



Conditional Use Permit Application

Gold or Silver Object Dealers

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APPLICANT: _____ PHONE: _____

ADDRESS: _____ EMAIL: _____

BUSINESS TYPE: _____ BUSINESS NAME: _____

All gold and silver object dealers are required to obtain a conditional use permit issued by the Pelham City Council upon the recommendation of the Pelham Planning Commission. The permit shall be required prior to the issuance of a business license for said use and prior to occupancy of the premises regarding said use.

1. The Pelham Planning Commission shall hold a public hearing, notice of which will be given, for the consideration of the additional rules and regulations described above, and comments from the applicant(s) and other interested parties will be heard. After completing an applicable public hearing, the Pelham Planning Commission will vote on a recommendation to make to the Pelham City Council and then submit its recommendation and report.
2. The Pelham City Council will also hold a public hearing considering the additional rules and regulations described above, as well as any requested exceptions, and shall make the final decision regarding the granting of a permit and issuance of an applicable business license.

DESCRIPTION OF ALL SERVICES OFFERED: _____

ADDITIONAL REQUIREMENTS FROM APPENDIX A; ARTICLE XV, SECTION 14:

1. Purpose. It is recognized that the services offered by gold and silver object dealers may provide an opportunity for individuals to potentially transfer stolen property. Therefore, the general purpose and intent of these regulations are to provide separation, development, and operational standards for gold or silver object dealers in the City of Pelham in order to mitigate the negative impacts associated with such businesses and to serve the public safety and welfare of residents and businesses within the city.
2. Applicability. For the purposes of this section, the standards of this section apply to new establishments of gold or silver object dealers. An establishment is considered new when no previous gold or silver object dealer existed at that location for a period of 90 consecutive days or greater immediately preceding the filing date of an application for a permit under this section. Any properly licensed gold or silver object dealer legally operating at the effective date of this ordinance shall be considered a legal nonconforming use and shall be subject to the provisions of Article XXVI (Nonconforming Uses of Lands and Buildings) of this ordinance.
3. Discontinuance and termination. Any gold or silver object dealer, whether existing or subsequently granted under this section, that voluntarily discontinues active operation for more than 90 consecutive days; does not maintain a valid city business license for more than 90 consecutive days; or ceases to be licensed by the State of Alabama or any other applicable licensing authority shall be considered a termination of the use and all privileges and rights held therein.

4. Definitions. As used in this section, the following words and phrases will have the following meanings:

- a. *Business.* Includes, but is not limited to, the activity of any person who, by the use of radio, television, newspaper, pamphlet, sign, or another method of communication, offers to buy gold or silver, or gold or silver objects.
- b. *Gold or silver object.* Any object that contains gold or silver in any amount whatsoever.
- c. *Gold or silver object dealer.* Any person engaged in the business of buying or selling tangible objects in gold or silver, or other precious metals of any kind or description, from members of the general public. Included in this definition are buyers of second-hand jewelry and gems. This category does not include coin dealers or antique stores.

5. Locational requirements.

- a. No gold or silver object dealer (as described and detailed within this section) established after the date of this section shall be located within 2,500 linear feet of any other gold or silver object dealer or pawnshop. The method of measurement that shall be used is a straight line measured from the property line of the site of the proposed business to the closest property line that is already occupied by these businesses.
- b. No gold or silver object dealer shall be located within 500 feet of a residentially zoned district, as measured by a straight line from the property line of the site of the proposed business to the property line of the closest residentially zoned property.
- c. No gold or silver object dealer shall be located within 500 feet of a public building, public or private school, daycare center, nursery, preschool, park or playground, church, or place of worship, as measured by a straight line from the property line of the site of the proposed business to the property line of the property that is occupied by one of the uses.
- d. No gold or silver object dealer shall be located within 2,500 feet of a pawnshop, as measured by a straight line from the property line of the site of the proposed business to the property line of the closest pawnshop business.

6. Development and operational standards.

- a. Hours of operation. The hours of operation shall be limited to the hours between 9:00 a.m. and 6:00 p.m.

7. Other requirements.

- a. All gold and silver object dealers are required to obtain a conditional use permit issued by the Pelham City Council upon the recommendation of the Pelham Planning Commission. The permit shall be required prior to the issuance of a business license for said use and prior to occupancy of the premises regarding said use.
 - i. The Pelham Planning Commission shall hold a public hearing, notice of which will be given, for the consideration of the additional rules and regulations described above, and comments from the applicant(s) and other interested parties will be heard. After completing an applicable public hearing, the Pelham Planning Commission will vote on a recommendation to make to the Pelham City Council and then submit its recommendation and report.
 - ii. The Pelham City Council will also hold a public hearing considering the additional rules and regulations described above, as well as any requested exceptions, and shall make the final decision regarding the granting of a permit and issuance of an applicable business license.
- b. Where permitted, gold and silver object dealers shall comply with Article V, Gold and Silver Object Dealers of Chapter 5 Business Licenses, Taxes, and Regulations of the ordinances of the City of Pelham (Ordinance No. 86, adopted May 11, 1981), as may be amended, and shall be further subject to the regulations herein. The granting of a gold and silver object dealer license shall be contingent upon obtaining all applicable zoning approvals and permits and upon compliance with all further business license provisions (business license requirements, approval and revocation procedures are outlined in Chapter 5, Articles I and V, of this Code).

REQUIRED ITEMS:

- SITE PLAN
- ARCHITECTURAL FLOOR PLAN
- \$300.00 FEE
- STATEMENT THAT THE USE MEETS ALL LOCATION REQUIREMENTS

SIGNATURE OF APPLICANT

DATE

OFFICE USE ONLY

SUBMITTAL DATE: _____
P&Z RECOMMENDATION: ___ YES ___ NO
DATE: _____

CITY COUNCIL APPROVAL: ___ YES ___ NO
DATE: _____
PERMIT #: _____