



Permit/ Renewal Application
Precious Metals & Gems
City of Colonial Heights, Virginia

Applicant Name: _____
(Last) (First) (Middle)

Any aliases used: _____

Address: _____
(Number, Street, City, State, Zip Code) Post Office Boxes are not allowed

Mailing Address (if different from above): _____

Age: _____ Sex: _____ Date of Birth: _____

Name of Employer: _____

Address of Employer: _____

Telephone Number of Employer: _____

Name of Business & Physical Address of Business: _____

1. Have you been convicted of a crime of moral turpitude in the last 10 years in the Commonwealth of Virginia or her sister states? No Yes (If yes, give Details)

2. Do you have surety bond (not less than \$10,000.00) or letter of credit (from a recognized financial institution)? No Yes (If yes, give details/ this is required before application approval):

3. Is a \$200.00 application fee (check or money order only, cash will not be accepted) attached to the permit request? No Yes

4. Permit shall be valid for 1 year from the date of issuance. A permit may not be renewed in the same manner as the initial permit was obtained.

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Authorization to Obtain Information

"I hereby certify that the information contained herein is true and accurate and understand that any false statement made on this application form voids the permit for which I am applying.

"I authorize the Chief of Police or his designee to conduct a criminal history check in my name to assure compliance with the Code of the City of Colonial Heights (226-3) and Virginia State Code (54.1-4001).

Printed Name of Applicant

Signature of Applicant

Date

The Foregoing subscribed and swore to before me the undersigned Notary Public in and for the City of Colonial Heights, Virginia on this _____ day of _____

By: _____

Notary Public

My commission expires: _____

*City of Colonial Heights, VA
Monday, May 20, 2013*

Chapter 226. PRECIOUS METALS AND GEMS

§ 226-1. Definitions.

For the purposes of this chapter, the following words shall have the meanings ascribed to them by this section:

DEALER

Any person, firm, partnership or corporation engaged at any location in the City of Colonial Heights in the business of purchasing precious metals or gems or making loans for which precious metals or gems are received and held as security; provided, however, that retail merchants permanently located within the City shall be exempted insofar as they make purchases directly from manufacturers or wholesalers of precious metals or gems for their inventories. This definition includes merchants whose business is itinerant in nature as well as those whose business is permanently located in the City. As used herein, "dealer" includes employers and principals on whose behalf the purchase or loan was made and all employees and agents who personally make such purchases and loans. When any act is required of a corporation, it shall be performed by its president.

GEMS

Any item containing or having any precious or semiprecious stones customarily used in jewelry or ornamentation.

PRECIOUS METALS

Any item containing as part of its composition, in any degree, gold, silver, platinum or pewter.

§ 226-2. Permit required.

Beginning at 12:01 a.m. on September 17, 1980, no dealer shall purchase precious metals or gems or make loans for which precious metals or gems are received and held as security without first obtaining a permit from the Police Chief of the City of Colonial Heights as provided herein and without complying with all other provisions of this ordinance. Possession of a permit issued in another locality shall not relieve a dealer of the obligation to obtain a permit from the Police Chief of the City of Colonial Heights.

§ 226-3. Issuance of permit; fee.

[Amended 6-8-1993 by Ord. No. 93-23; 10-11-2011 by Ord. No. 11-20] The permit required herein shall be issued by the Police Chief or his designee upon payment of an application fee of \$200 and satisfaction of the requirements herein. The applicant shall be given a permit if he satisfies the Police Chief of his good character and he has not been convicted within the past seven years of a crime of moral turpitude. Information required on the application shall include the applicant's full name, aliases, address, age, sex, fingerprints and photograph and the name, address and telephone number of the applicant's employer, if any, and the location of the place of business of the dealer. No permit shall be valid for more than one year from the date of issuance, but a permit may be renewed in the same manner as the initial permit is obtained. If the dealer does not operate continuously (Saturdays, Sundays and recognized holidays excepted) from the date of obtaining his permit, then he shall notify the Police Chief of any closing and renewing of business. A dealer shall notify the Police Chief of any change in the location of his business.

§ 226-4. Permits nontransferable; display.

The permit issued hereunder shall be a personal privilege and shall not be transferable, nor shall there be any abatement of the fee for such permit by reason of the fact that the dealer shall have exercised the privilege for any period of time less than that for which it was granted. The permit shall at all times be displayed prominently by the dealer on his business premises.

§ 226-5. False statements on application.

Any false statement made on the application form voids the permit ab initio.

§ 226-6. Information required from sellers.

Dealers shall ascertain the name, address and age of sellers of precious metals or gems and shall require the seller to verify the same by some form of identification issued by a governmental agency, which identification must show as a part of it the picture of the person so identified.

§ 226-7. Records to be kept by dealers.

A. Every dealer shall maintain adequate records containing the following information, which shall appear on bills of sale, the form of which shall be prescribed by the Police Chief, one copy of which is to be retained by the dealer, one copy to be delivered during regular City work hours to the Police Chief at his office in the Courts Building, Temple and Hamilton Avenues, within 24 hours of the sale, and one copy to be delivered to the seller of such precious metals or gems. If the purchase or loan occurs during a weekend or holiday, then the delivery to the Police Chief shall be made no later than 10:00 a.m. of the next regular City workday. For the purposes of this section, the term "delivery" shall be construed to mean receipt by the office of the Police Chief. The required information is as follows:

- (1) The name of the dealer and his employer or principal, if any.
- (2) A complete description of each item purchased, including weight of the precious metals or gems purchased by the dealer, said description to include all names, letters, numbers and identifying marks appearing on the item in question.
- (3) The name, address and age of the seller.

B. When any dealer shall sell or otherwise cease to retain possession of any precious metals or gems which were in his possession under conditions governed by this chapter, he shall deliver to the Police Chief and to the purchaser or other person coming into possession thereof, under the conditions provided for in Subsection A above, a bill of sale containing the following required information:

- (1) The name of the dealer and his employer or principal, if any.
- (2) A complete description of each item when it came into the possession of the dealer, as provided in Subsection A (2) above.
- (3) A complete description of any change of any nature made while the item was retained by the dealer.
- (4) The name and address of the purchaser or other person coming into possession of the item from the dealer.

§ 226-8. Unlawful purchases and loans.

No dealer shall purchase or make a loan on precious metals or gems from any seller who is under the age of eighteen (18). No dealer shall purchase or make a loan on precious metals or gems from anyone whom the dealer believes or has reason to believe is not the owner of said precious metals or gems.

§ 226-9. Dealer to retain purchases.

[Amended 6-8-1993 by Ord. No. 93-23] The dealer shall retain, either within the City or an immediately adjacent county or city, all precious metals or gems purchased or held as security for a minimum of 10 calendar days from the time of filing the bill of sale of their purchase with the Police Chief. During said period of time, no change of any nature shall be made to any item containing precious metals or gems.

§ 226-10. Dealer's bond.

[Amended 6-8-1993 by Ord. No. 93-23] Prior to the approval of an application for a permit, the applicant shall enter a bond with corporate surety, said bond to be payable to the City in the penal sum of \$10,000 and conditioned

upon due observance of the terms of this chapter. In lieu of posting said bond, the dealer may post cash or a letter of credit from a recognized financial institution whose terms are satisfactory to the Police Chief.

§ 226-11. Availability of bond proceeds.

Any person aggrieved by a dealer's violation of the provisions of this chapter and who recovers a final judgment against said dealer therefor may maintain an action in his own name upon the dealer's bond.

§ 226-12. Violations and penalties.

[Amended 6-8-1993 by Ord. No. 93-23; 10-11-2011 by Ord. No. 11-20] Violation of any provisions of this chapter shall be a Class 2 misdemeanor for the first offense and, upon conviction therefor, shall be punished by a fine of not more than \$1,000 or confinement in jail for not more than six months, either or both. Conviction of any subsequent offense shall be a Class 1 misdemeanor and shall be punished by a fine of not more than \$2,500 or confinement in jail for not more than 12 months, either or both.

Upon the first conviction of a dealer for violation of any provision of this chapter, the Police Chief may revoke the dealer's permit for one full year from the date the conviction becomes final. Such revocation shall be mandatory for two full years from the date the conviction becomes final upon a second conviction.