



# MEMORANDUM

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**TO:** Mayor and City Councilors

**FROM:** Rich Olson, City Manager  
June Brooks, Planning & Community Development

**DATE:** June 15, 2015

**REF:** Consideration - Call for a Public Hearing for TA 01-15 filed by the Elizabeth City Police Department to amend the Unified Development Ordinance; specific to Article XI, Section 11-4.56 Pawnshops. The applicant is requesting to add to the Ordinance additional language if firearms are bought, sold, traded, bartered, or stored on the premises

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***BACKGROUND:***

This request is for the City Council to call for a Public Hearing to be held on Monday, July 13, 2015 for TA 01-15. The Elizabeth City Police Department requests that additional language be added to the Unified Development Ordinance to require pawnshops that purchase, sell, trade, barter, or store firearms to install and keep operational a video surveillance system; security alarm system; security bars on all first-floor windows; and security bars or roll-down panels on all first-floor doors.

***ANALYSIS:***

In response to numerous break-ins and attempted break-ins at local pawnshops throughout the City that resulted in the theft of 36 firearms, the applicant drafted an amendment to the Ordinance requiring additional security measures be required of pawnshops that engage in the purchase, sale, trade, barter or storage of firearms. The applicant cites the voluntary installation of such security measures by Chauncey's Pawn Shop owner as being a major contributor to three unsuccessful break-in attempts at the establishment in July 2009, March 2012, and January 2015.

The application was reviewed by the Planning Commission during their meeting on June 2, 2015. After hearing the testimony of both staff and a representative of the Elizabeth City Police Department, a Planning Commission member suggested a provision be added requiring routine checks of the security measures at an interval to be determined by the City Council. This modification to the request was unanimously approved by the Planning Commission.

***STAFF RECOMMENDATION:***

By motion, call for a Public Hearing to be held on Monday, July 13, 2015 at 7:30 p.m. in Council Chambers of the Municipal Administration Building, 306 E. Colonial Avenue to gather citizen input regarding TA 01-15 filed by the Elizabeth City Police Department.



**CITY OF ELIZABETH CITY  
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

**PLANNING COMMISSION  
STAFF ANALYSIS**

**CASE NO.**

TA 01-15

**REQUEST**

TA 01-15 is a proposal by the Elizabeth City Police Department (ECPD) to amend the Unified Development Ordinance, specifically Article XI Development Standard, §11-4.56 Pawnshops; adding and updating language designed to regulate pawnshops within the City; more specifically pawnshops engaged in the buying, selling, trading, bartering or storage of firearms.

**BACKGROUND**

In response to several break-ins and attempted break-ins resulting in the theft of 36 firearms, the ECPD believes the addition of extra security measures at pawnshops engaged in the buying, selling, trading, bartering or storage of firearms will help prevent future incidences. A total of 23 firearms were stolen from Chauncey's Pawn Shop during two separate break-ins, one in October 2005 and another in April 2006. Following the 2006 break-in, Chauncey's owner took precautionary measures and installed a roll-down security door and bars on the windows. These measures are thought to have helped deter more recent break-in attempts in 2009, 2012 and 2015. Similarly, two break-ins were reported at Buy & Sell pawnshop, one in October 2007 and the other in July 2008, resulting in the theft of eight firearms. Buy & Sell did not have additional security measures in place during the time of the robberies. The most recent break-in occurred in December 2014 at Elizabeth City Pawn, where five firearms were stolen. Although the owners had operational security cameras and bars on the windows, the front door, where entry was made, lacked any security measures.

As such, the ECPD believes that requiring the installation of video cameras, alarm systems, security bars on all first floor windows and either security bars or roll down panels over all first floor doors will help deter any break-ins or attempted break-ins in the future.

**TEXT AMENDMENT**

**UDO Development Standards Text Amendment**

**Bolded Red** – new language to be added

**Strikethrough** – language to be deleted

Amend Article XI Development Standards, §11-4.56 as follows:

**11-4.56 Pawnshop**

**(A) Where Required**

CB, GB, HB, NB, and I-1 districts.



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**PLANNING COMMISSION  
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**(B) Use Separation**

No such use shall locate within 50 feet of residentially-zoned property, church, elementary or secondary school, college, or public park.

(Section 11-4.56(B) amended by City Council on 06/03/2002.)

**(C) Hours of Operation**

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins a residentially-used or zoned property conduct business between the hours of 10 pm and 8 am.

**(D) General Requirements**

The use will not be detrimental to surrounding properties.

**(E) Additional Requirements**

**The following additional requirements shall apply to any and all pawnshops where firearms are bought, sold, traded, bartered or stored on site:**

- (1) The business will be required to have operational video cameras/surveillance on the premises.**
- (2) The business will be required to have an operational security alarm system.**
- (3) The business will be required to have all first floor windows and doors secured by means of bars across windows and doors or by having roll down panels over each. The security bars shall not obstruct visibility during business hours when customers are being served.**

**All expenses incurred in complying with the additional requirements will be the sole responsibility of the business owner.**

**STAFF RECOMMENDATION**

As previously stated, the proposed text amendment is made at the recommendation of the Elizabeth City Police Department in response to numerous break-ins and attempted break-ins at pawnshops throughout the City. Staff agrees with the ECPD's assessment that the installation of the aforementioned security devices will deter future break-ins at such establishments. As such, Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance TA 01-15 as presented.

**PLANNING COMMISSION RECOMMENDATION**

The application was reviewed by the Planning Commission during their meeting on June 2, 2015. After hearing the testimony of both Staff and a representative of the Elizabeth City Police



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PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

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**PLANNING COMMISSION  
STAFF ANALYSIS**

Department, a Planning Commission member suggested a provision be added requiring routine checks of the security measures at an interval to be determined by City Council. The request was unanimously approved by the Planning Commission with the recommendation that routine checks be completed by the Police Department to ensure all security measures are operational.