

Secondhand Dealer Permit Application

In addition to obtaining an occupation tax certificate pursuant to the Chapter 10 Ordinance, No person shall acquire any regulated secondhand items or transfer any previously acquired regulated secondhand items as a secondhand dealer, or become an employee of a secondhand dealer, without a permit.

No secondhand dealer or employee may operate except at a fixed permanent physical business location with an occupation tax certificate from the City; no secondhand dealer or employee may operate as a peddler or transient merchant. Permits acquired under this Article are valid only for the location stated on the permit and said permit is not transferable from one location to another.

There shall be an annual permit fee, consisting of a nonrefundable investigative fee of \$50.00 and a permit fee of \$50.00, for each secondhand dealer permit within the city. **Please make checks payable to City of Dunwoody.** The full permit fee shall be paid with the permit application and shall not be prorated under any circumstances. If the applicant withdraws the application or the license is denied, the applicant shall be refunded the full permit fee paid. No refund shall be allowed once the permit has been issued. **Each owner and employee of a secondhand dealer and/or pawnshop must have a Secondhand Dealer Permit.**

All secondhand dealers and employees, as defined herein, shall be not less than 18 years of age. Any person who has been convicted of or pled guilty to any felony, any crime involving theft or fraud, or any crime against property under the laws of this state, any other state of the United States, or any federal law shall not be eligible for a secondhand dealer or employee permit under this Article until ten (10) years after the completion by said person of the subject sentence.

For the purpose of this Article, independent contractors shall be considered as employees and shall be permitted as employees, regardless of the business relationship with the owner or occupation tax certificate holder of any secondhand dealership.

All permits granted hereunder shall be for the calendar year and expire on December 31st of each year. Each subsequent permit application shall be treated as an initial application and the applicant shall be required to comply with all rules and regulations for the granting of permits as if no previous permit had been held. Existing licensees shall file applications by December 1st of each year for the following permit.

Effective October 21, 2013, new secondhand dealer/pawn shop establishments will only be permitted in locations zoned C-2 and M. Please contact the Zoning Department to ensure the location you are seeking is permitted allowable use for secondhand dealer/pawn shop services. A legal land survey will now be required to ensure that distance requirements are met pursuant to the Zoning Ordinance. Secondhand dealerships/pawn shops must be, or will be, located within 2,500 feet, front door to front door, by the shortest walking route, of another secondhand dealership.

Please submit the following Secondhand Dealer Permit Application and required supplemental materials (detailed in the following checklist) in person to the Finance Department located at 4800 Ashford Dunwoody RD, Dunwoody, GA 30338. If you have questions, please do not hesitate to contact the Finance Department at 678.382.6705 or Busiensstax@dunwoodyga.gov . The review process for approval may take up to forty-five (45) days.

****Please review the Chapter 10 Ordinance, Article II Secondhand Dealers – Dealers in Precious Metals and Gems and Pawnbrokers for specific requirements and restrictions****

Secondhand Dealer Permit Checklist

Application Requirements:

- Secondhand Dealer Permit Application Information
- Business and/or Employment History
- Secondhand Dealer Permit History of the Applicant
- Corporation, Limited Liability, or Partnership Information
- Applicant's Certification (Notarized)
- SAVE Affidavit (Notarized)
- Copy of current Driver's License, Passport, or Military ID
- Copy of current Occupation Tax Certificate for the business
- Signed Acknowledgement of Article II
- Legal Land Survey meeting distance requirements
- Payment in full

Application Required Attachments:

- Signed Authorization for Criminal Background Check (any and all owners or partners with 10% or more ownership and registered agents)
- Fingerprinting by the City of Dunwoody Police Department (Tuesdays & Thursdays: 9:30am & 10:30am or 1:00pm & 2:00pm)
- Photographing by the City of Dunwoody Police Department (Tuesdays & Thursdays: 9:30am & 10:30am or 1:00pm & 2:00pm)

The following items may be required, if applicable:

- Arrest and Conviction Information, including:
 - date(s) of conviction or arrest
 - charge(s)
 - location(s)
 - dates served in jail
 - dates served on probation or parole

Permit Fees:

- Background Check \$50.00
- Permit Fee \$50.00

Secondhand Dealer Permit Application

Applicant Information

Last Name: _____ First Name: _____ Middle Name: _____

Aliases/Stage Names (in the last 10 years): _____

Social Security #: _____ Date of Birth: _____

Are you 18 years of age or older? Yes No

Sex: Male Female Race: _____

Driver's License #: _____ State Issued: _____

Are you seeking to work operate a pawnbroker? Yes No

Home Address: _____

Home Phone: _____ Mobile/Cell Phone: _____

Email: _____

Please list any additional legal addresses for the past five (5) years:

(1): _____

(2): _____

(3): _____

(4): _____

Have you been convicted of or pled guilty to, in a court of competent jurisdiction, any felony, any crime involving theft or fraud, or any crime against property within the last ten (10) years?

Yes No

A pleading of nolo contendere shall be considered as a conviction for the purposes of this provision.

Please note that any applicant that has been convicted, pled guilty or entered a plea of nolo contendere to any federal, state, or local law for any felony within the past ten years will be denied.

Employment History Information (Within the past 10 years)

Use additional pages if necessary

Current Business of Employment: _____

Job Title: _____

Street Address: _____

Are the premises owned or rented? _____

Phone: _____ Length of Employment: _____

Previous Employer Name, Address, Phone: _____

Previous Employer Name, Address, Phone: _____

Previous Employer Name, Address, Phone: _____

Secondhand Dealer Permit History Information

List any previous permits in this or any other City, State, or Territory

Have you ever had any such permit revoked or suspended? Yes No

If so, why? _____

1. _____
2. _____
3. _____
4. _____

Additional Information

1. Does the applicant have any ownership or interest in this or any secondhand dealership or pawnshop, whether it is located locally or out-of-state? Yes No

If yes, please list the nature of such ownership interest: _____

2. What is the nature and character of the business to be conducted? _____

Corporation, Limited Liability, Partnership Information

Please attach required documentation listed below

Are you doing business under a trade name? Yes No

If the applicant is doing business under a trade name, a copy of the trade name, properly recorded, must be provided. If the applicant is a corporation, a copy of authority to do business in Georgia, including articles of incorporation, trade name and the last annual report, if any, must be provided.

The applicant corporation(s), limited liability company(s) or partnership(s) shall designate one of its officers, members or general partners to act as its responsible managing officer. Such designated applicants shall complete and sign all application forms required of an individual owner under this Article, but only one application fee shall be charged. No secondhand dealership shall operate under any name other than the name of the applicant and the name of the business as specified on the permit.

Corporation: If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation or charter, together with place and date of incorporation, and the names and addresses of each of its current officers and directors.

If one or more of the partners is a corporation, the provisions of this subsection pertaining to corporations shall apply.

Limited Liability Company: If the applicant is a limited liability company, the application shall set forth the name, residence, address and dates of birth of the members, and it shall furnish a copy of its certificate filed with the Secretary of State.

Partnership: If the applicant is a partnership, the application shall set forth the name, residence, address and dates of birth of the partners.

Limited Partnership: If the applicant is a limited partnership, it shall furnish a copy of its certificate filed with the Secretary of State.

I _____ hereby agree that as a condition to the issuance of a Secondhand Dealer Permit, the applicant shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the permit.

I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Secondhand Dealer Permit, are true, and no false or fraudulent statement or answer is made herein to procure the granting of such permit.

I hereby state and understand that any conviction for violation of the provisions of the City of Dunwoody's Chapter 10 Ordinance, Article II or the State of Georgia's Code, shall result in the automatic suspension of the Secondhand Dealer Permit. Furthermore, the Chief of Police may revoke said Secondhand Dealer Permit and demand its return if the applicant adversely affects the public health, safety, or welfare.

I hereby solemnly swear that there are no fees, taxes, fines or other charges due to the City of Dunwoody.

I hereby understand that it shall be unlawful for an applicant whose Secondhand Dealer Permit has been revoked and upon whom demand for return of the card has been made to refuse to return the card or to alter, conceal, deface, or destroy the card.

Applicant's Signature: _____

Sworn and Attested before me on this _____ day of _____, 20____.

Notary Signature and Seal: _____

Background Check Consent Form
FOR SECONDHAND DEALER PERMIT
****Do Not Issue Permit****

*****PLEASE NOTE: Background Checks are only performed by appointments only between the hours of 9:30AM & 10:30AM and 1PM & 2PM on Tuesdays and Thursdays by APPOINTMENT ONLY.**

I authorize the **Dunwoody Police Department** to receive any background record information pertaining to me, which may be in the files of any federal, state, and/or city criminal justice agency in Georgia. I also acknowledge that I received a copy of my privacy rights in accordance to both Federal and State regulations.

Print Full Name: _____

Maiden Name/Previous Name/Alias Info: _____

Date: _____ Telephone Number: _____

Driver's License No: _____ DL State: _____

Are you a U.S. Citizen? Yes _____ No _____

If no, you will need to have your Green Card available. Country of Birth: _____

Date of Birth: _____ Race: _____ Sex: _____ Social Sec#: _____

Street Address: _____

City: _____ County: _____ State: _____ Zip: _____

Business Name: _____

Business Address: _____

Signature of Applicant: _____

For Finance Dept Use Only:

- Only Background Check & Fingerprints (No Permit Required)
- Only Background Check (No Permit Required)
- Return Results to Finance Department
- Secondhand Dealer Permit (Photo, Background Check, Fingerprints)- (Exp. 1 yr)

Employee Completing: _____ Date Complete: _____

Meets Permit/License Requirements: _____ Does Not Meet Permit/License Requirements: _____

APPLICANT PRIVACY RIGHTS

As an applicant that is the subject of a Georgia only or a Georgia and Federal Bureau of Investigation (FBI) national fingerprint/biometric-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, immigration or naturalization, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints/biometrics will be used to check the criminal history records maintained by the Georgia Crime Information Center (GCIC) and the FBI, when a federal record check is so authorized.
- If your fingerprints/biometrics are used to conduct a FBI national criminal history check, you are provided a copy of the Privacy Act Statement that would normally appear on the FBI fingerprint card.
- If you have a criminal history record, the agency making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The agency must advise you of the procedures for changing, correcting, or updating your criminal history record as set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a Georgia or FBI criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the agency denies you the job, license or other benefit based on information in the criminal history record.
- In the event an adverse employment or licensing decision is made, you must be informed of all information pertinent to that decision to include the contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision shall be a misdemeanor [O.C.G.A. § 35-3-34(b) and §35-335(b)].

You have the right to expect the agency receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of state and/or federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If the employment/licensing agency policy permits, the agency may provide you with a copy of your Georgia or FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, information regarding how to obtain a copy of your Georgia, FBI or other state criminal history may be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).

If you decide to challenge the accuracy or completeness of your Georgia or FBI criminal history record, you should send your challenge to the agency that contributed the questioned information. Alternatively, you may send your challenge directly to GCIC provided the disputed arrest occurred in Georgia. Instructions to dispute the accuracy of your criminal history can be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-recordinformation>).

PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine Uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Precious Metals Buyers Acknowledgement

Pursuant to the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance, all precious metals buyers must adhere to the regulations below and consent to a background check by the Dunwoody Police Department. Below is an excerpt of Article 2 Pawnshops, Pawnbrokers from the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance.

Sec. 10-52. Annual permit required; other violations

No person shall acquire any regulated secondhand items or transfer any previously acquired regulated secondhand items as a secondhand dealer, or become an employee of a secondhand dealer, without a permit. It shall be unlawful for any secondhand dealer or employee to:

- (1) Make any false statement in an application for a permit required by this Article; or
- (2) Make any false entry in any record book, ledger or form required by this Article.

Sec. 10-53. Exempt Transactions

The following transactions are exempt from the provisions of this Article:

- (1) Transactions in which a non-profit entity, exempt from federal income tax pursuant to 26 U.S.C. Sections 501(c), 501(d), or 501(e), is a party;
- (2) Transactions occurring at one-day auctions and/or permitted yard sales, unless a dealer in precious metals or gems or pawnbroker is a party to such transaction; and
- (3) Transactions involving numismatic coins, unless a pawnbroker is a party to such transaction.

Sec. 10-54. Fixed physical location

No secondhand dealer or employee may operate except at a fixed permanent physical business location with an occupation tax certificate from the City; no secondhand dealer or employee may operate as a peddler or transient merchant. Permits acquired under this Article are valid only for the location stated on the permit and said permit is not transferable from one location to another.

Sec. 10-58. Renewal of permits.

Permits for secondhand dealers and employees may be renewed on a calendar year basis provided that the applicants continue to meet the requirements set out in this Article. Each secondhand dealer must file a verified annual report showing the person's gross receipts from the business and the amounts paid to the employees for the preceding calendar year and such shall be submitted with the renewal applications. Renewal applications shall be submitted by January 1 of the year for which such permit is requested along with a fee to be set by Resolution of the City Council.

Sec. 10-59. Permit nontransferable.

No secondhand dealer or employee permit may be sold, transferred or assigned to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such permit and such permit shall thereafter be null and void; provided and excepting, however, that if the permit holder is a partnership and one or more of the partners should die, one or more of the surviving partners may acquire, by purchase or otherwise, the interest of the deceased partner or partners without affecting a surrender or termination of such permit, and in such case, the permit upon notification to the City shall be placed in the name of the surviving partner(s).

- (a) *Contents of record book.* All secondhand dealers shall keep a book wherein shall be entered an accurate description of all regulated secondhand items, as specified in section 10-51, acquired by the secondhand dealer, including, to the extent possible, the manufacturer, model, serial number, style, material, kind, color, design, number of stones if jewelry, and all other identifying names, marks and numbers, and the name, address, and date of birth of the person from whom purchased or acquired

and the date and hour of the purchase. These entries shall be made as soon as possible after the transaction is had, in no case more than one hour thereafter.

- (b) The secondhand dealer shall require all sellers to show proper identification prior to acquiring any regulated secondhand item. Proper identification is defined as a government-issued photo identification card such as a driver's license, military identification card, state identification card, or passport. The secondhand dealer shall make a digital photograph of the identification and maintain in the same manner as other digital photographs required under this section.
- (c) A digital photograph shall be made by the secondhand dealer or employee at the time of acquisition of any regulated secondhand item of the item and the item's serial number, which number shall be clearly visible and readable in the photograph if imprinted on the item. If the item was never imprinted with any type of serial number, then the photograph shall show the entire item. All such digital photographs shall be submitted to the reporting system as indicated below. Further, a digital photograph of the seller's face, similar to those on accepted identification, shall be made at the time of each and every acquisition and submitted to the reporting system. The photograph shall clearly show a frontal view of the seller's face along with the secondhand dealer's receipt and/or, if the secondhand dealer is a pawnbroker, the pawn ticket number. Digital images shall be labeled and stored in such a manner that they are safe from corruption, readily identifiable, and readily available for review.
- (d) The secondhand dealer shall obtain from each seller the fingerprint of the right hand index finger, unless such finger is missing, in which the event the print of the next finger in existence on the right hand shall be obtained with a notation as to the exact finger printed. The electronic digital fingerprint scanner will be the primary method of entry required. The fingerprint shall be imprinted onto the transaction form in the designated area along with the signature of the seller. The fingerprint must be clear and legible. In the event that more than one transaction form is required, a fingerprint and signature shall be obtained for each form. Fingerprints and the information required herein shall be obtained upon each occasion of acquisition.
- (e) *Inspection.* The secondhand dealer shall store the above records, digital images, and fingerprints for a period of four (4) years, and make them available for inspection and examination by the police department upon request.
- (f) Every secondhand dealership shall enter each transaction as it occurs into the electronic automated reporting system via the internet to the administrator of the electronic automated reporting system, who will, in turn, electronically transmit all transactions to the Dunwoody Police Department.

Sec. 10-61. Entries to be numbered serially; property to be tagged.

Every entry required to be made in the secondhand dealer's book required by section 10-60 shall be numbered serially, and the property described in the entry shall have attached to it a tag bearing the same serial number until the property is disposed of by sale, trade or other lawful means. This paragraph does not apply to the purchase of property from licensed wholesale distributor businesses for the purpose of retail sales; however, the secondhand dealer shall be required to maintain all purchasing records for property exempted from this paragraph.

Sec. 10-62. Acquiring articles with serial number mutilated or altered.

It shall be unlawful for any secondhand dealer to purchase or acquire any watch, clock, pistol, gun, automobile tire or battery or any other article commonly branded with a serial number upon which the number has been mutilated, altered, or removed.

Sec. 10-63. Daily reports to police; form and contents.

Every secondhand dealer identified in this Article shall make a daily report in such form as may be prescribed by the chief of police, which may be electronic, of all property purchased or acquired by the dealer during the 24 hours ending at 12:00 midnight on the date of the report. The reports shall be made as follows:

- (1) Daily reports shall list all regulated secondhand items acquired, the transaction number for each transaction, and a description of the regulated secondhand items including, to the extent possible, the manufacturer, model, serial number, style, material, kind, color, design, number of stones if jewelry, and any other identifying names, marks and numbers. The daily report shall also list the name, address, race, sex, height, weight, driver's license number, and date of birth of the seller of the items, along with the date and time of the transaction. Unless otherwise provided, an electronic automated reporting system shall be utilized to transmit said reports. The secondhand dealer shall be required to register with the designated system within one week of receipt of a permit under this Article.

- (2) In the event that the electronic automated reporting system becomes temporarily or permanently disabled, or has not been employed, secondhand dealerships will be notified as soon as possible. Secondhand dealerships that incur electronic system failures or other events that would cause partial or complete loss of electronic reporting should notify the Police Department forthwith with the reason for the failure. In this event, the secondhand dealers will be required to make records of transactions on paper forms. A digital camera will be used to collect the required pictures and transferred to a CD for submittal, and a fingerprint ink pad will be used to collect fingerprints. The paper forms must include information as enumerated in this Article. Secondhand dealers shall maintain a minimum three-day supply of these paper forms. On a daily basis, all transactions not reported in electronic automated reporting system, will be delivered to the Police Department by the secondhand dealer within two (2) hours of the end of the business day for every day until the event has been corrected or electronic automated reporting system designated.
- (3) The Chief of Police or his designee shall designate the required automated reporting system and required equipment needed, and any fee for use of same may be collected by the third party administrator of the automated reporting system, pursuant to the requirements of the City.

Sec. 10-64. Examination and inspection of articles by police; segregation of suspicious articles.

All property purchased or acquired by a secondhand dealer shall at all times be subject to examination and inspection by the police department. If, upon the inspection, a police officer shall have reasonable cause to believe that any of the property is stolen, he shall segregate it. It shall thereafter be unlawful for the person in possession of the property to dispose of it, or in any manner mutilate, melt or disfigure it, until fifteen (15) days have elapsed from the date of the inspection.

Sec. 10-65. Property to be held after acquisition.

All property purchased or acquired by a secondhand dealer shall be held for not less than fifteen (15) days, or longer if directed by the Police Department, before disposing of same by sale, transfer, shipment or otherwise. All property and/or titles must be kept on the premises. During such fifteen (15)-day period, these secondhand items will be maintained in an area not accessed by customers.

Sec. 10-66. Dealing with minors.

It shall be unlawful for any secondhand dealer to acquire any property of the kinds described in this Article from any person under the age of 18 years, provided that any secondhand dealer will not be held subject to the provisions of this section if the person produces a valid identification, as defined in this Article, showing he/she is at least 18 years of age.

Sec. 10-67. Suspensions, revocations and appeals of permit denials.

- (a) The City Manager may suspend or revoke a secondhand dealer or employee permit pursuant to the reasons stated in this Article. If the City Manager or designee intends to suspend or revoke said permit(s), the City Manager or designee shall send a written notice of suspension or revocation, by certified mail, return receipt requested, to the permit holder at the address for the secondhand dealership or pawnshop stated on the permit and, if an employee permit, to the address stated on the employee's application. The written notification shall inform the permit holder of the reason for the suspension or revocation and shall inform the permit holder of his/her right to appeal said determination to the City Council or designated hearing officer within thirty (30) days of the suspension or revocation letter, pursuant to the procedures stated herein.
- (b) If the applicant chooses to appeal a denial of a permit by the City Manager, or suspension or revocation of a permit by the City Manager, pursuant to this Article, the applicant/permittee shall do so in writing to the City Manager within the thirty-day period following the denial, suspension or revocation letter. Upon receipt of the request to appeal, the City shall schedule a hearing in front of the City Council or designated hearing officer within sixty (60) days of the receipt of the appeal request. The City shall inform applicant/permittee of said hearing no less than fourteen (14) days prior to the hearing, in writing, of the location and time of the hearing.
- (c) The hearing shall be conducted in accordance with the Administrative Hearing Procedures as established by Resolution of City Council. The City Council or designated hearing officer shall render a decision to affirm or reverse the City Manager's decision to deny, suspend or revoke the permit in writing within five (5) business days from the date of the hearing, by certified mail, return receipt requested, to the applicant/permittee. The decision of the City Council or designated hearing officer shall be final.

- (d) The applicant/permittee may appeal an adverse decision of the City Council or Hearing Officer by filing a Petition for Writ of Certiorari with the County Superior Court in accordance with state law within thirty (30) days of the Council or Hearing Officer's decision.

Sec. 10-68. Redemption; lost or damaged goods

Any person properly identifying him or herself and presenting a pawn ticket to the pawnbroker shall be presumed to be the pledgor or seller and shall be entitled to redeem the pledged goods described in such ticket. In the event such pledged goods are lost or damaged while in the possession of the pawnbroker, it shall be responsibility of the pawnbroker to replace the lost or damaged goods with like kinds of merchandise and proof of replacement shall be a defense to prosecution. For the purposes of this section, lost includes destroyed or having disappeared because of any cause, whether known or unknown, that results in the pledged goods being unavailable for return to pledgor.

Sec. 10-69. Additional registration and regulations applicable to dealers in precious metals and gems

In addition to the provisions contained in this Article, dealers in precious metals and gems shall comply with the requirements of O.C.G.A. § 43-37-1, et. seq., and shall register with the police department as required by State law, in addition to compliance with this Article. It shall be unlawful for any person to advertise or transact business as a dealer in precious metals and gems without first registering to do so pursuant to this section. It shall be 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.

Sec. 10-70. Additional regulations applicable to pawnbrokers

Nothing in this Article shall supersede the requirements of O.C.G.A. § 44-12-130, et. seq.; rather, the provisions provided herein shall be construed as cumulative to such state law provisions.

Section 2. All applicants already engaging in the business of operating a secondhand dealership in the City prior to the effective date of this Ordinance shall file an application in accordance with the terms of this Ordinance within sixty (60) days of the effective date of the Ordinance, which shall be renewed each year the business is in operation in accordance with this Ordinance, and shall have a valid permit for all parties required to have same by this Ordinance within 105 days of the effective date of this Ordinance, unless a denial of same has been appealed in accordance with this Ordinance.

Section 3. This Ordinance shall be effective on July 1, 2012 and its provisions appropriately incorporated into the Code of the City of Dunwoody, Georgia. This Ordinance repeals any and all conflicting ordinances and amendments.

Please sign and date below acknowledging that you understand your responsibilities to the City of Dunwoody as a precious metals buyer and will adhere to the provisions pursuant to the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance.

<p>Contact for Precious Metals Buyers Finance & Administration Dept. 678.382.6705 businesstax@dunwoodyga.gov</p>

Signature: _____ Date: _____

Applicant Name: _____

Business Name: _____

****Please make a copy for your records****