

**INSTRUCTION SHEET  
ADDITIONS TO  
MILWAUKEE CODE OF ORDINANCES  
VOLUME 2**

**SUMMARY**

This supplement incorporates changes to Volume 2 of the Milwaukee Code of Ordinances enacted by the following Common Council file:

- 151407      A substitute ordinance relating to the industrial-commercial zoning district.
- 151540      A substitute ordinance relating to the testing of battery-operated smoke alarms.
- 151597      An ordinance repealing code provisions relating to electrical and elevator licenses issued by the city of Milwaukee.

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
<b>Remove <u>old</u> MEMO (Suppl. #282)</b>				v-vi	v-vi
200-33-11-o-2	am	151597	3/18/2016	35-36	35-36
200-33-11-x	rp	151597	3/18/2016	"	"
200-33-12	rp	151597	3/18/2016	"	"
214-23-3	am	151540	3/18/2016	75-76	75-76
Ch. 214 (hist.)				81-82	81-82
222-01	am	151597	3/18/2016	141-156	141-152
222-03	cr	151597	3/18/2016	"	"
222-1-2-a	rp	151597	3/18/2016	"	"
222-1-2-b	rp	151597	3/18/2016	"	"
222-1-2-c	rp	151597	3/18/2016	"	"
222-1-2-d	rp	151597	3/18/2016	"	"
222-1-2-e	rp	151597	3/18/2016	"	"
222-1-2-f	rn to 222-1-2-a	151597	3/18/2016	"	"
222-1-2-g	rn to 222-1-2-b	151597	3/18/2016	"	"
222-8	am	151597	3/18/2016	"	"
222-10	am	151597	3/18/2016	"	"
222-11	rp	151597	3/18/2016	"	"
222-13-1	am	151597	3/18/2016	"	"
222-13-2-a	rc	151597	3/18/2016	"	"
222-13-2-b	am	151597	3/18/2016	"	"
222-13-2-c	am	151597	3/18/2016	"	"
222-13-2-d	am	151597	3/18/2016	"	"
222-13-3-a	am	151597	3/18/2016	"	"

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222-13-5	rp	151597	3/18/2016	141-156	141-152
222-13-6	am	151597	3/18/2016	"	"
222-13-7-b-3	rc	151597	3/18/2016	"	"
222-15-2	rp	151597	3/18/2016	"	"
222-15-3	rn to	151597	3/18/2016	"	"
	222-15-2				
222-15-4	rn to	151597	3/18/2016	"	"
	222-15-3				
222-15-5	rn to	151597	3/18/2016	"	"
	222-15-4				
222-16	am	151597	3/18/2016	"	"
222-50-1	am	151597	3/18/2016	"	"
222-52-1-0	am	151597	3/18/2016	"	"
222-52-2	am	151597	3/18/2016	"	"
222-53	am	151597	3/18/2016	"	"
222-54	am	151597	3/18/2016	"	"
222-56-1	am	151597	3/18/2016	"	"
Ch. 222 (hist.)				"	"
295-107-2 (table)	am	151407	3/18/2016	653-654	653-654
295-801-3	rn to	151407	3/18/2016	871-880	871-880
	295-801-4				
295-801-3	cr	151407	3/18/2016	"	"
295-801-4	rn to	151407	3/18/2016	"	"
	295-801-5				
295-803-1 (table)	am	151407	3/18/2016	"	"
295-803-2-e	rc	151407	3/18/2016	"	"
295-803-2-g	rn to	151407	3/18/2016	"	"
	295-803-2-j				
295-803-2-g	cr	151407	3/18/2016	"	"
295-803-2-h	rn to	151407	3/18/2016	"	"
	295-803-2-k				
295-803-2-h	cr	151407	3/18/2016	"	"
295-803-2-i	rn to	151407	3/18/2016	"	"
	295-803-2-L				
295-803-2-i	cr	151407	3/18/2016	"	"
295-803-2-j	rn to	151407	3/18/2016	"	"
	295-803-2-m				
295-803-2-k	rn to	151407	3/18/2016	"	"
	295-803-2-n				
295-803-2-L	rn to	151407	3/18/2016	"	"
	295-803-2-o				
295-803-2-m	rn to	151407	3/18/2016	"	"
	295-803-2-p				
295-803-2-n	rn to	151407	3/18/2016	"	"
	295-803-2-q				
295-803-2-o	rn to	151407	3/18/2016	"	"
	295-803-2-r				
295-803-2-p	rn to	151407	3/18/2016	"	"
	295-803-2-s				

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
295-803-2-q	rn to 295-803-2-t	151407	3/18/2016	871-880	871-880
295-803-2-r	rn to 295-803-2-u	151407	3/18/2016	"	"
295-803-2-s	rn to 295-803-2-v	151407	3/18/2016	"	"
295-803-2-t	rn to 295-803-2-x	151407	3/18/2016	"	"
295-803-2-u	rn to 295-803-2-y	151407	3/18/2016	"	"
295-803-2-v	rn to 295-803-2-z	151407	3/18/2016	"	"
295-803-2-w	rn to 295-803-2-aa	151407	3/18/2016	"	"
295-803-2-w	cr	151407	3/18/2016	"	"
295-803-2-x	rn to 295-803-2-bb	151407	3/18/2016	"	"
295-803-2-y	rn to 295-803-2-dd	151407	3/18/2016	"	"
295-803-2-z	rn to 295-803-2-ee	151407	3/18/2016	"	"
295-803-2-aa	rn to 295-803-2-ff	151407	3/18/2016	"	"
295-803-2-bb	rn to 295-803-2-hh	151407	3/18/2016	"	"
295-803-2-cc	rn to 295-803-2-ii	151407	3/18/2016	"	"
295-803-2-cc	cr	151407	3/18/2016	"	"
295-803-2-dd	rn to 295-803-2-jj	151407	3/18/2016	"	"
295-803-2-ee	rn to 295-803-2-kk	151407	3/18/2016	"	"
295-803-2-ff	rn to 295-803-2-LL	151407	3/18/2016	"	"
295-803-2-gg	rn to 295-803-2-mm	151407	3/18/2016	"	"
295-803-2-gg	cr	151407	3/18/2016	"	"
295-803-2-hh	rn to 295-803-2-nn	151407	3/18/2016	"	"
295-803-2-ii	rn to 295-803-2-oo	151407	3/18/2016	"	"
295-803-2-jj	rn to 295-803-2-pp	151407	3/18/2016	"	"

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
295-805-2 (table)	rc	151407	3/18/2016	881-882	881-882
295-805-4-d (table)	rc	151407	3/18/2016	883-884	883-884
295-805-5 (table)	rc	151407	3/18/2016	887-888	887-888
Index				1035-1036	1035-1036

For subscription or distribution questions contact the Legislative Reference Bureau, Code Section, (414) 286-3905.

For questions concerning the content of the Milwaukee Code or Ordinances contact the Legislative Reference Bureau, Research Section, (414) 286-2297.

Abbreviations:

am=amended  
cr=created

ra=renumbered and amended  
rc=recreated

rn=renumbered  
rp=repealed

revised 3/1/2016  
Suppl. #283

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## **MEMO**

If all supplements have been properly inserted, this book contains all actions of the Common Council through March 1, 2016.

3/1/2016  
Suppl. #283



**Administration and Enforcement 200-33-11**

a. The fee for making a certified copy of any public record on file in the office of the commissioner shall be \$2 per certificate plus the reproduction fee established pursuant to s. 81-38.5.

b. The fee for reproducing any size or type of record shall be set by the commissioner equivalent to the actual cost of reproduction. A list of the reproduction fees shall be posted in the appropriate department.

**11. ELECTRICAL INSTALLATIONS AND REPAIRS.** Electrical repairs involving the replacement of a single existing light fixture, convenience outlet or switch, which do not involve changes to existing wiring, change of a circuit or increase in size of load, can be made without permit providing these repairs do not conflict with any regulation of this code. The following fees shall be collected when permits are submitted for commercial electrical installation or repair, or for residential remodeling projects that involve any of the following electrical installations or repairs:

a. Air conditioner outlet for one and 2-family dwelling units: \$15 each.

b. Air conditioner other than one and 2-family dwellings: \$17 minimum or \$0.60 per horsepower.

c. Capacitors or converters: \$1 per kilowatt not to exceed \$260 for an individual unit.

d. Dimmer: \$5 each.

e. Dishwasher: \$15 each.

f. Dryer (electric) outlet: \$15 each.

g. Feeder:

g-1. Up to 400 amps: \$35.

g-2. 401-600 amps: \$40.

g-3. 601-800 amps: \$45.

g-4. 801-1000 amps: \$50.

g-5. Over 1000 amps: \$55.

g-6. Feeder over 600 volts: \$60.

g-7. Feeder switch located at meter main enclosure: \$20.

h. Fire alarm system:

h-1 Fire alarm Panel: \$75 each.

h-2 Fire alarm initiating and indicating device: \$5 each.

i. Furnace with motor: \$15 each.

j. Garbage disposal: \$10 each.

k. Generator: \$1 per kilowatt not to exceed \$260 for an individual unit.

L. Heater (electric): \$1 per kilowatt.

m. Hot tub or swimming pool: \$50.

n. Fuel pump: \$10 each.

o. Luminaire:

o-1. Luminaire, new or replacement: \$5 each.

o-2. Luminaire repair: \$1 each.

q. Machine - moving picture, stereoptician, x-ray, high frequency therapeutic apparatus, etc.: \$13 each.

r. Minimum permit fee: \$70 for installations and repairs in one and 2-family dwellings; \$80 for installations and repairs in other than one and 2-family dwellings.

s. Motor and motor control.

s-1 Motor: \$1 per horsepower, not to exceed \$260 per individual unit.

s-2 Motor control: \$10 each.

t. Outlet for fixture, lamp, switch, receptacle, etc.: \$1 each.

u. Range (electric): \$15 each.

v. Reactor or rectifier: \$1 per kilowatt not to exceed \$260 for an individual unit.

w. Reinspection fee (assessed on second inspection for compliance and each additional inspection after the second): \$75. Failure to pay reinspection fees after one notice may result in suspension or revocation of the electrical license by the commissioner.

y. Services with one service switch:

y-1. Up to 400 amps: \$70.

y-2. 401-600 amps: \$75.

y-3. 601-800 amps: \$80.

y-4. 801-1000 amps: \$85.

y-5. Over 1000 amps: \$90.

y-6. Services over 600 volts: \$95.

y-7. Each additional service switch: \$20.

ya. Refrigeration, commercial: \$15 each.

yb. Solar PV: \$0.60 per kilowatt not to exceed \$260 for an individual unit.

## 200-33-13 Administration and Enforcement

yc. Sump pump: \$5.  
yd. Strip lighting - plug in strip, similar systems: \$5 plus \$0.25 per foot.  
ye. Transformers: \$1 per kilowatt not to exceed \$260 for an individual unit.  
yf. Water heater (electrical): \$15.  
yg. Welding outlet: \$15.  
yh. Whirlpool tub: \$50.  
yi. Wireway, busway, underfloor raceway, gutters, troughs: \$5 plus \$0.25 per foot.  
yj. There shall be a processing fee of \$5 for each electrical installation or repair permit issued.

yk. Counter Processing Fee.

yk-1. There shall be a counter processing fee of \$10 per electrical installation or repair application filed by an applicant who filed more than 100 applications in person or by mail at the development center in calendar year 2008.

yk-2. There shall be a counter processing fee of \$10 per electrical installation or repair application filed by an applicant not referenced in subd. 1 who files more than 100 applications in person or by mail at the development center.

### 13. ELEVATORS.

a. Inspection Fees. Fees for periodic inspections and reinspections of all classes of elevators and lifting devices within the scope of ch. SPS 318, Wis. Adm. Code, shall be as follows:

a-1. Periodic inspections and reinspections:

a-1-a. Class 1, 2, 3 and 6 (0 to 4 landings): \$105.

a-1-b. Class 1, 2, 3 and 6 (5 to 10 landings): \$140.

a-1-c. Each additional landing: \$6.

a-1-d. Class 7: \$210.

a-1-e. Class 2A, 4, 5 and 8: \$105.

a-1-f. Each reinspection of an elevator shall be charged an inspection fee the same as subpars. a to e until the elevator is certified.

a-2. Reinspection of new installation to determine compliance (Classes 1, 2, 2A, 3, 4, 5, 6, 7 and 8): \$75.

b. Types of Elevator. The following is an identification of the various classes used in par. a:

b-1. Class 1: freight elevators (single belt, double belt and cable controlled sidewalk elevators), sidewalk type elevators and grade level elevators.

b-2. Class 2: passenger and all other freight elevators not in Class 1.

b-3. Class 2A: lifting devices used by the physically disabled.

b-4. Class 3: material lifts.

b-5. Class 4: personnel hoists.

b-6. Class 5: hand power elevators.

b-7. Class 6: dumbwaiters (power).

b-8. Class 7: escalators, moving walks and moving ramps per unit; a single section having a travel of one floor defines an escalator unit.

b-9. Class 8: special purpose personnel elevators.

c. Certificate of Operation. The fee for a certificate of operation shall be \$50.

d. Construction Permit Fees.

d-1. New Installation. The fees for permits required by this subsection shall be charged at the rate of 1.5% of the total cost of installation, with a minimum permit fee of \$800 for a traction elevator, other driving machines, escalator or moving walk. There shall be a minimum permit fee of \$720 for a hydraulic elevator and a minimum permit fee of \$640 for a dumbwaiter, platform lift, stair chair lift or special application elevator.

d-2. Application, Repairs and Remodeling. The fees for the review of alteration, repairs or remodeling of such existing devices by this paragraph shall be charged at the rate of 1.5% of the total cost of installation, with a minimum permit fee of \$400 for a traction elevator, other elevator driver machines, an escalator or a moving sidewalk. There shall be a minimum permit fee of \$360 for a hydraulic elevator, a minimum permit fee of \$320 for a dumbwaiter, platform lift, stair chair lift, or special application elevator.

e. Repair Permit Fees. The fees for installation or alteration permits required by s. SPS 302-15, Wis. Adm. Code, shall be charged at the rate of 1.5% of the total cost of repair, with a minimum fee of \$60.

4. SPARKS FROM CHIMNEYS OR SMOKESTACKS. The owner of any chimney or smokestack used in connection with heating or power boilers or furnaces, or for burning of waste or refuse, from which there are emitted sparks or burning embers shall provide on such chimney or stack an approved arrestor, screen or other device that will prevent such emission.

5. WINDOWS AT FIRE OPENINGS; FIRE ESCAPES. a. In a building having windows in exterior walls, a specific window or windows shall be clearly designated as "FIRE OPENING" both on the inside and outside and as approved by the commissioner. Such fire openings shall be maintained at intervals not greater than the intervals established for cross passageways. The purpose of such openings is to provide suitable access for fire department use to the interior of the building.

b. A window serving as access to a fire escape shall be designated as "FIRE ESCAPE," but may be included in computing the minimum number of required fire openings.

6. ACCESS TO EXITS AND FIRE OPENINGS; DIRECTIONAL SIGNS. a. No material or merchandise shall be placed or stored in such a manner as to prevent access to any required exit window designated as "FIRE ESCAPE" or "FIRE OPENING." Such windows shall be free and clear and accessible from main

passageways of by means of secondary passageways at least 36 inches in width which lead to the main passageway.

b. Directional signs indicating windows designated as "FIRE ESCAPE" or "FIRE OPENING" shall be placed in passageways as required by the commissioner.

**214-11. Storing of Fuel in a Dwelling.** The storing of any receptacle containing gasoline or white gas, or propane containers larger than 2.5 lbs. is prohibited within a dwelling, including basements, crawl spaces and attics. In this section, "receptacle" includes any tank or device attached to any equipment using an internal combustion engine as a source of power, including but not limited to lawnmowers, snowblowers, snowmobiles, chain saws and motorcycles. Private garages attached to or made part of a principal dwelling shall be exempt from this section when provided with a fire-resistive enclosure as set forth in ch. 240; however, the storing of fuel in receptacles in private attached garages shall be limited to not more than 10 gallons.

**214-12. Securing of Pressurized Gas Cylinders.** All pressurized gas cylinders shall be properly secured to prevent them from falling.

**214-19. Fire Escape Inspections. 1. ANNUAL INSPECTION.** All fire escapes shall be inspected by the department at least once each year. If upon inspection the department finds any fire escape which is defective or unsafe for any reason whatsoever, the commissioner shall order the needed repairs and the owner thereof shall immediately make such repairs. If any fire escape is unsafe or defective, the owner thereof shall immediately notify the commissioner of such condition. No owner may permit the use of such unsafe or defective fire escape until repaired and made safe. It shall be unlawful to make any repairs to any fire escape without first obtaining a permit to do so.

2. APPROVAL. a. Any owner or agent shall maintain fire escapes and their supports in good repair and safe condition. The owner or agent shall be responsible, except for those fire escapes listed in par. c., to provide for a critical examination once every 5 years by a registered architect or a registered structural engineer employed by the owner or agent. The registered architect or registered structural engineer shall submit a written report showing the structural condition of the fire escape and its supports. Two copies of the report shall in turn be submitted to the commissioner. One copy of the report shall, if satisfactory to the commissioner, be returned to the owner or agent bearing a stamp of approval signed by the commissioner.

b. All defects noted on the written report submitted by the registered architect or registered structural engineer shall be corrected by the owner within 30 days of the date of the report. A written report showing that all defects noted in the prior report have been corrected shall be submitted in duplicate to the commissioner by a registered architect or registered structural engineer. One copy of the report shall, if satisfactory to the commissioner, be returned to the owner or agent bearing a stamp that the correction report has been placed on file.

c. The following fire escapes shall be exempt from examination requirements prescribed in par. a except when the commissioner determines that for safety purposes an examination is necessary for a specific fire escape:

## 214-23 Fire Prevention

c-1. Fire escapes serving residential occupancies where the escape serves no more than 2 dwelling units per floor and these units are located no higher than the 3rd floor of the building.

c-2. Fire escapes in commercial buildings where the escape serves as exiting for floors up to and including the 2nd floor but no higher.

**3. REVIEW OF CRITICAL EXAMINATION REPORT.** a. Disallowance and Refusal. If upon inspection the department finds any fire escape is defective or unsafe for any reason whatsoever, the commissioner shall have the following power and authority to:

a-1. Disallow any fire escape critical examination report, submitted within 120 days prior to the date of the inspection by the department, showing the structural condition of the fire escape and its supports to be in good repair and safe condition.

a-2. Refuse to accept any future fire escape critical examination report relating to any other fire escape submitted by the same registered architect or registered structural engineer.

b. Appeal. Any person having a fire escape critical examination report disallowed or refused by the commissioner may appeal the decision to the standards and appeals commission.

**214-23. Battery-Operated Smoke Alarms. 1. TYPE.** Every battery-operated smoke alarm shall be powered by 10-year or more non-removable batteries. Compliance with this requirement shall be met when replacing an existing battery-operated unit according to the manufacturer's recommended replacement date or by October 1, 2017, whichever is sooner.

**2. SILENCING SWITCH.** Any smoke alarm located within 20 feet of the primary cooking appliance within the unit shall have a silencing switch.

**3. TESTING.** Every battery-operated smoke alarm in the building shall be tested by the owner not less than once every calendar year. The owner shall provide a copy of test results to the commissioner or the commissioner's designee upon request. Test results shall include the date on which testing was performed, the specific location of each alarm and the name, telephone number and property relationship of the person who performed the test. Testing shall be performed in accordance with the manufacturer's specifications for testing in the building.

**214-25. Smoking Regulations. 1. WHOLESALE AND RETAIL ESTABLISHMENTS.** It shall be the duty of the person in charge (operator, licensee, owner or manager) of such establishment to post or affix and maintain approved signs bearing the words "NO SMOKING" at every entrance door and in prominent locations throughout the building, and such person shall be held responsible for enforcement of the regulations of s. 310 of the Int. Fire Code.

**2. ELEVATORS.** No person may light a match or any other flame-producing device or smoke or carry a lighted cigar, cigarette or pipe into any passenger elevator, or any elevator used as a passenger freight elevator. The person in charge of the structure containing the elevator shall post or affix and maintain approved signs bearing the words "NO SMOKING" in or at the entrance to the elevator, and such person shall be held responsible for enforcement of this subsection.

**214-27. Smoke Detectors and Smoke Alarms for Residential Dwellings Built Prior to January 1, 1983. 1. DEFINITION.** In this section, "residential building" means any one-family dwelling or 2-family dwelling, or any public building which is used for sleeping or lodging purposes and includes any apartment house, rooming house, hotel, children's home, community-based residential facility or dormitory but does not include a hospital or nursing home.

**2. NUMBER AND LOCATION.** Every dwelling unit in a residential building constructed prior to January 1, 1983 shall be provided with approved listed and labeled smoke detectors or alarms sensing visible or invisible particles of combustion, installed in a manner and location consistent with their listing. A minimum of one smoke detector or alarm shall be installed in the basement and on each floor level except in an unfinished attic or storage area, and not in a kitchen. For floor levels containing a sleeping area, the required detector or alarm shall be installed within 6 feet of the sleeping area. If a floor level contains 2 or more separate sleeping areas, each sleeping area shall be provided with a smoke detector or alarm. Every residential building other than a one- or 2-family dwelling shall have a functional smoke detector or alarm at the head of every stairway on each floor level in the building.

**3. TYPE.** Smoke detectors and alarms required under this section shall be single station devices, either battery operated as provided in s. 214-23, plug-in or directed wired A/C units unless otherwise required by the code.

**Fire Prevention 214--HISTORY)**

214-17	rp	030621	9/23/2003	10/10/2003
214-19-3	cr	030796	10/14/2003	10/31/2003
214-21	rp	030621	9/23/2003	10/10/2003
214-23	rc	030621	9/23/2003	10/10/2003
214-23	am	040388	9/21/2004	10/8/2004
214-23	rc	120656	11/8/2012	6/1/2013
214-23-3	am	151540	3/1/2016	3/18/2016
215-25	rc	030621	9/23/2003	10/10/2003
214-25-3	am	020467	8/1/2002	8/20/2002
214-27-0	am	030621	9/23/2003	10/10/2003
214-27-0	am	040388	9/21/2004	10/8/2004
214-27-1	am	960204	1/17/97	2/6/97
214-27-1	ra to 214-27-2	030621	9/23/2003	10/10/2003
214-27-1	cr	030621	9/23/2003	10/10/2003
214-27-2	rn to 214-27-3	030621	9/23/2003	10/10/2003
214-27-2	am	040388	9/21/2004	10/8/2004
214-27-3	rn to 214-27-4	030621	9/23/2003	10/10/2003
214-27-3	am	040388	9/21/2004	10/8/2004
214-27-3	am	120656	11/8/2012	6/1/2013
214-27-4	rn to 214-27-5	030621	9/23/2003	10/10/2003
214-27-4	rc	040388	9/21/2004	10/8/2004
214-29	rp	030621	9/23/2003	10/10/2003
214-33	cr	040387	7/27/2004	8/13/2004
214-35	cr	040837	7/27/2004	8/13/2004

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CHAPTER 222  
ELECTRICAL AND ELEVATOR CODES

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SUBCHAPTER 1  
ELECTRICAL INSTALLATIONS

**222-01. Adoption of State Code.** Except as otherwise provided in this chapter, the city of Milwaukee adopts chs. SPS 305, SPS 316 and SPS 318, Wis. Adm. Code, as amended, as part of this code.

**222-02. Scope.** The object and purpose of this chapter is to safeguard persons and property from hazards arising from the use of electrical energy by establishing minimum standards for the installation and maintenance of electrical systems. The standards do not constitute a specification for electrical installations and electrical equipment generally.

**222-03. Definitions. In this chapter:**

**1.** STATE-LICENSED ELECTRICIAN means a holder of a license issued by the state of Wisconsin as a licensed electrician.

**2.** STATE-LICENSED ELECTRICAL CONTRACTOR means a holder of a license issued by the state of Wisconsin as a licensed electrical contractor.

**3.** STATE-LICENSED ELEVATOR CONTRACTOR means a holder of a license issued by the state of Wisconsin as a licensed elevator contractor.

**4.** STATE-LICENSED ELEVATOR MECHANIC means a holder of a license issued by the state of Wisconsin as a licensed elevator mechanic.

**222-1. Regulations. 1. WHEN APPLICABLE.** Except as regulated in sub. 2, the regulations of this chapter shall apply to the supply of electricity and to all sales, rentals, leases, uses, installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical materials, wiring, conductors, fittings, devices, appliances, fixtures, signs, and apparatus, or parts thereof, or attachments therefor, hereafter referred to as electrical equipment, which are intended to be, or are, within, on, under, over, or near all buildings, structures, equipment and premises.

**2. EXCEPTIONS.** The electrical license and permit regulations of this chapter shall not apply to the following:

## 222-2 Electrical And Elevator Codes

- a. Any work associated with:
  - a-1. The repair of plug-connected electrical appliances or devices.
  - a-2. Permanently connected electrical appliances or devices which have been electrically and mechanically disconnected and separated from all sources of electrical supply by an electrical licensee. The opening of switches or the blowing or removal of fuses shall not be considered as electrical or mechanical disconnection or separation.
- b. The installation or replacement of approved fuses which are not oversize for the circuit involved.

**222-2. Enforcement. 1.** The commissioner or his duly authorized representative shall enforce this chapter.

**2.** The commissioner in special cases may waive any of the regulations of this chapter, the enforcement of which in the commissioner's judgment would create an unsafe or dangerous condition.

**3.** The police and fire departments shall assist the commissioner or any of his duly authorized representatives in the enforcement of this chapter, and permit and allow the commissioner or his representatives inside fire and police lines.

**4.** No person may impersonate the commissioner or his duly authorized representative to enforce or try to enforce any of the regulations in this chapter.

**5.** Every person who furnishes electrical current to, or who owns, sells, leases, or lets for hire, uses, designs, installs, repairs, operates, maintains, or grants possession of any electrical equipment or materials, wiring, or apparatus in the city shall comply with the regulations of this chapter.

**222-3. Interpretation.** Pursuant to s. 200-33 the commissioner shall have the authority to render interpretations of the regulations of this chapter.

**222-4. Right of Entry. 1.** Pursuant to s. 200-12, the commissioner or his duly authorized representative may enter all buildings and premises and all parts thereof, except occupied dwellings, in order to make an inspection, reinspection, observation, examination, or test of the electrical equipment or wiring contained therein or thereon to enforce the regulations of this chapter.

**2.** No person may refuse lawful entry to the commissioner or his duly authorized representative, or interfere with, harass, abuse, obstruct or cause delay in the performance of their duties. The commissioner or his duly authorized representatives may order the removal of any and all obstructions including lath, plaster, lumber, boards and partitions.

**222-5. Inspections.** Upon the completion of any installation, alteration or replacement of electrical equipment which requires a permit, it shall be the duty of the licensee making the installation, alteration or replacement to notify the commissioner, who may inspect the installation, alteration or replacement as soon thereafter as practicable. When any electrical equipment requiring a permit is to be concealed by the permanent placement of parts of the building, the licensee installing the electrical equipment shall notify the commissioner to that effect, and such equipment shall not be concealed by the person installing such parts of the building until after it has been inspected and approved by the commissioner. On installations where the concealment of electrical equipment proceeds continuously, the licensee installing the electrical equipment shall give the commissioner due notice and inspection shall be made periodically during the progress of the work.

**222-6. City Not Liable.** This chapter shall not be construed to relieve from or lessen the responsibility or liability of any person supplying electricity to, or selling, or renting, or leasing, owning, using, operating, controlling, installing, altering, repairing, removing, replacing, disturbing, connecting, disconnecting, or maintaining any electrical equipment, for damages to persons or property caused by any defect therein or therefrom; nor shall the city be held as assuming any such responsibility or liability by reason of the issuance or revocation of any license or permit, or the inspection or reinspection authorized by this chapter, or by reason of the approval or disapproval of any electrical equipment, sales, rentals, drawings, plans, specifications, materials, samples, test reports, literature, information or schedules authorized in this chapter. Nor shall the city be held liable for any damages resulting from the enforcement of this chapter.

**222-7. Commissioner Not Liable.** In all cases where any action is taken by the commissioner to enforce the regulations of this chapter, such action shall be considered as done in the name of and on behalf of the city. The commissioner, in so acting for the city, shall not be judged as liable for any damage that may accrue to persons or property as a result of any such action committed in the discharge of the commissioner's duties. Any lawsuit or action brought against the commissioner relating to the commissioner's enforcement of the regulations of this chapter shall be defended by the city attorney until final termination of the proceedings contained therein.

**222-8. Complaints.** Complaints on improper or defective electrical equipment shall be investigated and action shall be taken as regulated in ss. 222-19 and 222-20. Where complaints disclose inadequacy of electrical equipment, the commissioner shall notify the owner of the premises, in writing, to that effect.

**222-9. Information. 1.** All requests for information pertaining to and involving an interpretation of this chapter shall be submitted in detail to the commissioner.

**2.** The commissioner shall not design or lay out any electrical installation or act in the capacity of a consulting electrical engineer.

**222-10. Records.** The commissioner shall keep a record of all electrical permits and other electrical matters as regulated in s. 222-13.

**222-13. Permits. 1. PERMIT REQUIRED.** Except as regulated in s. 222-1-2 or exempted in s. 200-24-1.5, no electrical equipment shall be installed, altered, renewed, replaced or connected without first procuring a permit.

**2. APPLICATIONS FOR PERMIT.**

**a.** Any state-licensed electrical contractor, state-licensed elevator contractor or person who is exempt from licensing under s. 101.862(4), Wis. Stats., desiring a permit as required by this chapter shall file with the commissioner an application for a permit in writing on a form furnished for this purpose. In addition:

**a-1.** The department may allow any state-licensed electrical contractor to obtain a permit from within the scope of the contractor's license class. A state-licensed electrical contractor shall provide a copy of his or her state electrical contractor license and a copy of the license of the master electrician who is taking full responsibility

for all work to be carried out under the permit. The applicant shall provide all necessary contact information on a form that is provided by the department. The permit application shall be signed by the supervising master electrician of the applicant's business.

**a-2.** The department may allow any state-licensed elevator contractor to obtain a permit from within the scope of the contractor's license class. A state-licensed elevator contractor shall provide a copy of his or her state elevator contractor license and a copy of the license of the elevator mechanic who is taking full responsibility for all work to be carried out under the permit. The applicant shall provide all necessary contact information on a form that is provided by the department. The permit application shall be signed by the supervising elevator mechanic of the applicant's business.

**a-3.** The following shall be exempt from licensing under s. 101.862(4), Wis. Stats.

**a-3-a. Low-voltage Fire Alarm Permit.** The commissioner shall review and approve or disapprove the permit application. If the permit application is approved, the commissioner shall issue a Type LF low-voltage (100 volts or less) fire alarm permit, permitting the applicant to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low-voltage electrical equipment associated with a fire alarm system and accept payment for any of these activities. The applicant shall provide all necessary contact information on a form that is provided by the department of neighborhood services.

**a-3-b. Low-voltage Burglar and Security Alarm Permit.** The commissioner shall review and approve or disapprove the permit application. If the permit application is approved, the commissioner shall issue a Type LB low-voltage (100 volts or less) burglar and security alarm permit, permitting the applicant to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low-voltage electrical equipment associated with a burglar and security alarm system and accept payment for any of these activities. The applicant shall provide all necessary contact information on a form that is provided by the department.

**a-3-c. Other Low-voltage Permit.** The commissioner shall review and approve or disapprove the permit application. If the permit application is approved, the commissioner shall issue a Type LV low-voltage (100 volts or less) permit, permitting the applicant to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low-voltage electrical

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equipment associated with any system other than those described in subpars. a and b and accept payment for any of these activities. The applicant shall provide all necessary contact information on a form that is provided by the department.

a-3-d. Other Exemptions. The commissioner shall review and approve or disapprove the permit application. If the permit application is approved, the commissioner shall issue a permit, permitting the applicant to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low-voltage electrical equipment as regulated in s. 101.862(4), Wis. Stats. The applicant shall provide all necessary contact information on a form that is provided by the department.

b. A permit application shall describe and enumerate the electrical equipment to be installed and shall give other reasonable information as may be required by the commissioner.

c. At the time of an issuance of a permit, the commissioner may require the manufacturer, owner, installer or user of electrical equipment to submit plans (drawings), data, and specifications, schedules or literature, information, materials, samples or tests as may be necessary to determine the fitness of equipment for safe installation and use.

d. The approval of general building plans and specifications by the commissioner shall not be considered as including electrical plans or specifications or electrical equipment.

**3. ISSUANCE OF PERMIT.** a. If upon examination it is found that the information on the application is complete, the commissioner shall issue a permit; provided that the licensee, or applicant exempt from licensing under s. 222-13-2-a-3, agrees and expressly states that he or she is fully capable, and in possession of knowledge and ability to design, lay out, install, alter or replace the work designated in the application in accordance with this chapter, and with all other laws and ordinances pertinent thereto, and will install electrical equipment as described in the application for permit in a safe, legal and workmanlike manner.

b. The issuance of any permit or the serving of any notice or order shall not preclude compliance with all ordinances or other laws relating to occupancy and use, construction (s. 200-26) or zoning (ch. 295).

c. No other electrical work shall be done except work as described in the application for permit.

**6. WORK WITHOUT PERMIT.** When any work is begun on the installation, alteration, or

replacement of any electrical equipment without first obtaining a permit therefor, except as provided in s. 222-1-2 or exempted in s. 200-24-1.5, the commissioner shall have the power and authority to disconnect or order the disconnection immediately of any such equipment and to stop such work until a permit has been procured.

### **7. NO PERMITS TO VIOLATORS.**

a. Whenever any electrical installation occurs contrary to the regulations of this chapter, the commissioner shall issue a notice to remedy the defective work to the violator at his or her last known address. Failure to comply with the notice shall be deemed sufficient reason for withholding future permits, in addition to other penalties provided in this code.

b. The following shall also be deemed sufficient reasons for withholding future permits:

b-1. An unreasonable delay in the performance of electrical work occurs after issuance of a permit.

b-2. An electrical contractor fails to promptly respond to official communication from the commissioner.

b-3. Information provided on a contractor's contact form, state license or certification is no longer valid and the contractor failed to notify the department by providing an updated copy of state license or certification or updated contact form.

**8. EXPIRATION OF PERMITS.** If any electrical work for which a permit has been issued is not started within 6 months from the date of issuance of the permit, or if any electrical work for which a permit has been issued ceases for more than 6 months, such permit shall lapse and be void, and all permit fees shall remain the property of the city. No electrical work shall begin or be resumed until a new electrical permit is obtained and the fees prescribed in s. 200-33 are paid therefor.

**222-15. Installation Standards.** **1.** The commissioner of neighborhood services may grant special permission, for a limited period of time, for the installation or use of temporary electrical wiring and equipment which do not conform with the regulations of this chapter. The electrical contractor installing such wiring or equipment shall be directly and legally responsible and accountable for the safe condition of the installation at all times, and its complete removal at the end of the fixed temporary period, as set forth by the commissioner of neighborhood services or any time sooner when ordered by the commissioner of neighborhood services. Carnivals, circuses, theatrical acts, and

exhibitions and all places of temporary outdoor assembly are included in the provisions of this subsection, and all electrical wiring and equipment associated therewith shall be installed, maintained, and operated in a safe and workmanlike manner. All such electric wiring and equipment shall be isolated from the public by proper elevation and guarding and all electric fuses and switches shall be installed in approved enclosures. Cable laid on the ground in areas traversed by the public shall be buried in trenches or protected by approved covers.

**2.** Existing electrical equipment which does not conform to the regulations of this chapter, but which was lawfully installed prior to the passage of this chapter, may be continued in use if maintained in a safe condition.

**3.** When any additions, alterations, or renewals of existing electrical equipment lawfully installed prior to the adoption of this chapter are made, such portion of the installation which is added, altered or renewed shall conform to the regulations of this chapter.

**4.** Any change in the occupancy or use of an existing building, structure or premises shall not require a change in the existing electric equipment, provided such change does not create an electric hazard.

**222-16. Connections to Installations.** It shall be unlawful for any person to make any connection from any source or supply of electricity, or to supply electricity to any electrical equipment for which a permit is required, or which has been disconnected or ordered disconnected by the commissioner, until a certificate of authorization has been issued by the commissioner authorizing the connection and use of such equipment.

**222-17. Approval of Electrical Equipment. 1.** It shall be unlawful for any person to sell, install or use any type or kind of electrical equipment which has not been approved.

**2.** The sale, rental, installation or repair of electrical equipment shall by implication warrant that the manufacturer, seller, installer, repairer or person receiving payment for rental therefor, guarantees that such electrical equipment is of merchantable quality and not defective to the extent that it will be dangerous to persons or property when put to the use for which it was designed.

**3.** It shall be the policy of the commissioner of neighborhood services to approve, subject to the regulations of this chapter, any type or kind of electrical equipment which has

been approved by the National Bureau of Standards or any nationally recognized testing laboratory or the state of Wisconsin.

**222-18. Installation of Electrical Equipment.** Except as otherwise regulated in this chapter, all electrical equipment which has been expressly made for electrical purposes shall be installed or used in the exact manner and for the exact purpose indicated by the manufacturer's instruction, markings or labels. Old or secondhand electrical equipment shall not be installed unless such equipment is in a safe condition and approved. Approved electrical equipment and the original manufacturer's ratings, markings or labels thereon shall not be changed or altered in any manner, except that normal replacements and repairs may be made to such equipment if the replacements and repairs do not change the original characteristics or design.

**222-19. Unsafe or Illegal Electrical Equipment.**

**1.** When the commissioner finds any electrical equipment to be unsafe or dangerous to persons or property, the person owning or using such electrical equipment may be issued an order in writing by the commissioner to remove or cause to be removed or to make any changes or repairs as determined by the commissioner so as to restore the electrical equipment to a safe condition. Failure to comply with the order within the time specified in such notice shall be sufficient cause for the commissioner to disconnect or order the removal of, or order the discontinuance of electrical service to the electrical equipment, or to cause the arrest of such person owning or using such electrical equipment.

**2.** In any case of emergency affecting the safety of persons or property, or where electrical equipment interferes with the work of the fire department, or where electrical equipment is not installed in conformity with this chapter, the commissioner may disconnect immediately or cause the removal or disconnection of any such electrical equipment.

**3.** When the commissioner disconnects or causes to be disconnected electrical current from electrical equipment, he shall attach an official notice, tag, lock or seal to such electrical equipment to prevent the use of electricity. No unauthorized person may attach such official notice, tag, lock or seal, or break open, change, remove, destroy, tear, alter, mutilate, cover or otherwise deface or injure any such official notice, tag, lock or seal.

## **222-20 Electrical And Elevator Codes**

**222-20. Seizure of Electrical Equipment.** The commissioner shall have the power and authority and is authorized to seize and take possession of any electrical equipment or materials or parts thereof or attachments therefor which in his opinion are dangerous to life or property or which are suspected or found by him to have been the cause of any fire, accident, injury or fatality, and to retain possession of the same for the purpose of making an investigation, examination or for official evidence. After such electrical equipment or material in the possession of the commissioner have served their purposes, and an official report and record thereof has been made, such electrical equipment or materials shall be returned to the owner, provided said owner requests in writing their return within 90 days from the date of their seizure. If no such request is made, such equipment or materials may be destroyed or disposed of.

SUBCHAPTER 2  
ELEVATORS, DUMBWAITERS, ETC.

**222-50. Scope.** 1. Regulations contained in this subchapter with respect to elevators, power dumbwaiters, material handling elevators, moving walks and ramps, personnel hoists, and escalators are deemed supplemental to ch. SPS 318, Wis. Adm. Code. Plans required in subch III, ch. SPS 318, Wis. Adm. Code, shall be submitted to the commissioner instead of the Wisconsin department of safety and professional services together with 3 copies of the permit application.

**222-51. Enforcement.** 1. The commissioner or his duly authorized representative shall enforce the regulations of this subchapter.

2. It shall be the duty of the police and fire departments to assist the commissioner or any of his duly authorized representatives in the enforcement of this subchapter, and to permit and allow the commissioner or his representatives inside fire and police lines.

3. The commissioner or his duly authorized representative shall have the right and authority to start legal action to enforce the penalties of this code against any person who has violated any of the regulations of this subchapter.

4. The elevator inspector or inspectors and others duly authorized by the commissioner shall have the power and are authorized to enter any building or premises in the city except occupied dwellings without hindrance from anyone for the purpose of examining elevators or other devices regulated in this chapter and for the enforcement of this subchapter. The engineer or operator having charge of such equipment shall assist the commissioner or other duly authorized person or persons to such extent that he or they may be able to make careful and thorough investigation of every portion of the operating machinery, supports and enclosures connected with such equipment.

5. It shall be unlawful for any person to refuse lawful entry to the commissioner or his duly authorized representative, or to interfere with, harass, abuse, obstruct or cause delay in the performance of their duties.

**222-52. Construction Permits.** 1. PERMIT REQUIRED. Except as regulated in pars. a and b, no person shall install, alter, repair or replace any elevator or other device regulated in s. SPS 318.1002, Wis. Adm. Code, without first obtaining

a permit therefor and paying the fees as prescribed in s. 200-33.

a. In cases of emergency the permit may be obtained within 72 hours from the time the work is started.

b. Where the extent and cost of the alteration, repair or replacement work is not known in advance, a minimum permit fee must be obtained and a supplemental fee paid after such cost has been determined.

2. APPLICATION FOR PERMIT. An application for permit shall be filed with the commissioner on a form furnished for such purpose for each elevator, moving stairway (escalator), dumbwaiter or other device regulated in this subchapter. Such application shall describe the installation, alteration, repair or replacement work to be done and shall give the separate cost for each elevator, moving stairway (escalator), dumbwaiter or other device.

3. ISSUANCE OF PERMIT. The issuance of a permit for an elevator or other device regulated in this chapter shall not preclude compliance with all ordinances or other laws referring to occupancy and use or construction. No other work on the elevator or other device regulated in this chapter shall be done except work authorized by the permit and as shown on the approved plans (s. 222-53).

4. WORK WITHOUT PERMIT. Where any work is begun on the installation, alteration, repair or replacement of any elevator or other device regulated in s. SPS 318.1002, Wis. Adm. Code, without obtaining a permit as regulated in sub. 1, the commissioner shall have the power and authority to stop such work until a permit has been procured and quadruple fees paid as regulated in s. 200-32-3.

5. WITHHOLDING OF PERMITS.

a. Whenever any elevator installation occurs contrary to the regulations of this chapter, the commissioner shall issue an order to remedy the defective work to the violator at his or her last known address. Failure to comply with the order shall be deemed sufficient reason for withholding future permits, in addition to other penalties provided in this code.

b. The commissioner may also withhold future permits whenever an elevator contractor fails to:

b-1. Perform elevator work within a reasonable period of time after the issuance of a permit.

b-2. Promptly respond to official communication from the commissioner.

## 222-53 Electrical And Elevator Codes

**222-53. Plans and Specifications. 1.** At the time of a filing of an application for a construction permit the commissioner shall require the manufacturer, owner, installer or user of any elevator or other device regulated in this subchapter to submit plans (drawings) in triplicate, data and specifications, schedules, or literature, information or tests as may be necessary to determine the fitness of equipment for the safe installation and use.

**2.** The approval of general building plans and specifications by the commissioner shall not be considered as including approval of the installation of any elevator or other device regulated in this subchapter.

**222-54. Safety Tests and Tags.** A tag shall be fastened to the governor releasing carrier upon completion of a satisfactory test of the car safety device and speed governor. Reports of tests as specified in ch. SPS 318, Wis. Adm. Code, shall also be submitted to the department.

**222-55. Protection of Openings in Floors. 1.** All openings in floors for the installation, enlargement, extension, alteration, repair or replacement of elevators or other equipment regulated by this chapter shall be protected as provided in ch. 252.

**2.** It shall be the responsibility of the person making such floor opening to provide and maintain the required protection until the work of installing, enlarging, extending, altering, repairing or replacing such elevator or other equipment is started.

**3.** Thereafter the person installing, enlarging, extending, altering, repairing or replacing such elevator or other equipment shall be responsible for maintaining the required protection until all of the work on the elevator or other equipment is completed.

**222-56. Elevator-Electrical Installation by Licensed Contractor. 1.** No person shall engage in electrical work in connection with elevators unless the person is a state-licensed elevator mechanic doing work for a state-licensed elevator contractor or a state-licensed electrician working for a state-licensed electrical contractor.

**2.** All elevator electrical work shall be regulated by the provisions of this code.

**222-57. Mechanical Brakes.** Every existing drum type elevator machine equipped with a mechanical brake shall be provided with an electrical brake and direction stop and final limit switches at each terminal of travel.

**222-58. Drains in Elevator Pits.** In all elevator shaftways located on or below grade, a floor drain or sump pump shall be installed in accordance with ch. SPS 382, Wis. Adm. Code.

**222-59. Door Interlock or Contact and Lock.** All existing passenger elevators, except roped hydraulic elevators, shall be provided with an approved interlock or contact and lock on each hoistway entrance door or gate in the same manner as required by ch. SPS 318, Wis. Adm. Code, as amended, for new elevators. All necessary requirements of emergency keys and keyways shall also be provided.

**222-60. Gates and Doors.** Every new or existing passenger elevator, except roped hydraulic elevators, shall be provided with a car gate or car door at each entrance to the car used for loading and unloading. Such gate or door shall be equipped with an approved electric contact which will prevent the car from running unless the car gate or door is in the closed position. Such electric contact shall be so located that it is not readily accessible from the inside of the car.

**222-61. Freight Elevators. 1.** Freight elevators shall not be permitted to carry passengers.

**2.** Each freight elevator shall contain a sign which reads: "THIS IS NOT A PASSENGER ELEVATOR. NO PERSON OTHER THAN A FREIGHT HANDLER IS PERMITTED TO RIDE ON THIS ELEVATOR." The sign shall be permanently and securely fastened in a conspicuous location within the car enclosure. The sign shall be of such material and construction that the letters stamped, etched, cast or otherwise applied to the face shall remain permanently and readily legible. The letters shall not be less than 1/2 inch (13 mm.) high.

**Electrical And Elevator Codes 222--(History)**

**LEGISLATIVE HISTORY  
CHAPTER 222**

Abbreviations:

am = amended  
cr = created

ra = renumbered and amended  
rc = repealed and recreated

rn = renumbered  
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
ch. 22	rn ch. 222	85-1396	12/20/85	1/1/86
222-01	cr	891008	10/10/89	10/28/89
222-01	am	961523	2/11/97	2/28/97
222-01	am	020467	8/1/2002	8/20/2002
222-01	am	151597	3/1/2016	3/18/2016
222-02	rn from 222-01	891008	10/10/89	10/28/89
222-03	cr	151597	3/1/2016	3/18/2016
222-1-1	am	85-1396	12/20/85	1/1/86
222-1-2-a	rp	151597	3/1/2016	3/18/2016
222-1-2-b	rp	151597	3/1/2016	3/18/2016
222-1-2-c	am	951346	1/23/96	2/9/96
222-1-2-c	rp	151597	3/1/2016	3/18/2016
222-1-2-d	rp	151597	3/1/2016	3/18/2016
222-1-2-e	rp	151597	3/1/2016	3/18/2016
222-1-2-f	rn to 222-1-2-a	151597	3/1/2016	3/18/2016
222-1-2-g	rn to 222-1-2-b	151597	3/1/2016	3/18/2016
222-2	am	85-1396	12/20/85	1/1/86
222-3	am	85-1396	12/20/85	1/1/86
222-3	am	020593	11/8/2002	1/1/2003
222-4	am	85-1396	12/20/85	1/1/86
222-5	am	910636	8/2/91	8/21/91
222-6	am	020593	11/8/2002	1/1/2003
222-7	am	980963	12/18/98	1/1/99
222-7	am	020593	11/8/2002	1/1/2003
222-8	am	85-1396	12/20/85	1/1/86
222-8	am	980963	12/18/98	1/1/99
222-8	am	151597	3/1/2016	3/18/2016
222-9	am	85-1396	12/20/85	1/1/86
222-10	am	85-1396	12/20/85	1/1/86
222-10	am	980963	12/18/98	1/1/99
222-10	am	151597	3/1/2016	3/18/2016
222-11	rc	020593	11/8/2002	1/1/2003
222-11	rp	151597	3/1/2016	3/18/2016
222-11-1-0	am	101025	4/12/2011	6/1/2011
222-11-1	rc	960203	6/4/96	6/21/96
222-11-1-d	cr	101025	4/12/2011	6/1/2011
222-11-1-e	cr	101025	4/12/2011	6/1/2011
222-11-1-f	cr	101025	4/12/2011	6/1/2011
222-11-1-g	cr	101025	4/12/2011	6/1/2011
222-11-1-g	am	110042	5/24/2011	6/14/2011
222-11-2	rc	960203	6/4/96	6/21/96
222-11-2	rn to 222-11-2-a	060491	9/26/2006	10/13/2006
222-11-2-a	rn to 222-11-2	061 052	2/6/2007	2/23/2007
222-11-2-b	cr	060491	9/26/2006	10/13/2006
222-11-2-b	rp	061052	2/6/2007	2/23/2007
222-11-2-c	am	85-1396	12/20/85	1/1/86
222-11-2-d	am	970910	10/14/97	10/31/97
222-11-2-g	rc	950061	5/16/95	6/3/95
222-11-2-h	am	950061	5/16/95	6/3/95

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222-11-3-0	am	85-1396	12/20/85	1/1/86
222-11-3	rc	960203	6/4/96	6/21/96
222-11-3-c-1	am	86-675	7/29/86	8/16/86
222-11-3-c-1	am	961523	2/11/97	2/28/97
222-11-3-c-1	am	990863	10/19/99	11/5/99
222-11-3-c-3	am	85-1396	12/20/85	1/1/86
222-11-3-c-3	am	910636	8/2/91	8/21/91
222-11-3-d-1	am	86-675	7/29/86	8/16/86
222-11-3-d-1	am	961523	2/11/97	2/28/97
222-11-3-d-1	am	990863	10/19/99	11/5/99
222-11-3-d-2	am	851396	12/20/85	1/1/86
222-11-3-d-3	am	851396	12/20/85	1/1/86
222-11-3-e-1	am	86675	7/29/86	8/16/86
222-11-3-e-1	am	961523	2/11/97	2/28/97
222-11-3-e-1	am	990863	10/19/99	11/5/99
222-11-3-e-2	am	851396	12/20/85	1/1/86
222-11-3-f-1	am	961523	2/11/97	2/28/97
222-11-3-f-1	am	990863	10/19/99	11/5/99
222-11-3-h	am	941414	1/24/95	2/10/95
222-11-3-i	am	821396	12/20/85	1/1/86
222-11-4	am	851396	12/20/85	1/1/86
222-11-4	am	111233	1/18/2012	2/4/2012
222-11-4-d	cr	101025	4/12/2011	6/1/2011
222-11-4-d	am	121595	4/30/2013	5/17/2013
222-11-4-e	cr	101025	4/12/2011	6/1/2011
222-11-4-e	am	121595	4/30/2013	5/17/2013
222-11-4-f	cr	101025	4/12/2011	6/1/2011
222-11-5-e	cr	030080	6/3/2003	6/20/2003
222-11-5-e	rn to 222-11-5-i	101025	4/12/2011	6/1/2011
222-11-5-e	cr	101025	4/12/2011	6/1/2011
222-11-5-f	cr	101025	4/12/2011	6/1/2011
222-11-5-g	cr	101025	4/12/2011	6/1/2011
222-11-5-h	cr	101025	4/12/2011	6/1/2011
222-11-6	rc	900835	10/16/90	11/2/90
222-11-6-0	am	85-1396	12/20/85	1/1/86
222-11-6-c	am	941414	1/24/95	2/10/95
222-11-7	am	030080	6/3/2003	6/20/2003
222-11-9	rc	030080	6/3/2003	6/20/2003
222-11-9-e-1	am	111233	1/18/2012	2/4/2012
222-11-11-b	am	980848	1/17/2007	2/3/2007
222-12	rp	020593	11/8/2002	1/1/2003
222-12-2-a	am	85-1396	12/20/85	1/1/86
222-12-2-b	rp	85-1396	12/20/85	1/1/86
222-12-2-d	am	980963	12/18/98	1/1/99
222-12-4-b	am	980963	12/18/98	1/1/99
222-12-4-c	am	980963	12/18/98	1/1/99
222-12-4-d	am	980963	12/18/98	1/1/99
222-13-1	am	911943	3/3/92	3/20/92
222-13-1	am	960762	9/24/96	10/11/96
222-13-1	am	121804	12/17/2013	1/9/2014
222-13-1	am	151597	3/1/2016	3/18/2016
222-13-2	am	980963	12/18/98	1/1/99
222-13-2-a	am	020593	11/8/2002	1/1/2003
222-13-2-a	am	110042	5/24/2011	6/14/2011
222-13-2-a	rc	151597	3/1/2016	3/18/2016
222-13-2-b	am	151597	3/1/2016	3/18/2016
222-13-2-c	am	151597	3/1/2016	3/18/2016

**Electrical And Elevator Codes 222--(History)**

222-13-2-d	am	151597	3/1/2016	3/18/2016
222-13-3-a	am	980963	12/18/98	1/1/99
222-13-3-a	am	151597	3/1/2016	3/18/2016
222-13-3-b	am	85-1396	12/20/85	1/1/86
222-13-3-b	am	921114	11/20/92	12/11/92
222-13-4	ra	901086	11/8/90	11/27/90
222-13-4	cr	901086	11/8/90	11/27/90
222-13-4	rp	121804	12/17/2013	1/9/2014
222-13-4-0	rc	911943	3/3/92	3/20/92
222-13-4-a	rc	911943	3/3/92	3/20/92
222-13-4-a	am	980963	12/18/98	1/1/99
222-13-4-b-0	am	911943	3/3/92	3/20/92
222-13-4-b-0	am	941414	1/24/95	2/10/95
222-13-4-b-2	am	941414	1/24/95	2/10/95
222-13-4-b-3	rp	911943	3/3/92	3/20/92
222-13-5	rn to 222-13-6	960762	9/24/96	10/11/96
222-13-5	cr	960762	9/24/96	10/11/96
222-13-5	rc	110042	5/24/2011	6/14/2011
222-13-5	rp	151597	3/1/2016	3/18/2016
222-13-5-a	am	980963	12/18/98	1/1/99
222-13-6	am	151597	3/1/2016	3/18/2016
222-13-7	cr	960762	9/24/96	10/11/96
222-13-7-b-3	cr	110042	5/24/2011	6/14/2011
222-13-7-b-3	rc	151597	3/1/2016	3/18/2016
222-13-8	cr	960762	9/24/96	10/11/96
222-15-0	rp	891008	10/10/89	10/28/89
222-15-1	am	980963	12/18/98	1/1/99
222-15-1	am	110042	5/24/2011	6/14/2011
222-15-2	am	85-1396	12/20/85	1/1/86
222-15-2	am	980963	12/18/98	1/1/99
222-15-2	rp	151597	3/1/2016	3/18/2016
222-15-3	rn to 222-15-2	151597	3/1/2016	3/18/2016
222-15-4	rn to 222-15-3	151597	3/1/2016	3/18/2016
222-15-5	rn to 222-15-4	151597	3/1/2016	3/18/2016
222-16	am	980963	12/18/98	1/1/99
222-16	am	151597	3/1/2016	3/18/2016
222-17-1	am	85-1396	12/20/85	1/1/86
222-17-3	am	980963	12/18/98	1/1/99
222-17-3	am	110042	5/24/2011	6/14/2011
222-17-4	am	980963	12/18/98	1/1/99
222-17-4	am	110042	5/24/2011	6/14/2011
222-19	am	85-1396	12/20/85	1/1/86
222-19-1	am	910636	8/2/91	8/21/91
222-19-1	am	921114	11/20/92	12/11/92
222-20	am	980963	12/18/98	1/1/99
222-21	rp	110042	5/24/2011	6/14/2011
222-22	am	85-1396	12/20/85	1/1/86
222-22	am	991763	5/14/2002	10/1/2002
222-22	rp	110042	5/24/2011	6/14/2011
222-22-1	am	871091	11/17/87	12/10/87
222-23	rp	110042	5/24/2011	6/14/2011
222-23-2-i	am	851396	12/20/85	1/1/86
222-23-2-i	am	961523	2/11/97	2/28/97
222-23-2-k	am	851396	12/20/85	1/1/86
222-23-2-k	am	961523	2/11/97	2/28/97
222-23-3	am	851396	12/20/85	1/1/86
222-50	am	851396	12/20/85	1/1/86

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222-50	rc	891008	10/10/89	10/28/89
222-50	am	961523	2/11/97	2/28/97
222-50	am	980963	12/18/98	1/1/99
222-50	am	090332	7/28/2009	8/14/2009
222-50	am	111233	1/18/2012	2/4/2012
222-50-1	am	151597	3/1/2016	3/18/2016
222-51	am	980963	12/18/98	1/1/99
222-52-1-0	am	851396	12/20/85	1/1/86
222-52-1-0	am	111233	1/18/2012	2/4/2012
222-52-1-0	am	151597	3/1/2016	3/18/2016
222-52-1	am	990933	10/19/99	11/05/99
222-52-1	am	001458	2/27/2001	3/16/2001
222-52-1	am	040631	9/21/2004	10/8/2004
222-52-2	am	980963	12/18/98	1/1/99
222-52-2	am	151597	3/1/2016	3/18/2016
222-52-3	am	851396	12/20/85	1/1/86
222-52-4	am	851396	12/20/85	1/1/86
222-52-4	am	980963	12/18/98	1/1/99
222-52-4	am	990933	10/19/99	11/5/99
222-52-4	am	040631	9/21/2004	10/8/2004
222-52-4	am	111678	5/22/2012	6/12/2012
222-52-5	cr	980695	9/23/98	10/10/98
222-53	am	85-1396	12/20/85	1/1/86
222-53	am	980963	12/18/98	1/1/99
222-53	am	151597	3/1/2016	3/18/2016
222-54	am	980963	12/18/98	1/1/99
222-54	am	001458	2/27/2001	3/16/2001
222-54	am	111678	5/22/2012	6/12/2012
222-54	am	151597	3/1/2016	3/18/2016
222-55	am	851396	12/20/85	1/1/86
222-56-1	am	851396	12/20/85	1/1/86
222-56-1	am	980963	12/18/98	1/1/99
222-56-1	am	151597	3/1/2016	3/18/2016
222-58	am	851396	12/20/85	1/1/86
222-58	am	961523	2/11/97	2/28/97
222-58	am	970131	5/13/97	5/31/97
222-58	am	980695	9/23/98	10/10/98
222-58	am	111678	5/22/2012	6/12/2012
222-59	am	970623	7/25/97	8/13/97
222-59	am	111678	5/22/2012	6/12/2012
222-61	cr	930413	7/6/93	7/23/93

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**ZONING**  
**SUBCHAPTER 1 INTRODUCTION**

**295-101. Title.** This chapter shall be known as the "City of Milwaukee Zoning Code" and may be referred to as the "zoning code." The locations of the districts enumerated in this chapter, and boundaries of such districts, are established as shown on the zoning map located in the office of the city plan commission. The map referred to herein shall be known as the "City of Milwaukee Zoning Map," and may be referred to as the "zoning map".

**295-103. Purpose.** The purposes of this chapter are to:

1. Promote land uses and development that are consistent with the city's comprehensive plan.
2. Promote and protect the public health, safety and general welfare of the city.
3. Secure safety from fire, overcrowding and other dangers.
4. Maintain and promote safe pedestrian and vehicular circulation.
5. Provide adequate standards for light, air and open space.
6. Further the maintenance of safe and healthful water conditions.
7. Prevent and control erosion, sedimentation and other pollution of surface and subsurface waters.
8. Prevent flood damage to persons and property and minimize expenditures for flood relief and flood control projects.
9. Protect environmentally sensitive areas.
10. Encourage compatibility of adjacent land uses.
11. Maintain a compatible scale of development within an area.
12. Promote sound, attractive development within the city.
13. Classify property in a manner that reflects its suitability for specific uses.
14. Assure adequate provision of urban services, including transportation, water, utilities, sewers, schools, parks and other services.
15. Enhance the streetscape and pedestrian environment.
16. Encourage innovative project design in the city, including developments that incorporate mixed uses.
17. Provide for effective signage that is compatible with the surrounding urban environment.
18. Encourage reinvestment in established urban neighborhoods while protecting their unique characteristics.
19. Conserve historic resources.
20. Promote the construction of affordable housing in the city.
21. Establish procedures to increase citizen awareness of land use activities and their impacts, and to coordinate necessary review processes.
22. Reduce nonpoint source water pollution by minimizing impervious cover on development sites.

**295-105. Applicability.** The provisions of this chapter shall be applicable to all property within the corporate limits of the city.

**295-106. Comprehensive Plan. 1. PLAN ADOPTION.** The city's comprehensive plan shall be the 13 area comprehensive plans and the citywide policy plan that are contained in common council file no. 100247, passed July 27, 2010, as well as any amendments or updates to those plans that are adopted by common council resolution. Copies of the plan, including any amendments or updates, shall be maintained and made available for public inspection by the department of city development and the city clerk.

**2. ZONING CODE CONSISTENCY WITH PLAN.** All provisions of this chapter shall be consistent with the adopted comprehensive plan, as required by s. 66.1001(3), Wis. Stats.

**295-107. Zoning Districts. 1. GENERAL.** The city is divided into the minimum number of zoning districts necessary to achieve compatibility of uses and character within each district, to implement the adopted city comprehensive plan and to achieve the purposes of this code.

## 295-107-2 Zoning

2. ESTABLISHMENT OF DISTRICTS. For the purposes of this code, all land and water areas in the city are divided into the zoning districts listed in Table 295-107-2. The purposes of the districts are described in ss. 295-501, 295-601, 295-701, 295-801, 295-901, 295-1001 and 295-1105.

<b>TABLE 295-107-2 ZONING DISTRICTS</b>			
<b>District</b>	<b>Map Indicator</b>	<b>Most Similar District(s) Under the Previous Code</b>	<b>Subchapter Reference</b>
<b>Residential Districts</b>			
Single-Family	RS1, RS2, RS3, RS4, RS5 and RS6	R/F-1/40, R/F-2/40, R/F-3/40, R/F-4/40 and R/F-5/40	5
Two-Family	RT1, RT2, RT3 and RT4	R/D-1/40, R/C-1/40 and R/E/40	5
Multi-Family	RM1	R/D/40	5
Multi-Family	RM2	R/C/40	5
Multi-Family	RM3	R/D/40, R/D/60 and R/D/85	5
Multi-Family	RM4	R/C/40, R/C/60, R/C/85 and R/C/125	5
Multi-Family	RM5	R/B/40	5
Multi-Family	RM6	R/B/60	5
Multi-Family	RM7	R/B/85, R/A/85 and R/A/125	5
Residential and Office	RO1, RO2	all O and RO districts	5
<b>Commercial Districts</b>			
Neighborhood Shopping	NS1, NS2	all S districts	6
Local Business	LB1, LB2	all L districts	6
Commercial Service	CS	all CS districts	6
Regional Business	RB1, RB2	all RS districts	6
Central Business	C9A-C9H	C9A-C9H	7
<b>Industrial Districts</b>			
Industrial-Office	IO	M/D/40, M/C/60, I/D/40 and I/E/40	8
Industrial-Light	IL	M/B/85, M/A/125, I/C/60, I/D/40, I/D/60 and I/E/60	8
Industrial-Commercial	IC	none	8
Industrial-Mixed	IM	none	8
Industrial-Heavy	IH	I/A125 and I/B/85	8
<b>Special Districts and Overlay Zones</b>			
Parks	PK	none	9
Institutional	TL	all T districts	9
Planned Development	PD and DPD	GPD and DPD	9
Redevelopment	RED	none	9
Neighborhood Conservation	NC	none	10
Interim Study	IS	none	10
Development Incentive	DIZ	DIZ	10
Site Plan Review	SP	SPROD	10
Shoreland-Wetland	WL	Shoreland-Wetland	10
Lakefront	LF	LF/C/60	10
Master Sign Program	MSP	none	10
Floodplain	FW, FF, FSD and GF	FP1 and FP2	11

## SUBCHAPTER 8 INDUSTRIAL DISTRICTS

**295-801. Purposes. 1. INDUSTRIAL-OFFICE (IO).** This district provides sites for modern, clean industry and supporting, non-residential land uses that complement industrial uses or require an industrial environment. Older portions of this zoning district (IO2) often form corridors which provide a buffer between residential areas and more intensive industrial districts. The newer portions of this district (IO1) are in the form of office-industrial parks or business parks with campus-style layouts and designs. The IO district has a performance-oriented transition area where it adjoins residential neighborhoods. Buffering and other requirements in the transition area are intended to protect the character of such neighborhoods.

**2. INDUSTRIAL-LIGHT (IL).** This district is intended to provide sites primarily for light industrial uses that utilize medium-sized buildings and do not have extensive outdoor storage areas or operations. This district includes both older industrial corridors (IL2) and modern industrial parks (IL1). While most buildings contain clean, light industrial uses, some commercial and office uses may also be included. This district contains heavier uses than the IO district and requires more extensive buffering from adjoining residential areas.

**3. INDUSTRIAL-COMMERCIAL (IC).** This district is intended primarily for light industrial uses that utilize small and medium-sized buildings and do not have extensive outdoor operations or storage areas. This district also provides for the orderly conversion of certain older industrial and warehousing buildings to commercial and office uses with less traffic generation than uses located on more intensive commercial retail corridors. Retail uses are considered accessory or complementary to the primarily light manufacturing nature of the district. These areas have an urban character and are more pedestrian-scaled than other, vehicular-traffic-dominated corridors. Buildings in this district were typically built without setbacks or yards and often with little or no off-street parking.

**4. INDUSTRIAL-MIXED (IM).** This district is intended to provide for the orderly conversion of certain older industrial and warehousing areas with multi-story buildings to residential, commercial or office uses for which the buildings, at the present time, may be better suited. These areas have an urban character. Buildings were typically built without setbacks or yards and often with little or no off-street parking.

**5. INDUSTRIAL-HEAVY (IH).** This district accommodates high-intensity industry and often includes very large structures, extensive exterior storage, exterior mechanical operations, or heavy truck or equipment operations. It also accommodates uses that require large or isolated sites or harbor, airport or rail service. This district includes the historic industrial core of the city. It has a strong relationship to shipping and rail services and includes the port of Milwaukee, the Menomonee valley and various railroad corridors. Most sites within the IH district have already been developed or redeveloped. These sites seldom have excess land to provide buffer areas. Where possible, the IH district should be separated from residential neighborhoods with less intensive, non-residential districts.

**295-803. Uses. 1. USE TABLE.** Table 295-803-1 indicates the use classifications for various land uses in the industrial districts. The uses in this table are defined in s. 295-201. The following are the use classifications indicated in table 295-803-1:

- a. "Y" indicates a permitted use. This use is permitted as a matter of right subject to all performance standards.
- b. "L" indicates a limited use. This use is permitted only when the use meets the standards of sub. 2.
2. If the use cannot meet these standards, it shall be permitted only upon board approval of a special use permit pursuant to s. 295-311-2, unless otherwise prohibited by sub. 2.
- c. "S" indicates a special use. This use is permitted only if the board approves a special use permit pursuant to s. 295-311-2.
- d. "N" indicates a prohibited use.

295-803-1 Zoning

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y=Permitted Use	L=Limited				
S=Special Use	N=Prohibited	Zoning Districts			
Uses	I01/ I02	IL1/ IL2	IC	IM	IH
<b>RESIDENTIAL USES</b>					
Single-family dwelling	N	N	N	L	N
Two-family dwelling	N	N	N	L	N
Multi-family dwelling	N	N	N	L	N
Permanent supportive housing	N	N	N	L	N
Transitional housing	N	N	N	S	N
Attached single-family dwelling	N	N	N	L	N
Live-work unit	N	N	N	Y	N
Mobile home	N	N	N	N	N
Watchman/service quarters	Y	Y	Y	Y	Y
Family day care home	N	N	N	L	N
<b>GROUP RESIDENTIAL USES</b>					
Rooming house	N	N	N	S	N
Convent, rectory or monastery	N	N	N	L	N
Dormitory	N	N	N	S	N
Fraternity or sorority	N	N	N	S	N
Adult family home	N	N	N	L	N
<i>Foster Homes</i>					
Foster family home	N	N	N	L	N
Small foster home	N	N	N	L	N
Group home or group foster home	N	N	N	L	N
<i>Shelter Care Facilities</i>					
Family shelter care facility	N	N	N	L	N
Small group shelter care facility	N	N	N	L	N
Large group shelter care facility	N	N	N	S	N
Community living arrangement	N	N	N	L	N
<b>EDUCATIONAL USES</b>					
Day care center	S	S	N	S	S
School, elementary or secondary	N	N	N	S	N
College	S	S	N	S	N
School, personal instruction	S	S	Y	S	N
<b>COMMUNITY-SERVING USES</b>					
Library	N	N	N	Y	N
Cultural institution	N	N	L	L	N
Community center	N	N	N	S	N
Religious assembly	N	N	N	S	N
Cemetery or other place of interment	N	N	N	N	N
Public safety facility	Y	Y	Y	Y	Y
Correctional facility	N	N	N	N	N
<b>COMMERCIAL AND OFFICE USES</b>					
General office	Y	Y	Y	Y	L
Government office	Y	Y	Y	Y	L

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y=Permitted Use S=Special Use	L=Limited N=Prohibited	Zoning Districts			
Uses	I01/ I02	IL1/ IL2	IC	IM	IH
Bank or other financial institution	S	S	N	Y	N
Currency exchange, payday loan or title loan agency	N	N	N	S	N
Installment loan agency	N	N	N	S	N
Cash-for-gold business	N	N	N	S	N
Pawn shop	N	N	N	S	N
Retail establishment, general	N	N	L	Y	N
Garden supply or landscaping center/VSQ	N	Y	Y	Y	N
Home improvement center	N	Y	L	Y	N
Secondhand store	N	N	L	S	N
Outdoor merchandise sales	N	N	N	L	N
Artist studio	N	Y	Y	Y	N
Adult retail establishment	N	N	N	S	N
<b>HEALTH CARE AND SOCIAL ASSISTANCE</b>					
Medical office	S	N	N	Y	N
Health clinic	L	N	N	S	N
Hospital	N	N	N	N	N
Medical research laboratory	Y	Y	Y	Y	N
Medical service facility	N	S	N	N	N
Social service facility	N	S	N	S	N
Emergency residential shelter	N	N	N	N	N
Nursing home	N	N	N	N	N
<b>GENERAL SERVICE USES</b>					
Personal service	N	N	N	Y	N
Business service	Y	S	Y	Y	N
Building maintenance service	S	Y	Y	S	N
Catering service	Y	Y	Y	Y	Y
Funeral home	N	N	N	Y	N
Laundromat	N	N	N	Y	N
Dry cleaning establishment	N	N	N	Y	N
Furniture and appliance rental and leasing	N	N	N	Y	N
Household maintenance and repair service	N	Y	Y	Y	N
Tool/equipment rental facility	N	Y	N	Y	N
<i>Animal Services</i>					
Animal hospital/clinic	N	Y	N	L	Y
Animal boarding facility	N	Y	N	L	Y
Animal grooming or training facility	N	Y	N	L	Y
<b>MOTOR VEHICLE USES</b>					
<i>Light Motor Vehicle</i>					
Sales facility	L	S	N	S	S
Rental facility	L	S	N	S	S
Repair facility	L	S	N	S	L
Body shop	L	S	N	S	L
Outdoor storage	L	Y	N	S	Y
Wholesale facility	Y	Y	N	Y	Y
<i>Heavy Motor Vehicle</i>					
Sales facility	L	Y	N	S	Y

295-803-1 Zoning

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y=Permitted Use S=Special Use	L=Limited N=Prohibited	Zoning Districts			
Uses	I01/ I02	IL1/ IL2	IC	IM	IH
Rental facility	L	Y	N	S	Y
Repair facility	L	L	N	S	L
Body shop	L	L	N	S	L
Outdoor storage	L	S	N	S	Y
<i>General Motor Vehicle</i>					
Filling station	S	S	N	S	S
Car wash	S	S	N	S	S
Drive-through facility	S	S	N	S	S
<i>Parking</i>					
Parking lot, principal use	Y	Y	S	L	Y
Parking lot, accessory use	Y	Y	L	L	Y
Parking structure, principal use	Y	Y	S	L	Y
Parking structures, accessory use	Y	Y	L	L	Y
Heavy motor vehicle parking lot, principal use	S	L	N	L	Y
Heavy motor vehicle parking lot, accessory use	Y	Y	L	Y	Y
<b>ACCOMMODATION AND FOOD SERVICE USES</b>					
Bed and breakfast	N	N	N	Y	N
Hotel, commercial	L	N	N	Y	N
Hotel, residential	N	N	N	Y	N
Tavern	L	L	L	Y	L
Brewpub	L	L	L	Y	L
Assembly Hall	S	S	N	S	N
Restaurant, sit-down	L	L	L	Y	L
Restaurant, fast-food/carry-out	L	L	L	L	L
<b>ENTERTAINMENT AND RECREATION USES</b>					
Park or playground	S	S	S	S	S
Festival grounds	N	N	N	N	N
Recreation facility, indoor	S	S	S	S	N
Recreation facility, outdoor	N	N	N	S	N
Health club	L	L	N	Y	N
Sports facility	N	S	N	S	N
Gaming facility	N	S	N	N	N
Theater	N	N	N	Y	N
Convention and exposition	S	N	N	S	N
Marina	Y	Y	L	Y	Y
Outdoor racing facility	N	N	N	N	S
<b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b>					
Recycling collection facility	S	Y	N	S	Y
Mixed-waste processing facility	N	L	N	S	L
Material reclamation facility	N	N	N	N	L
Salvage operation, indoor	L	L	N	L	L
Salvage operation, outdoor	N	S	N	S	S
Wholesale and distribution facility, indoor	Y	Y	Y	Y	Y
Wholesale and distribution facility, outdoor	S	Y	S	S	Y

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y=Permitted Use S=Special Use	L=Limited N=Prohibited		Zoning Districts		
Uses	I01/I02	IL1/IL2	IC	IM	IH
<b>Storage Facilities</b>					
Indoor	Y	Y	L	Y	Y
Outdoor	N	Y	N	S	Y
Hazardous materials	N	N	N	N	S
<b>TRANSPORTATION USES</b>					
Ambulance service	Y	Y	N	S	Y
Ground transportation service	S	Y	N	S	Y
Passenger terminal	Y	Y	Y	Y	Y
Helicopter landing facility	S	S	S	S	S
Airport	N	Y	N	N	N
Ship terminal or docking facility	N	Y	N	N	Y
Truck freight terminal	N	S	N	S	L
Railroad switching, classification yard or freight terminal	N	Y	Y	Y	Y
<b>INDUSTRIAL USES</b>					
Alcohol beverage facility, micro	Y	Y	Y	Y	Y
Alcohol beverage facility, large	S	L	Y	S	Y
Food processing	Y	Y	Y	Y	Y
Manufacturing, light	Y	Y	Y	Y	Y
Manufacturing, heavy	N	S	S	S	Y
Manufacturing, intense	N	N	N	N	N
Research and development	Y	Y	Y	Y	Y
Processing or recycling of mined minerals	N	N	N	N	S
Contractor's shop	Y	Y	Y	Y	Y
Contractor's yard	Y	Y	N	Y	Y
<b>AGRICULTURAL USES</b>					
Plant nursery or greenhouse	Y	Y	Y	Y	Y
Raising of livestock	L	L	L	L	L
Community garden	Y	Y	Y	Y	Y
Commercial farming enterprise	Y	Y	Y	Y	Y
<b>UTILITY AND PUBLIC SERVICE USES</b>					
Broadcasting or recording studio	Y	S	Y	Y	S
Transmission tower	L	L	L	L	L
Water treatment plant	Y	Y	Y	Y	Y
Sewerage treatment plant	N	Y	N	N	Y
Power generation plant	N	S	N	N	Y
Small wind energy system	Y	Y	Y	Y	Y
Solar farm	Y	Y	Y	Y	Y
Substation/distribution equipment, indoor	S	Y	Y	S	Y
Substation/distribution equipment, outdoor	L	Y	L	L	Y
<b>TEMPORARY USES</b>					
Seasonal market	L	L	L	L	L
Temporary real estate sales office	L	L	L	L	L
Concrete/batch plant, temporary	L	L	L	L	L
Live entertainment special event	L	L	L	L	L

## 295-803-2 Zoning

### 2. LIMITED USE STANDARDS.

a. Single-Family Dwelling, Two-Family Dwelling, Multi-Family Dwelling, Permanent Supportive Housing, Attached Single-Family Dwelling, Family Day Care Home, Convent, Rectory or Monastery, Foster Family Home or Family Shelter Care Facility. The use shall not be located within 150 feet of a parcel located in an IH district that contains an intense manufacturing or heavy manufacturing land use that was in operation on the effective date of this ordinance [October 31, 2014], as indicated by a valid certificate of occupancy for that use, and has been in operation within the last 12 months. If this standard is not met, the use shall be a prohibited use.

b. Adult Family Home or Small Group Shelter Care Facility.

b-1. Adult Family Home. b-1-a. All residents of the adult family home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a community living arrangement, small foster home, group home or group foster home, or another adult family home.

b-1-b. The use shall not be located within 150 feet of a parcel located in an IH district that contains an intense manufacturing or heavy manufacturing land use that was in operation on the effective date of this ordinance [city clerk to insert date], as indicated by a valid certificate of occupancy for that use, and has been in operation within the last 12 months. If this standard is not met, the use shall be a prohibited use.

b-2. Small Group Shelter Care Facility. b-2-a. All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a community living arrangement, adult family home, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

b-2-b. The department has received notification from the state of Wisconsin of application for licensure of the facility as a small group shelter care facility.

b-2-c. The use shall not be located within 150 feet of a parcel located in an IH district that contains an intense manufacturing or heavy manufacturing land use that was in operation on the effective date of this ordinance [city clerk to insert date], as indicated by a valid certificate of occupancy for that use, and has been in operation within the last 12 months. If this standard is not met, the use shall be a prohibited use.

c. Small Foster Home. c-1. All residents of the small foster home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a community living arrangement, group home or group foster home, or another small foster home.

c-2. The use shall not be located within 150 feet of a parcel located in an IH district that contains an intense manufacturing or heavy manufacturing land use that was in operation on the effective date of this ordinance [city clerk to insert date], as indicated by a valid certificate of occupancy for that use, and has been in operation within the last 12 months. If this standard is not met, the use shall be a prohibited use.

d. Group Home, Group Foster Home or Community Living Arrangement. d-1. All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a small foster home or another group home, group foster home or community living arrangement.

d-2. Not more than 15 clients shall reside on the premises.

d-3. The use has not been determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.

d-4. The department has received notification from the state of Wisconsin of application for licensure of the facility as a group home, group foster home or community living arrangement.

d-5. Prior to initial licensure of the group home, group foster home or community living arrangement by the state of Wisconsin, the applicant for licensure has made a good faith effort to establish a community advisory committee consisting of representatives from the proposed group home, group foster home or community living arrangement, the neighborhood in which the proposed facility will be located and a local unit of government, in accordance with s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable, with the local government representative being the local common council member or the council member's designee.

d-6. The use shall not be located within 150 feet of a parcel located in an IH district that contains an intense manufacturing or heavy manufacturing land use that was in operation on the effective date of this ordinance [October 31, 2014], as indicated by a valid certificate of occupancy for that use, and has been in operation within the last 12 months. If this standard is not met, the use shall be a prohibited use.

e. Cultural Institution. e-1. In the IM district, the use shall be located on an arterial or collector street and on a site that is at least 10,000 square feet in area.

e-2. In the IC district, the use shall be located on an arterial or collector street and limited to an art gallery.

f. General Office or Government Office. The structure to be occupied was constructed prior to October 1, 2002, was originally designed and intended to be occupied in whole or in part by a non-industrial principal use and has been occupied by such non-industrial principal use within the past 12 months.

g. Retail Establishment, General. The use is primarily a showroom sales facility where the majority of items on display are purchased in bulk or by order. This includes, but is not limited to, building products, interior fixtures and furnishings, and antiques. The sales facility is primarily open to contractors and building industry professionals, but is also open to the general public.

h. Home Improvement Center. h-1. The use shall not exceed 15,000 square feet in gross floor area.

h-2. Outdoor storage related to home improvement sales or storage shall not be located in the front setback.

i. Secondhand Store. Resale of used merchandise shall be limited to building and finishing materials, household and office fixtures and furnishings, and home improvement supplies.

j. Outdoor Merchandise Sales. j-1. No portion of the outdoor area where goods are displayed for sale is located within 150 feet of a residential use.

j-2. The premises contains at least one enclosed, permanent building.

j-3. No used merchandise is offered for sale.

k. Health Clinic. The use shall be located on an arterial or collector street.

L. Animal Hospital/Clinic, Animal Boarding Facility or Animal Grooming or Training Facility. No outdoor run or outdoor kennels shall be provided on the premises.

m. Light Motor Vehicle Sales Facility or Heavy Motor Vehicle Sales Facility. The facility was in operation on October 1, 2002 and has been in operation within the past 12 months.

n. Light Motor Vehicle Rental Facility or Heavy Motor Vehicle Rental Facility. Not more than 15 vehicles available for rent may be kept on the premises.

o. Light Motor Vehicle Repair Facility or Light Motor Vehicle Body Shop. o-1. No junk motor vehicle, as defined in s. 80-49, shall be stored outdoors on the premises.

o-2. No motor vehicle parts or motor vehicle repair equipment shall be stored or kept outdoors on the premises.

o-3. Outdoor storage of motor vehicles shall be screened with type "E" or type "F" landscaping, as described in s. 295-405.

o-4. In the IO1 and IO2 districts, the repair facility or body shop was in operation on October 1, 2002, and has been in operation within the past 12 months. If this standard is not met, the use shall be a prohibited use.

p. Light Motor Vehicle Outdoor Storage. The facility was in operation on October 1, 2002, and has been in operation within the past 12 months. If this standard is not met, the use shall be a prohibited use.

q. Heavy Motor Vehicle Repair Facility or Heavy Motor Vehicle Body Shop. q-1. No junk motor vehicle, as defined in s. 80-49, shall be stored outdoors on the premises.

q-2. No motor vehicle parts or motor vehicle repair equipment shall be stored or kept outdoors on the premises.

q-3. Outdoor storage of motor vehicles shall be screened with type "E" or type "F" landscaping, as described in s. 295-405.

q-4. If the use is located within 150 feet of a residential district, it shall be totally enclosed within a building and it shall not operate between the hours of 7 p.m. and 7 a.m.

r. Heavy Motor Vehicle Outdoor Storage. The facility was in operation on October 1, 2002, and has been in operation within the past 12 months. If this standard is not met, the use shall be a prohibited use.

s. Parking Lot, Principal Use. s-1. The width of the paved parking area shall not exceed 45 feet as measured from side lot line to side lot line.

s-2. The parking lot shall not be immediately adjacent to another premises containing a parking lot as a principal use.

s-3. No alley shall be relied upon for vehicular circulation purposes.

s-4. The parking lot shall not be located on a corner lot.

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- t. Parking Lot, Accessory Use. The parking lot shall not be located between the street façade of a principal building and a street lot line.
- u. Parking Structure, Principal Use or Accessory Use. At least 50% of the street frontage of the street-level area shall be devoted to any other use or uses listed as permitted in the district or approved by the board.
- v. Heavy Motor Vehicle Parking Lot, Principal Use. The parking lot shall not exceed 9,000 square feet or 30 parking spaces.
- w. Heavy Motor Vehicle Parking Lot, Accessory Use. The parking lot shall not be located between the street façade of a principal building and a street lot line.
- x. Commercial Hotel. The use shall be located on an arterial or collector street.
- y. Tavern or Brewpub. The use shall be located on an arterial or collector street or on a lot with water frontage.
- z. Sit-down Restaurant. z-1. The use shall be located on an arterial or collector street or on a lot with water frontage.
  - z-2. The floor area of the restaurant shall not exceed 6,000 square feet.
- aa. Fast-food/Carry-out Restaurant. aa-1. The use shall be located in a building containing at least one other principal use listed as a permitted use in the zoning district in which it is located.
  - aa-2. The use shall be located on an arterial or collector street.
- bb. Health Club. The use shall be located on an arterial or collector street.
- cc. Marina. No indoor or outdoor storage of boats shall be permitted as an exclusive or primary use. If this standard is not met, the use shall be a prohibited use.
- dd. Mixed-waste Processing Facility. If the use is located within 150 feet of a residential district, it shall be totally enclosed within a building and it shall not operate between the hours of 7 p.m. and 7 a.m.
- ee. Material Reclamation Facility. The use shall be contained entirely within a building and, if located within 150 feet of a residential district, shall not operate between the hours of 7 p.m. and 7 a.m.
- ff. Salvage Operation, Indoor. If the use is located within 150 feet of a residential district, special use approval shall be required.
- gg. Storage Facility, Indoor. gg-1. The use is located in a building constructed before the effective date of this ordinance [March 18, 2016].
  - gg-2. If located on the first floor, the use is not located within 25 feet of the primary street façade of the building.
- hh. Truck Freight Terminal. The use shall not be located within 500 feet of a residential district.
- ii. Large Alcohol Beverage Facility. Annual production of fermented malt beverages shall not exceed 70,000 barrels. If annual production of fermented malt beverages exceeds 70,000 barrels or the facility produces vinous or distilled spirits, the facility shall be a special use.
- jj. Raising of Livestock. The use is limited to aquaculture or the raising of chickens or bees, as permitted under ch. 78.
- kk. Transmission Tower. kk-1. The tower shall comply with the applicable provisions of s. 295-413.
  - kk-2. The height of the tower shall not exceed 85 feet. A tower exceeding 85 feet may be permitted as a special use.
- LL. Substation/Distribution Equipment, Outdoor. LL-1. All structures associated with the use shall be screened with type "G" landscaping, as described in s. 295-405.
  - LL-2. No structure associated with the use shall be located within 25 feet of a street lot line.
- mm. Seasonal Market. mm-1. The activity shall be located on property owned or leased by the operator of the seasonal market. Alternatively, the market operator may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a seasonal market. A specific certificate of occupancy shall not be required for a seasonal market meeting the requirements of this paragraph.
  - mm-2. If flowers, plants or Wisconsin-grown farm products, constitute at least 75% of the merchandise offered for sale, the activity shall be limited to not more than 180 days in one calendar year. If Christmas trees constitute at least 75% of the merchandise offered for sale, the activity shall be limited to not more than 90 days in one calendar year. Otherwise, the duration of the seasonal market shall be limited to not more than 14 days in one calendar year.
  - mm-3. The activity shall not produce glare, spill light or noise in violation of the provisions of ch. 80.
  - mm-4. Signage shall be limited to not more than 2 signs and a total display area of 16 square feet for all signs combined.
  - mm-5. Sales shall not occur between the hours of 9 p.m. and 7 a.m.
  - mm-6. The site shall be restored to its previous condition following termination of the market operation.

nn. Temporary Real Estate Sales Office. nn-1. The sales office and any associated model homes or units shall be open only until the homes or units specifically being marketed are sold out.

nn-2. Signage shall comply with the requirements of s. 295-407 and the signage regulations of subch. 5.

nn-3. Customer-accessible restrooms shall be provided.

nn-4. A specific certificate of occupancy shall not be required for a temporary real estate sales office meeting these requirements.

oo. Temporary Concrete/Batch Plant. oo-1. The plant shall be located on the property it serves or adjacent to the roadway if it is serving a roadway project. Construction projects at other locations shall not be served by the facility.

oo-2. The plant shall be located on property owned or leased by the operator of the plant. Alternatively, the plant operator may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a concrete/batch plant. If the operation utilizes the public right-of-way, the operator shall obtain appropriate permissions and permits from the commissioner of public works. No other occupancy permit shall be required by the department.

oo-3. No dust from the operation shall blow onto adjacent properties or public right-of-way. The operator shall also provide for the daily removal of material tracked onto the public roadway by equipment coming to or going from the facility.

oo-4. The plant shall not operate between the hours of 9 p.m. and 7 a.m.

oo-5. The plant may operate for a period not to exceed 9 months. When the construction project the plant is serving is complete, the site shall be cleaned and returned to its original condition or improved condition, as appropriate.

oo-6. The plant shall be screened with a 9-foot opaque fence, including but not limited to a chain-link fence with inserted slats.

pp. Live Entertainment Special Event. pp-1. If the event is to occur on the public right-of-way or other public property, the person, firm or organization coordinating the event shall obtain a special event permit in accordance with s. 105-55.5.

pp-2. The person, firm or organization coordinating the event shall obtain a festival permit, if required to do so by s. 261-103.

pp-3. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit as required by ch. 108.

pp-4. The event shall be located on property owned or leased by the person, firm or organization that is coordinating it. Alternatively, such person, firm or organization may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a live entertainment special event.

**3. ADDITIONAL SPECIAL USE STANDARDS.** a. Currency Exchange, Payday Loan Agency, Title Loan Agency, Cash-for-Gold Business or Pawn Shop. No special use permit for a currency exchange, payday loan agency, title loan agency, cash-for-gold business or pawn shop shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:

a-1. No other currency exchange, payday loan agency, title loan agency, cash-for-gold business or pawn shop is located within 1,500 feet of the proposed use.

a-2. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

b. Transitional Housing, Rooming House, Dormitory, Fraternity or Sorority or Large Group Shelter Care Facility. No special use permit for transitional housing or a rooming house, dormitory, fraternity or sorority, or large group shelter care facility shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that the proposed use will not be located within 150 feet of a parcel located in an IH district that contains an intense manufacturing or heavy manufacturing land use that was in operation on the effective date of this ordinance [October 31, 2014], as indicated by a valid certificate of occupancy for that use, and has been in operation within the last 12 months.

**4. ACCESSORY USES.** a. General. An accessory use to a principal use shall be allowed if it complies with all applicable development standards, all other regulations of this chapter and all provisions of this code relating to odors, smoke, dust or noise, or the open storage of materials or equipment.

b. Motor Vehicle Repair, Service or Maintenance on Lots Used for Residential Purposes. No motor vehicle repair, service or maintenance shall be permitted on any lot used wholly or in part for residential purposes without a certificate of occupancy for such motor vehicle uses, unless the following conditions are met:

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- b-1. The motor vehicle repaired, serviced or maintained is owned by a person who resides on the lot
- b-2. Not more than one motor vehicle shall be repaired, serviced or maintained at any one time.
- b-3. The removal of any vehicle components, including but not limited to engines, transmissions, radiators, wheel assemblies, doors and hoods, shall be performed only within an enclosed garage and out of view of the general public. All vehicle parts, components and repair tools shall be stored within an enclosed garage and kept out of view of the general public. Junk yards shall not be permitted.
- b-4. Motor vehicle body work and painting shall be permitted only if a certificate of occupancy for a light motor vehicle body shop has been issued by the department.
- c. Home Occupations-Industrial Zoning. Home occupations, except live-work units as defined in s. 295-201, shall comply with the following standards:
  - c-1. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling unit.
  - c-2. No one other than members of the family residing in the dwelling unit shall be employed in the conduct of the home occupation except one person may be employed on the site in connection with the home occupation who is not a resident of the dwelling unit.
  - c-3. No accessory building or open space may be used for the conduct of a home occupation or for the storage of related equipment or supplies. However, up to 50% of private residential garage space may be used for storage of related equipment or supplies provided any parking requirements established by this chapter are met.
  - c-4. There shall be no external alteration of the dwelling unit to accommodate the home occupancy and the existence of the home occupation shall not be apparent beyond the boundaries of the site except for signage as stated in subd. 7.
  - c-5. Not more than 25% of the total usable floor area of the principal building including the basement may be devoted to the home occupation.
  - c-6. Visitations in conjunction with the home occupation by clients, pupils, sales persons or others shall be limited to no more than 8 during a 24-hour period. No more than 2 visitors may visit at one time.
  - c-7. A maximum of one non-illuminated wall sign shall be permitted not to exceed 6 square feet in size.
  - c-8. The home occupation shall not involve explosives, fireworks, repair of motor vehicles including body work, motor vehicle sales, storage, recycling and wholesale trade uses or any use which requires a special use or variance for the specific zoning district.
  - c-9. The operation of the home occupation, as it is apparent to adjacent residential uses shall begin no earlier than 7:00 a.m. and end no later than 9:00 p.m.
- d. Rummage Sales. Not more than 2 rummage sales shall occur on a residential premises in one calendar year. No rummage sale shall exceed 3 days in length. Items offered for sale shall be limited to household items from one dwelling unit.
- e. Retail Sales. Accessory retail sales shall be permitted provided such activity does not occupy more than 10% of the gross floor area of the use.
- f. Accessory Parking. The location of accessory off-street parking spaces, including parking for 4 or fewer vehicles, shall comply with all applicable parking location standards set forth in par. 2-q.

**295-805. Industrial Design Standards. 1. PURPOSE.** The objective of the design standards of this section is to reduce or eliminate potential adverse effects and nuisances often associated with industrial activities and structures, particularly as these activities and structures impact surrounding residents and businesses. The standards set forth in this section include setbacks, screening/buffering, height transitions and noise limitations.

**2. PRINCIPAL BUILDING STANDARDS. a. Introduction.** Table 295-805-2 indicates the design requirements for all buildings that are located in industrial districts. Table 295-805-2 also specifies which commercial or residential design standards of subchs. 5 and 6 apply to non-industrial buildings located in industrial zoning districts. The provisions of this subsection explain, qualify or specify exceptions to the design standards set forth in table 295-805-2.

b. Conversion of Industrial Buildings. Industrial buildings may be converted to non-industrial uses as permitted by table 295-803-1 or as approved by the board. The design standards for non-industrial and residential buildings specified in table 295-805-2 shall apply to new construction only. Converted buildings shall not be subject to these design standards.

c. Exception to Height Limitations. Solar farms and solar arrays shall not be subject to any height limitations established by table 295-805-2.

<b>Table 295-805-2 PRINCIPAL BUILDING DESIGN STANDARDS</b>							
<i>Design Standards for Industrial Buildings (as defined in s. 295-805-4-e-1)</i>							
	I01	I02	IL1	IL2	IC	IM	IH
Front setback, minimum (ft.)	none*	none*	none*	none*	none*	none*	none*
Side street setback, minimum (ft.)	none*	none*	none*	none*	none*	none*	none*
Rear street setback, minimum (ft.)	none*	none*	none*	none*	none*	none*	none*
Side setback, minimum (ft.)	none*	none*	none*	none*	none*	none*	none*
Rear setback, minimum (ft.)	none*	none*	none*	none*	none*	none*	none*
Height, maximum	none**	none**	none**	none**	85 ft. (new construction only)**	85 ft. (new construction only)**	none**
Height, minimum	none	none	none	none	18 ft.	30 ft.	none
*Whenever an industrial building site is adjacent to or across a street or alley from a residential, institutional, park or non-industrial planned development district, see also the residential buffer (setback) standards of table 295-805-4-d.							
**Whenever an industrial building site is adjacent to or across a street or alley from a residential, institutional, park or non-industrial planned development district, see also s. 295-805-4-e.							
<i>Design Standards for Non-industrial Buildings except Single-family and Two-family Dwellings</i>							
	I01	I02	IL1	IL2	IC	IM	IH
Refer to design standards in subch. 6 for this commercial district:	LB1	LB2	LB1	LB2	LB2	LB3	LB2
<i>Design Standards for Single-family and Two-family Dwellings</i>							
	I01	I02	IL1	IL2	IC	IM	IH
Refer to design standards in subch. 5 for this residential district	RT2	RT3	RT2	RT3	RT4	RT4	RT4

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**3. ACCESSORY STRUCTURE STANDARDS.** a. Accessory Industrial Buildings. Accessory industrial buildings shall comply with the following standards:

a-1. The front setback of an accessory industrial building shall not be less than the front setback of the principal building.

a-2. No side setbacks shall be required.

a-3. The side street setback shall not be less than the side street setback of the principal building.

a-4. The rear setback shall not be less than the rear setback of the principal building.

a-5. If access to a garage is provided from an alley, a minimum setback of 4 feet shall be required. Otherwise, there shall be no setback requirement.

a-6. The rear street setback shall not be less than the rear street setback of the principal building.

a-7. The number of accessory structures shall not be limited.

a-8. If the building is located adjacent to a residential district, it shall be subject to the height limitations of sub. 4-e.

b. Accessory Commercial Structures. Structures accessory to commercial buildings shall comply with the accessory structure standards for the zoning district referenced in table 295-805-2.

c. Accessory Residential Structures. Structures accessory to residential buildings shall comply with the accessory structure standards for the zoning district referenced in table 295-805-2.

d. Solar Arrays. A ground-mounted solar array that is more than 20 feet in height shall comply with the setback regulations for a principal building. A ground-mounted solar array that is 20 feet or less in height shall comply with the front setback requirement and be set back a minimum of 1.5 feet from all side, side street and rear lot lines.

**4. SITE STANDARDS.** a. Applicability. Unless otherwise noted, the provisions of this subsection apply to all industrial uses. For commercial and residential uses, the site design standards applicable to the zoning district referenced in table 295-805-2 shall apply.

b. Parking. b-1. General. Off-street parking spaces shall be provided in accordance with the requirements of s. 295-403-2 and meet the design standards of s. 295-403-3.

b-2. Reduction Prohibited. The number of parking spaces required for a use in an industrial zoning district shall not be reduced below the number required by s. 295-403-2.

b-3. Landscaping. Parking lots shall be landscaped in accordance with the applicable provisions of s. 295-405.

c. Access Drives. c-1. Configuration. An access drive shall generally traverse the front setback at a right angle. The commissioner of public works shall approve the location and design of the curb cut and driveway apron for the access drive.

c-2. Width. An access drive shall not exceed 30 feet in width.

d. Residential Buffers. d-1. When Required. A transition buffer shall be required when a site in the IO1, IO2, IL1, IL2 or IH district is used for a storage, recycling or wholesale trade use, a transportation use or an industrial use, either principal or accessory, and is adjacent to or across a street or alley from a residential, institutional, parks or non-industrial planned development district. The purpose of such buffers is to screen unsightly activities or buildings, and to reduce significant scale changes between industrial districts and surrounding neighborhoods. While setbacks, landscaping and fences are the primary methods used to achieve this objective, architectural techniques or features such as masonry walls may also be used to provide the buffer. The buffer area shall only include fences, walls, berms, landscaping, and access drives that traverse the buffer at right angles. Table 295-805-4-d contains setback and tree-planting requirements that shall be met whenever a residential buffer is required. Required evergreen trees shall be located and planted in a manner that most effectively obstructs views of industrial activities.

Table 295-805-4-d INDUSTRIAL DISTRICT RESIDENTIAL TRANSITION STANDARDS							
	Zoning District						
	I01	I02	IL1	IL2	IC	IM	IH
<i>Residential Buffer</i>							
Min. setback (Buffer width)	25 ft.	10 ft.	50ft.	10 ft.	No buffer required		15 ft.
Evergreen trees (min.) per x lineal ft. of alley, street frontage or shared property line	1 per 5 ft.				n.a.		1 per 5 ft.
Evergreen tree spacing	2 staggered rows with trees a maximum of 10 ft. on center in each row				n.a.		same as I01-IL2
Min. tree height at planting	6 ft.				n.a.		6 ft.
Max. tree height at maturity	no limit				n.a.		no limit
<i>Alternative Residential Buffer Standards</i> (Note: Where an alternative residential buffer is permitted, the use or industrial process shall not produce dust, odor, vibration, noise or light exceeding the standards specified in ch. 80 or elsewhere in this code at the nearest residential property line.)							
Min. buffer width	12.5 Ft.	alternative standards not permitted	25 ft.	alternative standards not permitted	No buffer required		10 ft.
New building construction or addition	no alternative buffer standards permitted		see s. 295-405, type "A" landsc.		n.a.		
Light motor vehicle parking	see s. 295-405, type "A" landsc.		see s. 295-405, type "A" landsc.		n.a.		see s. 295-405, type "A" landsc.
Dumpsters and trash collection equip.; Loading docks	see s. 295-405, type "G" landsc.		see s. 295-405, type "G" landsc.		n.a.		see s. 295-405, Type "G" landsc.
Outdoor storage, outdoor salvage, outdoor operational space	see s. 295-405, type "E" landsc.		see s. 295-405, type "E" landsc.		n.a.		see s. 295-405, Type "E" landsc.

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d-2. Alternative Buffer Standards. The width of a residential buffer may be reduced by up to 50% if the buffer meets a higher standard for screening and design, as specified by the alternative buffer standards included in table 295-805-4-d, and if the required buffer is not less than 10 feet wide. While the width of a buffer may be reduced, the number of required evergreen trees shall not be reduced and additional screening materials, such as fences and shrubs, shall be added as specified in table 295-805-4-d.

e. Height Adjustment. e-1. Height Limitation When Adjacent to Residential, Institutional, Parks, or Non-Industrial Planned Development District. The maximum height of an industrial building at the required residential buffer line or, if there is no buffer requirement, at the property line, located adjacent to or across a street or alley from a residential, institutional, parks or non-industrial planned development district shall be the average height of residential buildings on the adjacent blockface. The height of the industrial building may be increased by one foot for every 2 feet the building is set back from the residential buffer line or the property line, as appropriate. For purposes of this subdivision, "industrial building" means a building containing any use listed under the headings of "storage, recycling and wholesale trade uses," "transportation uses," "industrial uses" and "utility and public service uses" in table 295-803-1.

e-2. Exceptions to Height Limitations. All structures shall comply with the height limitations established in subd. 1, except the following:

e-2-a. Chimneys and flues.

e-2-b. Water towers or tanks other than those located on the roof of a building.

e-2-c. Bulkheads, elevator enclosures, penthouses, skylights or water tanks occupying in the aggregate less than 25% of the area of the roof on which they are located.

e-2-d. Parapet walls or cornices extending above the height limit not more than 5 feet.

e-2-e. Monuments, television reception antennae, radio reception antennae, flag poles, spires, church roofs, domes, cupolas or belfries for ornamental purposes and not used for human occupancy.

e-2-f. Churches, convents, schools, dormitories, colleges, libraries and museums in zoning districts which limit height to 45 or 60 feet. Such a building or portion thereof may exceed the height limit of the district if the building, or portion of the building in excess of the limit, is setback from side lot lines a distance equal to one-half the height of the building or portion thereof.

e-2-g. Transmission towers which do not exceed 85 feet in height or have received special use approval from the board.

e-2-h. Airports. In any area within the city where the height limitations of the Milwaukee county airport approach height ordinances are applicable, such height limitations shall apply, except where the height limitations of this chapter are more restrictive. Exceptions permitted under s. 200-44 and objects of natural growth shall not exceed the height limitations established by the Milwaukee county general ordinances and by s. 114.136, Wis. Stats.

f. Dumpsters And Waste Storage. A dumpster or common waste storage facility visible from a public street or a non-industrially-zoned district shall be screened with type "G" landscaping, as described in s. 295-405.

g. Loading Docks. Where loading for more than 2 truck bays is in a yard facing and visible from a public street or a non-industrial district, the loading docks shall be screened with type "G" landscaping, as described in s. 295-405. These standards may be waived in whole or in part, or compliance with them may be delayed, if visibility of the loading docks is limited by changes of grade, natural features, elevated roadways, existing buildings or similar obstructions.

h. Outdoor Storage. h-1. Screening. The objective of the screening standard is to hide exterior storage areas from the view of properties located outside the industrial district or from public streets. Where an outdoor storage area or outdoor salvage operation is visible from a public street or a non-industrial district, the outdoor storage area shall be screened with type "E" or "F" landscaping, as described in s. 295-405.

h-2. Stockpiles. All stockpile heights shall be limited to either the height of the fence enclosure provided or the average height of the landscape plant material, if greater. This limitation may be exceeded by 50% if the stockpile is located on the rear 25% of the site and not within 120 feet of a public street or any zoning district other than an industrial district. In a situation where a building completely screens the stockpile from the street, the 120-foot limitation shall not apply for as long as the building remains in place.

i. Fences. i-1. General. In industrial districts, all types of fences are permitted and may be located anywhere on a lot, including along a property line.

<b>Table 295-805-5 INDUSTRIAL DISTRICT SIGN STANDARDS</b>					
	Zoning District				
	I01/I02	IL1/IL2	IC	IM	IH
<b>Freestanding Signs</b>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per street frontage	1 per site *			
Type "A" max display area (sq. ft.)	100	100	100	100	100
Type "B" max. display area (sq. ft.)	40	50	40	40	50
Maximum height	15	15	15	15	15
<b>Wall signs</b>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.
Type "A" max display area (sq. ft.)	75	120	50	50	120
Type "B" max. display area (sq. ft.)	32	60	32	32	60
<b>Projecting Signs</b>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.
Type "A" max display area (sq. ft.)	50	60	50	50	60
Type "B" max. display area (sq. ft.)	25	30	25	25	30
<b>Awning Signs</b>					
<i>type "A" permitted only</i>					
Maximum number	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.
Type "A" max display area (sq. ft.)	20	20	20	20	20
<b>Canopy and Hood Signs</b>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.	1 per 25 lineal ft.
Type "A" max display area (sq. ft.)	50	60	50	50	60
Type "B" max. display area (sq. ft.)	25	30	25	25	30
* Except 2 shall be permitted if the site fronts on 3 streets or has continuous street frontage of at least 240 feet.					

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Table 295-805-5 INDUSTRIAL DISTRICT SIGN STANDARDS					
	Zoning District				
	I01/I02	IL1/IL2	IC	IM	IH
<i>Roof Signs</i>	<i>type "A" permitted only</i>	<i>permitted</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>permitted</i>
Maximum number	1 per building	1 per building	1 per building façade	1 per building façade	1 per building
Type "A" max display area (sq. ft.)	100	no limit	see s. 295-805-5-g	see s. 295-805-5-g	no limit
Type "B" max display area (sq. ft.)	NA	100	NA	NA	100
<i>Off-premise Signs</i>	<i>permitted **</i>	<i>permitted **</i>	<i>permitted **</i>	<i>permitted **</i>	<i>permitted **</i>
Maximum number	1 per site	1 per site	1 per site	1 per site	1 per site
Maximum display area per sign (sq. ft.)	672	672	300	300	672
Minimum distance between signs		500 ft. between any 2 ground or roof signs; 200 ft. between a ground or roof sign and a wall sign; 200 ft. between any 2 wall signs			
Maximum height, Freestanding sign (ft.)	35	35	40	40	40
Maximum height, wall sign (ft.)	40	40	60	60	60
Maximum height, roof sign		25 ft. above roof			
**Subject to special use permit requirement set forth in s. 295-407-7-d.					

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