

PAYDAY LENDING ZONING LAWS/LEGISLATION

APPENDIX 1 – List of Payday Lender Ordinances

JURISDICTION	BASIS FOR LIMITS	DETAILS	CITATION
Birmingham, AL	Moratorium	PROPOSED – 9/11	
Midfield, AL	Moratorium	No more outlets than the current 12	Summer 2011
Homewood, AL	Permit	Restrictions on new payday lender businesses	Citation not available
Mobile, AL	Moratorium	6 month moratorium on payday loan outlets as of April 2010	City Code Chapter 64
Casa Grande, AZ	Distance	Cannot operate within 1,320 feet of same - regardless of whether same is located within city limits or another jurisdiction	Title 17, Chapter 17.12, Section 17.12.415
Gilbert, AZ	Distance/Permit	Cannot operate within 1,000 feet of each other. Must apply for conditional use permit after going through public hearing for approval.	Citation not available
Mesa, AZ	Permit	Payday businesses must get a special permit	Title 11 “Zoning”, Section 11-1-6
Phoenix, AZ	Distance	Cannot operate within 1,320ft of each other and within 500ft of residential areas	Ordinance G-4817
Pima County, AZ	Permit/Density	New payday lenders not allowed to locate within 1,320ft (one quarter mile) of existing operations or 500ft. of homes or residentially zoned property. Also requires a special permit.	Chapter 18.45.040

South Tucson, AZ	Zoning/Density	Limited to three business zones. Cannot open within 1,000ft. of existing operations or within 500ft. of residence districts, schools, playgrounds, or parks. Application required.	City Ordinance Section 24-526
Tempe, AZ	Density	Cannot operate within 1,320ft. of each other and 500ft. of residential areas	Chapter 4, Section 3-423
Tucson, AZ	Density	No payday lender within 1,320 feet of same; at least 500 feet from R-3 or more restrictive zoning	Article 3, 3.5.4.5. – Financial Service
Youngtown, AZ	Moratorium	Banned in Town Limits	Section 17.16.040
La Mirada, CA	Distance	Cannot operate within 1,000 feet of each other. Must be 500 feet from residential areas. Hours are limited to 7am-7pm. Restrictions on building.	Municipal Ordinance 21.45.010
Long Beach, CA	Permit	Check Cashing institutions must be located in commercial districts.	Municipal Ordinance 21.15.480
Los Angeles, CA	Increase credit unions	Ordinance provides incentives for credit unions to expand into areas where payday lenders are prevalent	No citation.
National City, CA	Moratorium	Check cashing and payday advance business moratorium.	Ordinance 2232
Norwalk, CA	Distance/ Prohibition	Outlets must be 1320ft. apart from each other. No more than 8 outlets in the city.	Municipal Ordinance 17.04.095

Oceanside, CA	Permit	Requires special operating permit, payday lenders classified as adult businesses, not permitted within 1000ft. of similar businesses or within 500ft. of home, church, park, or school.	Resolution 07-R0621-1 LCPA -2-07 and ZA-4-07
Oakland, CA	Permit	Special Permit, must not be closer than 1000ft. from another check casher/payday lender; must be at least 500ft. away from: 1) community education civic activities (schools) 2) state or federally chartered banks, savings associations, credit unions, or industrial loan companies 3) community assembly civic activities (churches) 4) liquor stores (excluding full service restaurants or liquor stores with 25 or more full time employees).	Oakland Planning Code 17.102.430
Pacifica, CA	Moratorium	In effect until 1/2012	
Pico Rivera, CA	Distance/Zoning	Outlets must be 2,640ft. from each other. ¹ Zoned to certain areas.	City Ordinance 1057
Rialto, CA	Permit	Must go before planning commission to receive approval and conditional use permit.	City Ordinance 18.66.030

¹ Changed from a year long moratorium on payday advance establishments.

Sacramento, CA	Distance	Bans Payday Lender from being within 1000ft of another lender, check casher, church, school or bank. Prohibits new stores from opening within 500ft of homes and limits hours from 7 a.m. to 7 p.m.	City Ordinance 17.24.050
San Diego, CA	Zoning	Restricted to commercial zones.	Municipal Code Section 158.0302
San Francisco, CA	Special District	Referred to as “Fringe Financial Services”. Outlets must be in specified districts. ²	Municipal Code section 249.35
Washington, DC	Interest Rate	Pay day lenders can charge no more than 24% interest on a loan not secured by real property and under \$2500.	DC Stat. 28-3301
Ft. Lauderdale, FL	Permit	City Zoning Code does not prohibit or permit check cashing serves- decision on a case-by- case basis. Special Permit required.	* ³
Pembroke Pines, FL	Permit	City Zoning Code does not prohibit or permit check cashing serves- decision on a case-by- case basis. Special Permit required.	* ⁴

² Changed from no law concerning payday advance establishments

³ Citation not available

⁴ Citation not available

Columbus, GA	Business restrictions/zoning	Payday lenders must have borrower database, loan caps, and a ban on multiple loans in a seven day period. Zoned to certain areas.	Municipal Code Section 3.1.5
Belleville, IL	Permit/Outlet Cap	Outlets require permit. City limits number of outlets in city to three,	Municipal Ordinance 7-24
Bellwood, IL	Permit	Outlets required to go through special licensing process	City Ordinance section 117.187
Chicago, IL	Zoning	Outlets may only be in specified districts	City Code Chapter 17-3
Fairview Heights, IL	Permit/Outlet Cap	Outlets requires permit which are limited to 2 stores within the city limits.	Article XI
Glendale Heights, IL	Permit	Special use permit required.	City Code Title 4, chapter 1
Springfield, IL	Distance	Requires that outlets are at least 1500ft. apart	City Ordinance Section 8155.048.1
Des Moines, IA	Moratorium	Temporary 3 month ban beginning May 2010	Citation not available
DeSoto, KS	Distance/Permit	Requires a Permit at a cost of \$250 annually. Requires that outlets are at least 5280ft. apart and 500ft. from residential districts. Periodic inspections may be made however, the inspection must be reasonable and cannot unreasonably interfere with business. ⁵	Article 5 of the Municipal Ordinances

⁵ Changed from complete prohibition of Cash Advance businesses within the city limits.

Kansas City, KS	Zoning	Prohibits payday lending or check cashing on parkways or boulevards.	Citation not available
Shawnee, KS	Distance/Permit	Requires a Permit at a cost of \$300 annually. Requires that outlets are at least 5280ft. apart and 200ft. from residential districts. Periodic inspections may be made however, the inspection must be reasonable and cannot unreasonably interfere with business. ⁶	Municipal Ordinances Section 5.53.000
Smithville, KS			
Prince George, MD	Permit	Restrictions on new check cashing businesses.	Municipal Code Section 27-341.01
Arnold, MO	Permit	Conditional Use Permit for “small loan business to certain commercial areas.	Appendix B Zoning
Bellefontaine, MO	Moratorium	Ban on check cashing businesses and predatory lenders.	Municipal Code Section 29-9
Berkeley, MO	Permit	Requires that outlets (including cash advance, pawnshops and similar businesses) are at least 1400ft. and not within 300ft. from place of worship, schools, or residential zone property. ⁷	Municipal Code section 400.130(d)(19)
Blue Springs, MO	Permit	Outlets must have permits and be in proper districts. ⁸	Municipal Code Chapter 405

⁶ Changed from prohibition of Cash Advance businesses on the eastern side of the city

⁷ Creates a classification for payday loan establishment different from “financial institutions.”

⁸ Previously cited as having distance requirements however, no citation was provided and no matching ordinance was found.

Fairview Heights, MO	Density/Permit	Must be not more than 2 payday lenders within city limits.	Article XI of City Code
Gladstone, MO	Density	One mile between outlets, 200ft. from residential area, outlet must be in a multi-tenant commercial building housing at least four separate entities.	Municipal Code section 7.135.020
Kansas City, MO	Permit	Outlets are required to have a permit. Ordinance allows city to inspect the outlets. ⁹	City Ordinances Section 43-1
City of North Kansas City, MO	Permit/Distance	Requires Permit. At time of establishment must be: 1) one mile apart from each other 2) must be one mile from any hotel or motel 3) must be 1000ft. from liquor store, school, religious inst., senior citizen housing dev., museum, or landmark /historic property or district 4) No accessory services may be offered 5) May not be across the street from specified residential districts 4) Applicant for new establishment must demonstrate no negative impact on property within 500ft. of proposed location 5) permit limited to 2 years.	City Ordinances section 7.135.020
Oak Grove, MO	Permit	Outlets limited to 1 outlet per 5000 residents and requires a special permit.	Citation not available

⁹ Changed from total ban on payday loan establishment in certain districts.

St. Ann, MO	Outlet Cap	No more than 3 payday lenders allowed within city limits.	Municipal Code Section 400.390
St. John, MO	Outlet Cap	No more than 2 payday lenders allowed within city limits. ¹⁰	Municipal Code section 636.010
St. Joseph, MO	Density	Per capital limit of 1/15,000 residents.	No citation
St. Louis, MO	Density	Applies to “small loan business” and check cashing establishments. Conditional land use permits required. Must be 1 mile from each other and 500 feet from residence, school, or church	Municipal Code section 26.08.101; 26.08.384
St. Louis County, MO	Distance	Outlets must be 5280ft. apart from each other and 300ft. residential districts. ¹¹	Municipal Code section 1003.133
Valley Park, MO	Permit	Must obtain permit. Hours limited to 7a.m. – 9p.m. Outlets must be 1,000 feet from each other.	Municipal Code section 605.340 et.seq
Byram, MS	Moratorium	Moratorium beginning November, 2009.	Citation not available
Canton, MS	Moratorium	Moratorium on new check cashing businesses	Citation not available
Clinton, MS	Moratorium	90 day moratorium beginning March 2, 2010.	Citation not available
Flowood, MS	Zoning	Payday lending businesses are restricted to industrial zoned areas.	Municipal Code section 207.07
Starkville, MS	Moratorium	12 month moratorium beginning in 1/10. ¹²	*

¹⁰ Changed from creating a special licensing procedure.

¹¹ Changed from requiring a conditional use permit with a public hearing.

¹² <http://www.mpbonline.org/news/story/cities-crack-down-new-payday-lenders>

Clark County, NV	Permit/Density	Special use permit required. May not be within 200ft. of residences. Must be 1000ft. from other financial institutions, auto title loan businesses, and pawn shops. Restricted hours.	Municipal Ordinance Title 19.06
Henderson, NV	Distance	Outlets must be 1000ft. apart and 200ft. from residential district. ¹³	Municipal Ordinance section 19.4.3
Las Vegas, NV	Permit/Density	Special use permit required. May not be within 200ft. of residences. Must be 1000ft. from other financial institutions, auto title loan businesses, and pawn shops. Restricted hours.	Municipal Ordinance Title 19.06
North Las Vegas, NV	Distance	Outlets must be 2500ft. apart from each other (or like business) and must be 500ft. from residential districts. ¹⁴	Municipal Ordinances Chapter 17.24(25)
Hackettstown, NJ	Permit	Payday lenders must get permission from city council to open downtown.	Citation not available
Clayton City, OH	Permit/Distance	Permit is required and operation hours are confined to 8 a.m. till 6 p.m.. The loans given: must not exceed \$500, must be less than 6 months, the interest rate must not exceed	Municipal Ordinance 1124.93

¹³

¹⁴ Changed from a 6 month moratorium on new payday lenders which started on July 2005

		36%, and all terms and conditions must be written. Outlets must be 1000ft. apart and 1000ft. from residential districts.	
Cleveland, OH	Density	Ordinance limits outlets to one per 20000 residents, must be at least 1000ft. apart.	Citation not available
Cuyahoga Falls, OH	Density	Ordinance limits outlets to one per 10,000 residents, must be at least 1000ft. apart.	Citation not available
Lakewood, OH	Density/permit	Ordinance defines number of terms and limits location of payday loan business. They cannot be within 750ft. of any other payday loan or similar business.	Municipal Ordinance 1365-2006
Parma, OH	Density/Prohibitions	Stores cannot exceed one per 10,000 residents or locate within 1,000 feet of same. Limited to certain zoning districts.	Chapter 1170
Xenia, OH	Distance/Zoning/Permit	Outlets must be 5,000 ft. apart, restricted to certain zones, and a permit is required	Municipal Ordinance 1294.21
Oklahoma City, OK	Zoning	Restricted to certain zones.	Municipal Ordinance 8300.57
Beaverton, OR	Loan Restriction	Borrower may cancel loan within close of next business day with restrictions. Lenders may not renew loans more than twice. Lender may not renew	Title 7, Chapter 7.12, Sections 7.12.005 - 7.12.060

		unless borrower has paid at least 25% of principle plus interest on balance. After max number of rollovers, lender shall allow borrower to convert to payment plan prior to default with no additional fees assessed. Passage of 2007 Oregon state law capping rates at 36% had no effect on local ordinances.	
Bend, OR	Loan Restriction	Same as Beaverton, OR	Chapter 7, Sections 7.850 - 7.895
Eugene, OR	Loan Restriction	Same as Beaverton, OR	Chapter 3, Sections 3.550 - 3.560
Gresham, OR	Loan Restriction	Same as Beaverton, OR	Chapter 9, Sections 9.90.010 – 9.90.110
Oregon City, OR	Loan Restriction	Same as Beaverton, OR	Title 5, Chapter 5.32, Sections 5.32.010 – 5.32.100
Portland, OR	Loan Restriction	Same as Beaverton, OR	Title 7, Chapter 7.26, Sections 7.26.010 – 7.26.110
Troutdale, OR	Loan Restriction	Same as Beaverton, OR	Title 5, Chapter 5.06, Sections 5.06.010 – 5.06.110
Pittsburgh, PA	Density	Operating hours restricted. Cannot locate within 1,000 feet from same/pawn shop/gaming enterprise or within 500 feet from residential zone.	Chapter 911, Section 911.04.A.93

Providence, RI	Prohibition	Restrictions on any city dealings with predatory lenders	Municipal code section 2-18.2
Easley, SC	Cap	Restrictions on new payday lender businesses.	Citation not available
Greenville, SC	Density	Cannot locate less than 3,000 feet from same. Location must be in a shopping center/grocery store which has a minimum of 30,000 square feet. Lender cannot have separate exterior access.	Chapter 19, Article 19-4, Section 19-4.3.3(D)(6)
East Ridge, TN		Studying check cashing outlet restrictions	Citation not available
Memphis City and Shelby County, TN	Distance	Outlet must be 1000ft apart and 1,320 from residential or landmark district.	Appendix A (24)
Nashville, TN	Zoning	Zoning restrictions.	Ordinance BL2008-169 ¹⁵
Austin, TX	Distance/ Prohibited District/ Loan restrictions	Loan amount limited to no more than 20% of customer monthly income, outlets cannot be within 1000 ft of each other, within 200 ft of residential area, 500 ft of major highway intersection, must register with city, no rollovers, no new outlets in East Austin or UT area	proposed
Brownsville, TX	Moratorium	6 month moratorium running through 5/10	

¹⁵ In East Nashville lawsuit filed by title lender Tennessee Quick Cash in June 2010

Dallas, TX	Loan restrictions	Requires registration with city, outlines maintenance of records, cannot loan more than 20% of customer gross mo. income, installment payments cannot exceed 4 and 25% or more of each payment must go toward principle, no rollover of installment payment loan; lump sum payment loans cannot be rolled over more than three times, proceeds from rollover must be 25% or more toward principle, no refinance or renewal, less than 7 days = rollover.	Chapter 50, Article XI, adding to sections 50-144 through 50-151.3
Fort Worth, TX			2006?
Irving, TX	Distance	Outlets must be 1000ft. apart from each other and more than 200ft. away from residential district. ¹⁶	Municipal code Section 52-35
Little Elm, TX	Distance/ Prohibited District	Outlets must be 1000ft. apart from each other and must be 500ft from residential districts. Outlets are prohibited in town center and must be a free standing structure	Municipal Code Section 106-7
Mesquite, TX	Distance/ Prohibited District	Outlets must be 1000ft. apart, in freestanding buildings, at least 200ft. from residential areas and 500ft. from freeways. Cannot be in special “overlay” dist.	Municipal Code Section 3-505

¹⁶ Changed from no statutes concerning payday lenders

Richardson, TX	Distance	Outlets must be 1000ft. apart. ¹⁷	Municipal Ordinance Supplemental regulations for certain uses section 9
Sachse, TX	Permit/Distance/Prohibition	Permit required. Payday Cash advance business (and like businesses) must be 1000ft. apart. Outlets are prohibited 500ft. from city line and George Bush Highway. Additionally, a cap of 36% annually is put on loans. ¹⁸	Municipal Ordinance Article 3 section 11
San Antonio, TX	Permit	Requires outlets to get special authorization from city council. Operating hours are controlled by city council and no outdoor service is permitted.	Municipal Codes chapter 35
American Fork, UT	Density	Limited to 1/10,000 residents	Municipal Code chapter 5.30
Brigham City, UT	Density	Cannot locate within 5,280 feet of same inside or outside city limits. Stores cannot exceed one per 10,000 residents.	Title 29, Chapter 29.13, Section 29.13.020
Logan, UT	Density	Defined as “nondepository lender” and restricted to 1/10,000 residents	Municipal Code 5.19.020
Murray, UT	Moratorium	Payday lenders not permitted in mixed use zone.	Title 17, Chapter 17.146, Section 17.146.020

¹⁷ Changed from limit on number of outlets

¹⁸ Changed from requiring only a permit

Ogden, UT	Density	Limited to 15 outlets. Must be 1,000 ft from each other and 660 ft from pawnbroker or sexually oriented business. Must have sign that says that short terms loans should not be used as a long term solution	Not yet codified – passed 6/10
Orem, UT	Density	Cannot locate within ½ mile of same. Stores cannot exceed one per 10,000 residents.	Chapter 22, Article 22-14, Section 22-14-21
Roy, UT	Moratorium	No new payday cash advance business.	Article from Standard-Examiner
Salt Lake County (unincorporated)	Density	Stores cannot exceed one per 10,000 residents.	Title 5, Chapter 5.73, Sections 5.73.010 – 5.73.030
Sandy, UT	Density/Zoning/Distance	Outlets must be 5,280 ft from each other. Limited to 1/10,000 residents. Conditional use permit. Zoned to certain areas.	Chapter 15A-11-20
South Salt Lake City, UT	Density	Cannot locate closer than 600 feet of same or residential zone. Stores cannot exceed one per 5,000 residents.	Title 17, Chapter 17.26, Section 17.26.030
South Jordan, UT	Density	Cannot locate within 1 mile of same.	Title 17, Chapter 17.52, Section 17.52.030
Taylorsville, UT	Density	Cannot locate within 600 feet of same. Stores cannot exceed one per 10,000 residents.	Title 13, Chapter 13.04, Section 13.04.103
West Jordan, UT	Density	Cannot locate within 1,000 feet from same. Maximum of 12 stores allowed in city.	Title 13, Chapter 13.5, E-5

West Valley City, UT	Density	Cannot locate within 600 feet of same. Stores cannot exceed one per 10,000 residents.	Title 7, Chapter 7.1, Section 7.1.103
Chesterfield County, VA	Zoning	Stores cannot have separate exterior entrance. Limited to certain commercial zones.	Chapter 19, Sections 19.145 & 19.175
Norfolk, VA	Permit	Must receive permission form the city council in the form of “special exception use” permit	Chapter 6-4
Green Bay, WI	Density	Cannot locate within 5,000 feet of same or 150 feet of residential zone. Cannot operate between the hours of 9 p.m. – 6 a.m.	Chapter 13, Section 13.1606
Madison, WI	Density	Cannot locate within 5,000 feet of same.	Chapter 28, Section 28.09
Milwaukee, WI	Density	Cannot locate within 1,500 feet of same or within 150 feet of residential zone.	Subchapter 6, Section 6.295.603
Racine, WI	Density	Cannot locate within 2,500 feet of same or within 250 feet of residential zone.	Chapter 114, Article V, Division 3, Section 114.468
Superior, WI	Zoning/Density	Limited to commercial highway zones only. Cannot locate within 2,500 feet of same or within 300 feet of residential zone. Stores cannot exceed one per 5,000 residents. Hours of operation limited to 8 a.m. – 10 p.m.	Chapter 122, Article V, Section 122.614

Wauwatosa, WI	Density	Cannot locate within 2,500 feet of same or within 250 feet of residential zone. Cannot operate between the hours of 9 p.m. – 9 a.m.	Title 24, Chapter 24.46, Section 24.46.100
West Allis, WI	Distance	Outlets must be 3,000 ft apart and restricted to regular business hours	City Ordinance 9.32 and 12.43