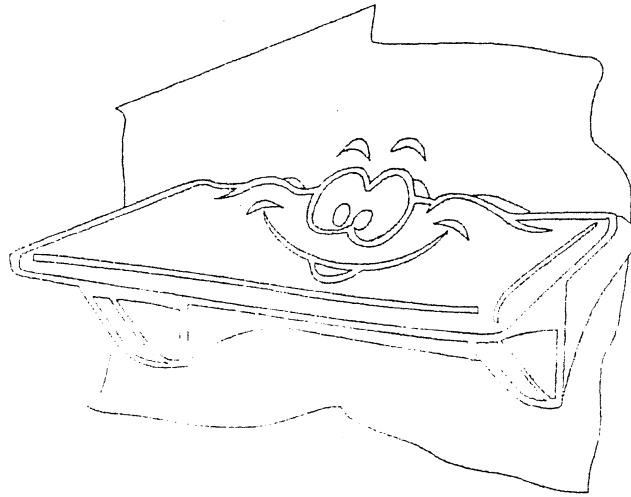


**LICENSE REQUIREMENTS  
ORDINANCE  
FOR THE TOWN OF CANAAN**



**PUBLIC HEARING  
BOARD OF SELECTMEN FEBRUARY 6, 1995.**

**ADOPTED AT TOWN MEETING MARCH 18, 1995**

LICENSE REQUIREMENTS ORDINANCE  
FOR THE TOWN OF CANAAN

**Title**

- 1.1 This Ordinance shall be cited as the "License Requirements Ordinance For The Town of Canaan."

**Purpose**

- 2.1 The purpose of this Ordinance is to establish license requirements for certain activities in order to protect the health, welfare and safety of the residents of the Town of Canaan.

**Authority**

- 3.1 This Ordinance has been prepared in accordance with the provision of Title 30-A, M.R.S.A., Section 3001 (Home Rule).

**Administration & Enforcement**

- 4.1 The Town of Canaan Board of Selectmen or their duly appointed agent shall administer and enforce this Ordinance.
- 4.2 A license is required for all the activities listed in this Ordinance and shall be obtained from the Board of Selectmen.

**Availability**

- 5.1 A copy of this Ordinance shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the person making the request. Notice of availability of this Ordinance shall be posted.

**Amendments**

- 6.1 Amendments may be initiated by the Board of Selectmen, or written petition by a number of voters equal to at least ten percent (10%) of the number of votes cast in the municipality in the last gubernatorial election.
- 6.2 This Ordinance may be amended by a majority vote of the legally constituted municipal governing body at a regular or special town meeting or by referendum ballot.

**Effective Date**

- 7.1 This Ordinance shall become effective when adopted by a majority of the voters at regular or special town meeting.

**Validity and Severability**

- 8.1 If any provision of this ordinance is found by a court of competent jurisdiction to be unenforceable, the remaining provisions shall continue in full force and effect.

#### License procedure

- 9.1 Any person, firm, corporation or association wishing to obtain a license shall file a license application on the form(s) provided by the Town of Canaan.
- 9.2 All Applicable fees shall be non-refundable and shall be paid at the time of filing application payable to the Town of Canaan.
- 9.3 The Board's Secretary shall place the completed license application on the agenda of next scheduled Board of Selectmen Meeting.
  - a. The Board shall set hearing date.
  - b. The Board's Secretary shall post public notice at minimum of three public locations and advertised the public notice in the local newspaper at least 10 days prior to hearing date for said license application.
- 9.4 The Board's Secretary shall certify the public notice was posted and advertised, where, and date. A copy of the public notice, advertisement and certification shall be filed with said license application.
- 9.5 All written comments received by the Town of Canaan regarding a license application shall be filed with said license application.
- 9.6 Public Hearing:
  - a. The Board shall determined if sections 9.3b, 9.4, and 9.5 are properly fulfilled for each license application.
  - b. The Board shall review each license application according to the applicable requirements established for each activity.
  - c. The Board shall consider all written comments and public comments at the public hearing for said license application.
  - d. The Board shall consider all previous applicant's license applications, and issued licenses, if any, and compliances requirements established for each activity.
  - e. The Board shall decide whether to approve or deny the issuances of the license for each license application.
  - f. All denials and conditional approvals must be in writing, with reason(s) to the applicant and be filed with said license application.
  - g. If a license is granted, a copy of the issued license shall be filed with said license application.
  - h. The written record of the public hearing proceeding on each license application shall be filed said application.
- 9.7 The applicant shall file an amended license application with a \$20.00 fee payable to the Town of Canaan if the applicant has a valid license under this Ordinance and information on license application filed for said license changes.
- 9.8 The Board of Selectmen may review an amended license application according to the applicable requirements established and decide whether to approve or deny the continences of the issued license.
- 9.9 The Board of Selectmen may revoke a license if they find a violation of the terms of the license according to the applicable State, Local Ordinances, and requirements established for each activity by this Ordinance by fulfilling the requirements of sections 9.3, 9.4, 9.5, and 9.6.
- 9.10 All new, renewal, and amended license applications received under this Ordinance shall be kept and noting action taken by the Board of Selectmen.
- 9.11 All license applications and documents related to said license application are available for public inspection.
- 9.12 The license shall be issued for one time period specified for each activity and shall be non-transferable.

## License Requirements:

### 10.1 Pawnbrokers

- a. A pawnbroker shall obtain a license from the Town of Canaan and shall conform to Title 30-A M.R.S.A. Section 3960 - 3964-A as amended.
- b. The pawnbroker shall allow the Board of Selectmen or duty appointed agent to inspect records required per Title 30-A M.R.S.A section 3962 subsection 1 at all reasonable times.
- c. Before the 15th day of every month, the pawnbroker shall file a summary of the pawn transaction entered into during the preceding calendar month with the Town of Canaan. The summary shall contain the minimum of: case number, type of transaction, date of transaction, full description of property, periodic rate of interest, and transaction value. The summary submitted to the Town of Canaan shall be dated and time stamped by the Board's Secretary when received and provide a receipt for the document. The case number with name, address, telephone number for each pawn transaction shall be kept by the pawnbroker.
- d. A pawnbroker may not directly or indirectly receive a finance charge of greater than 25% per month on that part of a loan that is \$500 or less, nor more than 20% per month on that part of a loan that is more than \$500, made upon property pawned. Accrued interest may not be incorporated as interest-bearing principal. Nothing in this section prohibits a pawnbroker from charging a consumer a lower rate of interest than established by this section.
- e. A pawnbroker may not charge a fee in addition to a finance charge allowed.
- f. The initial redemption or repurchase period of a pawn transaction, not including an extension may not exceed 60 days.
- g. A consumer is entitled to at least one extension of the pawn transaction of 31 days at the same rate of interest upon request in writing.
- h. At the time of the pawn transaction, the pawnbroker shall deliver to the consumer a signed, written disclosure complying with the truth-in-lending provision of the Maine Consumer Credit Code, containing the items required by Title 30-A M.R.S.A. section 3962 subsection 1 and the name and address of the pawnbroker.
- i. No pawnbroker shall, directly or indirectly, receive any article in pawn, or purchase any article from any minor knowing or having reasonable cause to believe the person to be such.
- j. The license shall be valid for a period of one year and shall expire on January 31st of each year. A license issued within 60 days of the January 31st expiration date shall be valid until January 31st of the next year.
- k. The applicant shall file a renewal license application at least 30 days before the license expires.
- l. The fee of \$100 shall accompany the new or renewal license application and be non-transferable.
- m. Whoever carries on such a business without a license commits a violation for which a forfeiture of not more than \$100 may be adjudged.