

<p>Municipal Building 625 52nd Street Room 308 - Conference Room</p>	<p><i>Pawn Broker Regulation, Secondhand Article Dealer and Secondhand Jewelry Review Work Group Agenda</i></p>	<p>Monday, November 4, 2013 4:30 p.m.</p>
<p><i>Alderman Rocco LaMacchia, Alderperson Chris Schwartz, Alderman Curt Wilson, Frank Pacetti, Daniel Miskinis, Matt Knight, Rich Schroeder</i></p>		

Call to Order and Roll Call

Approval of Minutes from October 21, 2013

1. By Alderperson Curt Wilson, Co-Sponsors: Alderperson Rocco J. LaMacchia, Sr., Alderperson Chris Schwartz - To Repeal, Recreate and Create Various Subparagraphs of 3.14, 3.15 and 3.155 of the Zoning Ordinance regarding B-2, B-3 and B-4 Business and Mixed-Use District; To Create Subsection 4.06 B.27 entitled "Pawnbroker" and Subsection 4.06 B.28 entitled "Secondhand Jewelry Dealer" and to Amend Table 4.01 Group 2 entitled "Business Conditional Uses". PUBLIC HEARING
2. By Alderperson Curt Wilson, Co-Sponsors: Alderperson Rocco J. LaMacchia, Sr., Alderperson Chris Schwartz - To Amend Subsection 13.02 A.1. of the Code of General Ordinances regarding Pawnbrokers and Secondhand Article and Jewelry Dealers Definitions and Subsection 13.02 H. regarding fees. PUBLIC HEARING

Public Comments

Adjournment

**PAWN BROKER REGULATION,
SECONDHAND ARTICLE DEALER AND
SECONDHAND JEWELRY REVIEW WORK GROUP**

Minutes

October 21, 2013

MEMBERS PRESENT: Alderman Rocco LaMacchia, Alderperson Chris Schwartz,
Alderman Curt Wilson, Daniel Miskinis, Matt Knight and
Rich Schroeder

MEMBERS EXCUSED: Frank Pacetti

Others Present: Karen Forsberg

The meeting was called to order at 5:00 p.m. by Alderman Wilson, roll call was taken.

A motion was made by Alderman LaMacchia and seconded by Alderperson Schwartz to approve the minutes of the September 4, 2013 meeting. The motion passed. (Ayes 6; Noes 0)

**1. General discussion of licenses and standards for Pawnbroker,
Secondhand Article dealers and Secondhand Jewelry. PUBLIC HEARING**

Public hearing opened, no comments, public hearing closed.

**2. By Alderperson Curt Wilson; Co-Sponsors Alderperson Rocco J.
LaMacchia, Sr. and Alderperson Chris Schwartz - To Repeal, Recreate and
Create various Subparagraphs of 3.14, 3.15, and 3.155 of the Zoning
Ordinance Regarding B-2, B-3 and B-4 Business and Mixed-Use Districts;
and Create Subsection 4.06 B.27 entitled "Pawnbroker"**

Mr. Knight said at the last meeting discussion was held to have the distance requirements follow the convenient cash distance requirements. Mr. Knight noted we could add additional items to the Secondhand Article listing, but suggests to keep it specific.

Mr. Schroeder said under Section 4 we need to assign a review authority, either Staff level or Common Council as the final review authority after City Plan Commission. The Adult uses and Convenient Cash have Common Council as the final review. Alderperson Schwartz suggested Common Council as the final review.

Discussion was held on the fee schedule. Mr. Knight said the change in the Ordinance could be done in a simple manner. Mr. Miskinis said are the fees to deter the people? The distance requirement will take care of that. Alderman Wilson said the fees should be equal to other communities.

Mr. Knight noted they would change as follows: Secondhand Article from \$27.50 to \$100; Secondhand Jewelry from \$30 to \$500; and Pawnbroker from \$210 to \$1,000. This is in-line with other communities and could be justified if contested.

Alderman Wilson questioned why "antique store" and "antique shop" were struck from the Ordinance. Mr. Knight said there is no definition for "antique" in the Zoning Ordinance - they have been replaced by secondhand. Mr. Knight said if there are additional items you would like to add, we need a specific list. Alderperson Schwartz said home furniture, home furnishings and clothing should be added to the list. Mr. Knight said videos and DVD's would be included under "optical media".

Alderman Wilson said the distance requirement is 500 feet from any residentially zoned property and 3,000 feet from another Pawnbrokers. Alderman Wilson asked about the distance requirements of schools and churches. After discussion, it was decided not to add 1,000 feet from schools and churches at this time.

Mr. Knight will make necessary changes and get a final draft to Work Group members by next week.

The Work Group scheduled the next meeting for Monday, November 4, 2013 at 4:30. If approved, the proposed Zoning Ordinance Amendments would go to the City Plan Commission on November 7, 2013; we would do the public notices; have first reading on December 2nd and final reading on December 16th.

Public Comments

A motion to adjourn was made by Alderman LaMacchia and seconded by Alderperson Schwartz. The motion passed. (Ayes 6; Noes 0) The meeting adjourned at 5:10 p.m.

Minutes Prepared by: Kay Schueffner, Department of Community Development & Inspections

ORDINANCE NO. _____

DRAFT 10/22/13

SPONSOR: ALDERPERSON CURT WILSON
CO-SPONSORS: ALDERPERSON ROCCO J. LAMACCHIA, SR.
ALDERPERSON CHRIS SCHWARTZ

TO REPEAL, RECREATE AND CREATE VARIOUS SUBPARAGRAPHS OF 3.14, 3.15 AND 3.155 OF THE ZONING ORDINANCE REGARDING B-2, B-3 AND B-4 BUSINESS AND MIXED-USE DISTRICTS; TO CREATE SUBSECTION 4.06 B.27 ENTITLED “PAWNBROKER” AND SUBSECTION 4.06 B.28 ENTITLED “SECONDHAND JEWELRY DEALER” AND TO AMEND TABLE 4.01 GROUP 2 ENTITLED “BUSINESS CONDITIONAL USES”

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Subparagraph 3.14 A.2.z. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as follows:

z. Secondhand ~~store~~Article Dealer.

Section Two: Subparagraphs 3.14 C.26. and 3.14 C.27 of the Zoning Ordinance

for the City of Kenosha, Wisconsin are hereby created as follows:

26. Pawnbroker.

27. Secondhand Jewelry Dealer.

Section Three: Subparagraph 3.15 A.2.z. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as follows:

z. Secondhand ~~and antique store~~Article Dealer.

Section Four: Subparagraphs 3.15 C.20. and 3.15 C.21 of the Zoning Ordinance

for the City of Kenosha, Wisconsin are hereby created as follows:

20. Pawnbroker.

21. Secondhand Jewelry Dealer.

Section Five:

Subparagraph 3.155 A.1.z. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as follows:

- z. Secondhand ~~and antique shop~~ **Article Dealer.**

Section Six:

Subparagraphs 3.155 C.12. and 3.155 C.13 of the Zoning

Ordinance for the City of Kenosha, Wisconsin are hereby created as follows:

12. Pawnbroker

13. Secondhand Jewelry Dealer.

Section Seven:

Subparagraph 4.06 B.27. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

27. Pawnbroker.

a. Intent and Purpose. The City of Kenosha in anticipation of an increase in the number of Pawnbroker businesses, the proliferation of which may undermine the economic health and stability of the community due to their practice of targeting persons in vulnerable economic circumstances. Furthermore, the clustering of these business creates an undesirable image of the vitality of the commercial districts and the community as a whole.

b. Location. A Pawnbroker business shall only be located in compliance with the following criteria:

(1) No Pawnbroker business shall be located within five hundred (500) feet of any residential zoned property.

(2) No Pawnbroker business shall be located within three thousand (3,000) feet of another Pawnbroker business.

c. Standards of Measurement. The distances identified in this section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the Pawnbroker business to the nearest point of the parcel of property or zoning district boundary from which the proposed land is to be separated.

d. Hours of Operation. The applicant shall indicate the hours of operation for the development.

Section Eight:

Subparagraph 4.06 B.28. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

28. Secondhand Jewelry Dealers.

a. Intent and Purpose. The City of Kenosha in anticipation of an increase in the number of Secondhand Jewelry Dealer businesses, the proliferation of which may undermine the economic health and stability of the community due to their practice of targeting persons in vulnerable economic circumstances. Furthermore, the clustering of these business creates an undesirable image of the vitality of the commercial districts and the community as a whole.

b. Location. A Secondhand Jewelry Dealer business shall only be located in compliance with the following criteria:

(1) No Secondhand Jewelry Dealer business shall be located within five hundred (500) feet of any residential zoned property.

(2) No Secondhand Jewelry Dealer business shall be located within one thousand (1,000) feet of another Secondhand Jewelry Dealer business.

c. Standards of Measurement. The distances identified in this section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the Secondhand Jewelry Dealer business to the nearest point of the parcel of property or zoning district boundary from which the proposed land is to be separated.

d. Hours of Operation. The applicant shall indicate the hours of operation for the development.

Section Nine: To Amend Table 4.01, Group 2 of the Zoning Ordinance for the

City of Kenosha by adding the following:

Pawnbroker in the B-2, B-3 and B-4 DistrictsCC
Secondhand Jewelry Dealer in the B-2, B-3 and B-4 Districts.....CC

Section Ten: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ORDINANCE NO. _____

DRAFT 10/22/13

SPONSOR: ALDERPERSON CURT WILSON
ALDERPERSON ROCCO J. LAMACCHIA SR.
ALDERPERSON CHRIS SCHWARTZ

TO AMEND SUBSECTION 13.02 A.1 OF THE CODE OF GENERAL ORDINANCES REGARDING PAWNBROKERS AND SECONDHAND ARTICLE AND JEWELRY DEALERS DEFINITIONS AND SUBSECTION 13.02 H. REGARDING FEES

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Subsection **13.02 A.1** of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby amended as follows by adding the following:

q. Clothing.

r. Video tapes or discs, audio tapes or discs, and other optical media.

Section Two: Subsection **13.02 H.** of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

H. Fees. The license fees under this Section are:

1. For a Pawnbroker's License, ~~\$210~~\$1,000
2. For a Secondhand Article Dealer's License, ~~\$27.50~~\$100
3. For a Secondhand Jewelry Dealer's License, ~~\$30~~\$500
4. For a Secondhand Article Dealer Mall or Flea Market License, \$165 .

Section Three: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney