



January 19, 2021

Precious Metal Converter, LLC
1382 Hwy 287
Broomfield, CO 80020
Via email to tyronefay@hotmail.com

Re: Interpretation Letter Re: Precious Metal Converter, LLC Pawn Zoning

Dear Mr. Fay,

This Interpretation Letter serves as a zoning interpretation under § 10-3-1(d)(1) of the Erie Municipal Code (the "Code") in conjunction with the business license application filed by Precious Metal Converter, LLC ("PMC"). I have considered your application and the nature and potential impact of your business use and has determined that a pawn shop is not an acceptable use within any zone district in Erie.

Pawn shops are not listed as a permitted use in Code § 10-3-1(E), Table 3-1. Under the Code, use of a property for any other use not specifically permitted is prohibited, Code § 10-3-1(c), provided that a new and unlisted use may be classified under an existing permitted use. Code § 10-3-1(d). You have requested that I consider a pawn shop as "general retail." However, I do not find that this use is consistent with a general retail use under the Code.

"General Retail" is defined by the Code as follows:

A commercial enterprise that provides goods, products, or materials directly to the consumer. This includes uses such as art galleries, appliance stores, bakeries, bookstores, clothing stores, food stores, grocers, caterers, pharmacies, florists, furniture stores, hardware stores, liquor stores, pet stores, toy stores, and variety stores. This use type shall not include restaurants, personal service establishments, convenience stores, or amusement establishments.

Code § 10-11-3. Pawn shops are defined under Colorado law as businesses in which a pawnbroker enters into a contract with a customer under which money is advanced to the customer in exchange for the delivery of the customer's tangible personal property. C.R.S. § 29.11.9-101. PMC's business involves lending of this nature in exchange for collateral. Pawn shops do not provide goods, products, or materials directly to the consumer when they engage in collateralized lending and pawn broking and are therefore, not considered a general retail use. A pawn shop also does not fall into any other existing permitted use.

Based on the foregoing, I conclude that pawn shops are not a permitted use in Erie.

Sincerely,
DocuSigned by:

Fred Starr

Fred Starr #5E941A...

Fred Starr
Community Development Director