



TOWN OF PLYMOUTH

26 Court Street
Plymouth, Massachusetts 02360
(508) 747-1620

APPLICATION FOR JUNK COLLECTOR LICENSE

Fee: \$25.00

The undersigned hereby makes application for a Junk Collector License:

Applicant Name: _____
Date: _____
Email Address: _____
Business Name: _____
Business Address: _____
Mailing Address: _____
Business Phone: _____
Home Phone: _____
Owner's Name: _____
Restrictions: _____

Please contact the Police Department to arrange an appointment for fingerprint collection. Their contact information is on the Police Department application. This will be used to obtain a Criminal Background Check. There is a \$100.00 fee for this. Please complete the attached Police Department application and bring it with you.

Signature: _____ Date: _____

MASSACHUSETTS DEPARTMENT OF REVENUE

REVENUE ENFORCEMENT AND PROTECTION (REAP) ATTESTATION

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law

Signature of Individual or Corporate Name (Mandatory)*

by: Corporate Officer (Mandatory, if applicable)

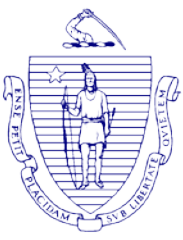
Social Security # (Voluntary)**

or

Federal Identification Number

*This license will not be issued unless this certification clause is signed by the applicant.

**Your Social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or evocation. This request is made under the authority of MA G.L. c 62C s. 49A.



**The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 Lafayette City Center
 2 Avenue de Lafayette, Boston, MA 02111-1750
 www.mass.gov/dia**

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am a employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ **Permit/License #** _____

Issuing Authority (check one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board
- 5. Selectmen's Office 6. Other _____

Contact Person: _____ **Phone #:** _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "**every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required.**" Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents

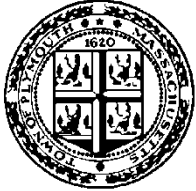
Office of Investigations

Lafayette City Center
2 Avenue de Lafayette,
Boston, MA 02111-1750

Tel. (857) 321-7406 or 1-877-MASSAFE

Fax (617) 727-7749

www.mass.gov/dia



TOWN OF PLYMOUTH
POLICE DEPARTMENT

Form GO 112-1

Application for Civil Fingerprint-Based
Criminal Background Check

****To be completed by Applicant and brought to the Plymouth Police Station****

Date of Application _____

Company Information

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Municipal License (check appropriate box)

- Hawking and Peddling or other Door-to-Door Salespeople
- Manager of Alcoholic Beverage Licensed Establishment
- Dealer of Second-hand Articles (including Junk Dealers, Collectors, and Pawn Dealers)
- Fortune Teller
- Hackney and Livery Drivers and Owners or Operators of other Conveyors of Passengers
- Ice Cream Truck Vendor

Applicant Information

Last Name: _____ First Name: _____ MI: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Cell/Work Phone #: _____

Date of Birth: _____ Place of Birth: _____

Social Security #: _____

Applicant signature for consent to submit fingerprints: _____

FOR POLICE USE ONLY – DO NOT WRITE BELOW THIS LINE

Documentation Checklist

PPD Case #: _____

- Copy of photo ID (Valid Driver's License, MA ID, Passport, Military ID)
- Check payable to Town of Plymouth for \$70.00
- Check payable to Commonwealth of MA for \$30.00
- Applicant advised that fingerprints will be used to obtain criminal history records
- Fingerprints obtained
- Digital Photo obtained

Officer Signature: _____

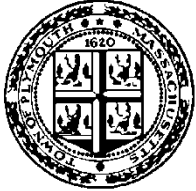
Printed Name of Officer: _____ ID#: _____

Administrative Use Only

- Application Recommended for Approval
- Application **NOT** Recommended for Approval

Signature of Chief of Police: _____

Form GO 112-1 (rev. 6/22). This form replaces all previous Application for Civil Fingerprint-Based Criminal Background Check, **which may not be used.**



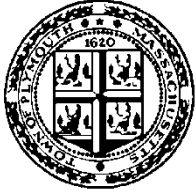
TOWN OF PLYMOUTH POLICE DEPARTMENT

Form GO 112-1

Application for Civil Fingerprint-Based Criminal Background Check

Civil Fingerprinting-Based Criminal History Check Applicant Procedures

- Applicants seeking a municipal license for which civil fingerprinting is required shall submit a full set of fingerprints to be taken by the Plymouth Police Department in accordance with M.G.L. c. 6, S 172B ½, and Chapter 72-4 of the By-Laws of the Town of Plymouth.
- Licensing Applicants must contact the Plymouth Police Department to arrange an appointment for a Plymouth Police Officer to collect the applicant's fingerprints and photograph. Licensing Applicants should make appointments by contacting:
 - **Detective Sergeant Anthony DiAngelo at (508) 830-4218 x233**
or (if unavailable)
 - **Detective Lieutenant Michael Glowka at (508) 830-4218 x236**
- Licensing Applicants need to bring the following to the appointment:
 - Valid photo identification (Driver's License, State issued ID card, Passport, Military ID)
 - Statutory and Municipal fees in the form of 2 separate bank checks or money orders:
 - \$30 payable to "Commonwealth of Mass"
 - \$70 payable to "Town of Plymouth"
 - Completed Plymouth Police Department Form GO 112-1 "Application for Civil Fingerprint-Based Criminal Background Check." The Licensing Applicant must sign the form to consent to the collection and submission of his/her fingerprints. This form will be retained for at least 1 year, but for no longer than 3 years.
- The applicant's fingerprints will be submitted to search criminal history records using the Automated Fingerprint Identification System (AFIS) which is maintained by the Massachusetts State Police and the Federal Bureau of Investigation's (FBI) Integrated Automated Fingerprint Identification System (IAFIS) fingerprint database.
- Upon receipt of the appropriate fees and documentation, the Plymouth Police Department will transmit the fingerprints to the Identification Section of the Mass. State Police, the Mass. Department of Criminal Justice Information Services (CJIS), and/or the Federal Bureau of Investigation (FBI).
- Results of the fingerprint-based criminal record background checks will be sent to a designated secure website managed by the Massachusetts Dept. of Criminal Justice Information Services (DCJIS) and will be only accessed by the Chief of Police and/or the Chief of Police's designee.



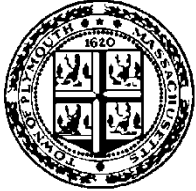
TOWN OF PLYMOUTH
POLICE DEPARTMENT

Form GO 112-1

Application for Civil Fingerprint-Based
Criminal Background Check

Civil Fingerprinting-Based Criminal History Check Applicant Rights

- Applicants will be afforded the opportunity to meet with the Police Background Investigator.
- Any Applicant, upon request, will be provided with a copy of the results of his/her fingerprint-based criminal background check.
- Applicants will have the opportunity to provide additional information to, or challenge the accuracy of, the information contained in the background check, including in the FBI identification record prior to rendering a suitability evaluation. (See U.S. Code of Regulations, 28 C.F.R. Part 16.34)
- Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant who wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in U.S. Code of Regulations, Title 28 C.F.R. 16.34.



TOWN OF PLYMOUTH
POLICE DEPARTMENT
Form GO 112-1
Application for Civil Fingerprint-Based
Criminal Background Check

U.S. Code of Regulations, 28 C.F.R. Part 16.34

This subpart contains the regulations of the Federal Bureau of Investigation (FBI) concerning procedures to be followed when the subject of an identification record requests production of that record to review it or to obtain a change, correction, or updating of that record.

§ 16.31 - Definition of identification record.

An FBI identification record, often referred to as a "rap sheet," is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The identification record includes the name of the agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

§ 16.32 - Procedure to obtain an identification record.

The subject of an identification record may obtain a copy thereof by submitting a written request via the U.S. mails directly to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. Such request must be accompanied by satisfactory proof of identity, which shall consist of name, date and place of birth and a set of rolled-in-inked fingerprint impressions placed upon fingerprint cards or forms commonly utilized for applicant or law enforcement purposes by law enforcement agencies.

§ 16.33 - Fee for production of identification record.

Each written request for production of an identification record must be accompanied by a fee of \$18 in the form of a certified check or money order, payable to the Treasury of the United States. This fee is established pursuant to the provisions of 31 U.S.C. 9701 and is based upon the clerical time beyond the first quarter hour to be spent in searching for, identifying, and reproducing each identification record requested as specified in § 16.10. Any request for waiver of the fee shall accompany the original request for the identification record and shall include a claim and proof of indigency. Subject to applicable laws, regulations, and directions of the Attorney General of the United States, the Director of the FBI may from time to time determine and establish a revised fee amount to be assessed under this authority. Notice relating to revised fee amounts shall be published in the Federal Register.

§ 16.34 - Procedure to obtain change, correction or updating of identification records.

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

Form GO 112-1 (rev. 6/221). This form replaces all previous Application for Civil Fingerprint-Based Criminal Background Check, **which may not be used.**

Chapter 100

JUNK DEALERS AND COLLECTORS

§ 100-1. License required.

§ 100-2. Shopkeepers.

§ 100-3. Minors.

§ 100-4. Junk collectors.

§ 100-5. Identification.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-16-1974 by Art. 58 as Art. 7 of the 1974 Bylaws. Amendments noted where applicable.]

GENERAL REFERENCES

**Hawkers, peddlers and transient vendors – See Ch. 85.
Solid waste – See Ch. 157.**

§ 100-1. License required.

- A. All dealers in and keepers of shops for the purchase, sale or barter of junk, old or precious metals or secondhand articles in this town shall be licensed by the Selectmen. For the purpose of this bylaw, the term “precious metals” shall include any precious metal such as gold, silver or platinum without regard to the form or amount. [Added 4-2-2011 by ATM Article 33]

§ 100-2. Shopkeepers.

- A. Every keeper of a shop for the purchase, sale or barter of junk, old or precious metals or secondhand articles within this town shall keep a book in which shall be written at the time of every purchase of any such article a description thereof and the name, age and residence of the person from whom and the day and hour when such purchase was made, and such book shall at all times be open to the inspection of the Selectmen or any person by them authorized to make such inspection, and every keeper of such shop shall put in some suitable and conspicuous place on his or her shop a sign having his or her name and occupation legibly inscribed thereon in large letters.

- B. Such shop and all articles of merchandise therein may at all times be examined by the Selectmen or by any person by them authorized to make such examination, and no article purchased or received by such shopkeeper shall be sold or altered or removed from premises [Amended 10-24-2011 ATM by Art. 28] until a period of at least ~~one week~~ thirty days has elapsed from the date of its purchase or receipt. [Amended 4-2-2011 by ATM Article 33]
- C. The licensee shall cause to be delivered to the Plymouth Police Department on a weekly basis, a copy of all transactions recorded in their book transmitted electronically through databases approved by the Chief of Police. [Amended 10-23-2018 by ATM Article 18] ~~–If, during the preceding week, such licensee has taken no articles for sale or liquidation, he/she shall make out and deliver to the Police Department a report of such fact.~~ [Added 4-2-2011 by ATM Article 33 and Removed 10-23-2018 by Article 18]
- D. All shopkeepers shall produce a receipt identifying the business name, address, and license number. It shall contain an accurate and detailed description of all items including but not limited to: all distinguishing marks, model names or numbers, serial numbers, etchings or engravings. Jewelry items shall include a complete description including the material, ring size, weight, chain length, shapes, karat weight and color. [Added 4-2-2011 by ATM Article 33]
- E. All shopkeepers shall refrain from paying cash for precious metals and articles purchased that will be liquidated, melted down, or resold. The preferred method of payment should be a business check which can be traced back to the recipient. [Added 4-2-2011 by ATM Article 33]

§ 100-3. Minors.

No keeper of such shop shall directly or indirectly purchase or receive, by way of barter or exchange, any of the articles aforesaid of a minor knowing or having a reason to believe him or her to be such.

§ 100-4. Junk collectors.

- A. All junk collectors who collect, by purchase or otherwise, junk, old metals or secondhand articles from place to place in this town shall be licensed by the Selectmen.
- B. Whoever violates this section shall be liable to a penalty of \$50 \$100 [Amended 4-2-2011 by ATM Article 33] for each offense. [Added 4-10-2001 by ATM Article 31]

§ 100-5. Identification [Added 4-2-2011 by ATM Article 33]

- A. For all jewelry transactions, the licensee shall take a color photograph of each individual item in as much detail possible. The licensee shall note any personal inscriptions, identification of weight or any other permanent markings. **[Amended 10-23-2018 by ATM Article 18]** The licensee shall photograph, in color, any person selling articles and keep the photographs with said books as part of his records.

- B. The licensee shall obtain positive identification, make a color copy of, and record the full name, address, date of birth, and who shall be required to sign documentation avowing to the accuracy of the information listed, and ownership of said items being sold.

Chapter 72

CIVIL FINGERPRINTING

§ 72-1. Purpose and Scope.

§72-2. Regulations.

§72-3. Definitions.

§ 72-4. Criminal History Check Authorization.

§ 72-5. Standards for Licensing Authority Use of Criminal Record.

§ 72-6. Fee.

§ 72-7. Effective Date

§ 72-1. Purpose and Scope.

To enhance public safety, this By-law authorizes the Police Department to conduct state and national fingerprint-based criminal history checks for individuals applying for specific Town-issued licenses or permits, as authorized by G.L. c.6, §172B½, provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with all applicable law.

§ 72-2. Regulations.

The Board of Selectmen, in consultation with the Chief of Police, is authorized to promulgate regulations to implement this By-law, which regulations may include, but shall not be limited to: establishment of submission deadlines, procedures for making recommendations to the licensing authority or making a licensing determination as a result of the criminal history check, procedures for assessing, correcting or amending any such record and establishing criteria for fitness determinations, confidentiality of information obtained and penalties for failure to comply with this By-law.

§ 72-3. Definitions.

Criminal History Check – A state and national fingerprint based criminal history background check, as authorized by G.L. c. 6, §172B½.

DCJIS – The Massachusetts Department of Criminal Justice Information Services.

FBI – The Federal Bureau of Investigation, United State Department of Justice.

License – A license or permit issued by the Town of Plymouth, or any board, officer or department thereof, which is identified in Subsection 4.A of this Bylaw.

Licensing Authority –A board, officer or department of the Town of Plymouth authorized by the General Laws of Massachusetts or Town by-law to issue a license or permit listed in §72-4 of this By-law.

Town – The town of Plymouth, Massachusetts.

§ 72-4. Criminal History Check Authorization.

A. Occupational Licenses. The Police Department shall, as authorized by G.L. c.6, §172B½, conduct state and federal fingerprint based Criminal History Checks for individuals and entities for the following occupational licenses:

- (1) Hawking and Peddling or other Door-to-Door Salespeople
- (2) Manager of Alcoholic Beverage Licensed Establishment
- (3) Dealer of Second-hand Articles (including Junk Dealers and Collectors)
- (4) Pawn Dealers
- (5) Hackney and Livery Drivers ~~and Owners or Operators of other conveyors of passengers,~~ and [Amended 10/21/2017 by Article 21]
- (6) Ice Cream Truck Vendors

B. At the time of fingerprinting, the Police Department shall notify the individual being fingerprinted that the fingerprints will be used to check the individual's Criminal History Records and shall obtain the individual's consent in writing prior to conducting such Criminal History Checks.

C. Following receipt of an applicant's executed consent form and payment of the applicable fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this By-law to the Identification Section of the Massachusetts State Police, DCJIS, and/or the FBI or the successors of such agencies to conduct a Criminal History Check.

D. The Town authorizes the Massachusetts State Police, DCJIS and the FBI, or the legal successor of each, to conduct fingerprint-based state and national Criminal History Checks consistent with this By-law.

E. The Town authorizes the Police Department to receive and utilize state and FBI records in connection with such Criminal History Checks, consistent with this By-law and the Town's implementing Regulations.

F. In accordance with applicable implementing regulations, the Police Department shall communicate the results of fingerprint-based Criminal History Checks to the appropriate Licensing Authority.

§ 72-5. Standards for Licensing Authority Use of Criminal Record.

A. A Licensing Authority is authorized hereunder to utilize the results of fingerprint-based Criminal History Checks exclusively for the limited purpose of determining the suitability of a License applicant in connection with an application for a License identified in Subsection 4.A of this By-law or for its renewal or transfer.

B. A Licensing Authority may, at its sole discretion, deny a license application on the basis of the results of a fingerprint-based Criminal History Check if it determines that the results of the check render the subject unsuitable for the proposed licensed activity. The Licensing Authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

C. A Licensing Authority is hereby authorized to deny an application for any license specified herein, including renewals and transfers of said licenses, from any person who is determined to be unsuitable for the license due to information obtained pursuant to this By-law.

D. Factors that shall be considered in making a determination of suitability shall include conviction of, or under pending indictment for, a felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, a sex-related offense, or other crime that bears upon the subject's ability or fitness to exercise such license.

§ 72-6. Fee.

The fee for conducting a fingerprint-based Criminal History Check shall be one hundred dollars (\$100) for each check. That portion of the fee specified in G. L. c.6, §172B½, shall be deposited into the Commonwealth of Massachusetts Firearms Fingerprint Identity Verification Trust Fund. The remainder of the Fee is to be applied by the Town for costs associated with the administration of the fingerprinting program.

§ 72-7. Effective Date

This By-law shall take effect in accordance with G. L. c.40, §32.