



ORANGE DEPARTMENT OF POLICE SERVICE

To All New Applicants for a Pawnbrokers License

You are required to furnish the Orange Police Department the following in order to process your license:

1. Completed Pawnbrokers License application
2. Valid Connecticut driver's license
3. Signed Pawnbrokers Policy Statement Agreement
4. **\$50.00** Certified Bank Check or Money Order payable to:
Treasurer-State of CT for a state criminal history check
5. **\$16.50** Certified Bank Check or Money Order payable to:
Treasurer-State of CT for a national criminal history check
6. **\$50.00** licensing fee payable to the **Town of Orange**
(\$25.00 fee for annual license renewal)
7. Bond payable to the Town of Orange, with competent surety, in the penal sum of \$2,000.00.
8. You will be fingerprinted by the Orange Police Department.
Call the Records Division at 203-891-2134 to schedule an appointment. At the time you are printed, you will submit your application and fees.



CHIEF OF POLICE
ROBERT J. GAGNE

ASSISTANT CHIEF
EDWARD A. KOETHER

ORANGE DEPARTMENT OF POLICE SERVICE

APPLICATION FOR PAWNBROKERS LICENSE

Applicant's name _____ Date of application _____
(Last, First, Middle)

Include all other names by which you have been know (i.e. maiden name) _____

Residential address _____

Home telephone number _____ Cellular number _____

Date of birth _____ Height _____ Weight _____ Sex _____

Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year? *Note: the actual sentence given by the judge does not matter. Answer yes if the judge could have given a sentence of more than one year. For any convictions include charge, location (city, state), date and disposition.* No Yes, explain:

Have you ever been convicted for any misdemeanor that involved violence or threat of violence? No Yes, explain: _____

Are you currently on probation, parole, a work-release program or released on personal recognizance or bond pending court action? No Yes, explain: _____

Business address _____ Phone _____

I declare, under the penalties of False Statement, that the answers to the above are true and correct.

Applicant's Signature

Date



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Pawnbrokers Policy Statement Agreement

1. I agree to comply with sections 21-39 through 21-47 of the Connecticut General Statutes regarding Pawnbrokers.
2. I agree to the following stipulations of record keeping regarding person(s) depositing, pledging or selling property:
 - A. All such persons shall be photographed.
 - B. All such property shall be photographed.
 - C. All such photographs will be kept for at least a one (1) year period.
 - D. All transactions shall be recorded electronically and will be forwarded electronically to the Orange Police Department on a weekly basis. The Chief of Police will determine such electronic format.
3. I understand that failure to comply with this agreement in whole or in part may subject my Pawnbrokers License to revocation.

Applicant's Signature

Date

Town of Orange ordinance

Chapter 298

PAWNBROKERS

§ 298-1. License required; exception.

§ 298-3. Conduct of business.

§ 298-2. Issuance of licenses; fees.

§ 298-4. Violations; penalties for offenses.

[HISTORY: Adopted by the Board of Selectmen of the Town of Orange 8-6-1996. Amendments noted where applicable.]

GENERAL REFERENCES

Bazaars and raffles — See Ch. 177.

Peddling and soliciting — See Ch. 302.

§ 298-1. License required; exception.

- A. Loans on intangible property are excepted.
- B. No person, corporation or partnership shall engage in or carry on 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, unless such person, corporation or partnership is licensed as a pawnbroker.

§ 298-2. Issuance of licenses; fees.

The Selectmen may grant licenses to suitable persons to be pawnbrokers and to carry on the business of lending money on the pledge of personal property, or of purchasing such property on condition of selling it back again at a stipulated price, and may revoke such licenses for cause. The person so licensed shall pay a license fee of \$50, and \$25 per year thereafter for renewal of such license, and shall, at the time of receiving such license, file a bond with competent surety in the penal sum of \$2,000 and conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed. Each such license shall designate the place where such business is to be carried on and shall continue one year unless sooner revoked.

§ 298-3. Conduct of business.

- A. Any license issued pursuant to this chapter shall remain on public display at all times and shall be readily accessible. All employees of such licensee shall be at least 18 years of age and shall not have been convicted of any criminal offense. A current list of all such employees shall be provided to the Chief of Police at least annually, or upon reasonable demand, which list shall include such employees' full name, address, date of birth, social security number and telephone number.

- B. Record of pledges and borrowers. Each such pawnbroker or person carrying on such business of loaning money on the pledge of personal property shall keep a book, to be furnished by the Chief of Police, in which shall be written in English, at the time he receives any article of personal property by way of pledge or pawn, a description of such article, the name and residence and a general description of the person, including the means or method of positive identification of such person from whom, and the day and hour when, such property was received. Such book and the place where such business is carried on and all articles of property therein may be examined at all times by any police officer, and it shall be the responsibility of the licensee to maintain said records, including each page within the book required to be maintained pursuant to this section.
- C. Memorandum to pledgor. Each such pawnbroker shall, at the time of making any loan on a pawn or pledge, deliver to the person who pawns or pledges any goods, article or thing a memorandum or note containing the entry required to be made in his book by the provisions of Subsection B. No charge shall be made or required by any pawnbroker for such entry, memorandum or note.
- D. Weekly reports; penalty. Each such pawnbroker shall make, weekly, a sworn statement of his transactions, describing the goods received and setting forth the name and residence and a description of the person from whom the goods were received to the Town Clerk each week on Monday no later than 12:00 noon. Any such pawnbroker who willfully fails to make the report required by this section shall be fined \$100.
- E. Rates of interest.
- (1) No pawnbroker or loan broker or person who loans money on the pledge of personal property shall take or receive, directly or indirectly, for the use of money loaned on personal property, any more than the following rates:
- (a) For the use of money amounting to \$15 or less: 5% per month or fraction thereof.
- (b) For the use of money exceeding \$15 in amount and not exceeding \$50 in amount: 3% per month or fraction thereof.
- (c) For the use of money exceeding \$50 in amount: 2% per month or fraction thereof.
- F. Pledges to be kept six months. No such lender shall sell or dispose of any personal property left with him in pledge for money loaned in less than six months from the day when the same is left in pledge as aforesaid. All such property shall be sold or disposed of at a public or private sale only after advertisement in a newspaper, having a circulation within the Town of Orange, at least once two days before the date of the sale or sales, which advertisement shall state the numbers of the pledge tickets representing the property offered for sale and the date or dates which such tickets were issued. Such advertisement shall also be provided to the Chief of Police.
- G. Notice. A notice shall be prominently displayed at all times within the licensed premises stating that no one under the age of 18 years shall pawn or sell items. Items may be sold or pawned only by a natural person who has proper identification, which shall include a full face photograph of such person.

H. Interest rates. The interest rates as set forth in Subsection E as well as the length of time which any property shall be held pursuant to this chapter shall be prominently displayed to the public.

§ 298-4. Violations; penalties for offenses.

Any person, corporation or partnership which engages in the business of a pawnbroker, unless licensed according to law, or after notice that its license has been revoked, or which violates any of the provisions of this chapter, or neglects to keep a book in the English language or to make the entries therein as provided by law, or refuses to allow the same to be inspected by the proper officers, or receives an article of personal property by way of pawn or pledge from any minor, knowing or having reason to believe him to be a minor, shall be fined not more than \$50 for the first offense and not more than \$100 for the second offense and, for the third offense, shall be fined not more than \$500 or imprisoned not more than six months, or both, and also shall forfeit treble the amount loaned on the property so pledged to any person injured thereby who sues therefor.

State of CT Statutes

Ch. 409

PAWNBROKERS

571

(1949 Rev., S. 4684; 1957, P.A. 13, S. 91; P.A. 79-545; P.A. 84-289; P.A. 93-435, S. 88, 95; P.A. 95-281, S. 1; P.A. 02-137, S. 7.)

History: P.A. 79-545 raised from \$25 to \$250 limit on fee which may be imposed, applicable to any "person" rather than "team or vehicle" and exempted the taking of orders for merchandise for future delivery when full payment not required at time of solicitation; P.A. 84-289 inserted references to town control, and limits on town control, on state highways, provided that permits be issued only to persons with sales tax permits and that permits issued pursuant to this section be displayed; P.A. 93-435 specifically excluded from applicability of section sales of produce of greenhouses, including fruit, vegetables and flowers, effective June 28, 1993; P.A. 95-281 reduced fee cap to \$200 and granted the issuing authority the power to waive the permit fee for nonprofit organizations (Revisor's note: A reference to "Transportation Commissioner's" authority was changed editorially by the Revisors to "Commissioner of Transportation's" authority for consistency with customary statutory usage); P.A. 02-137 provided that no town shall require a permit fee from certain veterans.

Ordinance must be reasonably definite and fee reasonable. 67 C. 29. Power to license lawful business to be strictly construed: milk dealers. Id., 541. Licensing of fruit peddlers by city ordinance upheld. 80 C. 478. Cited. 203 C. 14. Cited. 4 CA 261.

Sec. 21-38. Penalty. Any person who engages in the business of a peddler or hawker without complying with the provisions of any such ordinance shall be fined not more than one hundred ninety-nine dollars.

(1949 Rev., S. 4685; P.A. 93-425, S. 2; P.A. 95-281, S. 2.)

History: P.A. 93-425 increased maximum fine from not more than \$50 to not more than \$100; P.A. 95-281 increased maximum fine to \$199.

CHAPTER 409*

PAWNBROKERS

*Sec. 21-39 et seq. cited. 201 C. 89.

Sec. 21-39. License required. Loans on intangible property excepted. No person, corporation, limited liability company or partnership shall, in any city or town of this state, engage in or carry on 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, unless such person, corporation, limited liability company or partnership is licensed as a pawnbroker; but the provisions of this chapter shall apply only if such property is deposited with a lender, and shall not apply to loans made upon stock, bonds, notes or other written or printed evidence of ownership of property or of indebtedness to the holder or owner of any such securities.

(1949 Rev., S. 4663; P.A. 97-164, S. 1.)

History: P.A. 97-164 added references to "limited liability company".

Cited. 201 C. 89.

Sec. 21-40. Issuance of licenses. Fees. The selectmen of any town and the chief of police of any city may grant licenses to suitable persons to be pawnbrokers and to carry on the business of lending money on the deposit or pledge of personal property, or of purchasing such property on condition of selling it back again at a stipulated price, or of purchasing such property from a person who is not a wholesaler, in such town or city respectively, and may revoke such licenses for cause; but the selectmen shall not grant such licenses for the carrying on of such business within the limits of any city. The person so licensed shall pay, for the benefit of any such city or town, respectively, to the authority granting such license a license fee of fifty dollars, and twenty-five dollars per year thereafter for renewal of such license, and shall, at the time of receiving such license, file, with the mayor of such city or the first selectman of such town, a bond to

such city or town, with competent surety, in the penal sum of two thousand dollars, to be approved by such licensing authority, and conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed. Each such license shall designate the place where such business is to be carried on and shall continue one year unless sooner revoked. No license shall be issued under this section by the selectmen or chief of police to any person who has been convicted of a felony. The selectmen or chief of police may require any applicant for a license under this section to submit to state and national criminal history records checks. If the selectmen or chief of police require such criminal history records checks, such checks shall be conducted in accordance with section 29-17a.

(1949 Rev., S. 4664; 1972, P.A. 223, S. 28; P.A. 97-164, S. 2; P.A. 01-175, S. 18, 32.)

History: 1972 act provided for \$25 fee per year for renewal of license; P.A. 97-164 included the business of lending money on the "deposit" of personal property and the business "of purchasing such property from a person who is not a wholesaler", prohibited the issuance of a license to any person convicted of a felony, authorized the fingerprinting of applicants and required any fingerprints taken to be submitted to the F.B.I. for a national criminal history records check; P.A. 01-175 replaced provisions re fingerprinting and national criminal history records check with provisions re state and national criminal history records checks pursuant to Sec. 29-17a, effective July 1, 2001.

Cited. 201 C. 89.

Sec. 21-41. Record of property received and of persons depositing, pledging or selling same. (a) No pawnbroker or person who loans money on the deposit or pledge of wearing apparel, jewelry, ornaments, household goods or other personal property or purchases such property on condition of selling the same back again at a stipulated price or purchases such property from a person who is not a wholesaler shall take, receive or purchase such property without receiving proof of the identity of the person depositing, pledging or selling the property. Such identification shall include a photograph, an address, if available on the identification, and an identifying number. Any person who wilfully violates any provision of this subsection shall, for a first violation, have committed an infraction and, for a second or subsequent violation committed within two years of a prior violation, be guilty of a class A misdemeanor.

(b) Each such pawnbroker or person carrying on such business of loaning money on the deposit or pledge of personal property or of purchasing such property on condition of selling the same back again at a stipulated price or of purchasing such property from a person who is not a wholesaler shall maintain a record-keeping system deemed appropriate by the chief of police in cities and by the selectmen in towns, in which shall be entered in English, at the time he receives any article of personal property by way of pledge, pawn or purchase, a description of such article, the name, residence, proof of identity as required in subsection (a) of this section and a general description of the person from whom, and the day and hour when, such property was received. Such record-keeping system and the place where such business is carried on and all articles of property therein may be examined at all times by any state police officer, by any municipal police officer, by the selectmen of the town or any person by them designated or, if such business is carried on in a city, by the chief of police of such city or any person by him designated. Any state police officer or municipal police officer of the town or city where the business is carried on who performs such an examination may require any employee on the premises to provide proof of his identity.

(1949 Rev., S. 4665; P.A. 93-115; P.A. 97-164, S. 3; P.A. 05-288, S. 87.)

History: P.A. 93-115 added new provisions as Subsec. (a) requiring a person depositing or purchasing items from a pawnbroker to provide proof of identification, designating former provisions as Subsec. (b); P.A. 97-164 amended Subsec. (a) to delete reference to "loan broker", include any person who "purchases such property on condition of selling the same back again at a stipulated price or purchases such property from a person who is not a wholesaler", replace the provision that no pawnbroker or person shall "sell" such property without proof of "identification" of the person "purchasing" the property with provision that no pawnbroker or person shall "purchase" such property without proof of "the identity" of

the person "selling" the property, require the identification to include an address "if available on the identification" and include "an identifying number", and add penalty provision of an infraction for a first violation and a class A misdemeanor for a second or subsequent violation committed within two years, and amended Subsec. (b) to include the business of loaning money on the "deposit" of personal property and the business "of purchasing such property on the condition of selling the same back again at a stipulated price or of purchasing such property from a person who is not a wholesaler", require the maintenance of a "record-keeping system" rather than a "book", include articles received by "purchase" in the record-keeping requirement, authorize examination "by any municipal police officer" and authorize any state policeman or municipal police officer to require any employee to provide proof of his identity; P.A. 05-288 made technical changes in Subsec. (b), effective July 13, 2005.

Cited. 201 C. 89.

Sec. 21-42. Memorandum to person pawning, pledging or selling property.
Payment terms. Each such pawnbroker shall, at the time of making any loan on a pawn or pledge of personal property or of purchasing such property on condition of selling the same back again at a stipulated price or of purchasing such property from a person who is not a wholesaler, deliver to the person who pawns, pledges or sells such property a memorandum or note containing the entry required to be made in his record-keeping system by the provisions of section 21-41. Each such pawnbroker shall pay for any property received by pawn, pledge or purchase only by check, draft or money order and shall not pay cash for any such property except when the pawnbroker cashes a check, draft or money order for the person who is pawning, pledging or selling the property. When the pawnbroker cashes a check, draft or money order, he shall require proof of the identity of the person presenting the check, draft or money order in accordance with subsection (a) of section 21-41. Any person who wilfully violates any provision of this section shall be guilty of a class A misdemeanor.

(1949 Rev., S. 4666; P.A. 97-164, S. 4.)

History: P.A. 97-164 made section applicable to a pawnbroker who purchases property on condition of selling the same back again at a stipulated price or purchases property from a person who is not a wholesaler, required the delivery of a memorandum or note to a person who sells property to a pawnbroker, replaced "book" with "record-keeping system", deleted prohibition on a pawnbroker charging for making the entry in the book or delivering the memorandum or note, required a pawnbroker to pay by check, draft or money order for any property received and prohibited payment by cash except when the pawnbroker cashes a check, draft or money order, required the pawnbroker to receive proof of identity when cashing a check, draft or money order and added penalty provision of class A misdemeanor.

Cited. 201 C. 89.

Sec. 21-43. Weekly reports. Penalty. Each such pawnbroker shall make, weekly, a sworn statement of his transactions, describing the goods received and setting forth the name and residence and a description of the person from whom the goods were received, to the chief of police in cases of cities and boroughs, and in other cases to the town clerk of the town in which such pawnbroker resides. Any such pawnbroker who wilfully fails to make the report required by this section shall be fined not more than one hundred dollars.

(1949 Rev., S. 4667.)

Cited. 201 C. 89.

Sec. 21-44. Rates of interest. No pawnbroker or person who loans money on the deposit or pledge of personal property shall take or receive, for the use of money loaned on personal property, any more than the following rates: For the use of money amounting to fifteen dollars or less, five per cent per month or fraction thereof; for the use of money exceeding fifteen dollars in amount and not exceeding fifty dollars in amount, three per cent per month or fraction thereof; for the use of money exceeding fifty dollars in amount, two per cent per month or fraction thereof.

(1949 Rev., S. 4669; P.A. 97-164, S. 5.)

History: P.A. 97-164 deleted reference to a "loan broker", included the loaning of money on the "deposit" of personal property and deleted reference to "directly or indirectly" taking or receiving interest.

Pawnbroker does not violate this section until he actually receives the unlawful interest. 63 C. 385. Discrimination in rate of interest allowed pawnbrokers is proper. 82 C. 234; 83 C. 1; 218 U.S. 5; Id., 563. Cited. 120 C. 664. Cited. 123 C. 95. Applies to repurchase transactions. 201 C. 89.

Sec. 21-45. Sale or disposition of pledged property. No pawnbroker shall sell or dispose of any personal property left with him in pledge for money loaned in less than two months from the day when the same is left in pledge as aforesaid. All such property may be sold or disposed of at the premises of such pawnbroker or at public sale after advertisement in a daily newspaper published in the town in which such pawnbroker carries on business, at least once two days before the date of the sale or sales, which advertisement shall state the numbers of the pledge tickets representing the property offered for sale, and the date or dates when such tickets were issued.

(1949 Rev., S. 4670; P.A. 97-164, S. 6.)

History: P.A. 97-164 replaced references to "lender" with "pawnbroker", reduced from six to two months the period pledged property must be held, and replaced provision that all such property "shall be sold or disposed of, at public or private sale," with provision that all such property "may be sold or disposed of at the premises of such pawnbroker or at public sale".

Cited. 77 C. 150. Applies to repurchase transactions. 201 C. 89.

Sec. 21-46. Security not defeated by out-of-state conditional sale. Section 21-46 is repealed.

(1949 Rev., S. 4671; 1959, P.A. 133, S. 10-102.)

Sec. 21-46a. Seizure of property by law enforcement officer. Whenever property is seized from the premises of a pawnbroker by a law enforcement officer, such officer shall give the pawnbroker a duly signed receipt for the property containing a case number, a description of the property, the reason for the seizure, the name and address of the officer, the name and address of the person claiming a right to the property prior to the pawnbroker and the name of the pawnbroker. If the pawnbroker claims an ownership interest in such property he may request the return of such property by filing a request therefor with the law enforcement agency in accordance with the provisions of section 54-36a.

(P.A. 97-164, S. 8.)

Sec. 21-47. Penalties. (a) Any person, corporation, limited liability company or partnership which engages in the business of a pawnbroker, or in any business described in section 21-39, unless licensed according to law, or after notice that its license has been revoked, shall be guilty of a class D felony, and also shall forfeit treble the amount loaned on the property so pledged to any person injured thereby who sues therefor.

(b) Any person, corporation, limited liability company or partnership which wilfully violates any of the provisions of this chapter for which no other penalty is provided or neglects to keep a record-keeping system in the English language or to make the entries therein as provided by law or refuses to allow the same to be inspected by the proper officers or receives an article of personal property by way of pawn, pledge or purchase from any minor, knowing or having reason to believe him to be a minor, shall be guilty of a class A misdemeanor.

(1949 Rev., S. 4668; P.A. 97-164, S. 7.)

History: P.A. 97-164 added reference to "limited liability company", increased the penalty for engaging in business without a license to a class D felony, increased the penalty to a class A misdemeanor for violating provisions of the chapter for which no other penalty is provided, neglecting to keep a record-keeping system or make the required entries, refusing to allow inspection of such system and receiving property from a minor and designated said latter penalty provision as new Subsec. (b).

Cited. 201 C. 89.