

CHECKLIST
APPLICATION FOR
LICENSE FOR PRECIOUS METALS, GEMS AND ALL FORMS OF PREVIOUSLY OWNED JEWELRY

Manalapan Township
120 Route 522 & Taylors Mills Road
Manalapan, New Jersey 07726
732-446-8314 Email: clerk@mtnj.org

Applicant must complete the following:

- Review Chapter 173, Precious Metals, Gems and All Forms of Previously Owned Jewelry
- Review Fingerprint Instructions
- Application must be emailed to clerk@mtnj.org prior to scheduling an appointment for submission.
- Email all required supporting documents (including Driver's License)
- Walk-ins not permitted - Submissions BY APPOINTMENT ONLY

Chapter 173. Precious Gems and Metals

[HISTORY: Adopted by the Township Committee of the Township of Manalapan 10-27-1993 by Ord. No. 93-30 as Ch. 169 of the 1993 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Auctions and auctioneers — See Ch. 68.

Peddling and vending — See Ch. 169.

§ 173-1. License required; advertising.

- A. No individual person, partnership or corporation shall engage in the business of the purchase of precious metals and gems and all forms of previously owned jewelry without first obtaining a license from the Township Clerk.
- B. Advertising in any print or electronic media or by sign that precious metals and/or gems are being bought in any location within the Township of Manalapan shall constitute engaging in business for the purposes of this chapter. No person shall place or cause to be placed any advertisement for purchase of gems and/or precious metals without stating in said advertisement the license number issued to the individual or entity by the Township of Manalapan. In any print advertisement and in the electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter.

§ 173-2. Investigation of applicant; issuance or denial of license.

- A. Upon receipt of an application by the Township Clerk completed pursuant to this chapter, the Police Department shall make an investigation of the prospective licensee, pursuant to this chapter, for the purpose of determining the suitability of the applicant for licensing. Such investigation shall include but shall not be limited to the following:
 - (1) The experience of the applicant in the business of the purchase and sale of precious gems and metals and related businesses, such as jewelry and coins, although nothing in this chapter shall be construed to warrant denial of a license solely on the basis of lack of experience.
 - (2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license.
 - (3) Any criminal record of the applicant.
 - (4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious gems and metals and related items and other factors bearing upon whether the licensed business will be of a fixed and permanent nature. This provision, however, shall not be construed to require denial of any license solely on the grounds that the business is not conducted from a fixed location.
- B. The Police Department shall complete any investigation pursuant to this chapter within 30 days of the submission of the application to the Township Clerk, fully completed, by the applicant. If a

criminal record check has been requested within the thirty-day period and has not been received by the Police Department within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

- C. The Chief of Police shall, upon completion of the investigation, recommend grant or denial of the requested license to the Township Committee. The recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Township Committee accepts the recommendation of the Chief of Police to deny any license, the Township Clerk shall notify the applicant, by certified mail, within 10 days of such denial and forward to the applicant a statement of the reason or reasons for such denial. Grounds for recommending denial of a license by the Chief of Police may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to the business for which the applicant seeks a license pursuant to this chapter. A license may be denied if the investigation conducted by the Police Department reveals conviction of the applicant or any of its principal officers or employees of any crime or disorderly persons offense involving theft or receiving stolen goods, whether such conviction was as a principal or accessory, before or after the fact, or conspirator. Upon receipt of the recommendation of the Chief of Police, the Township Committee shall issue or deny the license accordingly (contingent upon the receipt of a bond of \$10,000 pursuant to § 173-6 hereof). In the event of a denial of the license by the Township Committee, the applicant shall be entitled to a hearing before the Township Committee, if requested, in writing, within 10 days of receiving the notice of denial, at which time the applicant shall be permitted to introduce such evidence as he shall deem proper. The burden of proof in any such hearing shall be on the Police Department. The Township Committee shall, within 10 days of the close of the hearing, make known its decision in writing.

§ 173-3. Identification of sellers; receipt book.

- A. All licensees shall require of each person selling precious gems and/or metals suitable identification as to the seller. All licensees shall issue to each seller a serially numbered receipt setting forth all of the following information:
- (1) A brief description of the item, including the price at which it is being purchased.
 - (2) Statement in full of any identifying marks, such as inscriptions, serial numbers, series numbers or any other information appearing calculated to set apart the particular object said from others of like kind.
 - (3) If the item is purchased by weight, the troy ounce weight of the item.
 - (4) The name of the clerk or employee of the licensee making the transaction, legibly set forth.
 - (5) The name, permanent business address and license number of the purchaser/licensee.
 - (6) The name, address, sex, date of birth, social security number or driver's license number if available and physical description on a form provided by the Manalapan Township Police Department.
- B. Said receipt book shall be a record kept in the regular course of business of the licensee.
- C. These records shall be available for inspection by the Police Department of the Township of Manalapan, and shall be maintained for two years from the date of the purchase.
- D. The licensee shall take a digital photograph of all purchased jewelry, gems and precious metals, along with a photograph of the identification of the seller presented at the time of purchase. The licensee shall maintain the photographs for not less than two years and same shall be furnished to the Manalapan Township Police Department upon request.
- [Added 3-28-2012 by Ord. No. 2012-02]

§ 173-4. Time limit for disposal of merchandise.

[Amended 6-26-1996 by Ord. No. 96-13]

No person regulated by this chapter shall sell, melt down or otherwise dispose of any merchandise covered by this chapter purchased by such person until after the expiration of 20 days from the filing of a report pursuant to § 173-5; provided, however, that no such waiting period shall be required if the merchandise is purchased from a person regularly engaged in the business of buying and selling precious metals and licensed and regulated pursuant to an ordinance of another municipality similar to this chapter and requiring a similar waiting period of not less than 20 days.

§ 173-5. Maintenance of records; display of license.

Each licensee shall maintain duplicate copies of all seller receipts issued pursuant to § 173-3, in legible form, for a period of at least two years from the date of each sale. The license shall be posted in a conspicuous place at the location of the sale or sales licensed under this chapter. Within 36 hours of any purchase, the licensee shall deliver to the Manalapan Township Police Department a list of all items purchased. Said list shall contain a description of each item, any identifying numbers or inscriptions, the time of purchase and the name and address of the seller.

§ 173-6. Bond required.

Within 10 days of the issuance of a license, each licensee shall deliver a bond to the Township Clerk executed by the applicant as principal, with a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond, to be approved by the Township Attorney, shall be in the penal sum of \$10,000 continued for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the Township in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the licensee licensed under this chapter by reason of any damage sustained by any such person as a result of the operations of the licensee under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: *"The obligation of this bond shall, in addition to the Township of Manalapan, be and remain for the benefit of any person who shall obtain a judgment against the obligor as a result of damage sustained in operation pursuant to any license granted under Township ordinance."* Said bond shall be kept in force for a minimum period of one year from the date of issuance of the license and must be renewed annually along with the license.

§ 173-7. License fee; renewal of licenses.

- A. The fee for initial application and license shall be \$100, nonrefundable. Each annual renewal fee shall be \$25, nonrefundable.
- B. Said license and renewal shall be valid for a period of one year from the date of issuance. At the time of renewal, no new application must be filed with the Township Clerk unless any matters set forth in the original application are changed.

§ 173-8. Violations and penalties.

Any individual person, partnership or corporation found in violation of the provisions of this chapter shall be subject to a fine not to exceed \$500, and imprisonment not to exceed 30 days, or both, in the discretion of the court.

Manalapan Township Police Department Fingerprinting

All persons applying for permits or licensing under the TWP. Ordinance **MUST BE FINGERPRINTED EVERY TWO YEARS.**

After speaking to TWP. Clerk, the applicant must respond to the police department and the following steps must be followed:

A. If the applicant has never been fingerprinted in NJ, or has not been fingerprinted within the past twenty-four months (2 years), the applicant will:

1. Provide valid government photo ID to officer.
2. The officer will enter applicant into our system (Spillman).
3. The applicant will be directed to the Identogo website <https://uenroll.identogo.com/>
4. Enter Service Code - **2F17ZY**
5. Enter ORI Number – **NJ0132600**
6. Contributor Case Number – Enter Incident/Case ID Number Manalapan Police provided
7. Enter personal identifiers
8. Schedule an appointment
9. Follow the instruction on the Identogo website for fingerprinting process.
10. Pay the fee via credit card directly to Identogo.

B. If the applicant has been fingerprinted in the past twenty-four months (2 years), they must articulate date, time and place of fingerprinting, by either a Morpho Trak or Identogo receipt, or a valid NJ Firearms ID issued in the past two years.

If these requirements are met, the following steps **MUST BE FOLLOWED.**

1. Same as numbers 1 & 2 above.
2. Direct applicant to the police department website;
 - a. www.manalapanpolice.org
 - b. Click on Permits& Registration.
 - c. Click on the link <http://www.njportal.com/njsp/criminalrecords/>
 - d. Click on the Online Form 212A
 - e. Enter ORI Number – **NJ0132600**
 - f. Enter personal identifiers and pay the \$20.00 fee via credit card.
3. The results will be sent to the Manalapan Police Department via CJIS Messenger (NJSP), where a letter will be populated and forwarded to the TWP. Clerk indicating the results of background request.
4. The above steps **MUST BE FOLLOWED EACH TIME THE APPLICANT APPLIES FOR A PERMIT UNDER THE TWP. ORDINANCE.**

**APPLICATION FOR LICENSE TO PURCHASE PRECIOUS METALS, GEMS AND ALL FORMS OF
PREVIOUSLY OWNED JEWELRY PURSUANT TO CHAPTER 173**

Manalapan Township
120 Route 522 & Taylors Mills Road
Manalapan, New Jersey 07726
732-446-8314 **Email: clerk@mtnj.org**

I. Name of Individual, Firm, Corporation or Business _____

II. Address _____

III. a) List full name, date of birth, social security number, and address for each and every owner/co-owner/partner/and/or corporate member (those holding ten or more percent of the stock).

ATTACH ADDITIONAL PAGES IF NECESSARY

III. b) List Phone Number and E-Mail Address for the business.

IV. List all employees and list address, date of birth and social security number for each.

ATTACH ADDITIONAL PAGES IF NECESSARY

V. State how long the individual, business/firm/corporation has been in the business of purchasing precious metals/gems, or previously owned jewelry **and** list any previously owned businesses, whether owned in part or in whole, that dealt in buying precious metals and/or gems. State complete address for each previous business.

ATTACH ADDITIONAL PAGES IF NECESSARY

VI. Has any individual/member/partner/or corporate member been convicted of a crime in this or any other state?

If so, state and list name, crime for which convicted in each and every case.

ATTACH ADDITIONAL PAGES IF NECESSARY

VII. List and describe the type of operation for which you are applying for which you are applying for a license as required in Section 2 A-4 of Chapter 173.

ATTACH ADDITIONAL PAGES IF NECESSARY

Each application must be accompanied by a check for \$100.00 as the initial application fee and license for one year. This fee is non-refundable. Each successive year's fee will be \$25.00.

Within ten (10) days of the granting of the license the licensee shall be required to post a ten thousand dollar (\$10,000.00) Bond with the Township as required by Section 6 of Chapter 173. Said Bond shall contain the following language: "THE OBLIGATION OF THIS BOND SHALL, IN ADDITION TO THE TOWNSHIP OF MANALAPAN, BE AND REMAIN FOR THE BENEFIT OF ANY PERSON WHO SHALL OBTAIN A JUDGEMENT AGAINST THE OBLIGOR AS A RESULT OF DAMAGE SUSTAINED IN OPERATION PURSUANT TO ANY LICENSE GRANTED UNDER TOWNSHIP ORDINANCE."

Said Bond shall be kept in force for a minimum period of one (1) year from date of issuance of the license and must be renewed annually along with the license.

NOTE: Every applicant should familiarize his/her self with the penalty section under Section 8 of Chapter 173.

I certify by signature below that the information provided by this application is true and accurate to the best of my belief and knowledge.

Firm Name _____

Signature of Individual _____

Position/Title _____

Date Signed _____

APPROVED _____

DENIED _____

DATE _____

Municipal Clerk
Manalapan Township

Expires one year from date of approval.
Initial fee \$100.00; Renewal fee \$25.00

FEE _____ ck or ca (non refundable)