



*City of
Encinitas*

**CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
SECONDHAND DEALER/PAWNBROKER PERMIT APPLICATION**

NEW

(APPLICATION FEE IS NOT REFUNDABLE)

PLEASE SUBMIT THE FOLLOWING DOCUMENTS WITH THIS APPLICATION:

- ___ \$398 FEE
- ___ APPLICATION FOR PAWNBROKER'S/SECONDHAND DEALER'S LICENSE
- ___ BACKGROUND APPLICATION (each applicant, corporate officer and/or partner associated with the business must complete)
- ___ PHOTO IDENTIFICATION (Driver's License or Passport)
- ___ AUTHORIZATION TO RELEASE INFORMATION
- ___ PROOF OF OWNERSHIP OF BUSINESS PREMISES OR LEASE AGREEMENT SIGNED BY OWNER FOR SUCH USE OF THE PREMISES
- ___ ORIGINAL SURETY BOND FOR STATE PAWNBROKER'S LICENSE & FINANCIAL REVIEW
- ___ COPY OF CURRENT BUSINESS REGISTRATION WITH THE CITY OF ENCINITAS
- ___ FICTITIOUS NAME STATEMENT OR CORPORATE PAPERS FROM STATE OF CALIFORNIA AND STATEMENT OF DOMESTIC STOCK

THE NEXT TWO ITEMS CAN BE OBTAINED AT OUR PLANNING DEPARTMENT:

- ___ Zoning status _____; Assessor's parcel number _____
- ___ Plot plan showing location of property, Location of streets, alleys, lots & parcels of land or residences within 700 feet of the exterior boundaries of the property and location of vehicle parking areas
- ___ INITIATE PROCESS FOR STATE SECONDHAND DEALER LICENSE WITH THE COUNTY SHERIFF'S LICENSING DEPARTMENT.
CONTACT TERESA COLLIER AT (858) 974-2104
THE CITY OF ENCINITAS WILL ONLY ISSUE A PERMIT ONCE IT HAS BEEN APPROVED BY THE STATE



*City of
Encinitas*

**CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
SECONDHAND DEALER/PAWNBROKER PERMIT APPLICATION**

RENEWAL

(APPLICATION FEE IS NOT REFUNDABLE)

PLEASE SUBMIT THE FOLLOWING DOCUMENTS WITH THIS APPLICATION:

- ___ \$379 FEE
- ___ APPLICATION FOR PAWNBROKER'S/SECONDHAND DEALER'S LICENSE
- ___ BACKGROUND APPLICATION (each applicant, corporate officer and/or partner associated with the business must complete)
- ___ AUTHORIZATION TO RELEASE INFORMATION
- ___ COPY OF CURRENT BUSINESS REGISTRATION WITH THE CITY OF ENCINITAS
- ___ COPY OF DRIVER'S LICENSE
- ___ COPY OF STATE SECONDHAND DEALER LICENSE
ALL STATE SECONDHAND DEALER LICENSES ARE HANDLED THROUGH THE COUNTY
SHERIFF'S LICENSING DEPARTMENT. CONTACT TERESA COLLIER AT (858) 974-2104



CITY OF ENCINITAS
505 SOUTH VULCAN AVENUE, ENCINITAS, CA 92024
760/633-2605

APPLICATION FOR PAWNBROKER/SECONDHAND DEALER'S LICENSE

FEE: \$ 398.00 NEW (fees are non-refundable)
 379.00 RENEWAL

Business Name _____ Telephone no. _____

Business Address _____
 Number Street City State Zip

Are you the sole owner/proprietor of the business? Yes No Email Address _____
 If not are you:

Corporation Partnership or LLC (each corporate officer and/or partner associated with the business must complete a Background Application)

Corporate/LLC Name: _____
 (If different from DBA)

Owner (s) of premises _____
 (If applicant is not owner, written permission from the owner must be attached)

List the types of merchandise you will be handling _____

Will you be receiving goods in pledge as security for a loan as defined in Section 21000 of the Business and Professions Code ? Yes No

Will you be conducting Auto Pawns? Yes No

If yes, need address location of proposed vehicle storage _____

Will you be accepting sales on consignment? Yes No

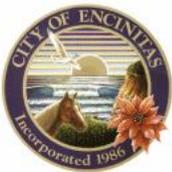
Will you be dealing in firearms? Yes No
 If so, you will be required to apply for a Firearm Sales Permit

Will you be dealing in "junk" as defined in Sec. 1100 of the San Diego County Zoning Code? Yes No

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENTS OR INFORMATION ARE GROUNDS FOR DENIAL OF THIS APPLICATION. I AGREE TO HAVE ALL THE REQUIRED NOTICES, UNLESS OTHERWISE SPECIFIED, SENT BY U.S. MAIL TO THE ADDRESS GIVEN ON THE APPLICATION. I AM AWARE THAT ALL FEES ASSOCIATED WITH THIS APPLICATION ARE NON-REFUNDABLE. THE RIGHT OF REASONABLE INSPECTION SHALL BE A CONDITION FOR ISSUANCE OF A SHERIFFS PERMIT/LICENSE. I HAVE READ AND UNDERSTAND THE SECTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO PAWNBROKERS/SECONDHAND DEALERS.

DATE _____ APPLICANT'S SIGNATURE _____

APPLICATION ACCEPTED BY _____ DATE _____



CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
505 SOUTH VULCAN AVE
ENCINITAS, CA 92024

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

Subject Name: _____

Date of Birth: _____ SSN: _____

As an applicant for a business permit/license from the San Diego Sheriff's Department, I am required to furnish information for use in determining my qualifications. In this connection, I authorize the disclosure and release of any and all truthful information that you may have concerning me, including, but not limited to, employment records, personnel files, background investigation files, disciplinary records, complaints or grievances filed by or against me, training files, arrest, criminal, probation and driving records, military, academic or other records.

I direct you to release this information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the San Diego County Sheriff's Department.

I understand I will not receive and am not entitled to know the contents of confidential reports received and I further understand that these reports are privileged.

I hereby release you, your organization, their agents and representatives, and any person furnishing information, from any and all liability and/or damage that may result from furnishing the above information. A photocopy of this release is to be considered as valid as an original. This release will expire one (1) year after the date signed.

Signature: _____ Date: _____

Full Name (Printed): _____

SHERIFF'S USE: APPROVED DISAPPROVAL Date _____ Signature _____

COMMENTS _____



CITY OF ENCINITAS
PLANNING & BUILDING DEPARTMENT
505 SOUTH VULCAN AVE
ENCINITAS, CA 92024

BACKGROUND APPLICATION FOR SHERIFF REGULATED ACTIVITIES

Type of business or activity for which you are applying: _____

Affiliation with business or title (check one): Owner Officer Partner Other

Name: _____ (____) _____
(Last) (First) (Middle) Telephone

All other names used (Past and present. Include maiden name): _____

Date of Birth: _____ Place of Birth: _____ Sex [M] [F]

Height: _____ Weight: _____ Hair: _____ Eyes: _____

Driver's License No: _____ Soc. Sec. No: _____ - _____ - _____

Residence: _____
(Number) (Street) (City) (State) (Zip)

Previous Residences (Last 5 Years): _____

Email Address: _____

Have you applied for a similar regulatory license in any other jurisdiction in the past (5) five years? YES NO

If yes, where? _____

List all charges (misdemeanors & felonies) resulting in conviction or plea of nolo contendere:

<u>Date</u>	<u>Charge</u>	<u>Investigating Agency</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I hereby certify under penalty of perjury that the statements made in this application are true and correct to the best of my knowledge and belief. I understand that any false statements or information are grounds for denial of this application. I agree to have all the required notices, unless otherwise specified, sent by U.S. mail to the address given on the application. The right of reasonable inspection shall be a condition for issuance of this license.

Applicant Signature _____

Date _____



CITY OF ENCINITAS

City Clerk's Department

505 S. Vulcan Ave, Encinitas, CA 92024

Contact: 760-633-2606 or clerkstaff@encinitasca.gov

Instructions & Information: www.encinitasca.gov/clerk

BUSINESS REGISTRATION APPLICATION

\$36 Processing Fee (\$35 Business Registration Fee + \$1 SB1186 State Mandated Fee)

The City of Encinitas does not have a business "license" program. The Business Registration is used in lieu of a licensing program.

Annual renewals are \$21 (\$20 business registration fee + \$1 SB1186 State Mandated Fee)

***If using a DBA, a Fictitious Name Statement must be filed with the County Clerk, PRIOR to applying for a Business Registration.**

Company Name:			
Company Type (choose one):	Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Trust <input type="checkbox"/>		
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Business Email Address:			
Business Phone:			
Business Description:			
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>		
*DBA (Fictitious Name):			
Is this a Home Based Business?	Y / N		
Is this Business a Rental Booth?	Y / N		
EIN # (If Applicable):	_____ - _____		
Date Business Opened (Mo/Yr):			
Web Page Address:			
Is Business a Non-Profit 501(c)(3)?	Y / N	# of Employees working in Encinitas:	
Mailing address, if different from business location:			
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Business Owner Contact Info			
First Name:			
Middle Name:			
Last Name:			
Title:			
Email Address:			
Business Phone:			
Home Phone:			
Mobile Phone:			
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>		
Street Address:			
City:			
State:		County (if outside San Diego):	
Zip Code:			
Additional Owner/Agent Contact Info			
First Name:			
Middle Name:			
Last Name:			
Title:			
Email Address:			
Mobile Phone:			
Business Phone:			
Home Phone:			

Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>
Street Address:	
City:	
State:	County (if outside San Diego):
Zip Code:	
Choose one:	Business Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/>
24 Hour Emergency Contact Info (for businesses located in Encinitas)	
Same as Business Owner <input type="checkbox"/> Same as Additional Owner/Agent <input type="checkbox"/>	
First Name:	
Middle Name:	
Last Name:	
Title:	
Email Address:	
Business Phone:	
Home Phone:	
Mobile Phone:	
Contact Preference (choose one):	Email <input type="checkbox"/> Mail <input type="checkbox"/>
Street Address:	
City:	
State:	County (if outside San Diego):
Zip Code:	

HOME OCCUPATIONS

If your business is located in a residential area in the City of Encinitas, it is considered to be a Home Based Business and shall be permitted in compliance with the following conditions:

1. There shall be no exterior evidence of the conduct of a home occupation out of character with the normally appropriate appearance of the dwelling.
2. A home occupation shall be conducted entirely within a dwelling or a garage.
3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling shall be prohibited.
4. Only the residents of the dwelling unit may be engaged in the home occupation except by temporary minor use permits.
5. There shall be no on-premise sale of goods not produced on the premises.
6. The establishment and conduct of the home occupation shall not change the principal character or use of the dwelling unit involved.
7. There shall be no signs other than those permitted by the sign ordinance (Municipal Code 30.60).
8. The required residential off street parking shall be maintained.
9. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.

SB1186 Mandated Fee: On September 19, 2012 Governor Brown signed into law SB-1186 which adds a state fee of \$1 on any applicant for a local business license or similar instrument or permit, or renewal thereof. The purpose is to increase disability access and compliance with construction-related accessibility requirements and to develop educational resources for businesses in order to facilitate compliance with federal and state disability laws, as specified.

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx
- The California Department of Rehabilitation at www.rehab.cahwnet.gov
- The California Commission on Disability Access at www.cdda.ca.gov

I DECLARE, UNDER PENALTY OF PERJURY, THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT, AND THAT ALL REQUIRED LICENSES ARE IN FULL FORCE AND EFFECT.

The issuance of a certificate does not serve as verification that all regulatory provisions of the City of Encinitas have been met, nor does it allow the right to operate a business which is not in conformance with the regulatory provisions of the City, County, State or other applicable agency.

Signature of Owner or Agent: _____

Date: _____

CHAPTER 7. PAWNBROKERS AND SECONDHAND DEALERS*

THE CITY OF ENCINITAS HAS ADOPTED THIS SAN DIEGO COUNTY CODE BY REFERENCE

***Editor's note**--Chapter 7 repealed and reenacted by Ord. No. 3623 (N.S.), effective 1-14-71; Chapter 7, secondhand dealers, §§ 21.700--21.702.5, 21.706, 21.708--21.714 and 21.719--21.721, repealed and reenacted as herein set out by Ord. No. 8466 (N.S.), § 1, effective 11-25-94. Former Chapter 7 was amended by the following ordinances:

Ord. No. (N.S.)	Effective Date	Ord. No. (N.S.)	Effective Date
3793	12-23-71	7163	8- 7-86
3840	3-23-72	7210	10-30-86
5200	8-10-78	7428	2- 4-88
5290	11-30-78	7803	9-13-90
5737	5-29-80	8049	5- 7-92

Cross reference(s)--Records -- second hand weapons, § 21.1209.

SEC. 21.701. PURPOSE.

Business and Professions Code sections 21625 et seq., regulating pawnbrokers and other secondhand dealers, were enacted to "curtail the dissemination of stolen property and facilitate the recovery of stolen property." The State Legislature expressly recognized and authorized counties to adopt regulations for pawnbrokers and other secondhand dealers by ordinance provided the ordinance was not inconsistent with State law. The purpose of this chapter is to further the State Legislature's intent and to protect the citizens of San Diego County. This chapter is to be construed to carry out these goals.

(Ord. No. 8466 (N.S.), effective 11-25-94; amended by Ord. No. 8711 (N.S.), effective 8-29-96; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.702. DEFINITIONS.

For the purposes of this chapter the following definitions shall apply:

- (a) "Fixed place of business" means the building from which a business is continuously conducted from day to day and regularly kept open for the purposes of the business.
- (b) "Pawnbroker" has the same definition as the term "pawnbroker" in Financial Code section 21000.

(c) "Secondhand dealer" has the same definition as the term "secondhand dealer" in Business and Professions Code section 21626 and 21626.5.

(d) "Tangible personal property" has the same definition as the term "tangible personal property" in Business and Professions Code section 21627.

(Ord. No. 8466 (N.S.), effective 11-25-94; amended by Ord. No. 8711 (N.S.), effective 8-29-96; amended by Ord. No. 9155 (N.S.), effective 7-13-00; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

Cross reference(s)--Definitions, § 12.101 et seq.

SEC. 21.703. LICENSE REQUIRED.

No person shall conduct business as a pawnbroker or secondhand dealer in the unincorporated area of the County without obtaining a license from the Issuing Officer. The Sheriff shall be the Issuing Officer for any license required by this chapter. A pawnbroker's license and a secondhand dealer's license are subject to sections 21.101- 21.117 of this code and this chapter.

(Ord. No. 8466 (N.S.), effective 11-25-94; amended by Ord. No. 8711 (N.S.), effective 8-29-96; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

Cross reference(s)--Sheriff's regulatory fees, § 21.1901.

SEC. 21.704. FIXED PLACE OF BUSINESS REQUIRED.

No person shall be licensed as a pawnbroker or second-hand dealer by the Issuing Officer unless the person has a fixed place of business in the unincorporated area of the County.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.705. SHERIFF TO MAINTAIN REPORTS AND MAKE AVAILABLE FOR INSPECTION.

The Sheriff shall retain all daily reports pawnbrokers and secondhand dealers are required to provide pursuant to Business and Professions Codes sections 21628, 21629 and 21630 for two years. Any peace officer of this State and any Sheriff's license specialist shall have the right to inspect the reports.

(Ord. No. 8466 (N.S.), effective 11-25-94; amended by Ord. No. 8711 (N.S.), effective 8-29-96; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.706. HOLDING PERIOD AND INSPECTION FOR TANGIBLE PERSONAL PROPERTY.

A pawnbroker or secondhand dealer shall hold all tangible personal property it acquires in the course of business for 30 days from the date the pawnbroker or secondhand dealer reports acquiring the property to the Sheriff under Business and Professions Code sections 21628, 21629 and 21630. During the holding period any peace officer and any Sheriff's license specialist shall have the right to inspect the tangible personal property reported to the Sheriff. If the property subject to inspection is not held on the business premises during the holding period the pawnbroker or secondhand dealer shall make it available within one business day of any request to inspect.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)