide the Shelton Police Department with any internet account name(s), associated with this Pawnbroker’s business, used for the purpose of selling goods on the internet.)

(When goods and/or precious metals and stones are purchased by the Pawnbroker, the Pawnbroker shall sell the goods and/or precious metals and stones only after the Pawnbroker has held them for at least fourteen (14) days after the purchase of said item(s). A law enforcement agency in the course of an investigation may require a Pawnbroker to hold goods and/or precious metals and stones for a longer period of time, if necessary.)
(Pawbroker shall be required to keep a computerized record in a format approved by the Chief of Police. Included shall be all transactions pawned or purchased and it shall include the dollar amount of the pawn or purchase. Every pawbroker shall be required to electronically transmit a bi-weekly report of all transactions to the Shelton Police Department Detective Division. The day and time that the bi-weekly electronic report is due shall be determined by the commander of the Detective Division. If the day that the bi-weekly electronic report is due falls on a legal holiday the electronic report shall be due the next business day. The records shall be transmitted electronically in a stored format specified by the Chief of Police or his designee.)

(Every Pawbroker shall photograph any person pawnng or selling items and keep such photograph on file for at least three (3) years. A photo shall be stored in a digitized format associated with the transaction number, must be retrievable and must be furnished to Police upon request. The pawbroker shall require and record positive identification from all customers selling goods to the Pawbroker. Positive identification shall mean valid, current identification, issued by a governmental entity, which contains a numerical identifier, a current address, and a photograph of the person identified. The pawbroker shall be required to keep at least three (3) years written and computerized records of all the pawbrokers transactions.)

(All transaction records shall accurately describe all items: Including but not limited to, distinguishing marks, manufacturers' name, model names or numbers, serial numbers, engravings, etchings, color and size. Jewelry item description shall include the material, ring size, weight, chain length, shapes, carat weight and color. Also any other unique identifying features. Items that are new or obviously never used or still in the original box or packaging shall be documented as such. No jewelry or gold shall be described as scrap. Every pawbroker shall photograph any jewelry or precious metal pawned or sold and keep such photograph on file for at least three (3) years. A photo shall be stored in a digitized format associated with the transaction number, must be retrievable and must be furnished to Police upon request.)

——— (The Pawbroker shall be subject to random inspections by the Shelton Police Department for the purpose of monitoring compliance with this ordinance. Any detective of the Shelton Police Department may during business hours enter upon any premises used by the Pawbroker for the purpose of the business, to examine all articles taken in pawn, kept, stored in or upon said premises. All records and inventories are subject to examination.)

——— (Items transferred or received from another licensed pawnbroker located within or outside the City of Shelton shall be recorded in the premises to which they are transferred or received. Any items taken in pawn or purchased, which is disposed of other than by sale or auction shall have a notation in the record indicating the method of disposal.)
Sec. 9-116. Property from minor.

No pawnbroker shall have any business dealings as a pawnbroker with any unemancipated minor under the age of eighteen (18) years, except with the written consent of the parent or guardian of the minor (unless a parent or legal guardian is present and must show positive identification as set forth in this ordinance) to each particular transaction. No pawnbroker's license shall be issued to any person who is not eighteen (18) years of age or over. No person under eighteen (18) shall be an agent for any pawnbroker.
(Ord. No. 670, 5-12-04)

Sec. 9-117. Stolen goods.

It shall be the duty of every pawnbroker to report to the police any article pledged with him, or which it is sought to be pledged with him, if he shall have reason to believe that the article was stolen or lost, and found by the person attempting to pledge it, in the case of a lost article. (The Pawnbroker shall not accept any property if, upon inspection, it is apparent that serial numbers, model numbers, or identifying characteristics have been intentionally defaced on that article of property.)
(Ord. No. 670, 5-12-04)

Sec. 9-118. Penalties.

(Complaints concerning pawnbrokers shall be investigated by the Detective Division of the Shelton Police Department. An investigation shall be made in all such instances and a report with recommendations shall be forwarded to the Chief of Police. In the event the Chief of Police determines that disciplinary action should be instituted against the pawnbroker the Detective Division shall cause to be served upon the pawnbroker, notice as to time, date and place of hearing of the charges with a statement of the reasons. The hearing will be conducted by the Chief of Police or his/her designee.)

(After notice and hearing, the Chief of Police may suspend, revoke or refuse a City of Shelton Pawnbroker's License upon finding that:

The Pawnbroker, either knowingly or without the exercise of due care to prevent the same, has violated this ordinance or Connecticut State Statutes, Chapter 409, Sections 21-39 through 21-47.

A fact or condition exists, existed or had been known at the time of the original application for a Pawnbroker's license, which would have justified the refusal to issue such license.)
ADJOURNMENT

There being no speakers, Alderman Anglace closed the public hearing at 8:37 p.m.

Alderman Simonetti MOVED to adjourn; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Katie Gilbert, Clerk

DATE APPROVED: ___________________ BY: ___________________

Mark A. Lauretti
Mayor, City of Shelton