

**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:

191423                      A substitute ordinance relating to dwelling facility rental policies.

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<b><u>Section Affected</u></b>	<b><u>Action</u></b>	<b><u>File Number</u></b>	<b><u>Effective Date</u></b>	<b><u>Remove Pages</u></b>	<b><u>Add Pages</u></b>
<b>Remove <u>old</u> MEMO (Suppl. #316)</b>					
				i-ii v-vi	i-ii v-vi
275-20-4-i	cr	191423	2/28/2020	553-556	553-556
275-20-20-c	cr	191423	2/28/2020	"	"
295-201-243-a	corr.			669-670	669-670
295-203-12-b-1	corr.			693-694	693-694

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rp=repealed



**CITY OFFICIALS**

**2016 to 2020**

**Mayor**  
Tom Barrett

**Council President**  
Ashanti Hamilton

**The Common Council**  
(By Aldermanic District)

1. Ashanti Hamilton
2. Cavalier Johnson
3. Nik Kovac
4. Robert J. Bauman
5. Nikiya Dodd
6. Milele A. Coggs
7. Khalif Rainey
8. Robert G. Donovan

9. Chantia Lewis
10. Michael Murphy
11. Mark A. Borkowski
12. Jose Perez
13. Scott Spiker
14. Tony Zielinski
15. Russell W. Stamper, II

**City Clerk:** Jim Owczarski  
**Deputy:** Jessica Celella

**City Attorney**  
Grant F. Langley

**City Comptroller**  
Martin Matson

**City Treasurer**  
Spencer Coggs

**Municipal Judges**

Branch 1  
Valarie Hill

Branch 2  
Derek Mosley

Branch 3  
Phil Chavez

## PREFEACE

In 1986, volume 2 of the Milwaukee Code of Ordinances was printed in its current format of an updateable looseleaf. As changes to these ordinances are passed by the Common Council, the Legislative Reference Bureau will issue replacement pages for this book. Thus, it can be a current and reliable resource to its user.

Volume 2, which contains chapters numbering 200 to 299, contains building and zoning regulations. Other looseleaf volumes include Volume 1 (Regulatory Ordinances), Volume 3 (Administrative Ordinances), and the City Charter.

The numbering system for the Milwaukee City Charter and Code of Ordinances is patterned on that used for the Wisconsin Statutes (except for the use of dashes in place of parentheses) and is as follows:

Chapter	Section	Subsection	Paragraph	Subdivision	Subparagraph
70	10	3	a	4	b

If there are questions regarding the numbering system, or the correct method of citation, please contact the Legislative Reference Bureau.

Keith Broadnax, Manager  
Legislative Reference Bureau  
January 2019

## **MEMO**

If all supplements have been properly inserted, this book contains all actions of the Common Council through February 11, 2020.

2/11/2020  
Suppl. #317



SUBCHAPTER 2  
LICENSING

**275-20. Licensing Of Licensed Dwelling Facilities.** **1. DEFINITION.** In this section, "offer" means to communicate a willingness, desire or intent.

**1.1 COMPLIANCE.** No person may operate or let to another for occupancy any licensed dwelling facility, except in compliance with the requirements of this section.

**1.2 POLICY.** The common council declares its purposes in adopting these provisions are to:

- a. Protect the public health, safety and welfare of the people of the city.
- b. Protect the character and stability of residential areas.
- c. Correct and prevent housing conditions that adversely affect or are likely to adversely affect the life, safety, general welfare and health of persons occupying licensed dwelling facilities.

**1.5. ADOPTION OF STATE CODE.** Except as otherwise provided in this subchapter, the city of Milwaukee adopts ch. ACTP 72, Wis. Adm. Code, as amended, as part of this code.

**2. LICENSE REQUIRED.** No person, firm or corporation, either as owner, operator, lessee, manager, officer or agent, may keep, maintain, conduct or operate for gain or profit, or may offer to keep, maintain, conduct or operate for gain or profit, any licensed dwelling facility in the city without first obtaining a license therefor in the manner hereinafter provided.

**3. APPLICATION.** License application forms shall be obtained from the city clerk and require the information specified in s. 85-12. In addition, if the applicant is a nonresident of Milwaukee county, the application shall contain the name and street address of a local representative inside the Milwaukee county limits who shall be a natural person upon whom service can be made under this chapter of a summons or other processes issued by any court.

**4. PLAN OF OPERATION.** An application for a licensed dwelling facility license shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk. The plan of operation shall include:

- a. The planned hours of operation for the premises.
  - b. The number of customers expected on a daily basis at the premises.
  - c. The legal occupancy limit of the premises.
  - d. The number of off-street parking spaces available at the premises.
  - e. Plans the applicant has to provide security for the premises.
  - f. Plans the applicant has to ensure the orderly appearance and operation of the premises with respect to litter and noise.
  - g. Any other licenses held by the applicant or attached to the premises.
  - h. A description of any provisions made for clean-up of the premises.
  - i. Plans the applicant has to train employees to recognize and report guest or resident behaviors that are indicative of human trafficking at the premises.
  - j. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.
- 5. CHANGES TO BE REPORTED.** See ss. 85-35 to 85-39 for provisions relating to changes to applications and plans of operation.
- 6. LICENSE FEE.** See s. 200-33 for the required license fee.
- 7. AGE QUALIFICATION.** No license shall be issued to any person or any agent of a corporation or limited liability corporation who is not 18 years of age or older.
- 8. DISQUALIFICATION.** Whenever any application is denied, or a license is revoked, surrendered or not renewed, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.
- 9. INVESTIGATION.** Each application for a new license shall be referred to the chief of police, the commissioner of neighborhood services and the commissioner of health in accordance with s. 85-21.

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**10. OBJECTION.** An objection to issuance of a license shall be based on the factors set forth in s. 85-2.7-4. If the local common council member, chief of police or commissioner recommends against an application, no license shall be issued unless the applicant requests, in writing, an appeal before the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the common council member, chief or commissioner. An appeal shall be forwarded by the city clerk to the licensing committee for its recommendation as to whether a license should be granted. The procedure for considering an appeal shall be as provided in s. 85-2.7.

**11. ISSUANCE.**

a. General. See s. 85-12.5 for provisions relating to the issuance of a license.

b. Occupancy. Each license shall list the maximum number of persons that may reside in the total building or portion thereof for which the license is issued.

c. Expiration. A license shall expire on the date specified, unless sooner suspended or revoked as provided in this section.

**12. POSTING.** Each license shall be posted in a conspicuous place on the premises.

**13. TRANSFER.** No license for a licensed dwelling facility may be transferred. See s. 85-19 for additional provisions relating to the transfer of a license and change of licensee names.

**14. RENEWAL.** Application for renewal of a license shall be made to the city clerk in accordance with the provisions of s. 85-26. The city clerk shall refer the application to the chief of police. If the applicant still meets the licensing qualifications, the license shall be issued unless a written objection has been filed under s. 85-3. If there is objection to renewal of the license, the procedure for considering the renewal application shall be as specified in ss. 85-3 to 85-5.

**15. REVOCATION OR SUSPENSION OF LICENSE.** Any license issued under this section may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Notice and hearing on the revocation shall be conducted in accordance with s. 85-3.

**16. DUE PROCESS AND COMMON COUNCIL REVIEW.** If there is a possibility that the licensing committee will not recommend renewal of the license, or if revocation proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration in ss. 85-3 to 85-5 shall apply.

**17. CAUSES FOR NONRENEWAL, SUSPENSION OR REVOCATION.** In addition to the provisions of s. 85-4-4, the recommendation of the committee may also be based upon evidence including sub. 20 and any of the following:

a. A conviction of the licensee, the licensee's agent, manager, operator or any other employee for keeping a gambling house or house of prostitution or for any violation of law, the circumstances of which are substantially related to the circumstances of the operation of the licensed dwelling facility.

b. The licensed dwelling facility is operated in such a manner that it generates complaints from neighbors or residents relating to, but not limited to, loud and raucous noise, undesirable activities of residents or guests of residents, and has a substantial adverse effect upon the health, safety, convenience or property interests of the surrounding neighborhood.

c. The conviction of the licensee, local representative of the licensee or the officers or directors of a corporation, or any employee for any felony, misdemeanor or civil forfeiture the circumstances of which substantially relate to the operation of the licensed dwelling facility.

d. The police department receives calls for service at the licensed dwelling facility for such reasons and in such numbers as to indicate the dwelling facility constitutes a threat to the health, safety, convenience or property interests of the surrounding neighborhood.

e. The licensed dwelling facility is in violation of this code or has had separate orders to correct violations issued on substantially the same code violations within an 18-month period.

f. The licensed dwelling facility is operated in such a manner that it constitutes a public or private nuisance or that conduct on or by the residents and guests of the licensed premises has had a substantial adverse effect upon the health, safety, convenience or property interests of the immediate neighborhood.

g. The licensed building, structure or licensed dwelling facility does not conform or has not conformed in all respects to the building and zoning code, the Wisconsin Administrative Code, and all other ordinances, laws and lawful orders relating to the construction, maintenance, use or occupancy of such building, structure or premises.

h. The licensee, any employee, resident or guest of a resident of the licensee has had persons who, while going to, remaining at, or leaving that premises, violates any laws of the United States, state of Wisconsin or ordinances of the city.

i. The licensee, any employee, resident or guest of a resident of the licensed dwelling facility has had persons who have generated nuisances or engaged in disorderly conduct or disturbance of the peace while going to, remaining at or leaving the licensed dwelling facility.

j. The license was procured by fraudulent conduct or false statement of a material fact.

k. The licensed dwelling facility is housing more residents than can be conveniently and appropriately housed and has an adverse effect on the public health safety, welfare or property interests of the adjoining property owners.

**18. EFFECTIVE DATE OF NON-RENEWAL.**

Non-renewal shall take effect 60 days following the final action of the common council.

**19. EFFECTIVE DATE OF REVOCATION.**

Revocation of a license shall take effect 60 days following the final action of the common council.

**20. REGULATIONS.**

b. Operator or Building Owner to Control Occupancy. No operator or building owner may at any time allow a larger number of persons to occupy any sleeping rooms and sleeping dormitories located within a licensed dwelling facility than the maximum number of persons allowed by this code. No operator or building owner may at any time permit any person to occupy any sleeping room or sleeping dormitory which is not licensed.

c. Operator or Building Owner to Require Identification. The owner or operator of a licensed dwelling facility shall require a guest to furnish photographic identification before being assigned sleeping quarters.

d. Relationship of License to Building Codes. The issuance of a license for a licensed dwelling facility shall not in any way insure that the licensed dwelling facility conforms with this code or the Wisconsin Administrative Code. The issuance

of a license for a licensed dwelling facility shall not relieve the owner or operator of the responsibility for compliance with the applicable provisions of this code.

e. Bedding and Towels. Where sheets, pillow cases or towels are supplied to the occupants, they shall be changed whenever a new occupant is admitted. All supplied bedding and towels shall be maintained in a clean, sanitary and well-mended condition.

f. Mattresses. Where mattresses are furnished to the occupants, they shall be maintained in a clean, sanitary and well-mended condition. Mattresses shall be fire resistant or covered by a fire resistant cover that meets one of the following fire tests:

f-1. National Bureau of Standards NBS IR 77-1290 (1986).

f-2. United States Department of Commerce FF 4-72 (1986).

f-3. American Society for Testing and Materials ASTM D-568 or D-1692 or E-162 (1986).

f-4. California Standard Bulletin 117 or 121 (1986).

f-5. Any other national standard approved by the commissioner.

g. Shades, Drapes, Etc. Every window of every sleeping room and sleeping dormitory shall be supplied with shades, drapes, obscure glass or other devices which will afford privacy to the occupants.

h. Sanitary Maintenance. The operator and building owner of every licensed dwelling facility shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for the maintenance of a sanitary condition in every other part of the licensed dwelling facility; and they shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the licensed dwelling facility is contained is leased or occupied by the operator and the building owner. The occupant of every sleeping room or sleeping dormitory shall keep his or her personal belongings contained so as to facilitate the ability of the operator and building owner to discharge their responsibilities for sanitary maintenance with every sleeping room and sleeping dormitory as set forth in this subsection.

i. Garbage Disposal or Storage. Adequate garbage and rubbish disposal facilities or garbage and rubbish storage containers whose type and location are approved shall be supplied by the licensed dwelling facility operator and building owner. The operator and building owner shall be responsible for the disposal of all garbage

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and rubbish in a clean and sanitary manner through the use of approved mechanical equipment or by placing it in the required containers.

j. Hanging Screens, Storm Doors and Storm Windows. The operator and building owner of a licensed dwelling facility shall be responsible for hanging all screens and double or storm doors and windows whenever they are required under this chapter or any rule or regulation adopted under this chapter. Screens shall be hung not later than June 1 of each year.

k. Extermination Of Pests. The operator and building owner of a licensed dwelling facility shall be responsible for the extermination of any insects, rodents or other pests therein; and they shall be further responsible for such extermination on the entire premises where the entire structure or building within which the licensed dwelling facility is contained is leased or occupied by the operator and building owner. Notwithstanding provisions of this subsection, whenever infestation of a licensed dwelling facility is caused by the failure of the owner to maintain the dwelling within which the licensed dwelling facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.

L. Exits. Every licensed dwelling facility for 9 or more occupants shall have a minimum of 2 exits from each floor which shall be in compliance with this subsection. Every exit shall comply with the following:

L-1. It shall be easily accessible from every sleeping room and sleeping dormitory by passage through public passageways and without passing through any part of any other sleeping room or sleeping dormitory.

L-2. It shall be kept in such state of repair as to be usable in the event of an emergency.

L-3. It shall be unobstructed at all times.

L-4. All exit stairways of 4 or more risers shall have at least one handrail, and all stairways which are 5 feet or more in width or which are open on all sides shall have a handrail on each side.

L-5. All handrails shall be not less than 30 inches vertically above the nose of the stair treads and not less than 42 inches above stairway platforms.

m. Stairway Exit Enclosures. All rooming houses, residential living facilities and hotels which contain 9 or more occupants and all 2nd class dwellings that contain 5 or more 2nd class dwelling units shall have exit stairway enclosures which comply with par. n, except those with exterior stairways or fire escapes.

n. Room Separation. All existing licensed dwelling facilities shall have each sleeping room and sleeping dormitory separated from the hall, corridor and exitway by an enclosure which complies with the following minimum requirements:

n-1. The walls and the ceiling shall be covered with at least one layer of 1/2 inch drywall, plaster or equivalent.

n-2. Doors, panels and transoms shall be of 1.5 inch solid wood, or the door, panel and transom shall be covered with 16 gauge sheet metal screwed or otherwise securely fastened to the door, panel or transom or the equivalent of 1/2 inch of plywood or hardboard secured to the existing door, panel or transom or a labeled 20 minute door, panel or a transom and door frame with a minimum rating of 20 minutes. All doors panels and transoms shall be tightly fitted to the frames and the frames shall be maintained in a structurally sound condition. All such transoms shall be fixed in a closed position.

n-3. No cracks, holes, grills, windows or other openings shall be permitted between sleeping rooms or sleeping dormitories and the hall, corridor and exitway.

o. Negligence By Smokers. In each sleeping room of all hotels, rooming houses, and other places of public abode, a plainly printed notice shall be posted in a conspicuous place advising residents and guests of the following regulations: Any person who, by smoking, or attempting to light or to smoke cigarettes, cigars, pipes or tobacco, in any manner in which lighters or matches are employed, shall, in a careless, reckless or negligent manner, set fire to any bedding, furniture, curtains, drapes, house or any household fittings, or any part of any building so as to endanger life or property in any way or to any extent, shall be guilty of violating this section and shall upon conviction be subject to penalties provided in s. 200-19.

**21. EMERGENCY ORDERS.** The commissioner may issue emergency orders to the owner, operator or occupancy of a licensed dwelling facility in accordance with the provisions of s. 200-12.5.

**22. PENALTIES.** a. Any person who violates sub. 2 shall, upon conviction, be subject to a forfeiture of \$2,500 to \$5,000, together with the costs of prosecution, and in default of payment thereof to imprisonment in the house of correction or county jail of Milwaukee County for a period of not less than 45 days nor more than 90 days.

**239.** GENERAL OFFICE means use of a building for business, professional or administrative office. A general office is characterized by a low proportion of vehicle trips attributable to visitors or clients in relationship to employees. Examples include, but are not limited to, offices of firms or organizations providing architectural, computer software consulting, data management, engineering, interior design, graphic design, real estate, insurance, investment or legal services. This term does not include a bank or other financial institution or the office of a physician, dentist, optometrist or chiropractor. Accessory uses may include, but are not limited to, common areas, break rooms and lounge areas, including kitchens, coffee bars, outdoor spaces, pet-friendly areas, game rooms, fitness centers, locker and shower rooms, meeting rooms and conference centers. Accessory conference or meeting spaces may be occasionally used by outside groups. Accessory uses and functions may be related to an individual building occupant or may be common resources available to all occupants in a multi-tenant office building.

**241.** GOVERNMENT OFFICE means an administrative, clerical or public contact office of a government agency, including a postal facility, together with incidental storage and maintenance of the agency's vehicles.

**243.** GROUND TRANSPORTATION SERVICE means an establishment providing the storage, maintenance or dispatching of:

- a. Taxicabs, limousines or other public passenger vehicles, as defined in s. 100-3-23.
- b. Vehicles licensed or otherwise regulated as human service vehicles by the state of Wisconsin and used for the transportation of elderly or handicapped persons.
- c. School buses, as described in s. 341.26(2)(d) and (dm), Wis. Stats.
- d. Tow trucks, as defined in s. 340.01(67n), Wis. Stats.

**245.** GROUP HOME OR GROUP FOSTER HOME means a facility, licensed by the state of Wisconsin under s. 48.625, Wis. Stats., where 5 to 8 foster children reside and are provided with care and maintenance by persons other than a relative or guardian.

**246.** HABITABLE STRUCTURE means any structure or portion thereof used or designed for human habitation.

**247.** HALFWAY HOUSE. See COMMUNITY LIVING ARRANGEMENT.

**249.** HEALTH CLINIC means a group of associated offices for 4 or more physical or mental health care professionals who provide specialized diagnostic, testing, physical therapy or treatment services, including clerical and administrative services, to persons for periods of less than 24 hours. This term does not include a medical office or hospital.

**251.** HEALTH CLUB means an establishment for the conduct of indoor sports and exercise activities, along with related locker and shower rooms, offices and classrooms, where use of such establishment is offered on a membership basis.

**252.** HEARING NOTICE means publication or posting meeting the requirements of ch. 985, Wis. Stats., as amended. For appeals, a class 1 notice, published at least 7 days before the hearing, is required. For all zoning map and text amendments, a class 2 notice, published twice, once each week consecutively, the last at least 6 days before the hearing is required.

**253.** HEAVY MOTOR VEHICLE means any construction or agricultural equipment, van used for commercial purposes, truck used for commercial purposes or having a cargo capacity or more than 1.5 tons, boat exceeding 20 feet in length or recreational vehicle exceeding 3 tons in weight, 20 feet in length or having more than 6 wheels.

**255.** HEAVY MOTOR VEHICLE BODY SHOP means an establishment providing the repair or rebuilding of heavy motor vehicle bodies by the replacement, smoothing, sanding or painting of the exterior surfaces of such vehicles within an enclosed building.

**257.** HEAVY MOTOR VEHICLE OUTDOOR STORAGE means the outdoor storage of operable heavy motor vehicles for more than 48 hours. This term does not include a surface parking lot, material reclamation facility, outdoor salvage operation or outdoor storage facility.

**259.** HEAVY MOTOR VEHICLE PARKING LOT, ACCESSORY USE means surface parking spaces for 5 or more heavy motor vehicles, along with adjacent access drives and aisles, where the parking spaces are not located in a structure and the parking of such vehicles is not the principal use of the premises. This term does not include commercial parking operations, which are a principal use, or parking lots that are used exclusively for the parking of light motor vehicles.

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**261.** HEAVY MOTOR VEHICLE PARKING LOT, PRINCIPAL USE means surface parking spaces for 5 or more heavy motor vehicles, along with adjacent access drives and aisles, where the parking spaces are not located in a structure and the parking of such vehicles is the principal use of the premises. This term includes both commercial parking operations and private surface parking lots, but does not include parking lots that are used exclusively for the parking of light motor vehicles.

**263.** HEAVY MOTOR VEHICLE RENTAL FACILITY means an establishment where contracts are prepared or reservations accepted for the rental or leasing of heavy motor vehicles. This term includes incidental storage of vehicles, but does not include on-premise maintenance of vehicles or a tool/equipment rental facility.

**265.** HEAVY MOTOR VEHICLE REPAIR FACILITY means an establishment providing the repair or servicing of heavy motor vehicles, including the sale, installation and servicing of related equipment and parts, where all such work is performed within an enclosed building. This term includes, but is not limited to, the repair or servicing of batteries, tires, mufflers, brakes, shocks, transmissions, engines or upholstery. This term does not include vehicle dismantling or salvage, tire retreading or recapping, or body bumping and painting.

**267.** HEAVY MOTOR VEHICLE SALES FACILITY means an establishment providing retail sale of heavy motor vehicles, including incidental storage and maintenance

**269.** HEIGHT, BUILDING. See s. 295-205.

**271.** HEIGHT, SIGN. See s. 295-205.

**273.** HEIGHT, TRANSMISSION TOWER. See s. 295-205.

**275.** HELICOPTER LANDING FACILITY means a facility used for the takeoff and landing of helicopters, including, but not limited to, any heliport, helipad or helistop. Accessory features such as hangars, parking pads, terminals and service areas are also part of such a facility.

**277.** HOME IMPROVEMENT CENTER means an establishment providing the sale or rental of building supplies, construction equipment or home decorating fixtures and accessories. This term includes a lumber yard or a contractors' building supply business and may include outdoor storage or tool and equipment sales or rental. This term does not include an establishment devoted exclusively to the retail sale of paint, wallpaper or hardware or activities classified under vehicle/equipment sales and services, including vehicle towing services.

**279.** HOME OCCUPATION means an activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit.

**281.** HOOD means a rigid, roof-like structure which affords shelter to a doorway or window, is attached to the exterior walls of a structure, and which has a top surface that is flat or slopes toward such structure. This term includes structures commonly referred to as "marquees." See also AWNING.

**282.** HOOP HOUSE means a temporary or permanent structure typically constructed with, but not limited to, piping or other material covered with translucent material for the purpose of growing food or ornamental crops, but not for storage of inorganic materials. A hoop house is considered more temporary than a greenhouse.

**283.** HOSPITAL means a state-licensed institution providing primary health services and medical, psychiatric or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other physical or mental conditions, and, as an integral part of the institution, related accessory uses or facilities, including, but not limited to, laboratories, central service facilities for inpatient or outpatient treatment, as well as training, research and administrative services for patients and employees. Also included are health services and care, and services and functions which support health services and care, which are shared with other hospitals or other health care providers.

h. “Storage facility, indoor” means an establishment providing indoor storage of materials, vehicles or goods. This term does not include a self-service storage facility, a hazardous materials storage facility or an indoor wholesale and distribution facility. This term includes, but is not limited to, a moving company which might store personal or household items on a short-term basis, but does not include a business that consists largely of individual storage lockers or is self-service.

i. “Storage facility, self-service” means an enclosed storage facility having compartments, rooms, spaces, lockers or other types of units that are individually leased, rented, sold or otherwise contracted for the storage of personal or household property, where the storage areas are designed to allow private access to the units and the facility owner or operator has limited access to the units. This term includes a mini-storage facility. This term does not include an indoor storage facility or a wholesale and distribution facility.

j. “Storage facility, outdoor” means an establishment providing outdoor storage of materials or goods. This term does not include a hazardous materials storage facility, an indoor wholesale and distribution facility or light or heavy motor vehicle outdoor storage.

k. “Storage facility, hazardous materials” means an establishment providing warehousing or bulk storage facilities for hazardous, toxic, flammable, explosive or other dangerous materials.

**12. TRANSPORTATION USES.** a. “Ambulance service” means a privately-owned facility for the dispatch, storage and maintenance of emergency medical care vehicles.

b. “Ground transportation service” means an establishment providing the storage, maintenance or dispatching of:

b-1. Taxicabs, limousines or other public passenger vehicles, as defined in s. 100-3-23.

b-2. Vehicles licensed or otherwise regulated as human service vehicles by the state of Wisconsin and used for the transportation of elderly or handicapped persons.

b-3. School buses, as described in s. 341.26(2)(d) and (dm), Wis. Stats.

b-4. Tow trucks, as defined in s. 340.01(67n), Wis. Stats.

c. “Passenger terminal” means a facility for passenger transportation operations, including but not limited to a passenger rail station, bus terminal or passenger ship terminal. This term includes a bank, general retail establishment, personal service, light motor vehicle rental facility, tavern, fast-food/carry-out restaurant or sit-down restaurant when any such use is an accessory use located within the terminal structure. This term does not include an airport or heliport.

d. “Helicopter landing facility” means a facility used for the takeoff and landing of helicopters, including, but not limited to, any heliport, helipad or helistop. Accessory features such as hangars, parking pads, terminals and service areas are also part of such a facility.

e. “Airport” means facilities for the takeoff and landing of aircraft, including runways, aircraft storage buildings, helicopter pads, air traffic control facilities, informational facilities and devices, terminal buildings and airport auxiliary facilities, including fences, lighting and antennae systems, on-premise signs, driveways and access roads. The term also includes aircraft maintenance facilities, aviation instruction facilities and heliports when part of a larger airport facility.

f. “Ship terminal or docking facility” means a facility for the docking, loading or unloading of ships, barges or boats that primarily transport freight.

g. “Truck freight terminal” means a facility for truck-based freight service and operations, including but not limited to local pickup, local sorting and terminal operations, line-haul loading and unloading, destination sorting and terminal operations and local delivery.

h. “Railroad switching, classification yard, or freight terminal” means a facility for the operation of a line-haul or short-line freight railroad.

**13. INDUSTRIAL USES.** a. “Alcohol beverage facility, micro” means an establishment that produces and packages up to 20,000 barrels of fermented malt beverages, up to 200,000 gallons of vinous spirits or up to 30,000 gallons of distilled spirits annually, primarily for wholesale distribution and off-premises consumption.

b. “Alcohol beverage facility, large” means an establishment that produces and packages more than 20,000 barrels of fermented malt beverages, more than 200,000 gallons of vinous spirits or more than 30,000 gallons of distilled spirits annually, primarily for wholesale distribution and off-premises consumption. This term includes ancillary tasting rooms and facility tours.

c. “Food processing” means the preparation, processing, or canning or other packaging of food products. This term does not include the processing or packaging of alcohol beverages or animal or poultry slaughter.

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d. "Manufacturing, light" means an establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes, but is not limited to, a business engaged in the processing, fabrication, assembly, treatment or packaging of textile, leather, wood, paper, chemical, plastic or metal products, but does not include basic industrial processing from raw materials. The establishment shall meet the following standards; failure to meet any one of these standards shall result in the establishment being classified as heavy manufacturing:

- d-1. Smoke, exhaust, glare, dust and airborne particulates shall be internally-remediated.
- d-2. Noise, sounds and vibrations shall not be evident beyond the walls of the establishment.
- d-3. Motor vehicle operating areas shall have sufficient turning-motion areas that are contained entirely on-site.

e. "Manufacturing, heavy" means an establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line.

f. "Manufacturing, intense" means an establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, where such activity involves the use or production of explosives, highly flammable liquids or gases, or toxic or hazardous materials or produces toxic, hazardous or noxious odors, fumes or dust. This term includes, but is not limited to:

- f-1. Animal or poultry slaughter or auction facility.
- f-2. Leather tannery.
- f-3. Distillery of products for finishes.
- f-4. Explosives manufacturer.
- f-5. Sawmill.
- f-6. Paper or pulp mill.
- f-7. Steel mill.
- f-8. Petroleum refinery.
- f-9. Petrochemical plant.
- f-10. Ore smelting facility.

g. "Research and development" means an establishment which conducts research, development or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing. This term includes, but is not limited to, a biotechnology firm or a manufacturer of nontoxic computer components.

h. "Processing or recycling of mined materials" means a mine site or the mining or quarrying of stone. This term includes a facility engaged in crushing, grinding, washing, screening, pulverizing, sizing or recycling stone, concrete, asphalt or similar materials.

i. "Contractor's shop" means an establishment used for the indoor repair, maintenance or storage of a contractor's vehicles, equipment or materials, and may include the contractor's business office.

j. "Contractor's yard" means an establishment used for the outdoor repair, maintenance or storage of a contractor's vehicles, equipment or materials.

**14. AGRICULTURAL USES.** a. "Plant nursery or greenhouse" means an establishment engaged in growing crops of any kind within or under a greenhouse, cold frame, cloth house or lath house, or growing nursery stock, annual or perennial flowers, vegetables or other garden or landscaping plants. This term does not include a garden supply or landscaping center.

b. "Raising of livestock" means the use of land or buildings for aquaculture, or the keeping of bees, cows, cattle, horses, sheep, swine, goats, chickens, ducks, turkeys, geese or any other domesticated livestock if permitted by the health department under the provisions of ch. 78.

c. "Community garden" means any use of land or a premises for the growing of crops, plants or other vegetation by a group of individuals or by a public or non-profit organization. This use includes composting and the raising of crops, native vegetation or fruit not otherwise in violation of this code. It also includes the sale of produce and ornamental crops grown on-site. This use does not include a commercial farming enterprise or outdoor storage facilities.