



METAL PERMIT APPLICATION

Non-Refundable Fee

1st Year Fee - \$25.00

Renewable each year \$25.00

Fee if permit lapses \$50.00

(Picture ID required to process application)

APPLICATION IS HEREBY MADE FOR METAL DEALERS / BUYERS PERMIT TO TRANSACT BUSINESS IN ABILENE, TEXAS.

Date: _____

Type of Permit:

Type of Purchase/Sale:

Metal and Precious Metal Permit Consignment Store Regulated Metal Precious Metal Buyer

Description of activity or business to be conducted:

Name of Business or Organization: _____

Name of Applicant: _____

Business Address: _____ City/State: _____ Zip: _____

Email Address: _____

Sales Tax Permit #: _____

Texas Drivers License #: _____

Denial of Permit may be based on one of the following:

- 1) An investigation reveals that the applicant falsified information on this application
- 2) Permit for same business has been revoked within the past 6 months
- 3) The applicant has been convicted within the previous five years of felony offense under Chapter 30 through 32 of the Texas Penal Code as amended and is not clear of community supervision or parole for the last five years.

I hereby certify that I have read and fully understand the forgoing application for a Metal permit. There are no willful omissions, misrepresentations, or falsification in the information provided.

Signature of Applicant

Date

Sworn to and subscribed before me this _____ day of _____ 20_____.

Notary Public (seal)

Please read:

Denial of Permit may be based on one of the following:

1. (a) Because of a person's conviction of a felony or misdemeanor if the crime directly relates to the conduct of a peddler's business or results from an assault against person.
2. (b) An investigation reveals that the applicant falsified information on the application.
3. (c) The applicant is a registered sex offender.
4. (d) The applicant has had a permit revoked for any reason within the past three years.

RELEASE FOR APPLICANT CRIMINAL RECORDS CHECK:

I, the undersigned, do hereby request and specifically authorize you to release to the City of Abilene, any and all information you have regarding any arrest and/or convictions. I am fully aware of the fact that this information will be used in conducting a background investigation and local wanted and records check. I hereby release the City of Abilene, the Abilene Police Department, its agents and employees from any and all liability and/or damage which may result from the furnishing of any local records check information.

Have you been convicted of a felony? Yes _____ No _____

PRINT FULL NAME _____ DATE OF BIRTH _____

Signature: _____ Date: _____

Current Address: _____ City, State, And Zip: _____

Cell Number _____

Company/Organization: _____



I have received a copy of City of Abilene Ordinance #58-2012.

I understand that I am expected to read this ordinance completely and understand the contents.

I understand that this form will be retained and placed in

(Business Name)

Abilene Police Department hold binder as required by this ordinance.

Signature of Employee

Date

Employee's Name - Printed

Business Representative

Date

ORDINANCE NO. 58-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE REPLACING CHAPTER 17, "MISCELLANEOUS PROVISIONS", ARTICLE II, "PAWN SHOPS", OF THE ABILENE MUNICIPAL CODE IN ITS ENTIRETY AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

WHEREAS, the Abilene Police Department routinely investigates criminal offenses in which precious or scrap metals are targeted because of their high value; and,

WHEREAS, the current provisions of Chapter 17, "Miscellaneous Provisions", Article II, "Pawn Shops" are out of date and no longer adequate to meet the needs of the community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1:** That Chapter 17, "Miscellaneous Provisions", Article II, "Pawn Shops" of the Code of Ordinances, City of Abilene, Texas, is hereby replaced as set out in Exhibit A, attached and made a part of this ordinance for all purposes.
- PART 2:** That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- PART 3:** That any person, firm, or corporation violating the provisions of this Ordinance, shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.
- PART 4:** Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 11th day of October, 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper

ORDINANCE NO. 58-2012

EXHIBIT A

Replace CHAPTER 17 "Miscellaneous Provisions", Article II. "Pawn Shops", in its entirety with the following:

ARTICLE II. PAWN SHOPS

Sec. 17-51. Hold period for personal property purchased by pawn shops.

- (a) Each item of personal property purchased from the general public by any local pawn shop under the regulation of the Texas Pawn Shop Act and the Consumer Credit Commissioner must be held at the licensed pawn shop location for a period from the purchase date before being modified, changed, sold, or disposed of in any manner for at least eleven (11) days.
- (b) The City of Abilene Police Department shall have the authority to extend the hold period on any particular personal property if the interest of justice so requires, from eleven (11) days, to a period not exceeding twenty (20) days, by providing written notice to the local pawn shop, (under the regulation of the Consumer Credit Commissioner,) in possession of the personal property on or before the 11th day of the hold period.

ARTICLE III. METAL RECYCLING ENTITIES AND PRECIOUS METAL BUYERS

Sec. 17-52. Definitions.

The following words or phrases, whenever used in this article, shall be construed as defined in this section:

Business Days. Every official working day of the week, including Monday through Friday. This shall exclude any day in which the City of Abilene administration offices are closed due to holidays, inclement weather days, etc.

Chief of Police. The Chief of Police of the City of Abilene, Texas, or designated representative.

City Secretary. The City Secretary of the City of Abilene, Texas, or designated representative.

Consignment Store. A retail store that sells secondhand items on behalf of others and receives a percentage of the sales price.

- (a) A valid Texas Driver's License or state issued photo identification.
- (b) A valid email address.
- (c) The number of the limited sales tax permit issued to the business by the state comptroller's office, if applicable.
- (d) A brief description of the activity or business to be conducted.
- (e) The appropriate fee.

Any application made pursuant to the provisions of this article may be presented to the Better Business Bureau of Abilene or the Abilene Police Department for investigation.

Sec. 17-56. Required fee.

The fees and charges for permits furnished by the city shall be determined from time to time and placed on file in the office of the City Secretary. No application for a permit will be processed until the required fees are tendered to the City Secretary. Permit fees are nonrefundable and shall not be prorated.

Sec. 17-57. Issuance.

Upon completion and presentation of the application, the City Secretary shall issue a permit to the applicant within 5 business days unless grounds for denial exist under Section 17-61 of this Article.

Sec. 17-58. Contents.

- (a) Each permit issued under this article shall show the name of the permitted individual, business address, the date of issuance, and the expiration date of such permit.
- (b) The permit shall be numbered and printed in black; except, that the following shall be printed prominently thereon in red: "The issuance of this License is not an endorsement by the City of Abilene, or any of its officers or employees, and expires _____."

Sec. 17-59. Permit Expiration

The permit will be valid through December 31 of the year the permit is issued. The permit will only be valid for the address for which it is issued and will become void if the location of the business is changed.

Sec. 17-63. Appeals

- (a) An appeal from any act of denial or revocation of any permit shall be filed with the City Manager or his designee within five (5) business days from the date of denial or revocation.
- (b) Such appeal shall be taken by filing with the City Manager or his designee a written statement setting forth fully the grounds for the appeal.
- (c) The City Manager or his designee shall issue a decision on the denial or revocation in writing within 5 business days of receipt of the appeal.
- (d) The revocation or denial is not stayed pending the City Manager's or his designee's decision.
- (e) The decision and order of the City Manager or his designee on such appeal shall be final and conclusive.

Sec. 17-64. Exhibition of Permit Required.

All persons transacting business as a metal recycling entity or precious metal buyer shall conspicuously display the current permit to operate issued by the City of Abilene.

"Conspicuously displayed" shall mean displayed so that it is visible to any customer conducting business with the metal recycling entity or precious metal buyer.

Sec. 17-65. Recordkeeping requirements.

- (a) Except as otherwise provided herein, every person licensed or transacting any business as a metal recycling entity or precious metal buyer within the city shall use the entity designated by the Chief of Police to maintain an electronic inventory-tracking system and transmit all information required by this Article via computer to the entity designated by the Chief of Police.
- (b) The information required to be transmitted by this section must include:
 - 1. The date and time of each transaction in which precious metal or regulated metal is purchased, pledged, or received monetary value for said item (s).
 - 2. An accurate and detailed description of any and all precious metal or regulated metal purchased or acquired during the regular course of business for any

2. a purchase of regulated material by a manufacturer whose primary business is the manufacture of iron and steel products made from melting scrap iron and scrap steel; or
3. the transport or hauling of recyclable materials to or from the metal recycling entity.

Sec. 17-66. Police Hold Binder Required.

- (a) All metal recycling entities or precious metal buyers within the City of Abilene shall maintain a police hold binder to log all property believed to be stolen or that is under investigation.
- (b) This binder shall consist of a three ring notebook containing a current copy of this ordinance, a property log on a form approved by the Abilene Police Department, and signed statements from each employee acknowledging they have been provided a copy of this ordinance and they understand the provisions.

Sec. 17-67. Stolen Property or Property Under Investigation.

- (a) Any item deemed as stolen property or under law enforcement investigation shall be placed away from public view, shall be moved separate from other purchased items and identified as "Police Hold" item(s) and shall be noted in the Police Hold binder provided by the Abilene Police Department. Pursuant to the Texas Occupations Code § 1956.037, property subject to "Police Hold" shall be held a minimum of 60 days unless directed otherwise by a peace officer.
- (b) Any law enforcement agency other than Abilene Police Department that requests items to be placed on hold due to an ongoing investigation shall be directed to Abilene Police Department Criminal Investigations Division upon placing said item on Police Hold.
- (c) Property subject to "police hold" shall be held a minimum of 60 days. Property may be released before the expiration of 60 days if directed by a peace officer.

Sec. 17-68. Acceptance of government or utility property by a metal recycling entity.

- (a) It shall be unlawful for any person licensed or transacting any business as a metal recycling entity within the city to purchase or receive any item of property on which words or markings appear indicating ownership of such item by any government entity or any public utility company, except where the person offering such item for sale or transfer provides:

Sec. 17-72. Hold period for personal property for metal recycling entities.

Section 17-71 of this Article does not apply to metal recycling entities. Those entities shall hold all personal property for the time period required by state law.

Sec. 17-73. Extension of Hold Period.

The Chief of Police shall have the authority to extend the hold period on any particular personal property if the interest of justice so requires by providing written notice to the precious metal buyer or metal recycling entity in possession of the personal property on or before the expiration of the hold period.

Sec. 17-74. Additional requirements for precious metal buyers without a fixed location.

In addition to the other requirements of this article any precious metal buyer without a fixed location operating in the city shall make all purchases available for inspection at request of the Chief of Police within three (3) business days. This request can be either by phone, email or fax.

Sec. 17-75. Enforcement; Inspections; Access to Records.

The Chief of Police shall have the authority, in accordance with applicable law, to do the following to enforce the provisions of this ordinance:

- (a) Issue any orders, directives, or warnings required to carry out the intent and purpose of this Article and its particular provisions.
- (b) Enter and inspect any premises covered by the provisions of this Article to determine compliance with the provisions of this Article and all applicable laws, rules, regulations, standards or directives of the State.
- (c) Request and receive any records necessary to establish the premises are covered by a valid permit.

Sec. 17-76. Penalty.

- (a) A violation of this ordinance shall constitute a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed five hundred dollars (\$500.00). Each transaction and each day shall be considered a separate offense.
- (b) Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation of this Article, including seizure of goods.



ABILENE POLICE DEPARTMENT

HOLD SHEET

BUSINESS NAME: _____

CASE #: _____

AGENCY: _____

OFFICERS NAME: _____ **ID#** _____

CONTACT NUMBER: _____

TICKET # _____	DATE OF PURCHASE _____
TICKET # _____	DATE OF PURCHASE _____
TICKET # _____	DATE OF PURCHASE _____
TICKET # _____	DATE OF PURCHASE _____
TICKET # _____	DATE OF PURCHASE _____

NOTES: _____

FAX ALL HOLDS
Abilene Police Department
Criminal Investigations Division
Office 325-676-6610
Fax 325-676-6612
Attn: CID Property Unit

QuickStart for Businesses



This QuickStart will help you meet local and state reporting guidelines in a secure manner with no additional costs.

LeadsOnline is the nation's largest and most trusted electronic reporting system, serving as an agent to thousands of law enforcement agencies and as a service provider to tens of thousands of reporting businesses.

Reporting businesses and law enforcement agencies benefit from **cost-savings, enhanced efficiency and effectiveness, better business processes, and safer communities.**

Electronic reporting via LeadsOnline **eliminates hassle, costs, and security issues with submitting emails, paper logs, disks, or keeping a log/journal for law enforcement access.** We're pleased to serve you and your community.

How to register

1. Go to www.leadsonline.com.
2. At the top of the page, click **Register**:

3. Then click **I am a business**:

4. Fill out the required information and accept terms and conditions at the end of the form.
5. Click **Submit Registration**.
6. An email confirmation will be sent to the email you supplied. We'll then verify the information you submitted and will call you to show you how to use the system. If you need immediate assistance, call us at 800-311-2656.

If you don't have POS software


1. Go to www.leadsonline.com and login using your username and password.
2. In the menu, click on **Ticket Assistant**.
3. Enter the transaction information, customer information, and item(s) information into the appropriate fields – all fields with an asterisk (*) are required.

4. Click on **Submit** after completing each ticket. The system will send the data to LeadsOnline. It's that easy.

If you're using POS software

1. Create a file or "police report" in your point-of-sale software.
2. Save the file; choose a location you can easily find (CD, USB drive, your desktop, etc).
3. Go to www.leadsonline.com and login using your username and password.
4. You'll land on the "Upload Data" screen; select your business from the drop-down list.
5. Click on the **Browse** button and select the file/police report you created; click **Upload**.

You'll receive an on-screen confirmation that the file was sent.



Check for errors and alerts by clicking **Store Monitor** under **My Account**. Email us at storesupport@leadsonline.com or call (800) 311-2656 for additional assistance. You can view our terms of use and FAQs at www.leadsonline.com.

Top Questions Asked By Businesses

1. How much is this going to cost my business?

Nothing. Services provided to businesses by LeadsOnline are free of charge. All you need is a computer and Internet connection. (Law Enforcement pays an annual subscription to use the service.)

2. How secure is the LeadsOnline system?

The information you send is encrypted and our data center has passed the SAS 70 Type II security audit.

3. What if I don't have the Internet on the same computer as my business software?

Simply save your daily transactions to a CD or USB drive. Then put the CD or USB drive in the computer with Internet access and send your file. Uploading takes only 30 seconds, on average.

4. What if I don't have business software and still do transactions by hand?

If you write transactions by hand, LeadsOnline provides a user-friendly feature called Ticket Assistant to help you easily and rapidly input your daily transactions. As with all our services to businesses, Ticket Assistant is free of charge to you.

5. I have OLD software – will LeadsOnline still work for me?

Yes, as long as you can save a file of your transactions from your software. We can accept any file type except PDF or Word documents. You'll be surprised just how flexible our Client Support Team is in working with older software.

6. Who sees my data? Can other stores (my competitors) see it?

Only authorized law enforcement officials investigating crimes have access to the data on the LeadsOnline system. This means that no one else can see your company information. And you can't see anyone else's data, either. You can only see the transactions you have sent us, and you can do so via your Store Monitor screen.

7. How often should I send my transactions to LeadsOnline?

Reporting requirements vary by state and jurisdiction; however, law enforcement prefers businesses to upload at least once a day. And if it's done as part of opening or closing procedures, it's easier to remember, and it takes only 30 seconds.

8. I'm not computer literate. Is this going to be hard for me?

Many of our clients – both businesses and law enforcement – are not technically savvy, but that's why we offer free customer support. And we'll never charge you, no matter how many times you call. We work very hard to make sure this is easy for you.

9. Do I need to install software on my computer to use LeadsOnline?

No – LeadsOnline is 100% browser-based, meaning it's accessible only via the Internet. There is no need for software of any kind to be placed on your computer unless you choose to use LeadsOnline Image Capture to upload images. For more information about LeadsOnline Image Capture, contact our Client Support Team at (800) 311-2656.

10. If I upload to LeadsOnline, do I still need to do what I've always done in reporting to my local law enforcement agency?

It depends upon the circumstance, but generally no. LeadsOnline investigators access the information as needed during investigations, and will follow up with you if additional information is needed. If you are still unclear about the requirements put forth by your local law enforcement agency, then please contact the department directly.

11. Will my customers be aware that I am uploading?

No – the system does nothing to alert your customers to the manner in which you meet local reporting requirements. Your transactions are uploaded when you send them to us, in batch, each day.