

- Chapter V, Section B on Local Action notes that a concentration of payday lenders can give the impression that an area is home to many high-risk consumers. This impression can impede future development.

Summers, Adam. 2013. *Payday Lending: Protecting or Harming Consumers?* Reason Foundation Policy Study 420. Available at [http://reason.org/files/payday\\_lending\\_regulation.pdf](http://reason.org/files/payday_lending_regulation.pdf) .

- Reason Foundation's study of payday lending finds that many negative perceptions of these uses are based on "myths" and that they offer many benefits to consumers.
- Appendix B matrix summarizes an extensive listing of local government payday lending laws organized by state.

### **Staff Reports, Payday Lending:**

Albuquerque (New Mexico), City of, Environmental Planning Commission. 2014. "Staff Report: Adding a new §14-16-3-24 to the Zoning Code, and associated text amendments to... regulate Small Loan Businesses (SLBs)." November 13. Available at <http://www.cabq.gov/planning/documents/EPC1001620sr1113148.pdf> .

- Staff report recommends adding use definition to code and establishing a 1,500' distancing requirement to try to mitigate negative community effects.

Columbia (South Carolina), City of. 2009. "City Council Text Amendment Case Summary: Amend The Text Of The Zoning Ordinance To Modify Regulations Governing Non-Depository Personal Credit Institutions (Payday Loan And/Or Title Loan Establishments)." November 18. Available at [http://www.columbiasc.net/depts/city-council/docs/old\\_downloads/11\\_18\\_09\\_Agenda/ZPH\\_Payday\\_Loan\\_amendment.pdf](http://www.columbiasc.net/depts/city-council/docs/old_downloads/11_18_09_Agenda/ZPH_Payday_Loan_amendment.pdf) .

- Staff report and analysis of proposed zoning amendment to change payday loan uses from special exception uses to conditional uses and impose size limits and distancing requirements to try to mitigate negative community impacts.

San Jose (California), City of. 2012. "An Ordinance...to Establish Land Use Regulations Pertaining to Payday Lending Establishments." Staff report to mayor and city council, April 30. Available at [http://www3.sanjoseca.gov/clerk/Agenda/20120515/20120515\\_1103.pdf](http://www3.sanjoseca.gov/clerk/Agenda/20120515/20120515_1103.pdf) .

- Staff report discussing proposed regulations for payday loan stores; includes draft language and extensive supporting documentation.

Sunnyvale (California), City of. 2013. "Discussion and Possible Action to Introduce an Ordinance to Regulate Payday Lending Establishments (Study Issue)." Staff report to mayor and council, September 24. Available at <http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CouncilReports/2013/13-228.pdf> .

- Extensive analysis of regulatory alternatives for payday loan stores.

### **Sample Zoning Definitions and Standards for Payday Loan Stores:**

Alton (Illinois), City of. 2014. *City Code*. Title 11, Zoning Regulations; Chapter 7, Standards for Uses; Section 11-7-3, Special Use Standards; part D, Payday Loan Companies, Check Cashing Establishments, Title Loan Companies, Pawnshops And Similar Uses. Available at [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=461](http://www.sterlingcodifiers.com/codebook/index.php?book_id=461) .

- Allowed as special use in M-2 district with performance standards.
- D. Payday Loan Companies, Check Cashing Establishments, Title Loan Companies, Pawnshops And Similar Uses:
  1. Payday loan companies (a use within NAICS code 52239), check cashing establishments (a use within NAICS code 52239), title loan companies (a use within NAICS code 52239), pawnshops (a use within NAICS code 52229), and similar uses within NAICS code 52229 may be allowed as a special use in the M-2 district based on meeting the following performance standards: (Ord. 7438, 12-17-2014)
    - a. Shall be on a site of at least twenty thousand (20,000) square feet.
    - b. All property lines of the lot on which the business is located shall be at least three hundred feet (300') from the nearest property line of any church or similar place of worship, school, or any residentially zoned property.
    - c. All property lines of the lot on which the business is located shall be at least one thousand feet (1,000') from the nearest property line of any other use classified within NAICS code 5222, including such businesses located outside of the Alton city limits.
    - d. All property lines of the lot on which the business is located shall be at least one thousand feet (1,000') from the nearest property line of any establishment that serves liquor by the drink or any casino or parking lot for any casino.
    - e. The establishment shall not be open for business between the hours of eight o'clock (8:00) P.M. and seven o'clock (7:00) A.M.



f. The establishment shall have an interior space for patrons to transact business and shall not have a drive-up or walk-up window or any type of drive-through arrangements.

g. No bars, heavy mesh screens or similar material shall be allowed on the exterior of the building and no such material located on the interior of the building shall be visible from outside the building. (Ord. 6734, 6-11-2003)

Bensenville (Illinois), Village of. 2015. *Village Code*. Title 10, Zoning Regulations; Chapter 2, Definitions; Section 10-2-3, Words Defined. Also see Chapter 7, Commercial Districts; Article B, C-2 Highway Commercial District; Section 10-7B-3, Conditional Uses. Article C, C-3 Downtown Mixed Use District; Section 10-7C-3, Conditional Uses. Available at

[http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=819](http://www.sterlingcodifiers.com/codebook/index.php?book_id=819) .

- Allows payday lenders and currency exchanges as conditional uses in the highway commercial and downtown mixed use districts, subject to standards.

- CURRENCY EXCHANGE: An establishment, except a bank, a post office, trust company, savings bank, savings and loan association, credit union, industrial loan and thrift company, or a grocery store with a minimum square footage of fifteen thousand (15,000) square feet engaged in the business of cashing checks, drafts, money orders or traveler's checks, exchanging currency or transmitting money within the United States or overseas by any means for a fee.

- PAYDAY LOAN AGENCY: An establishment that provides loans to individuals in exchange for personal checks as collateral.

- 10-7B-3: CONDITIONAL USES:

Currency exchanges that meet the following standards:

A. The use shall be located a minimum of one thousand feet (1,000') as measured from all property lines from any existing currency exchanges, payday loan agencies and/or title loan agencies.

B. The window and door area of the first floor of the facility that faces a public street or sidewalk shall not reduce, nor shall changes be made to such windows or doors that block, views into the building at eye level.

C. All transactions occur entirely inside the facility at a service counter with no transactions permitted through an exterior walk-up or drive-up window.

D. Hours of operation for the currency exchange shall be limited to between eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M.

E. The operator has a valid license issued by the state of Illinois department of consumer credit.

Payday loan agencies that meet the following standards:

A. The use shall be located a minimum of one thousand feet (1,000') as measured from all property lines from any existing currency exchanges, payday loan agencies and/or title loan agencies.

B. The window and door area of the first floor of the facility that faces a public street or sidewalk shall not reduce, nor shall changes be made to such windows or doors that block, views into the building at eye level.

C. All transactions occur entirely inside the facility at a service counter with no transactions permitted through an exterior walk-up or drive-up window.

D. Hours of operation for the payday loan agency shall be limited to between eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M.

E. The operator has a valid license issued by the state of Illinois department of consumer credit.

Elgin (Illinois), City of. 2014. *City Code*. Title 19, Zoning; Chapter 19.35, Business Districts. Chapter 19.40, Industrial Districts. Chapter 19.90, Supplementary Regulations; Section 19.90.015, Definitions and Regulations. Available at [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=524](http://www.sterlingcodifiers.com/codebook/index.php?book_id=524) .

- Permits by right payday loan and title loan establishments in neighborhood business and other commercial zones as well as industrial districts. "Check cashing agencies" are conditional uses in neighborhood business districts but permitted in others.
- PAYDAY LOAN ESTABLISHMENT: A "business" [SR] that provides loans to individuals in exchange for one or more of the following forms of collateral, which are held for an agreed upon period of time prior to presentment for payment or deposit: personal checks, authorization to debit consumers' bank accounts, or interest in consumers' wages, including, but not limited to, wage assignments.
- TITLE LOAN ESTABLISHMENT: A "business" [SR] that provides loans to individuals in exchange for receiving titles to the borrower's motor vehicles as collateral.

Oak Lawn (Illinois), Village of. 2014. *Village Code*. Title 4, Zoning Regulations; Chapter 1, Section 4-1-6, Definitions. Chapter 6, Commercial Districts; Section 4-6-2, Payday Loan Stores. Article C, C-3 Regional Shopping District; part 4-6C-2, Use Regulations. Chapter 14, Special Uses; Section 4-14-8, Types of Special Uses. Available at [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=441](http://www.sterlingcodifiers.com/codebook/index.php?book_id=441) .

- Payday loan stores are permitted by right in the C-3 Regional Shopping District; require special use approval in the C-1, C-2, and M-1 districts.

- PAYDAY LOAN: A loan transaction in which a postdated check, or other check that the parties agree will be held for a period of time prior to presentment for payment or deposit, is accepted as collateral for the loan.

PAYDAY LOAN STORE: A commercial establishment which engages in the business of offering payday loans.

- 4-6-2: PAYDAY LOAN STORES:

In regard to the zoning of payday loan stores, the president and board of trustees find as follows:

A. The village has a substantial governmental interest in protecting the village residents and persons who work in and visit the village from the negative impacts of payday loan stores.

B. In various portions of the village, the rapid growth of payday loan stores is especially harmful to individuals struggling to join the work force and better their economic position.



C. Payday loan stores attract criminal activity in the neighborhoods where they are located because they are well advertised quick sources of cash.

D. Payday loan stores are best located in high commercial traffic areas, such as the C-3 regional shopping district, where an individual is less likely to be the subject of a crime because of the large number of people (potential witnesses) present.

E. While it is vital that state legislation be enacted to outlaw payday loan store lending abuses, it is also essential for the village to regulate the location of payday loan stores in order to protect public health, safety, and welfare that is placed at risk by the continuing proliferation of payday loan stores.

Based on the foregoing, payday loan stores are only appropriate as permitted uses in the C-3 regional shopping district.

Peoria (Illinois), City of. 2015. *Code of Ordinances*. Appendix B, Zoning Ordinance; Article 3, General Regulations and Uses Permitted with Administrative Approval; Section 3.18, Convenience Cash Businesses. Article 11, Definitions; Section 11.3, Defined Terms. Available at [https://www.municode.com/library/il/peoria/codes/code\\_of\\_ordinances](https://www.municode.com/library/il/peoria/codes/code_of_ordinances) .

- Code regulates density of convenience cash businesses through a 1,500' spacing requirement and limits payday lenders to C1 and C2 districts; otherwise a special use permit is required.
- *"Convenience Cash" Business*: includes title loan businesses and payday loan businesses as defined by this ordinance.  
*"Title loan"*: A loan wherein, at commencement, a borrower provides to the lender, as security for the loan, physical possession of the obligor's title to a motor vehicle, a boat, or any other personal property but does not create a purchase money security interest pursuant to 815 ILCS Section 5/9-103.  
*Title Loan Business(es)*: Any person or entity, including any affiliate or subsidiary of a lender or licensee, that as its primary business offers or makes a Title Loan, buys a whole or partial interest in a Title Loan, arrange a Title Loan for a third party, or acts as an agent for a third party in making a Title Loan, regardless of whether approval, acceptance, or ratification by the third party is necessary to create a legal obligation for the third party and/or who holds itself out to the public as a title loan establishment. This definition does not include: State or National banks, Trust Companies, Savings & Loan Banks, the United States Postal Service, Postal Telegraph Company, or Western Union Telegraph Company, or Credit Unions.
- 3.18. - Convenience Cash Businesses.  
3.18.a. Purpose Statement. There are certain businesses commonly referred to as Convenience Cash Businesses. For the purpose of the ordinance convenience cash businesses include payday loan businesses and title loan businesses. Convenience Cash Businesses in general are perceived to be detrimental to the neighborhoods in which they are located. The clustering of such businesses results in negative effects including the perception of decline in the area, reduction of property values, and the creation of disincentive for other businesses to locate. The provisions of Section 3.18 of this Code are intended to ensure that convenience cash businesses are properly located within the city and minimize the detrimental effects that certain convenience cash practices have on neighborhood character and housing values, by regulating the density of payday lending businesses within the city and limiting these businesses to the C1 General Commercial District and C2 Large Scale Commercial District. If these specifications cannot be met a special use permit is required.  
3.18.b. Distance Requirements. No Convenience Cash Business shall be located within 1,500 feet of any other Convenience Cash Business or within 1,500 feet of any residentially zoned district. Distance requirements defined in this section shall be measured in a radius, without regard to intervening structures or objects, from the property line of the proposed Convenience Cash Business to the property line of the existing Convenience Cash Business, and from the property line of any residentially zoned district to the property line of any proposed Convenience Cash Business.  
3.18.c. Permitted Uses. Convenience Cash Businesses shall only be permitted in districts zoned as C1, General Commercial and C2, Large Scale Commercial.  
3.18.d. Special Uses. Applications that do not meet the standards set forth in [Section] 3.18.b. May be submitted for special use approval, pursuant to the special use process as stated in Section 2.15 (such uses as stated would be categorized as special uses and would be permitted only after it has been reviewed by a reviewing body having jurisdiction and approved by the city council as an appropriate use).  
3.18e. Convenience Cash Business Uses Established Prior to October 28, 2008. Convenience Cash Business uses established prior to October 28, 2008, which presently are required by this ordinance to meet one thousand five hundred-foot distance requirements as per Section 3.18.b. may continue such use with proof that the use existed prior to said date. If the use ceases for a period greater than twelve (12) consecutive months, requirements per Section 3.18 of the ordinance must be met. The nonconforming use provisions as set forth in Article 5, and following, shall not apply to said uses.

Springfield (Illinois), City of. 2015. *Code of Ordinances*. Title XV, Land Use; Chapter 155, Zoning; Article I, General Provisions; Section 155.001, Definitions. Article II, Use Regulations; Division 3, Commercial District; Section 155.031, S-2 Community Shopping and Office District; part b, Permitted Uses. Article III, Supplementary Use Regulations; Section 155.048.1, Special Provisions for Payday Loan Business(es). Available at [https://www.municode.com/library/il/springfield/codes/code\\_of\\_ordinances](https://www.municode.com/library/il/springfield/codes/code_of_ordinances) .

- Permits payday lenders in the community shopping and office district; requires 1,500' spacing from other payday loan businesses.
- *Payday loan(s)*. Loan(s) with a finance charge exceeding an annual percentage rate of 36% and with a term that does not exceed 120 days, including any transaction conducted via any medium whatsoever, including, but not limited to, paper, facsimile, Internet, or telephone, in which:
  - (1) A lender accepts one or more checks dated on the date written and agrees to hold them for a period of days before deposit or presentment, or accepts one or more checks dated subsequent to the date written and agrees to hold them for deposit; or
  - (2) A lender accepts one or more authorizations to debit a consumer's bank account; or
  - (3) A lender accepts an interest in a consumer's wages, including, but not limited to, a wage assignment.

*Payday loan business(es)*. Any person or entity, including any affiliate or subsidiary of a lender or licensee, that offers or makes a payday loan, buys a whole or partial interest in a payday loan, arranges a payday loan for a third party, or acts as



an agent for a third party in making a payday loan, regardless of whether approval, acceptance, or ratification by the third party is necessary to create a legal obligation for the third party, and includes any other person or entity engaged in a transaction that is in substance a disguised payday loan. This definition also specifically includes any person, firm, association, corporation or partnership engaged in making any installment loan(s), other than those which have substantially equal monthly payments of principal and interest, which are fully amortized and which do not contain balloon or interest-only payments. This definition does not include: state or national banks, trust companies, savings & loan banks, the United States Postal Service, credit unions, or any person, firm, association, corporation or partnership engaged in the business of selling tangible personal property at retail who, in the course of such business and only as an incident thereto, receives checks, drafts, money orders or other evidences of money, or receives or issues a contractual agreement to receive money or evidence of money on an installment basis in exchange for tangible goods sold or rented on the premises, with or without using such tangible goods as collateral or as a possessible item upon default.

- 155.048.1. - Special provisions for payday loan business(es).

A payday loan business(es) may be located within any district authorized by this chapter, provided that it is not located within 1500 feet of another payday loan business(es), measured from front door to front door.

Austin (Texas), City of. 2014. *Municipal Code*. Title 25: Land Development Code. Chapter 25-2: Zoning. Subchapter C: Use and Development Regulations. Article 1: Zoning Uses. Section 25-2-4: Commercial Uses Described. Article 4: Additional Requirements for Certain Uses. Division 2: Commercial Uses. Section 25-2-816: Alternative Financial Services Businesses. Available at <https://www.municode.com/library/tx/austin>.

- ALTERNATIVE FINANCIAL SERVICES BUSINESSES use is the use of a site for a check cashing business, payday advance or loan business, money transfer business, motor vehicle title loan business, or a credit access business as defined in this section.
  - (a) This use excludes:
    - (1) a state or federally chartered bank, savings and loan association or credit union, or a pawnshop, and
    - (2) a convenience store, supermarket, or other retail establishment where consumer retail sales constitute at least 75% of the total gross revenue generated on site.
  - (b) A check cashing business is an establishment that provides one or more of the following:
    - (1) an amount of money that is equal to the face of a check or the amount specified in a written authorization for an electronic transfer of money, less any fee charged for the transaction;
    - (2) an agreement not to cash a check or execute an electronic transfer of money for a specified period of time; or
    - (3) the cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any other person or entity for a fee.
  - (c) A payday advance or loan business is an establishment that makes small consumer loans of \$2,500 or less, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until a customer's next payday and then cashed unless the customer repays the loan to reclaim the check or debit. Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.
  - (d) A motor title loan business is an establishment that makes small consumer loans of \$2,500 or less that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the vehicle cancel the application. Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the vehicle.
  - (e) A credit access business has the same meaning as defined in Section 393.601 of the Texas Finance Code.
- ALTERNATIVE FINANCIAL SERVICES BUSINESSES.
  - (A) This section applies to an alternative financial services business use.
  - (B) A use may not be located on a site that is:
    - (1) within 1,000 feet of a site that contains another alternative financial services business use;
    - (2) within 200 feet of a property in a base, combining or overlay district in which a residential use is allowed or in which a residential use is located;
    - (3) within 500 feet of the rights-of-way of Interstate Highway 35, U.S. Highway 183, U.S. Highway 290, Texas State Highway Loop 360, Texas State Highway Loop 1, Texas State Highway 130, or Texas State Highway 45; or
    - (4) within the waterfront overlay district, the university neighborhood overlay district, or the area bounded by Interstate Highway 35, Airport Boulevard, and Town Lake.
  - (C) A use may be located only within a freestanding structure and may not be co-located in the same structure with other uses.

Las Vegas (Nevada), City of. 2014. *Municipal Code*. Title 19: Unified Development Code. Chapter 19.12: Permitted Uses. Section 19.12.070: Permissible Use Descriptions and Applicable Conditions and Requirements. Available at [http://www.lasvegasnevada.gov/LawsCodes/Unified\\_Development\\_Code.htm](http://www.lasvegasnevada.gov/LawsCodes/Unified_Development_Code.htm).

- *Financial Institution, Specified Description:* Any business whose primary function is to:
  1. Lend money;
  2. Cash checks or other negotiable instruments for a fee, service charge or other consideration; or
  3. Provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. This use includes without limitation a business that provides check cashing, services as a principal service offered, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as described in this Section.
- Conditional Use Regulations:
  1. The use shall comply with all applicable requirements of LVMC Title 6.
  2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.



3. No temporary signs (as described in LVMC 19.08.120 (G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
  4. Window signs shall not:
    - a. Cover more than 20 percent of the area of all exterior windows;
    - b. Include flashing lights or neon lighting; or
    - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
  5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
  6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
  7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Regulation 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
- Minimum Special Use Permit Requirements:
    1. The use shall comply with all applicable requirements of LVMC Title 6.
    2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
    3. No temporary signs (as described in LVMC 19.08.120 (G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
    4. Window signs shall not:
      - a. Cover more than 20 percent of the area of all exterior windows;
      - b. Include flashing lights or neon lighting; or
      - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
    5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
    6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
    7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
  - On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Milwaukee (Wisconsin), City of. 2014. *Code of Ordinances*. Volume II: Building and Zoning Code. Chapter 295: Zoning. Subchapter 2: Definitions and Rules of Measurement. Subchapter 6: Commercial Districts. Section 299-603: Uses. Available at <http://city.milwaukee.gov/tableofcontents#.VEEtZldIHvg>.

- PAYDAY LOAN AGENCY means an establishment licensed by the Wisconsin department of financial institutions under s. 138.14, Wis. Stats., to originate or service payday loans.
- No special use permit for a currency exchange, payday loan agency, title loan agency, installment loan agency, cash-for-gold business or pawn shop shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:
  - a. No other currency exchange, payday loan agency, title loan agency, installment loan agency, cash-for-gold business or pawn shop is located within 1,500 feet of the proposed use.
  - b. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

Pittsburgh (Pennsylvania), City of. 2014. *Code of Ordinances*. Title 9: Zoning Code. Article V: Use Regulations. Chapter 911: Primary Uses. Section 911.02: Use Table. Section 911.04: Use Standards. Available at

[https://www.municode.com/library/pa/pittsburgh/codes/code\\_of\\_ordinances?nodeId=PIZOCCO](https://www.municode.com/library/pa/pittsburgh/codes/code_of_ordinances?nodeId=PIZOCCO).

- *Check Cashing* means an establishment engaged in some or all of a variety of financial services including cashing of checks, warrants, drafts, money orders or other commercial paper securing the same purpose; deferred deposit of personal checks whereby the check casher refrains from depositing a personal check written by a customer until a specific date; money transfers, payday advances; issuance of money orders; distribution of governmental checks and food stamps; payment of utility bills; issuance of bus passes and tokens; sale of phone cards and similar uses. This use shall not include a state or federally chartered bank, savings association, credit union, industrial loan association, or rental-purchase company and shall not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a minimum flat fee not exceeding two dollars (\$2.00) as a service to its customers incidental to the main use of the establishment.
- The following standards shall apply to all Check Cashing uses:
  - (a) Check Cashing facilities shall not be open for business to customers for more than nine (9) hours within any twenty-four-hour period and shall not be open for business on Sundays;
  - (b) The building housing a Check Cashing facility shall not be located within five hundred (500) feet from any residential use as measured from the center point of the subject building;



- (c) The building housing a Check Cashing facility shall not be located within one thousand (1,000) feet from another Check Cashing facility, a Pawn Shop, Gaming Enterprise or a facility containing mechanical or electronic devices, machines, tables or apparatus of any kind used for playing games of skill or amusement, as a primary or accessory use, as measured from the center point of the subject building;
- (d) A Check Cashing use shall not be conducted as a unit of another business and shall be financed and conducted as a separate business unit, however, this shall not prevent a check cashing facility from leasing part of the premises of another business for the conduct of check cashing activities on the same premises;
- (e) A Check Cashing facility may not accept money or currency for deposit or act as agent for persons, firms, partnerships, associations or corporations to hold money or currency in escrow for others for any purpose, however, a check cashing facility may act as agent for the issuer of money orders or travelers checks;
- (f) The applicant is required to be licensed as a Check Casher with the Commonwealth of Pennsylvania Department of Banking;
- (g) Not more than one (1) place of business may be operated under the same Commonwealth of Pennsylvania Department of Banking license;
- (h) A licensee may not contract with another individual or business entity to manage the Check Cashing facility, not including persons employed to operate the facility;
- (i) Check cashing facilities shall not issue tokens to be used in lieu of money for the purchase of goods or services from any enterprise;
- (j) The use of bars, chains, or similar security devices that are visible from a public street or sidewalk shall be prohibited.

Sacramento (California), City of. 2014. *City Code*. Title 17: Planning and Development Code. Division I: General Provisions. Chapter 17.108: Definitions. Division II: Zoning Districts and Land Use Regulations. Chapter 17.228: Special Use Regulations. Article I: In General. Section 17.228.121: Check-cashing center. Available at <http://www.qcode.us/codes/sacramento/>.

- "Check-cashing center" means one or both of the following:
  1. An establishment that, for compensation, engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving a similar purpose, and includes an establishment primarily engaged in cashing payroll or personal checks for a fee or advancing funds on future checks.
  2. An establishment that offers, originates, or makes a deferred deposit transaction, also known as a payday lender business. A "deferred deposit transaction" is a transaction whereby a person defers depositing a customer's personal check until a specific date, pursuant to a written agreement.
- Check-cashing center.
  - A. Locational requirements. In addition to the other requirements for approval of a conditional use permit, no conditional use permit shall be issued or approved for a check-cashing center unless the proposed location satisfies all of the following locational requirements:
    1. No check-cashing center shall be established or located within 1,000 feet, measured from the nearest property lines of each of the affected parcels, of any other check-cashing center; church or faith congregation; school, K-12; childcare center; or financial institution including a state or federally chartered bank, savings association, or credit union.
    2. No check-cashing center shall be established or located within 500 feet, measured from the nearest property lines of each of the affected parcels, of any existing residential zone or residential use.
    3. Only those uses lawfully established as of the date that the application for a check-cashing center conditional use permit is determined or deemed to be complete shall be considered for purposes of determining whether the locational requirements are met.
  - B. Hours of operation. Operation of the check-cashing center shall be restricted to between the hours of 7:00 a.m. and 7:00 p.m. unless different hours of operation are approved by condition of the conditional use permit.
  - C. Operational considerations. The application for a conditional use permit for a check-cashing center shall include a security plan, sign program, lighting plan, and good neighbor policy. In its review of the conditional use permit, the planning and design commission shall consider the proposed security plan, sign program, lighting plan, and good neighbor policy and, if it determines to approve the conditional use permit, shall impose conditions as it finds necessary or appropriate to ensure that the check cashing center is not operated in a manner that will be detrimental to the public health, safety, or welfare, or that will result in the creation of a nuisance.
  - D. Discontinuance. Notwithstanding the provisions of section 17.808.410, if the operation of a check-cashing center is discontinued for a continuous period exceeding one year, the conditional use permit expires for discontinuance of use and thereafter is void.

Salt Lake City (Utah), City of. 2014. *City Code*. Title 21A: Zoning. Chapter 21A.62: Definitions. Chapter 21A.33: Land Use Tables. Available at

[http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=672](http://www.sterlingcodifiers.com/codebook/index.php?book_id=672).

- CHECK CASHING/PAYDAY LOAN BUSINESS: A business that conducts transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the state pursuant to the check cashing registration act. The term check cashing shall not include fully automated stand alone services located inside of an existing building, so long as the automated service incorporates no signage in the windows or outside of the building.
- No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.

San Antonio (Texas), City of. 2014. *Unified Development Code*. Article III: Zoning. Division 7: Supplemental Use Regulations. Section 35-394: Specified financial institution. Appendix A: Definitions and Rules of Interpretation. Available at <https://library.municode.com/index.aspx?clientId=14228>.



- *Pay-day loan agency.* An establishment providing loans to individuals in exchange for personal checks as collateral. For the purposes of zoning, a pay-day loan agency is classified as a specified financial institution.
- *Specified financial institution.* Any business whose primary function is to lend money on a temporary basis, wherein such loans are secured by a post-dated check, paycheck, anticipated tax refund, vehicle title or tax-liened property; or to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds on a deferred-deposit basis. A specified financial institution may offer walk-in service or may serve clients via internet or telephone. The term "specified financial institution" includes without limitation the following uses: check cashing facilities as well as agencies that provide pay-day loans, vehicle title loans, refund anticipation loans or tax-lien loans. This term shall not include financial institutions regulated by the Texas Department of Banking, the Texas Credit Union Department or National Credit Union Association. Further this term shall not include either:
  - 1) A retail establishment engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks, issue money orders or money transfers for a minimal flat fee as a service that is incidental to its main purpose as a retail business, or
  - 2) A professional office primarily engaged in tax preparation services that provides refund anticipation checks for a minimal flat fee incidental to its main purpose as a tax preparer.
- Specified financial institutions, as defined in 35-A101, shall comply with the following requirements:
  - (a) Hours of operation shall be established by city council as part of a specific use authorization.
  - (b) There shall be no outdoor queuing; an indoor waiting area large enough to accommodate six (6) net square feet per occupant shall be provided.

San Jose (California), City of. 2014. *Code of Ordinances*. Title 20: Zoning. Chapter 20.80: Specific Use Regulations. Part 12.5: Payday Lending Establishments. Chapter 20.200: Definitions. Available at <http://www.amlegal.com/library/ca/sanjose.shtml>.

- "Payday lending establishment" is a person or entity that offers, originates, or makes a deferred deposit transaction, whereby a person or entity defers depositing a customer's personal check until a specific date, pursuant to a written agreement. Payday lending establishment is equivalent to a "deferred deposit originator" as defined in Section 23001(f) of the California Financial Code, as amended from time to time. "Payday lending establishment" does not include a state or federally chartered bank, thrift, savings association, industrial loan company, or credit union.
- Certificate required.
  - A. No person shall operate or suffer or allow the operation of a payday lending establishment until such time as a zoning code verification certificate has been duly applied for and issued by the director pursuant to the provisions of Chapter 20.100 of this title applicable to zoning code verification certificates, which zoning code verification certificate confirms full conformance of a proposed payday lending establishment with all of the applicable locational siting and licensing requirements of this title. The application for such zoning code verification certificate shall be filed pursuant to the requirements and processes set forth in Chapter 20.100 applicable to zoning code verification certificates.
  - B. A person intending to commence operation of a payday lending establishment at the same location occupied or previously occupied by a legally operating payday lending establishment may be issued a zoning code verification certificate without full conformance with the locational siting requirements of this title, so long as the prior payday lending establishment use has not been discontinued or abandoned for a period of six months or more.
- The location and operation of payday lending establishments shall be subject to and shall comply with all of the restrictions and conditions set forth in this section, in addition to those restrictions and conditions that may be imposed on a payday lending establishment under or pursuant to other provisions of the San José Municipal Code or other applicable state or local laws, regulations or policies. Anyone operating or allowing or suffering the operation of a payday lending establishment shall comply with, or shall cause the compliance with, all of the restrictions and conditions set forth in this section, in addition to those restrictions and conditions that may be imposed on a payday lending establishment under or pursuant to other provisions of the San José Municipal Code or other applicable state or local laws, regulations or policies.
  - A. At the time of issuance of a zoning code verification certificate, no payday lending establishment shall be located within a census tract identified by the most recently available census data from the U.S. census bureau's American Community Survey as having a median household income below that defined by the U.S. department of housing and urban development as "very low income" for a two-person household ("very low income census tract") or closer than a minimum of one thousand three hundred twenty feet from the boundary of a very low income census tract, measured from the parcel line of the parcel on which the payday lending establishment is located.
  - B. At the time of issuance of a zoning code verification certificate, no payday lending establishment shall be located on a parcel of real property that is closer than a minimum of one thousand three hundred twenty feet from any parcel on which another payday lending establishment is located, measured from the closest parcel lines of the respective parcels.
  - C. A payday lending establishment shall hold, maintain and be in compliance with a valid license issued by the State of California under the California Deferred Deposit Transaction Law, as amended from time to time.
- No more than a maximum of thirty-nine payday lending establishments shall be sited in the city.

Tucson (Arizona), City of. 2012. *Land Use Code*. Article III: Development Regulations. Division 5: Performance Criteria. Section 3.5.4.5: Financial Service. Article VI: Definitions. Division 2: Listing of Words and Terms. Section 6.2.14: Definitions-N. Available at [http://www4.tucsonaz.gov/files/pdsd/codes-ordinances/Complete\\_LUC\\_Sept2012.pdf](http://www4.tucsonaz.gov/files/pdsd/codes-ordinances/Complete_LUC_Sept2012.pdf).

- *Non-Chartered Financial Institution.* A use, other than state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers deferred presentment services as defined in A.R.S. § 6-1251(3) or check cashing services and loans for payment of a percentage fee. Specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, payday loan businesses that make loans upon assignment of wages received and auto title lenders who offer a short-term loan with a car title as a means to secure the loan.



- Non-Chartered financial institutions require approval as a special exception by the Zoning Examiner in accordance with procedures set forth in Sec. 5.3.9 and Zoning Examiner Full Notice Procedure, Sec. 23A-53 and provided that:
  1. A non-chartered financial institution site shall be separated from other non-chartered financial institution sites by a distance of one-thousand, three hundred and twenty feet (1,320)
  2. A non-chartered financial institution site shall be located at least five-hundred (500) feet, measured in a straight line, from the property line to a zone boundary line of R-3 or more restrictive zoning.

**Sample Business Licensing Definitions and Standards for Payday Lenders:**

Belleville (Illinois), City of. 2013. *Code of Ordinances*. Chapter 7: Business Licenses. Article XXV: Installment Loan Businesses. Available at <http://www.belleville.net/index.aspx?NID=316>.

- "Consumer Installment Loan Business": Any person, firm, association, corporation or partnership, engaged in the business or service of, and providing facilities for, consumers to receive cash or evidence of cash in exchange for a loan agreement to be repaid in installments over a period of weeks, months or years, which agreement is either collateralized or not, and for which any service charge is made or interest received, including but not limited to loans collateralized by personal check, payroll check or personal property title, or collateralized with the promise to relinquish possession to any personal property upon default, or engaged in any one or more of the foregoing businesses; EXCEPT, that this definition does not include: State or National Banks, or Savings Banks, the United States Postal Service, Postal Telegraph Company, or Western Union Telegraph Company, Credit Union, or any person, firm, association, corporation or partnership engaged in the business of selling tangible personal property at retail who, in the course of such business and only as an incident thereto, receives checks, drafts, money orders or other evidences of money, or receives or issues a contractual agreement to receive money or evidence of money on an installment basis in exchange for tangible goods sold or rented on the premises, with or without using such tangible goods as collateral or as a repossessible item upon default.
- No person, firm, association, partnership or corporation shall conduct or operate a consumer installment loan business without having first obtained a license therefore as is provided in this Article, or in violation of any of the provisions contained in this Article. Any consumer installment loan license may be revoked by the Mayor for any violation of any provision of this Article. The license fee shall be Five Hundred Dollars (\$500.00) per year.
- PROHIBITED ACTIVITIES. No person, firm, association, partnership or corporation licensed to conduct a consumer installment loan business shall accept items in pawn and/or for bailment in exchange for cash or other evidence of cash nor shall a consumer installment loan business as defined herein except evidence of title or ownership in real property in exchange for cash or evidence of title or ownership in real property in exchange for cash or evidence of cash.
- LICENSE IS LIMITED. The City of Belleville, as a home rule unit, hereby finds and declares that at no time shall the currently licensed number of consumer installment loan businesses in the City of Belleville exceed three (3), and that no license shall issue unless renewed by the current holder of a license (after compliance with this Article) or by a new applicant (after compliance with this Article) where a current license holder relinquishes the license in writing, presented to the City Clerk, or fails to renew said license in a timely manner. This limit of the number of licenses shall not apply to consumer installment loan business operating at the time this Article takes effect.
- HOURS. The hours of operation of a consumer installment loan business or a currency exchange business are hereby limited to the hours of 7:00 A.M. until 9:00 P.M.

Granite City (Illinois), City of. 2014. *Code of Ordinances*. Title 5, Business Taxes, Licenses and Regulations; Article VI, Other Business; Chapter 5.146, Licensing and Regulating of Lenders of Payday Loans; Section 5.146.020, Definitions. Available at [https://www.municode.com/library/il/granite\\_city/codes/code\\_of\\_ordinances](https://www.municode.com/library/il/granite_city/codes/code_of_ordinances) .

- Chapter 5.146 - LICENSING AND REGULATING OF LENDERS OF PAYDAY LOANS
  - 5.146.010 - License—Required.  
No person, firm, association, partnership or corporation shall conduct or operate the business of payday loan lending without having first obtained a license therefore as is provided in this chapter, or in violation of any of the provisions contained in this chapter.
  - 5.146.020 - Definitions.
    - Payday lender and licensee.* Any person or entity, including any affiliate or subsidiary of lender or licensee, that offers or makes a payday loan, buys a whole or partial interest in a payday loan, arranges a payday loan for a third party, or acts as an agent for a third party in making a payday loan, regardless of whether approval, acceptance, or ratification by third party is necessary to create a legal obligation for a third party, and includes any other person or entity if the building and zoning board determines that the person or entity is engaged in a transaction that is in substance a disguised payday loan or a subterfuge for the purpose of avoiding this Act.
    - Payday loan or loan.* A loan with a finance charge exceeding an annual percentage rate of thirty-six percent and with a term that does not exceed one hundred twenty days, including any transaction conducted via any medium whatsoever, including, but not limited to, paper, facsimile, Internet, or telephone, in which:
      1. A lender accepts one or more checks dated on the date written and agrees to hold them for a period of days before deposit or presentment, or accepts one or more checks dated subsequent to the date written and agrees to hold them for deposit;
      2. A lender accepts one or more authorizations to debit a consumer's bank account; or
      3. A lender accepts an interest in a consumer's wages, including, but not limited to, wage assignment.
  - 5.146.030 - State licensing required—Compliance with state law.  
That any person, firm, association, corporation or partnership applying for and/or receiving or holding a business license in the city to operate a payday loan facility as defined in section 5.146.020 must also hold a license to operate from the state (whenever such license is required pursuant to the Payday Loan Reform Act, 815 ILCS 122/1-1, et seq., or pursuant to any other licensing provision of the State of Illinois) and must show that such state license is current and active. In addition, any person, firm, association, corporation or partnership operating as a payday lender must at all times be in full compliance



with all state laws, rules and/or regulations pertaining to the operation of a payday loan facility. Failure to achieve and maintain full compliance with all laws, rules and regulations shall be deemed a violation of this chapter.

5.146.040 - License—Application—Investigation.

Applications for payday loan lenders shall be made to the city clerk and shall state thereon the name of the applicant, the place of business, and the number of employees intended to be engaged. The application shall also state the state license number and shall be accompanied by good and sufficient proof of compliance with all state licensing laws pertaining to payday loan lenders.

5.146.050 - Prohibited activities.

No person, firm, association, partnership or corporation licensed to conduct a payday loan lending business shall accept items in pawn or for bailment in exchange for cash or other evidence of cash, nor shall a payday loan lending business as defined herein accept evidence of title or ownership in real property in exchange for cash or evidence of cash.

5.146.060 - Licenses limited.

At the time of passage of this chapter, there exists in the city four loan establishments with effective business licenses. These establishments will thenceforth be considered to be licensed under this chapter and the ordinance from which this chapter derived, and any application for renewal of license shall be made under this chapter and the ordinance from which this chapter derived. The city, as a home rule unit, hereby finds and declares that the currently licensed number of payday loan lenders is an excessive number of payday loan lenders for the community and further finds and declares that at no time shall the number of payday loan lenders for the community exceed two, after the existing payday loan establishments in the city decline in number to two, and that no license shall issue unless renewed by the current holder of a license (after compliance with this chapter) or by new applicant (after compliance with this chapter) where current license holder relinquishes the license in writing, presented to the city clerk, or fails to renew said license in a timely manner.

5.146.070 - Violation and penalty.

Any person, firm association, partnership or corporation violating any provision of this chapter shall be fined not less than fifty dollars nor more than seven hundred fifty dollars for each offense.

Beaverton (Oregon), City of. 2014. *Beaverton Code*. Title 7: Licenses, Permits and Business Regulations. Chapter 7.12: Regulations on Payday Lending. Available online at:

<http://www.codepublishing.com/OR/beaverton/>.

- *Payday lender* – A lender in the business of making payday loans as defined by state law.
- Within 60 days of the effective date of this Ordinance, any payday lender operating in the City of Beaverton shall apply for and obtain a permit to operate as a payday lender. Permits shall be required for each location a lender operates in the City of Beaverton and shall be renewed annually. The application shall be in a form to be determined by the Mayor. The Mayor shall require the payday lender to report its fee schedule in the payday lender's permit application. No person shall operate a payday lending business or loan any funds as a payday loan without a current permit to do business issued by the City of Beaverton. The amount of the fee shall be set by Council resolution.
- Cancellation of Payday Loan.
  - A. A payday lender shall cancel a payday loan without any charge to the borrower if prior to the close of the business day following the day on which the payday loan originated, the borrower:
    1. Informs the payday lender in writing that the borrower wishes to cancel the payday loan and any future payment obligations; and
    2. Returns to the payday lender the uncashed check or proceeds given to the borrower by the payday lender or cash in an amount equal to the principal amount of the payday loan.
  - B. A payday lender shall conspicuously disclose to each borrower that the right to cancel a payday loan as described in this section is available to the borrower. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12 point type.
- Renewals of Payday Loans. A payday lender shall not renew an existing payday loan more than two times.
- Payment of Principal Prior to Payday Loan Renewal. A payday lender may not renew a payday loan unless the borrower has paid an amount equal to at least twenty-five percent (25%) of the principal of the original payday loan, plus interest on the remaining balance of the payday loan. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12 point type.
- Payment Plan for a Payday Loan.
  - A. A payday lender and a borrower may agree to a payment plan for a payday loan at any time.
  - B. A payday lender shall disclose to each borrower that a payment plan described in this section is available to the borrower after two renewals of the loan. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12 point type.
  - C. After a payday loan has been renewed twice, and prior to payday lender declaring a default on the payday loan, a payday lender shall allow a borrower to convert the borrower's payday loan into a payment plan. Each payment plan shall be in writing and acknowledged by both the payday lender and the borrower.
  - D. The payday lender shall not assess any fee, interest charge or other charge to the borrower as a result of converting the payday loan into a payment plan.
  - E. The payment plan shall provide for the payment of the total of payments due on the payday loan over a period of no fewer than 60 days in three or more payments. The borrower may pay the total of payments due on the payment plan at any time. The payday lender may not assess any penalty, fee or other charge to the borrower for prepayment of the payment plan.
  - F. A payday lender's violation of the terms of a payment plan entered into with a borrower under this section constitutes a violation of this Ordinance. If a payday lender enters into a payment plan with a borrower through a third party that is representing the borrower, the payday lender's failure to comply with the terms of that payment plan constitutes a violation of this Ordinance.



Wyandotte County-Kansas City (Kansas), Unified Government of. 2013. *Code of Ordinances*. Chapter 19: Licenses, Permits, and Miscellaneous Business Regulations. Article XIII: Payday and Title Loan Businesses. Available at [https://www.municode.com/library/ks/wyandotte\\_county\\_unified\\_government/codes/code\\_of\\_ordinances](https://www.municode.com/library/ks/wyandotte_county_unified_government/codes/code_of_ordinances).

- *Payday loan business* shall refer to any business regulated by K.S.A. 16A-2-404, as the same may be amended from time to time.
- Within 60 days of the effective date of this article, it shall be unlawful for any person or business:
  - (1) To operate or maintain a payday or title loan business in the city unless the owner, operator or lessee thereof has applied for and obtained a payday loan and title loan business license from the unified government business license administrator; or
  - (2) To operate such business after such license has expired or has been revoked or suspended by the unified government business license administrator.
- Licenses shall be required for each location a lender operates in the city, shall be valid for a one-year period of time and may be renewed annually. The application shall be in a form to be determined by the unified government license administrator. The annual cost for the license shall be set by the county administrator, payable to the unified government. This license shall be in addition to any other license or license required by other local, state or federal government agencies. No license shall be issued for any business seeking to operate at a location prohibited by any applicable local, state or federal law, statute, ordinance, rule or regulation; provided, however, that a business lawfully in existence on the date of adoption of such prohibition may be issued a license if allowed by such provisions.
- Separation requirements. No license shall be issued for any payday or title loan business that is located within 10,560 feet of any other payday or title loan business or within 200 feet of any property used primarily for a single-family residence, a two-family residence, a town home, or any apartment building. The separation distances shall be measured from or to the outer wall of the payday or title loan business, and from or to the property line of the property containing the residential use. However, this separation provision shall not apply to any payday or title loan business that can demonstrate to the unified government that they were in operation at the location requested in the license application prior to the effective date of this article, and that they have operated continuously under the same business name since that time.
- Posting required.
  - (a) Any business that applies for and receives a payday or title loan business license from the unified government business license administrator shall keep such license posted on a wall within their business in a prominent location clearly visible to potential customers. Failure to keep the license posted in the manner required shall be prima facie evidence that the business has not obtained such a license. It shall also be prima facie evidence that any person who performs any business or service as part of the payday or title loan business had knowledge that such business was not licensed.
  - (b) In addition, any business that applies for and receives a payday or title loan business license from the unified government business license administrator shall post a notice in both English and Spanish not less than 24-point bold type within three feet of each location within the premises at which a customer, borrower or other member of the general public is invited or directed to stand or sit to either apply for a loan, to answer or ask questions, to review or sign transaction documents, to receive loan proceeds, to make payments or to inquire about, or apply for, the renewal or the rolling over of a loan, which sets out the following information:
    - (1) The interest rates and fees charged;
    - (2) The annual percentage rate equivalent of the aggregate of those interest rates and fees charged per \$100.00 borrowed;
    - (3) A computation of the amounts that would be paid on an original loan renewed or rolled-over after the expiration of its original term without any payment of either principal or interest each time, up to the six times;
    - (4) A warning that default may result in loss of property used as security for the loan and garnishment of wages and checking and savings accounts;
    - (5) Notice that state law prohibits this lender and their related interest from having more than two loans outstanding to you at any one time. A lender cannot divide the amount you want to borrow into multiple loans in order to increase the fees you pay;
    - (6) Notice of any state or federal rights to rescind the loan agreement; and
    - (7) Notice that questions concerning their rights can be directed to the unified government 311 operators.
- Criteria for issuance of license. The unified government business license administrator shall investigate the application for a payday or title loan business license and shall issue the license authorized by this chapter if the license administrator finds that each of the following conditions is met without exception:
  - (1) Applicant is current in all taxes, fees and other amounts due to the unified government on any account, for any purpose;
  - (2) The application is complete and appears to be truthful and accurate;
  - (3) The application is accompanied by the required fee;
  - (4) The location of the premises meets all applicable spacing, distance and location requirements of the zoning ordinances;
  - (5) The premises meets all other applicable health, safety, zoning, property maintenance, building and fire codes and ordinances of the unified government;
  - (6) Periodic inspection. Any business that applies for and receives a payday or title loan business license from the unified government business license administrator shall be deemed to have consented to periodic entry into and inspection of the business premises by appropriate unified government officials, including the inspection of only those business records necessary from the limited purpose of determining whether such business records necessary for the limited purpose of determining whether such business enterprise is in compliance with this article or any other applicable state or federal law or regulation. This entry and inspection shall take place during hours when such business is open to the public, unless otherwise requested by the business, and shall not unreasonably interfere with the conduct of such business.