

PUBLIC SAFETY & WELFARE COMMITTEE

- MINUTES -

Monday, March 1, 2010

The regular meeting of the Public Safety & Welfare Committee was held on Monday, March 1, 2010 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 6:03 pm. The following members were present: Chairman Downing, Alderman Ruef, Casey, Carpenter, and Orth. Staff members in attendance were Ed Antaramian, Jim Schultz, Mitch Engen, Jeff Labahn and Ron Bursek.

It was moved by Alderman Carpenter, seconded by Alderman Orth, to approve the minutes of the meeting held on Monday, February 8, 2010. Motion passed 5-0.

- C-1. Proposed Resolution To Impose a Moratorium on the Issuance of Zoning Permits, Conditional Use Permits, Site Plan Review and Sign Permits for Any Off-Premise Sign, Not to Exceed a Period of Four Months, to Provide the Development, Passage and Implementation of Requirements for Off-Premise Signs.
Public Hearing: Ed Antaramian was present to answer any questions.
It was moved by Alderman Casey, seconded by Alderman Ruef, to amend to extend to six months. Motion passed 5-0. It was moved by Alderman Casey, seconded by Alderman Ruef, to approve as amended. Motion passed 5-0.
- C-2. Proposed Ordinance To Repeal and Recreate Section 4.07, Entitled "Penalties" as Section 4.08; and to Create Section 4.07, Entitled "Outdoor Lighting".
Public Hearing: Jim Schultz was present to answer any questions.
It was moved by Alderman Orth, seconded by Alderman Carpenter, to deny. It was then moved by Alderman Casey, seconded by Alderman Ruef, to defer to the next meeting. Motion passed 5-0.
- C-3. Neighborhood Inspection Program 2010 Operating Plan.
Public Hearing: Mitch Engen handed out new maps.
It was moved by Alderman Orth, seconded by Alderman Carpenter, to approve. Motion passed 5-0.
- C-4. Discussion regarding a proposed Intergovernmental Cooperation Agreement By and Between the County of Kenosha, Wisconsin and the City of Kenosha, Wisconsin, which proposed agreement includes provisions regarding construction of an addition, remodeling and the reaffirmation of the establishment of Joint Services.
Public Hearing: Ed Antaramian was present to answer any questions.
Alderman: There was much discussion between the committee members and Ed Antaramian.
It was moved by Alderman Casey, seconded by Alderman Orth, to approve. Motion passed 4-1 with Alderman Downing voting nay.
- C-5. Lease for portions of the Public Safety Building.
It was moved by Alderman Casey, seconded by Alderman Orth, to approve. Motion passed 4-1 with Alderman Downing voting nay.

ADJOURNMENT - *There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:41 pm.*



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer

Fleet Maintenance

Mauro Lenci
Superintendent

Administrative Supervisor

Janice D. Schroeder

Street Division

John H. Prijic
Superintendent

Waste Division

Rocky Bednar
Superintendent

Park Division

Jeff Warnock
Superintendent

B-1

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

Municipal Building • 625 - 52nd Street • RM 305 • Kenosha, WI 53140

Telephone (262) 653-4050 • Fax (262) 653-4056

DATE: February 8, 2010

TO: Public Safety and Welfare Committee

FROM: Kevin Risch, P.E., Assistant City Engineer KKR 2-2-10

SUBJECT: Request for Trial for Yield Control for 18th Place and 16th Avenue. (District 1)

Alderman Eric Haugaard is requesting intersection control at the above intersection.

Staff has reviewed this request and recommends west bound Yield sign on 16th Place at 16th Avenue on a trial.

KKR:dt

cc: Alderman Eric Haugaard-w/a
Ronald L. Bursek, Director of Public Works- w/a
Michael M. Lemens, Director of Engineering/City Engineer - w/a
File - w/a



ORDINANCE NO. _____

BY: ALDERPERSON DONALD K. HOLLAND

TO REPEAL AND RECREATE SECTION 4.07 OF THE CODE OF GENERAL ORDINANCES, ENTITLED 'PENALTIES " AS SECTION 4.08; AND, TO CREATE SECTION 4.07 OF THE CODE OF GENERAL ORDINANCES, ENTITLED 'OUTDOOR LIGHTING"

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

Section One: Section 4.07 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby renumbered as Section 4.08.

Section Two: Section 4.07 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

4.07 OUTDOOR LIGHTING

A. Lighting. No illuminated sign, yard light, area light, parking lot and service area light or other illumination shall be permitted or maintained in the City without first obtaining a permit therefor from the Building Inspector. Before the Director of Neighborhood Services and Inspections issues a permit, the applicant shall submit data on fixtures and locations in sufficient detail to fully determine the nature and extent of the work proposed. The Director of Neighborhood Services and Inspections shall examine the data to determine if the same complies with the Electrical Code. The Director of Neighborhood Services and Inspections may require such further descriptive detail as he may deem necessary.

All lighting and glare-producing processes shall be installed so that direct rays from a light-emitting element or surface shall be shielded by suitable skirting, louvers or recessed housings or locations and by directing fixtures so that the emitted direct rays are not visible beyond the property line or a parking lane or alley adjacent to the site.

Lighting with low surface brightness prisms having a forty-five degree under cutoff may be acceptable in some cases without shielding. Bulb, strip or tube lighting shall not be acceptable unless fully shielded so that all direct lighting is retained within the property. The brightness shall not exceed that of a one-hundred watt frosted incandescent bulb operating normally.

No illuminated sign, yard light, area light, parking lot or service area light or other illumination shall be permitted or maintained because of direction, brilliancy, animation, flashing or other similar features if it is found by the Director of Neighborhood Services and Inspections to be an unreasonable nuisance to other properties or detrimental to the public safety or general welfare. The criteria set forth above shall be utilized by the Director of Neighborhood Services and Inspections in determining the suitability of any light in those situations where it complies with the Electrical Code.

"Illuminated sign" shall mean any sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney

ORDINANCE NO. _____

REDLINE VERSION
03.01.10

BY: THE MAYOR

TO REPEAL, RECREATE AND RENUMBER VARIOUS SUBSECTIONS OF SECTION 3.23 OF THE CODE OF GENERAL ORDINANCES, ENTITLED "AUTOMATIC FIRE SPRINKLER SYSTEMS"

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

Section One: The title of Subsection 3.23 D. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby renamed as follows:

D. ~~Installation Required~~ Installation and Maintenance Required.

Section Two: Subparagraph 3.23 D.1.(g) is amended as follows:

g. Residential Groups. Residential Group R-1 ~~R-2~~ and R-3 occupancies shall have an approved sprinkler system installed and maintained if it meets any one (1) or more of the following:

- (1) Buildings of Type IA construction if they are:
 - (a) Over five thousand (5,000) square feet in area.
 - (b) Over one (1) story in height, exceeding five thousand (5,000) square feet in area.
 - (c) Over two (2) stories in height, regardless of area.
- (2) Throughout all buildings of other than IA construction if:
 - (a) Over four thousand (4,000) square feet in area on a floor.
 - (b) More than two (2) stories in height.

Section Three: Paragraph 3.23 D.2 is hereby recreated and renumbered

as follows:

2. Exception to the installation Requirement. Unless otherwise required by state law, any building that has a U.L. - approved smoke detection system that includes a monitored, central-station fire alarm panel, which system has been approved by the Fire Chief for the building in which it is installed, that completely satisfies any of the following is excepted from the installation requirement of paragraph D.1.

- a. an existing building
- b. A building that is constructed pursuant to a developer's agreement approved by the Common council before the effective date of this ordinance and is first occupied no later than July 1, 2013.

The exception of this paragraph D.2 does not apply to the maintenance requirement for a sprinkler system that is already installed.

2.3. Automatic Fire Sprinkler Systems Plan Submittal Requirement. Plans and specifications shall accompany each submittal, including all applicable plan review and acceptance testing fees. Plans will be reviewed and conditionally approved by the Fire Prevention Bureau. All

sprinkler systems require a permit issued by the Department of Neighborhood Services and Inspections prior to the start of any work. The Kenosha Fire Department shall witness all field and acceptance testing.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney

ORDINANCE NO. _____

REDLINE VERSION
02.26.10

BY: ALDERMAN ORTH
ALDERMAN NUDO

TO REPEAL AND RECREATE SECTION 15.11 OF THE CODE OF GENERAL ORDINANCES TO ALLOW PLACEMENT OF PARKS- COMMISSION-APPROVED SIGNS WITHOUT PERMIT; TO CREATE SUBSECTION 15.15 H OF THE CODE OF GENERAL ORDINANCES TO ALLOW FOR PLACEMENT OF OFF-PREMISES SIGNS IN PARKS AND RECREATION AREAS; AND, TO REPEAL AND RECREATE SECTION 15.17 OF THE CODE OF GENERAL ORDINANCES TO ALLOW FOR APPEALS AND SPECIAL EXCEPTIONS TO CHAPTER 15 TO BE MADE TO THE COMMON COUNCIL.

Section One: Section 15.11 of the Code of General Ordinances for the

City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

The following Signs shall be exempt from the requirement of this Ordinance to obtain a Sign Permit, but shall be subject to and be in compliance with the Code of General Ordinances and Zoning Ordinance, the other conditions and requirements of this Ordinance, and the specific conditions and restrictions below provided:

Address Numerals. Address numerals as defined in Section 9.18 C. of the City of Kenosha Code of General Ordinances.

Architectural Elements. Architectural elements of a building which include an integral and incidental Sign, so long as such elements do not contain a commercial message, moving parts, or lights.

Building Marker. A Building Marker not to exceed a Sign Face of four (4) square feet.

Bulletin Board. One (1) Bulletin Board located at main entrance of building, not exceed a Sign Face of twelve (12) square feet (i.e., list of occupants, hours of operation, or special events).

Construction Signs. One (1) construction Sign per Street Frontage, when placed on the Premise where work is in progress. Such Signs shall not be erected prior to the beginning of work for which a valid Building or Demolition Permit has been issued, and shall be removed within ten (10) days of completion of work or the expiration of the permit, whichever is sooner. Construction Sign Faces for single-family residences shall not exceed sixteen (16) square feet. Construction Sign Faces for commercial, industrial, multifamily or planned development uses on parcels of less than 100,000 square feet shall not exceed sixty-four (64) square feet; and on parcels greater than 100,000 square feet shall not exceed ninety-six (96) square feet.

Directional/Informational Signs. A Sign that has a purpose secondary to the use of the lot on which it is located, such as "No Parking", "Entrance", "Loading Only", "Telephone", "Enter", and other similar directives. No Sign with a commercial message, legible from a position off the lot on which the Sign is located, shall be considered directional/informational. There shall be no limitation on the number of such Signs per premise provided all such Signs are directional or informational in nature.

Elevated Water Towers. Signs placed or allowed on elevated water towers owned and maintained by the Kenosha Water Utility.

Flags, Standards, Emblems and Insignia. Flags, standards, emblems, and insignia of public and not-for-profit institutions.

Governmental Signs. Signs erected by or on behalf of a Federal, State or local governmental unit for a public purpose, meeting area, height and setback limitations of this Ordinance, where applicable.

Historic Signs. Signs which the Historic Preservation Commission has evaluated for historical significance, determined to be historically significant, and are listed on a Historic Sign Inventory on file in the Department of City Development and the Department of Neighborhood Services and Inspections. These Signs may be maintained and preserved without a Sign Permit. Changes to the Sign or message on the Sign (where the message is of historical significance) require a Sign Permit. Historic Signs may include rooftop, projecting, freestanding, wall, obsolete, on-premises, off-premises, or nonconforming Signs.

Historical Markers. Commemorative plaques, memorial tablets or emblems of official historical bodies, not exceeding four (4) square feet placed flat against a building, monument stone, or other permanent surface.

Holiday Decorations. Holiday Decorations as a temporary display, clearly incidental to and customarily associated with holidays designated by any unit of government, limited in duration to the respective holiday season generally recognized by the Kenosha business community.

Incidental Signs. A small Sign, emblem or decal, not exceeding one (1) square foot in area, informing the public of goods, facilities or services available on commercial premises; e.g., a credit card Sign or a Sign indicating hours of business.

Interior Signs. Interior Signs which provide information, but not a Commercial Message, not exceeding a total of four (4) square feet of Sign Face per Premise located on the interior of a Premise, oriented to persons within that Premise, and not intended to be legible from any location Off-Premise.

Model Home Signs. Model Home Signs not to exceed a Sign Face of eight (8) square feet identifying a non-occupied dwelling unit used as a demonstration unit for selling, leasing, or renting other dwelling units.

Nameplates. One flush mounted, nonilluminated nameplate, provided that only one (1) nameplate per occupancy may be erected and that such nameplate shall not exceed one (1) square feet.

Notices. Notices posted by Federal, State, or local units of government.

Parks. Commercial signs placed in city-owned parks or recreational areas provided such sign received approval by the Parks Commission, such approval being subject to annual review.

Political Campaign Signs. Signs promoting candidates for public office or issues on election ballots, not exceeding thirty-two (32) square feet per occupancy, posted on private property in accordance with this Chapter.

Real Estate Signs. One (1) Real Estate Sign per Street Frontage of a Lot or Premise, not to be directly illuminated and not to exceed a Sign Face of eight (8) square feet for residential districts, thirty-two (32) square feet for commercial districts, or sixty-four (64) square feet for industrial districts.

Religious Institution Signs. Bulletin boards, Identification and Directional Signs pertaining to religious institutions, not exceeding one (1) per abutting street, nor sixteen (16) square feet, which are not internally illuminated.

Special Announcement Signs. Special Announcement Signs not to exceed Sign Face of thirty-two (32') square feet, where not located on the same Lot or Premise for more than three (3) consecutive days per occasion.

Special Displays. Special displays used for public celebrations, on public property, by or approved by City.

Signs in Street Right-of-Way authorized by this Ordinance.

Section Two: Subsection 15.15 H of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

H. Off-Premises Signs in City Parks or Recreations Areas. This section does not apply to off-premise signs placed in City parks or recreational areas pursuant to authorization for non-permanent

placement, from the Parks Commission.

Section Three: Section 15.17 of the Code of General Ordinances is

hereby repealed and recreated as follows:

15.17 APPEALS AND SPECIAL EXCEPTIONS

A. Administration. It shall be the duty of the Administrator to administer and enforce this Ordinance.

B. Special Exceptions. Upon application for a Special Exception, the ~~Zoning Board of Appeals~~ **Common Council** may, after investigation and public hearing, grant a Special Exception from the terms of this Ordinance where such Special Exception will not be contrary to the spirit and purpose of this Ordinance, and where a Special Exception will do substantial justice.

Requests for Special Exceptions may be petitioned for any Section of this Ordinance with the exception of the location of Off-Premise Signs within specific zoning districts.

C. Appeals. An aggrieved person adversely affected by the denial of a permit or decision, determination or interpretation by the Administrator may appeal such denial, decision, determination or interpretation to the ~~Zoning Board of Appeals~~ **Common Council**.

D. Application Procedure. Any application for a Special Exception or appeal shall be taken pursuant to this Ordinance.

Section Four: This Ordinance shall become effective upon passage

and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney