

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 204
Monday, September 29, 2014 - 5:00 pm

Chairman:	Rocco J. LaMacchia, Sr	Vice Chairman:	Jack Rose
Aldersperson:	Kurt Wicklund	Aldersperson:	Scott N. Gordon
Aldersperson:	Keith W. Rosenberg		

Call to Order
Roll Call

Approval of the minutes of the meeting held on August 25, 2014.

1. Aldermanic Request for the installation of 4-Way Stop Signs at the intersection of 3rd Avenue and 56th Street. *(District 2) (Staff recommends 90-day trial)*
2. Aldermanic Request for the adjustment of Parking Restrictions on 84th Street from 27th Avenue to 30th Avenue. *(District 13)*
3. Aldermanic Request for the Removal of the Parking Restrictions on the South Side of 58th Street from 30th Avenue to 32nd Avenue. *(District 11) (Staff recommends 90-day trial)*
4. Aldermanic Request for the removal of the Parking Restrictions on 8th Avenue from 56th Street to 57th Street. *(District 2)*
5. Request for Special Exception from the Sixteen-foot Height Limitation and the 840-square-foot Size Limitation to Construct a 21'7½" High, 912-square-foot Accessory Structure at 6826 54th Avenue *(Property Owner/Petitioner: Jeffery R. Zastoupil; Zoning: RS-2) (District #14) (Referred from Council on 9/15/14)*
6. Ordinance by Aldersperson Jan Michalski – To Repeal and Recreate Section 13.01 Regarding Scrap Salvage Dealers and Fees and Scrap Salvage Collectors. *(Referred from Council on 9/15/14) (Also referred to Licensing/Permit)*
7. Request to Rescind and Rewrite the Resolution Governing the Parking Restrictions on 8900 Block of 29th Court During Soccer Events. *(District 9)*
8. Set date and time for 2015 Budget Review.

DISCUSSION ITEMS:

1. Update on Fire Station # 5
2. Update on Fire Station # 4
3. On-Street Accessible Parking at Commercial Properties

CITIZEN COMMENTS/ALDERPERSON COMMENTS/OTHER BUSINESS AS AUTHORIZED BY LAW PERTAINING TO PUBLIC SAFETY& WELFARE MATTERS AS AUTHORIZED BY LAW

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4050 BEFORE THIS MEETING

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.

PUBLIC SAFETY & WELFARE COMMITTEE
Minutes of Meeting held Monday, August 25, 2014

A meeting of the Public Safety & Welfare Committee was held on Monday, August 25, 2014 in Room 204 of the Kenosha Municipal Building. The meeting was called to order at 5:01 pm by Chairman LaMacchia.

At roll call, the following members were present: Alderpersons Wicklund, Rose, Gordon and Rosenberg. Staff members in attendance were: Michael Lemens, Director of Public Works; Shelly Billingsley, Deputy Director of Public Works/City Engineer; Deputy Police Chief Dan Miskinis and Alderperson Curt Wilson.

It was moved by Alderperson Rose, seconded by Alderperson Gordon, to approve the minutes from the meeting held on Monday, August 11, 2014. Motion carried unanimously.

1. Aldermanic request for temporary No Parking Restriction on 33rd Avenue – 55th Street to 58th Street, 58th Street – 33rd Avenue to 32nd Avenue, 32nd Avenue – 58th Street to 55th Street for KTEC and McKinley schools until signs are manufactured for a “No Parking, 7:30am – 4:30pm on School Days” that will replace the temporary No Parking Restriction. *(District 11) (Staff recommends a 90-day trial to begin upon installation of No Parking, 7:30am – 4:30pm on School Days signs) (Deferred from the meeting on 8/11/14)*

Staff: Michael Lemens spoke.

Public Hearing: Teri Giampietro (McKinley Principal) and Angela Andersson (KTEC Principal) spoke.

It was moved by Alderperson Gordon, seconded by Alderperson Rosenberg to approve.

Motion carried unanimously.

2. Previous Trial for the installation of “No Parking” signs on the west side of 20th Avenue between 12th Street and 12th Place. *(District 4) (Staff recommends approval)*

Staff: Shelly Billingsley spoke.

It was moved by Alderperson Rose, seconded by Alderperson Wicklund to approve. Motion carried unanimously.

3. Resolution by Alderperson Rocco J. LaMacchia – To Urge the State of Wisconsin Legislature to Expand Liability Protection for Individuals Who Forcibly Enter a Motor Vehicle for the Purpose of Removing a Minor or Animal for the Vehicle.

Kurt Wicklund, Jack Rose, Scott Gordon and Keith Rosenberg would like to be added on as Co-Sponsors.

It was moved by Alderperson Gordon, seconded by Alderperson Rosenberg, to approve.

Motion carried unanimously.

STAFF COMMENTS: Deputy Police Chief Dan Miskinis spoke about the recognition of school starting and to look for all school signs.

ALDERMAN COMMENTS: Alderperson Rose commented on the safety of children with school traffic guidelines.

ADJOURNMENT - There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 5:18 pm.



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director
Shelly Billingsley, P.E., Deputy Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 25, 2014

To: Alderperson Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Shelly Billingsley, P.E.,
Deputy Director of Public Works / City Engineer

cc: Alderperson Rhonda Jenkins,
2nd District

Subject: ***Aldermanic Request for the installation of 4-way Stop Signs at the intersection of 3rd Avenue and 56th Street***

BACKGROUND INFORMATION:

Alderperson Jenkins is requesting for the installation of 4-way stop signs at the intersection of 3rd Avenue and 56th Street. She states that the installation of these signs will help with the traffic problem when the street is full of cars for any event. Drivers have to inch their way into traffic as it currently stands.

Public Works Engineering Staff inspected the intersection of 3rd Avenue and 56th Street. This intersection is currently controlled by northbound and southbound stop signs on 3rd Avenue. There are no current sight distance issues. However, if parking becomes congested, it is difficult to see crossing traffic when stopped on 3rd Avenue. The existing traffic control near this intersection is shown on Attachment 1.

This intersection services approximately 3500 vehicles per day. The statutory speed limit at this location is 25 miles per hour (mph). The highest recorded speeds at this intersection were on 3rd Avenue south of this intersection. All legs of this intersection had an 85th percentile speed at or below 28 mph. The 95th percentile speeds were all at or below 31 mph as well. A road is considered to have a speeding issue when the recorded 85th percentile speeds are at least seven miles per hour above the posted speed limit. In the case of this intersection, the 95th percentile speed was less than seven miles per hour over the speed limit indicating there is not a speeding issue.

In the past five years there have been five reported crashes at this intersection. All five crashes were right-angle collisions caused by a driver on 3rd Avenue failing to yield the right-of-way to cross traffic on 56th Street. Only one of the five crashes had a driver going through the stop signs on 3rd Avenue without stopping. The Manual on Uniform Traffic Control Devices (MUTCD) gives the guidance that multi-way stop signs may be considered when, "five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions." Only two of the five reported crashes occurred in any one 12-month period.

RECOMMENDATION:

Public Works Engineering Staff recommends a 90-day trial of the installation of 4-way stop signs at this intersection. On a typical slow traffic day, these signs will not meet warrants. However, on days when events are being held near this intersection, parking does cause sight distance issues, making it difficult for traffic on 3rd Avenue to see cross traffic on 56th Street.

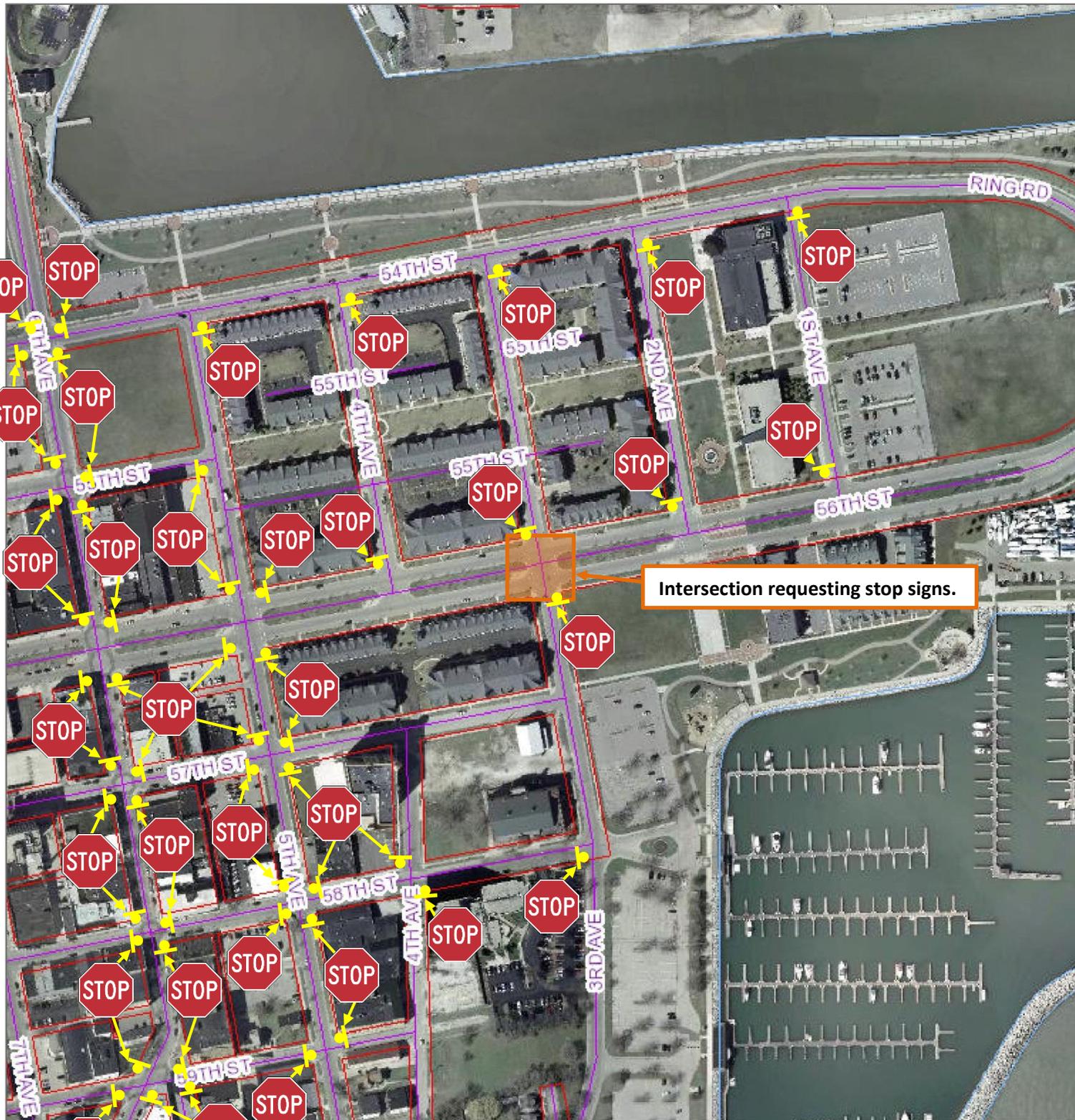


EXISTING TRAFFIC CONTROL

Near 3rd Avenue and 56th Street Intersection



1 inch = 300 feet
Date Printed: 9/8/2014



DISCLAIMER: This map is neither a professional engineering drawing nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director
Shelly Billingsley, P.E., Deputy Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 25, 2014

To: Alderperson Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Shelly Billingsley, P.E.,
Deputy Director of Public Works / City Engineer

cc: Alderperson Curt Wilson,
13th District

Subject: ***Aldermanic Request for the adjustment of Parking Restrictions on 84th Street from 27th Avenue to 28th Avenue (District 13)***

BACKGROUND INFORMATION:

Alderperson Wilson is requesting that Public Works Engineering Staff look at the parking restrictions on 84th Street from 27th Avenue to 30th Avenue. He claims that students from Tremper High School are parking on 84th Street during school days and blocking residential mailboxes.

Public Works Engineering Staff inspected the parking conditions on 84th Street west of 27th Avenue. The existing signs restricting parking are shown on Attachment 1. The segment of 84th Street shown encompasses the limits of the request, as 84th Street does not intersect with 30th Avenue nor does it continue any further east.

This block has parking restricted per Resolution 107-77. It states:

“Be it resolved by the Common Council of the City of Kenosha, Wisconsin, that no vehicle shall be allowed to park for longer than one (1) hour along either side of 84th Street or 85th Street from 25th Court to 30th Avenue between 7:30 A.M. and 4:30 P.M., on school days.”

The signs on 84th Street restrict parking from 7:00 A.M. to 4:30 P.M. which differs from Resolution 107-77. Tremper High School's school hours are from 7:30 A.M. to 3:00 P.M.

RECOMMENDATION:

Public Works Engineering Staff recommends that Resolution 107-77 be rescinded and rewritten to adjust the start time from 7:30 A.M. to 7:00 A.M. The new resolution will restrict any vehicles from parking for longer than one (1) hour along either side of 84th Street or 85th Street from 25th Court to 30th Avenue between 7:00 A.M. and 4:30 P.M., on school days. The change in hours would allow for future flexibility if Tremper High School's school hours were to change to an earlier start time.

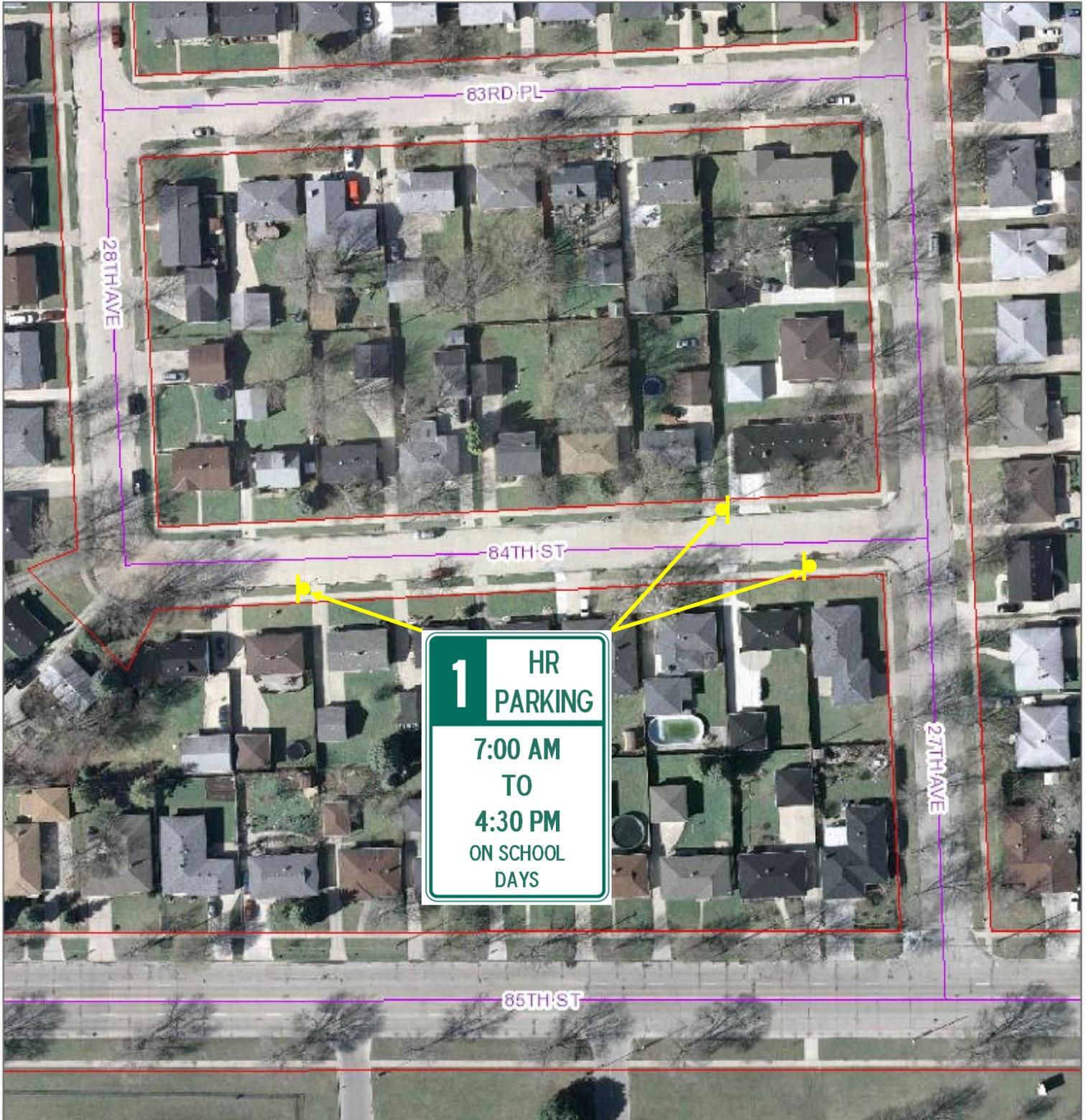


84th Street Parking Restrictions

From 27th Avenue to 28th Avenue



1 inch = 100 feet
Date Printed: 9/12/2014



DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director
Shelly Billingsley, P.E., Deputy Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 25, 2014

To: Alderperson Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Michael M. Lemens, P.E.
Director of Public Works

cc: Alderperson Scott N. Gordon,
11th District

Subject: ***Aldermanic Request for the Removal of the Parking Restrictions on the South Side of 58th Street from 30th Avenue to 32nd Avenue (District 11)***

BACKGROUND INFORMATION:

Alderperson Gordon is requesting to have the parking restrictions on 58th Street between 30th Avenue and 32nd Avenue be removed. He believes that the signs were installed for the old Chrysler Plant and no longer serve a purpose.

The signs on the south side of 58th Street between 31st Avenue and 32nd Avenue were installed as part of Resolution 36-94. This resolution states:

"To designate as 'No parking this side' the south side of 58th Street – 3100 block, and to designate as 'Two (2) hour parking, 8 A.M. – 6:00 P.M., Monday – Saturday, except holidays' the north side of 58th Street – 3100 Block."

The parking restriction on the north side of 58th Street was rescinded as part of Resolution 66-14. Staff was unable to find a resolution restricting the parking on the south side of 58th Street from 30th Avenue to 31st Avenue.

RECOMMENDATION:

Public Works Engineering Staff recommends that the remaining parking restriction from Resolution 36-94 be rescinded and the existing signs be removed and undergo a 90-day trial. The Kenosha Engine Plant closed its doors in 2010 and with it the need for parking restrictions on the south side of 58th Street was eliminated.

The parking restrictions on the south side of 58th Street from 30th Avenue to 31st Avenue will be removed as Staff cannot find a resolution governing their existence.



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director
Shelly Billingsley, P.E., Deputy Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 25, 2014

To: Alderperson Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Shelly Billingsley, P.E.,
Deputy Director of Public Works / City Engineer

cc: Alderperson Rhonda Jenkins,
2nd District

Subject: ***Aldermanic Request for the removal of Parking Restrictions on 8th Avenue from 56th Street to 57th Street (District 2)***

BACKGROUND INFORMATION:

Alderperson Jenkins is requesting that Public Works Engineering Staff look into removing the parking restrictions on the east side of 8th Avenue from 56th Street to 57th Street. This would allow for additional parking for post office staff.

Public Works Engineering Staff researched the parking restrictions on 8th Avenue from 56th Street to 57th Street. Parking is currently restricted in accordance to Resolution 210-77 which states:

“Be it resolved by the Common Council of the City of Kenosha, Wisconsin, that no vehicle shall be allowed to park for longer than two (2) hours along the west side of 8th Avenue from 56th Street to 57th Street. Be it further resolved that no vehicle shall be allowed to park along the east side of 8th Avenue from 56th Street south a distance eighty-five (85) feet, at any time.”

The existing parking restriction signs on 8th Avenue do not match what is stated in this resolution and are shown on Attachment 1.

RECOMMENDATION:

Public Works Engineering Staff recommends that resolution 210-77 be rescinded and the existing parking restriction signs on 8th Avenue from 56th Street to 57th Street be removed. The existing signs on 8th Avenue are not installed in accordance to any resolution and Staff does not foresee any issues with removing these parking restrictions.

Under administrative authority Public Works Engineering Staff will also install two (2) “No Parking Here to Corner” signs on 8th Avenue as shown on Attachment 2. These signs will restrict parking to allow motorists to see crossing traffic as they approach either 56th Street or 57th Street



Existing Parking Restrictions On 8th Avenue from 56th street to 57th Street



1 inch = 60 feet
Date Printed: 9/25/2014



DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.



Proposed Parking Restrictions On 8th Avenue from 56th street to 57th Street



1 inch = 60 feet
Date Printed: 9/25/2014



DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

Planning & Zoning

Community Development

262.653.4030
262.653.4045 FAX
Room 308



Building Inspections

Property Maintenance

262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Director

Richard Schroeder, Deputy Director

TO: Members of the City of Kenosha Public Safety and Welfare Committee
Members of the City of Kenosha Common Council

FROM: Brian R. Wilke, Development Coordinator *BRW*
Department of Community Development and Inspections

SUBJECT: Special Exception from the Sixteen-foot (16') Height Restriction and the 840-square-foot Size Limitation in Order to Construct a 21'7½" High, 912-square-foot Accessory Structure at 6826 54th Avenue; Zoning Ordinance: 3.03 F; Property Owner/Petitioner: Jeffery R. Zastoupil; Zoning Designation: RS-2 (District #14)

DATE: September 23, 2014

The property owner is requesting a Special Exception to Section 3.03 D(4)d of the Zoning Ordinance which states that the total square-footage of all accessory buildings on one- and two-family residential properties cannot exceed 840 square feet or fifteen percent (15%) of the lot size (whichever is less). In this case, the 840 square feet is more restrictive. (15% of the 25,376 square-foot lot is 3,806.4 square feet.) The property owner is requesting to build a 912 square-foot detached garage. There is also an existing shed that is eighty (80) square feet that will remain on the property. The total square-footage for the two (2) accessory structures will be 992 square feet.

The property owner is also requesting a Special Exception to Section 3.05 E of the Zoning Ordinance, which states that the height of an accessory structure in the RS-2 (Single-family) Zoning District cannot exceed sixteen feet (16'). The property owner is requesting to build a two-story detached garage that is twenty-one feet, seven and one-half inches (21' 7 ½") in height.

Section 3.03 F of the Zoning Ordinance allows the property owner to request a Special Exception from the Common Council upon review and recommendation of the Public Safety and Welfare Committee (PSW). The Common Council may grant a Special Exception for an accessory building height not-to-exceed twenty-five feet (25') in height or the height of the principal structure, whichever is more restrictive. The standards for the Special Exception are as follows:

- a. The architectural appearance of the proposed structure shall be harmonious with the existing structure. (The new garage will be constructed in the same "tudor-style" as the existing home. The applicant indicated that the home will be re-sided in the Spring, but the color palettes and styles of the two (2) structures will remain the same.)
- b. Relief cannot be contrary to covenants associated with the subject property. (There are no known covenant restrictions associated with the property.)

- c. A maximum of two (2) accessory buildings and/or structures are allowed. (There is an existing eighty (80) square-foot shed on the site that will remain after the construction of the new garage. There are no other accessory buildings on the site.)
- d. Accessory structures shall not exceed the height of the principal dwelling, or twenty-five feet (25') in height in residential districts. (The height of the garage will be twenty-one feet, seven and one-half inches (21' 7 ½"). The existing principal dwelling is two (2) stories in height, far exceeding the height of the proposed accessory structure.)
- e. The accessory structure shall not exceed eighty percent (80%) of the building footprint of the principal structure. (The footprint of the proposed garage is 912 square feet. According to the Assessor's records, the ground floor of the house is 1,638 square feet. The proposed accessory structure would be 55.6% of the principal building footprint.)
- f. The doors shall not exceed the maximum height of nine feet (9'). (The proposed doors do not exceed nine feet (9') in height.)
- g. The applicant will ensure that the drainage and/or stormwater runoff conforms with local and state standards.
- h. The owners of property within 100' are to be notified of the application. (Notices were sent to the owners, as required.)

When staff reviewed the plan that was presented, it appeared that the second floor was going to be a residential unit, which is not allowed per the Zoning Ordinance. The applicant indicated in writing that the second floor would be used only for storage, and not as a residential space.

Recommendation:

Staff recommends approval of the Special Exception with the stipulation that the second floor is to be used only for storage and not for residential purposes.

BRW:saz
Attachments

SPECIAL EXCEPTION
FROM 840 SQ. FT. LIMITATION
AND/OR BUILDING OR STRUCTURE HEIGHT
FOR
RESIDENTIAL ACCESSORY BUILDING OR STRUCTURES

INSTRUCTIONS

All applicants are required to complete an application form and affidavit. Other documents and information may be required by the Zoning Administrator based on the nature of the application. Your application will be scheduled for hearing when all of the following are submitted to the Zoning Office.

Submittal Checklist

- Completed application form
- \$500.00 filing fee
- One (1) plat of survey prepared by a Professional Land Surveyor, licensed by the State of Wisconsin. The survey must show all existing buildings, proposed accessory building, setbacks from property lines, distances from all accessory structures, proposed drainage patterns, and proposed changes to existing yard grade
- Accessory Building Permit Application
- One (1) additional set of plans, with survey in pdf format; forward to bwilke@kenosha.org
- A narrative which includes a description of your request and its compliance with relevant ordinance requirements.

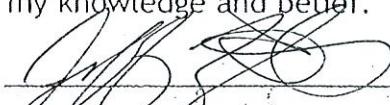
APPLICATION
SPECIAL EXCEPTION
FROM 840 SQ. FT. LIMITATION
AND/OR BUILDING OR STRUCTURE HEIGHT
FOR
RESIDENTIAL ACCESSORY BUILDING OR STRUCTURES

6826 54th Avenue, Kenosha, WI 53142
Location of Special Exception Request

I/We Jeffery R. Zastoupil of 6826 54th Avenue
(Property Owner / Applicant) (Address / parcel # of subject property)

hereby apply for a Special Exception pursuant to Section 3.03F of the City of Kenosha
Zoning Ordinance to allow a garage to be built 24x34 with a height of 24 feet
(describe request)

I hereby authorize City of Kenosha staff and elected officials to inspect the premises of the
above-described property. I hereby affirm that all statements contained herein are true and
correct to the best of my knowledge and belief.

Applicant's signature: 

*If the applicant is other than the property owner, a notarized signature of the property
owner authorizing the applicant to act on his/her behalf is required.*

OWNER/APPLICANT Jeff R. Zastoupil ADDRESS 6826 54th Avenue

PHONE 262-945-1685 E-MAIL jzastoupil@ottoelsonmoving.com

FOR OFFICE USE ONLY

Proposal filed: _____ Received by: _____

Fee Paid: _____ Receipt #: _____

**CRITERIA CHECKLIST
SPECIAL EXCEPTION
FROM 840 SQ. FT. LIMITATION
AND/OR BUILDING OR STRUCTURE HEIGHT
FOR
RESIDENTIAL ACCESSORY BUILDING OR STRUCTURES**

6826 54th Avenue

Location of Special Exception Request

Adherence to the following criteria shall be required to process the Special Exception request. A signifies that your project complies with the criteria, as indicated. If you cannot adhere to the following criteria, DO NOT PROCEED - please contact the Zoning Administrator to discuss this issue.

- The special exception request will not conflict with or be contrary to covenants associated with subject property.
- The architectural appearance and functional design of the building or structure and site shall not be so dissimilar to the existing principal buildings and area so as to cause impairment of property values or a blighting influence. All sides of the principal and accessory buildings or structures are to have essentially the same, or coordinated, harmonious exterior-finish materials and treatment.
- No more than two accessory buildings, structures, or combination building and structure shall be constructed.
- No accessory building or structure shall exceed the height of the principal building, or exceed twenty-five feet (25') in height, whichever is less.
- The maximum square footage of all accessory buildings or structures cannot exceed one thousand square feet (1,000 sq. ft.).
- The total square footage of all detached covered accessory buildings and/or structures shall not have a footprint larger than 80% of the footprint of the principal building's first floor livable space.
- Doors shall not exceed nine feet (9') in height.
- No negative impacts on stormwater runoff shall be created. A grading plan may be required.

SUPPLEMENTAL CONDITIONS

THE CITY MAY IMPOSE ADDITIONAL CONDITIONS, WHICH INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- Require the use of trim, lighting or other additional architectural detail to soften the impact of the bulk and height of the proposed structure(s) or building(s).
- Require the visibility of the accessory building(s) or structure(s) be minimized as viewed from adjacent lots and rights-of-way through the use of topography, increased setbacks, fencing, or existing or proposed vegetative landscaping.
- Require garage door openings are placed so as to reduce their visibility from adjacent lots and rights-of-way.
- Require the accessory building(s) or structure(s) be reasonably compatible with the architectural detail of the principal structure. The applicant holds the burden of proving the proposed building(s) or structure(s) are reasonably compatible with the architectural detail of the principal structure.
- Require the use of the same or similar window and exterior door proportion and type, as the principal building, to soften the impact of the bulk and height of the proposed structure(s).
- Require general compatibility with adjacent and other properties in the district.

To Whom It May Concern:

RE: Variance Permit for 6826 54th Avenue, Kenosha, WI 53142

I am applying for a variance for an accessory building in order to build a 24 x 38 garage with a peak height 21' 7.5" on a reinforced floating concrete slab with a thickened edge of 12 inches. There is an additional garden shed on the property that measures 8 X 10 that will be moved to the northwest corner of the property but the combination of the two buildings will be less than the 1000 sq ft maximum. The design of the garage and the exterior finish will be made to match the existing finish of the home, but the home is planned to be resided in the spring with the exact same materials used for the garage so the finished product will be an exact match in both color and design. There will be electric/gas/water/sewer ran to the garage in order to run the hydronic heating system planned to be installed in the concrete floor. The existing garage that is attached to the residence is not functional based on the 90 degree turn required to enter the garage and that is the reason for my accessory building application. Based on the size of my lot 207.94' x 122.48' The overall square footage of all accessory buildings 992sq. ft. will be below the 1000 sq. ft. maximum and well below the 15% ground area based on the size of the lot. The proposed accessory building also complies with the 80% rule as the main floor of the residence measures over 1800 sq. ft. of livable space. My lot is currently lined at the border with 30 – 40 foot tall evergreen trees that act as a natural fence line so the proposed building will not create any adverse visibility issues from the surrounding properties. Roof gutters installed on the building will be directed to the south to the existing property, as noted on the survey, to prevent any run off issues to the surrounding properties .

Zastoupil Request for Accessory Building Special Exception



Subject Property



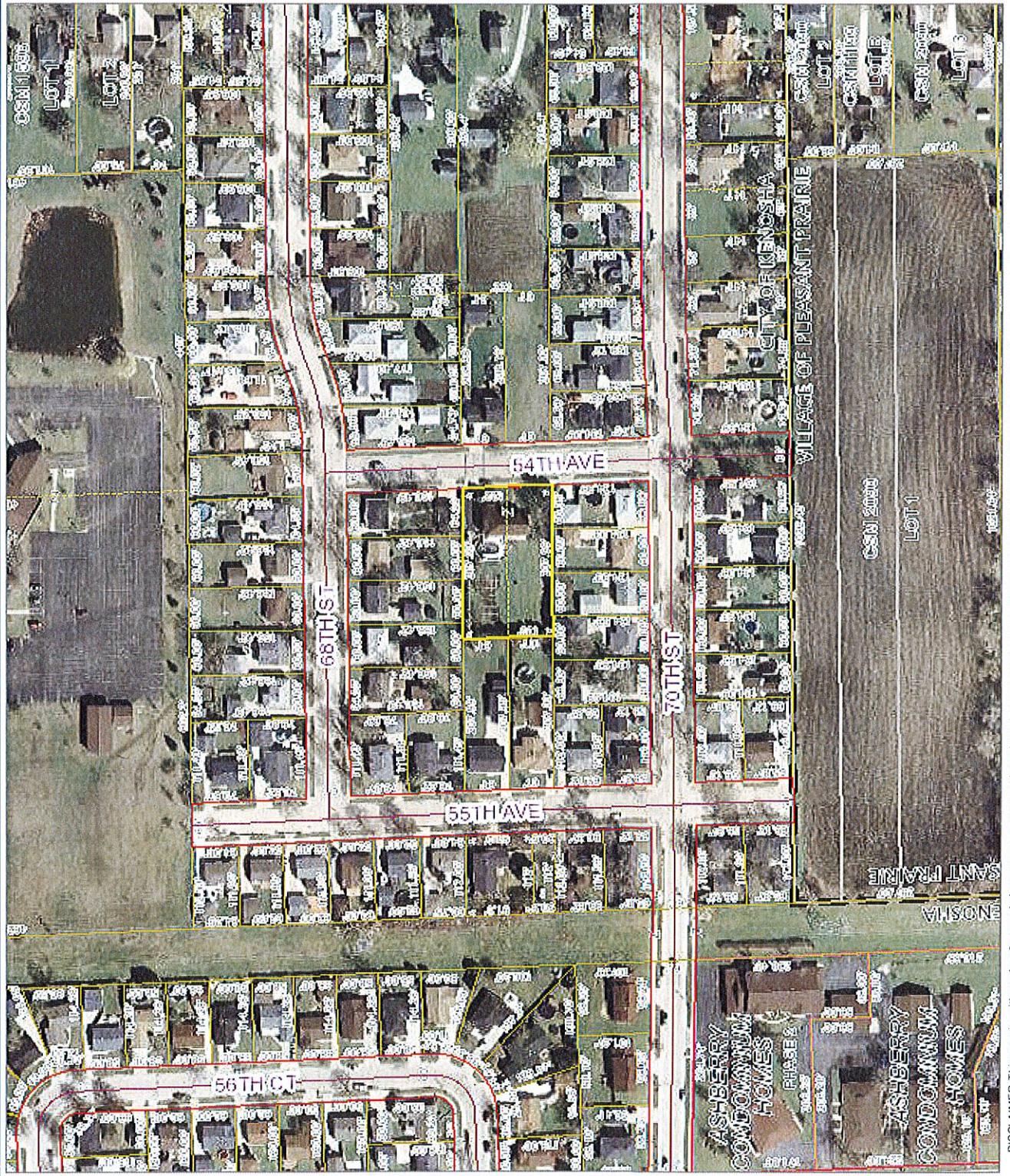
Feet

**KENOSHA COUNTY
INTERACTIVE MAPPING**

- Legend**
- Street Centerlines
 - Right-of-Ways
 - Water Features
 - Parcels
 - Certified Survey Maps
 - Condominiums
 - Municipal Boundaries



1 inch = 202 feet



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purpose only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

Date Printed: 9/25/2014

LEGAL DESCRIPTION:

PART OF THE SOUTHWEST 1/4 OF SECTION 7, TOWN 1 NORTH, RANGE 22 EAST, IN THE CITY OF KENOSHA, COUNTY OF KENOSHA, STATE OF WISCONSIN; BEGIN AT THE SOUTHEAST CORNER OF LOT 36, BREMEN SUBDIVISION; THENCE WEST 207.99'; THENCE SOUTH 122.00'; THENCE EAST 207.99'; THENCE NORTH 122.00', TO THE POINT OF BEGINNING.

ADDRESS: 6826 54TH AVENUE

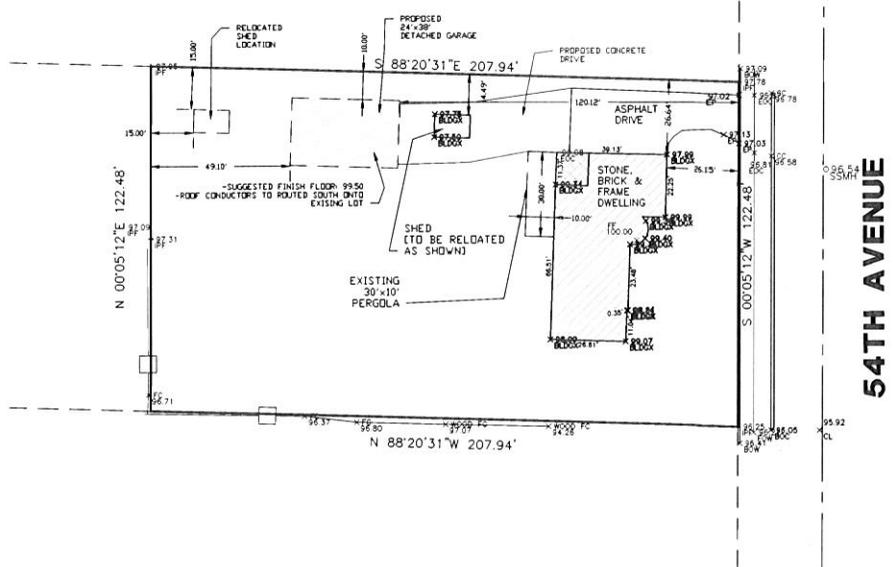
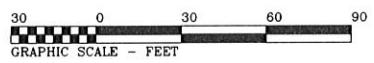
STATE OF WISCONSIN
 COUNTY OF RACINE

The above-described property has been surveyed under my direction and the above map is a correct representation thereof.

DATED AT: NORTH CAPE, THIS 11TH DAY OF AUGUST, 2014

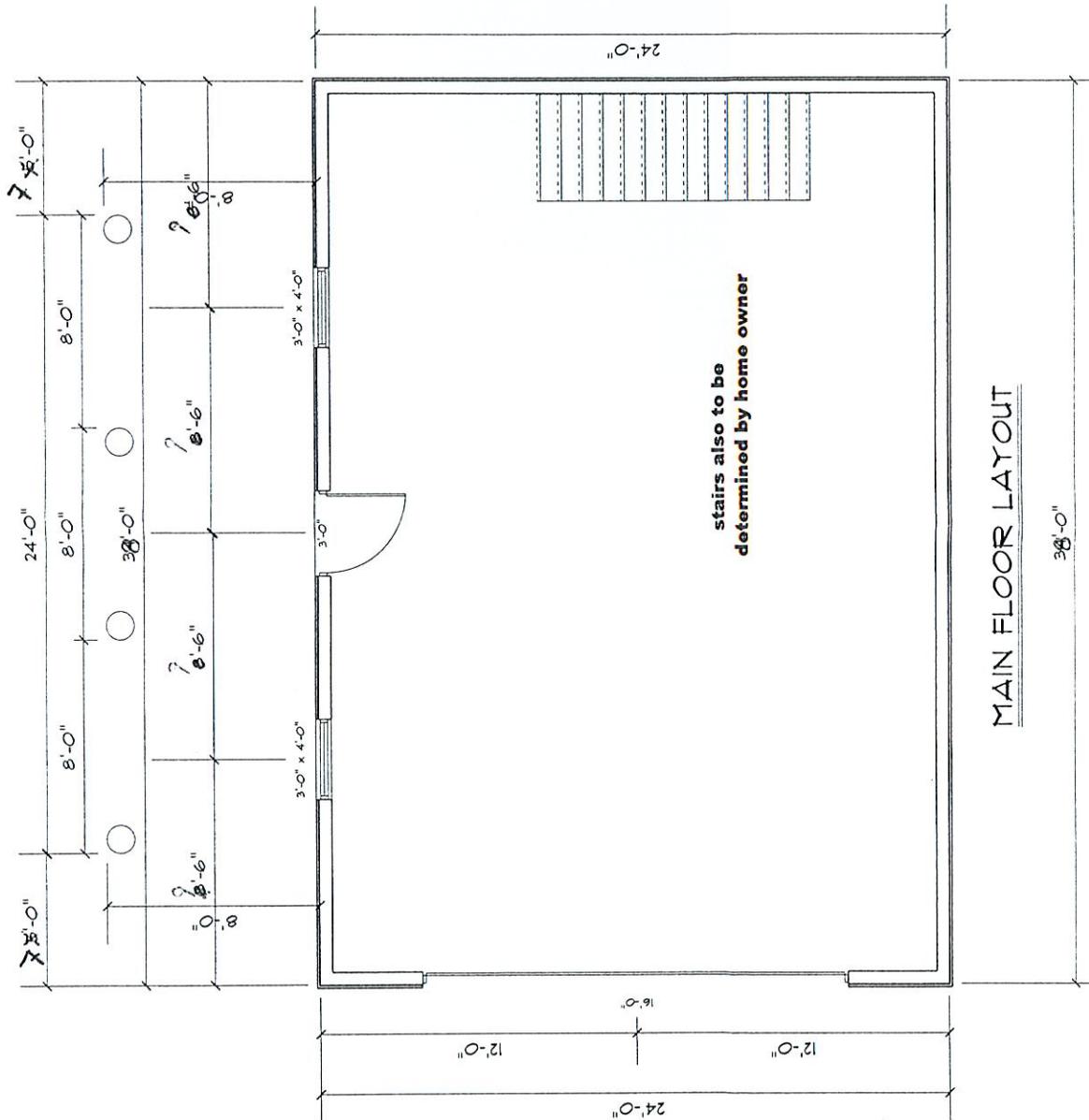
AMERICAN SURVEYING COMPANY, INC.
 PETE L. BAILEY, RLS NO. 1398
 RECERTIFIED this _____ day of _____ 2014.

DRAWN BY:	PLB	REVISIONS:	DATE
CHECKED BY:	PLB	08/25/14:	REVISED PER OWNER
PLOT SCALE:	1 = 30		
DATE:	08/11/2014		
JOB NO.:	2014095		
DWG. FILE:	JN2012078A	CLIENT NO.:	04725



CITY OF KENOSHA
 PROJECT:
VARIANCE REQUEST
 PREPARED FOR: JEFF ZASTOUPIL

Sheet
1
 of
1



stairs also to be determined by home owner

MAIN FLOOR LAYOUT

38'-0"

24'-0"

24'-0"

7'-0"

24'-0"

7'-0"

8'-0"

8'-0"

8'-0"

8'-0"

8'-0"

8'-0"

38'-0"

3'-0" x 4'-0"

3'-0" x 4'-0"

3'-0"

3'-0"

3'-0"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

8'-6"

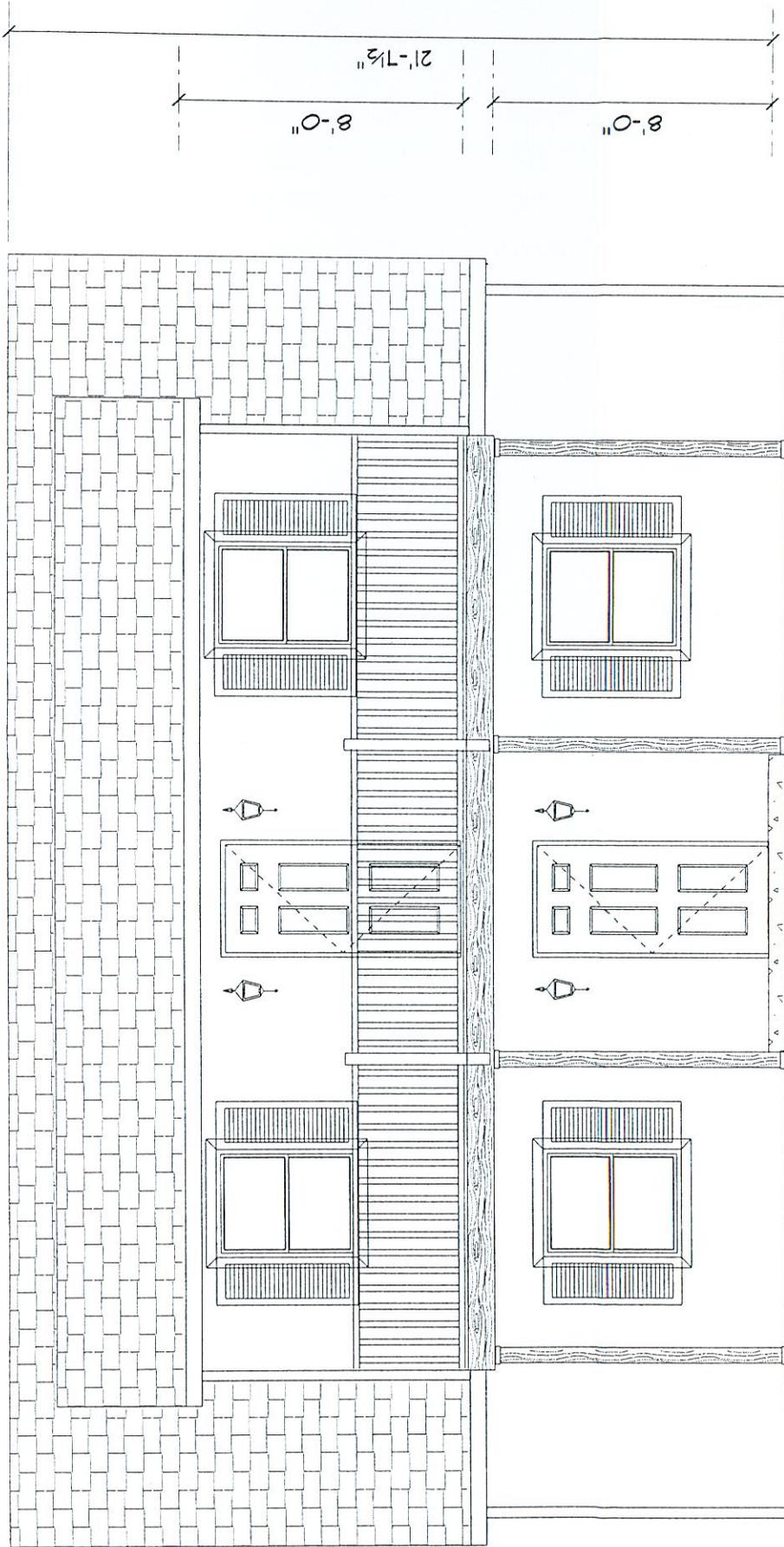
8'-6"

8'-6"

8'-6"

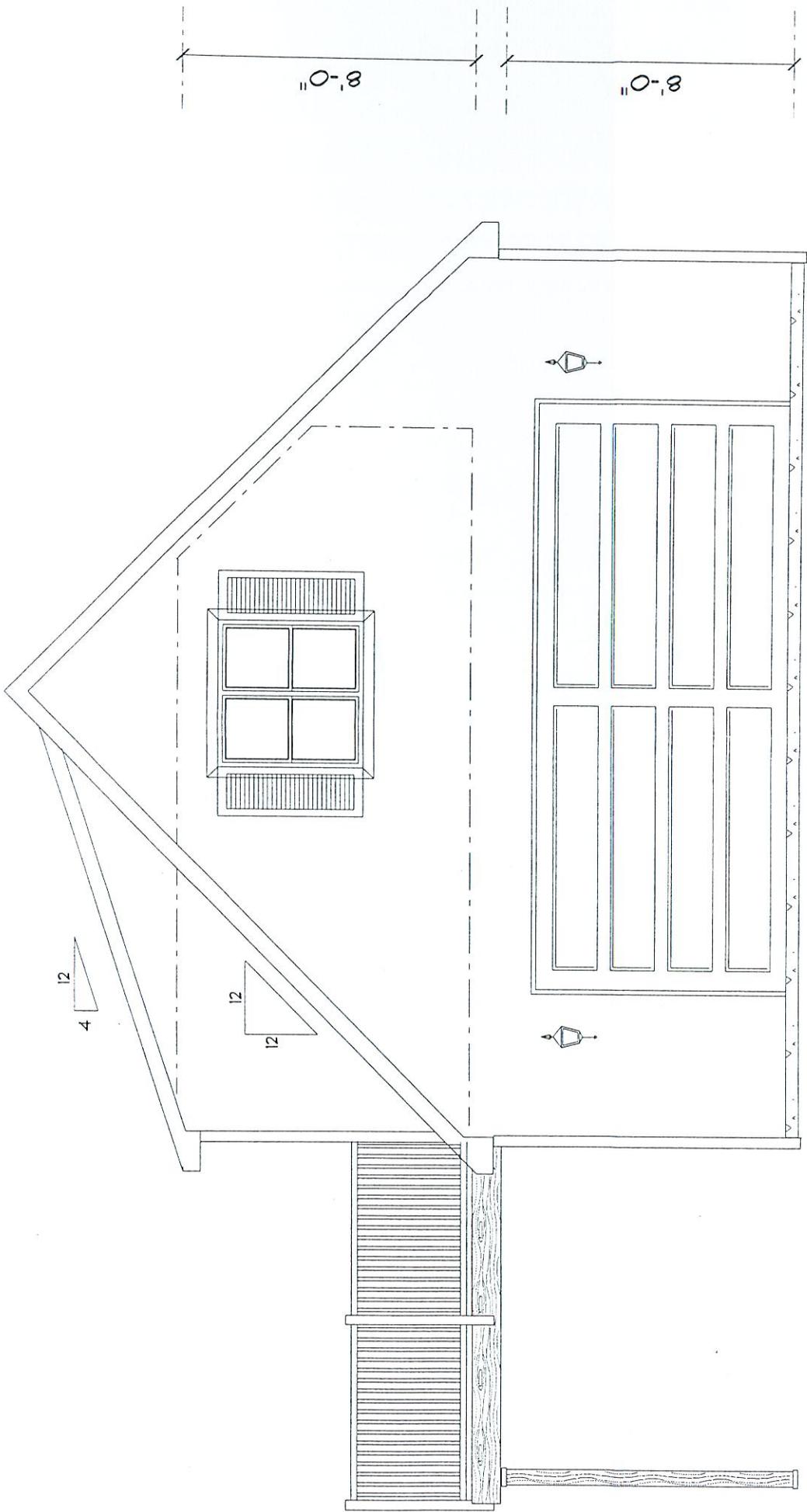
8'-6"

FRONT ELEVATION



STUCCO TO MATCH EXISTING HOUSE

PROPOSED NEW GARAGE FOR **6826 54TH AVE KENOSHA**
JEFF AND SHANNON ZASTOUPIL



RIGHT ELEVATION



Existing House – 6826 54th Avenue



Existing House – 6826 54th Avenue



- 1) Proposed garage off of driveway to the left
- 2) Existing neighbor's garage on the right

Kyle Smith



City of Kenosha
Department of Community Development and Inspections
625 52nd Street, Room 100, Kenosha, WI 53140
Phone: 262.653.4263, Fax: 262.653.4254

**APPLICATION PACKET
FOR
ACCESSORY BUILDING PERMIT**

Project Address 6826 54th Avenue, Kenosha

The following items must be completed and submitted as a packet:

- 1. Accessory Building permit application
- 2. One (1) plat of survey prepared by a Professional Land Surveyor, licensed by the State of Wisconsin (see attachment). The survey must show all existing buildings, proposed accessory building, setbacks from property lines, distances from all accessory structures, proposed drainage patterns, and proposed changes to existing yard grade
- 3. For Residential Only: Cautionary Statement (required if the property owner is listed as the contractor); OR State Licensing (required if a contractor is listed)
- 4. One (1) set of plans (size 8 1/2" x 11" or 11" x 17", drawn at 1/4" scale)
- 5. Will the grading of the property change as a result of constructing an accessory building?
Yes _____ No

If yes, please contact the Soil Erosion Specialist at 262.653.4050 prior to permit application submittal.

Note: Upon plan review or as a result of a field inspection, the Soil Erosion Specialist or Code Official may determine that an erosion control permit and/or installation of erosion control measures are required.

- 6. Community Development and Inspections Authorization, Room 308 (required for commercial or multi-family properties: _____)

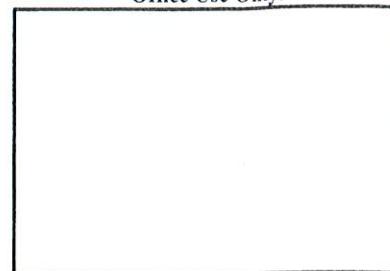
After Approval/Processing of this Permit Application:

If you do not intend to proceed with this project, please contact our office at 262.653.4263 to avoid paying the entire cost of the permit. Administrative and/or plan review fees will be charged. Any/all unpaid permit fees, along with an additional \$100.00 Administrative Fee, will be processed as a special assessment against the real estate upon which the service was performed.



City of Kenosha
 Department of Community Development and Inspections
 625 52nd Street, Room 100, Kenosha, WI 53140
 Phone: 262.653.4263, Fax: 262.653.4254

Office Use Only:



APPLICATION FOR ACCESSORY BUILDING PERMIT

Permit Fees:

New Construction: \$180.00 (\$60.00 Building Permit Fee, \$60.00 Building Plan Review Fee, and \$60.00 Zoning Plan Review Fee)
 Repair to Existing: \$60.00

You will be notified when your permit is ready; please do not submit payment with permit application.

Project Address 6826 54th Avenue
 Property Owner Jeffery R. Zastoupil
 Mailing Address 6826 54th Avenue
 City Kenosha State WI Zip 53142
 Phone (262) 945-1685

*Contractor Jeffery R. Zastoupil
 Mailing Address SAME
 City _____ State _____ Zip _____
 Phone (_____) _____
 Contractor e-mail jzastoupile@tonelsonmoving.com

*Note to Contractor: Please see attached "State Licensing Requirements."

Estimated Cost \$ 20,000 Project Name (if commercial or multi-family property): _____

Corner Lot: Yes _____ No Square Footage of Accessory Building 816 912

Accessory Building Size: 24 by 38 Height 21' 7 1/2"

Setbacks in feet from property lines: Front 120.12 Rear 49.1' Left 50+ Right 10'

CHECK ONE: One-family Two-family Multi-family Commercial

Indicate type of accessory building: Garage Shed Gazebo Greenhouse Pavilion

Other _____ Tent - (Specify dates for tent: From _____ To _____)

Is an existing garage or shed being torn down? Yes No (If garage or shed is 500 sq. ft. or greater, a raze permit application must be completed and submitted with this permit application)

This Box for Office Use Only: Zoning _____ Zoning Review/Approval _____

I agree to comply with all applicable codes, statutes, and ordinances, and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the state or municipality; and, certify that all of the permit information herein is accurate. I expressly grant the building inspector, or the inspector's authorized agent, permission to enter the premises for which this permit is sought at all reasonable hours and for any proper purpose to inspect the work which is being done.

Applicant Signature: _____ Date: _____

Planning & Zoning

Community Development

262.653.4030
262.653.4045 FAX
Room 308



Building Inspections

Property Maintenance

262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Director

Richard Schroeder, Deputy Director

NOTIFICATION OF PUBLIC HEARING

Special Exception from the Sixteen-foot (16') Height Restriction and the 840-square-foot Size Limitation in Order to Construct a 21'7½" High, 912-square-foot Accessory Structure at 6826 54th Avenue; Zoning Ordinance: 3.03 F; Property Owner/Petitioner: Jeffery Zastoupil; Zoning Designation: RS-2 (District 14)

A public hearing is scheduled before the Common Council in order to deliberate and render a decision on the above request.

When and where will the meeting be held?

Public Safety and Welfare:

Date: Monday, September 29, 2014; Time: 5:00 p.m.

Location: Municipal Office Building, 625 52nd Street, Room 204

Common Council:

Date: Monday, October 6, 2014; Time: 7:00 p.m.

Location: Municipal Office Building, 625 52nd Street, Room 200

What is a special exception?

An approval authorizing the construction or maintenance of a building or structure inconsistent with zoning ordinance standards. Approval of a special exception is an authority granted by the City of Kenosha Common Council. A special exception may be granted in cases whereby circumstances exist that justify approvals which are not detrimental to the public interest.

Why am I being notified?

The purpose of this notice is to inform you of the request. In accordance with the City of Kenosha Zoning Ordinance, all property owners located within 100' of the property shall be notified.

Must I attend?

It is not necessary for you to attend unless the following conditions apply and you would like to advise the Common Council of your concerns.

- a) You will be negatively affected by an approval of the special exception;
- b) You have concerns related to the request that you would like to have taken into consideration by the Committee

If you cannot attend the meeting and would like to voice your concerns on this matter, please contact me at 262.653.4049, and information will be provided on your behalf at the meeting.

Brian Wilke
Development Coordinator

Zimbra

bwilke@kenosha.org

RE: Zastoupil, Jeffery

From : Jeff Zastoupil <jzastoupil@ottonelsonmoving.com>

Wed, Sep 10, 2014 09:37 AM

Subject : RE: Zastoupil, Jeffery**To :** 'Brian Wilke' <bwilke@kenosha.org>

Good Morning Brian,

It will be used as storage.

Jeff R. Zastoupil
Vice President
Otto Nelson Moving & Storage Inc.
262-654-2171
800-727-6886
262-654-2155 Fax
www.ottonelsonmoving.com

From: Brian Wilke [mailto:bwilke@kenosha.org]
Sent: Wednesday, September 10, 2014 9:21 AM
To: Jeff Zastoupil
Subject: Re: Zastoupil, Jeffery

Is the second floor of the accessory structure intended to be used as living space, or just storage?

Brian R. Wilke
Development Coordinator
City of Kenosha -
Dept. of Community Development & Inspections
625 52nd Street
Kenosha, WI 53140
(262)653-4049 Phone
(262)653-4045 Fax

From: "Jeff Zastoupil" <jzastoupil@ottonelsonmoving.com>
To: "Brian Wilke" <bwilke@kenosha.org>
Sent: Tuesday, September 2, 2014 11:31:27 AM
Subject: Zastoupil, Jeffery

Forgot to attach the Plat Survey.

Sorry

Jeff R. Zastoupil
Vice President
Otto Nelson Moving & Storage Inc.
262-654-2171
800-727-6886
262-654-2155 Fax
www.ottonelsonmoving.com

Planning & Zoning
Community Development
262.653.4030
262.653.4045 FAX
Room 308



Building Inspections
Property Maintenance
262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Director

Richard Schroeder, Deputy Director

NOTIFICATION OF PUBLIC HEARING

Special Exception from the Sixteen-foot (16') Height Restriction and the 840-square-foot Size Limitation in Order to Construct a 21'7½" High, 912-square-foot Accessory Structure at 6826 54th Avenue; Zoning Ordinance: 3.03 F; Property Owner/Petitioner: Jeffery Zastoupil; Zoning Designation: RS-2 (District 14)

A public hearing is scheduled before the Common Council in order to deliberate and render a decision on the above request.

When and where will the meeting be held?

Public Safety and Welfare:

Date: Monday, September 29, 2014; Time: 5:00 p.m.
Location: Municipal Office Building, 625 52nd Street, Room 204

Common Council:

Date: Monday, October 6, 2014; Time: 7:00 p.m.
Location: Municipal Office Building, 625 52nd Street, Room 200

What is a special exception?

An approval authorizing the construction or maintenance of a building or structure inconsistent with zoning ordinance standards. Approval of a special exception is an authority granted by the City of Kenosha Common Council. A special exception may be granted in cases whereby circumstances exist that justify approvals which are not detrimental to the public interest.

Why am I being notified?

The purpose of this notice is to inform you of the request. In accordance with the City of Kenosha Zoning Ordinance, all property owners located within 100' of the property shall be notified.

Must I attend?

It is not necessary for you to attend unless the following conditions apply and you would like to advise the Common Council of your concerns.

- a) You will be negatively affected by an approval of the special exception;
- b) You have concerns related to the request that you would like to have taken into consideration by the Committee

If you cannot attend the meeting and would like to voice your concerns on this matter, please contact me at 262.653.4049, and information will be provided on your behalf at the meeting.

Handwritten signature of Brian Wilke in black ink.

Brian Wilke
Development Coordinator



ENGINEERING DIVISION
SHELLY BILLINGSLEY, P.E.
CITY ENGINEER

PARK DIVISION
JEFF WARNOCK
SUPERINTENDENT

FLEET MAINTENANCE
MAURO LENCI
SUPERINTENDENT

STREET DIVISION
JOHN H. PRIJIC
SUPERINTENDENT

WASTE DIVISION
ROCKY BEDNAR
SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

MICHAEL M. LEMENS, P.E., DIRECTOR
SHELLY BILLINGSLEY, P.E., DEPUTY DIRECTOR

MUNICIPAL BUILDING · 625 - 52ND ST · RM 305 · KENOSHA, WI 53140
TELEPHONE (262) 653-4050 · FAX (262) 653-4056
EMAIL PUBLICWORKS@KENOSHA.ORG

September 26, 2014

To: Rocco L. LaMacchia, Sr., Chairman,
Public Works Committee

From: Michael M. Lemens, P.E. *[Signature]*
Director of Public Works/City Engineer *9-26-14*

Subject: Ordinance by Alderperson Jan Michalski – To Repeal and Recreate Section 13.01
Regarding Scrap Salvage Dealers and Fees and Scrap Salvage Collectors.

BACKGROUND INFORMATION

As a request from Alderperson Jan Michalski, the Legal Department has prepared the following Resolution to Repeal and Recreate Section 13.01 Regarding Scrap Salvage Dealers and Fees and Scrap Salvage Collectors.

RECOMMENDATION

Staff has no recommendation at this time.

MML/dm

ORDINANCE NO. _____

P S + W
L/P

SPONSOR: ALDERPERSON JAN MICHALSKI

**TO REPEAL AND RECREATE SECTION 13.01 REGARDING
SCRAP SALVAGE DEALERS AND FEES AND SCRAP SALVAGE
COLLECTORS**

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

Section One: Subsection 13.01 H.2 of the Code of General Ordinances for

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

A. Purpose. The Common Council of the City of Kenosha, Wisconsin makes the following findings:

1. "**Scrap Salvage**", as defined herein, is, or in the future may be, stored in a dangerous or unsanitary manner in yards, open areas or in other places within the City; and,
2. The places in which "Scrap Salvage", as defined herein, is stored, or in the future may be stored, tend to become overgrown with weeds, littered with rubbish and debris; and infested with rats, mice, insects, reptiles, and other vermin; and,
3. Such conditions tend to attract children and endanger their lives and health; spread disease; invite plundering; attract vagrants; create fire hazards and other safety and health hazards; create, extend, and aggravate urban blight; interfere with the enjoyment of and reduce the value of private property; and interfere with the comfort and well-being of the public; and,
4. Thieves and receivers of stolen property frequently attempt to dispose of stolen property by representing it to be legitimately acquired "Scrap Salvage".

Based upon said findings, it is determined that adequate protection of the public health, safety, and welfare requires that the business of handling and dealing in "Scrap Salvage" be regulated and controlled, and such is the purpose of this Ordinance.

B. Definitions. Except where otherwise indicated by the context, the following definitions shall apply in the interpretation and enforcement of this Ordinance:

41. "Person" ~~shall~~ means any person, firm, partnership, association, corporation, company, or organization of any kind.

52. "Scrap Salvage" ~~shall~~ means any of the following or combination thereof: old iron, steel, brass, copper, tin, lead or other base metals; used lumber, used conveyor belts, used barrels, used appliances not intended for resale as such; old cordage, ropes, rags, fibers or fabrics; old tires or rubber; old bottles or other glass; bones; wastepaper and other waste or discarded material which might be prepared to be used again in some other form; and motor vehicles, no longer used as such, to be used for scrap metal or for the stripping of parts. "Scrap Salvage" shall not include materials or objects accumulated by a manufacturer as by-products,

waste, or scraps from their own manufacturing process or used as an integral part of its own manufacturing process when stored upon manufacturer's premises, when "Scrap Salvage" is shielded from view by a fence meeting the requirements of Subsection K.1.o. of this Ordinance as to size and construction. "Scrap Salvage" shall not include used household furniture, used appliances taken in trade and held for less than thirty (30) days, used wearing apparel, railroad ties intended for landscaping purposes, used brick and tile which is stacked and bound, used plumbing fixtures, excluding pipes, used precious metal or metals, used jewelry, used tools and other used articles or personal property, which are bought and sold, without substantial alteration, as secondhand property to be used for the purpose for which originally manufactured or produced. "Scrap Salvage" shall not include aluminum cans collected for the purpose of recycling or returnable glass bottles collected for the purpose of refilling when either is stored in a wholly enclosed building or structure.

83. "Scrap Salvage Yard" shall mean a yard, lot, or place, covered or uncovered, outdoors or in an enclosed building or structure, containing "Scrap Salvage", as defined above, upon which occurs one or more acts of buying, keeping, dismantling, crushing, recycling, chipping, reducing, stripping, reusing, processing, selling, or offering for sale any "Scrap Salvage", in whole units or by parts, for a business or commercial purpose, whether or not the proceeds from such act or acts are to be used for charitable purposes.

74. "Scrap Salvage Dealer" shall mean a person who operates a "Scrap Salvage Yard", as defined above, within the City.

65. "Scrap Salvage Collector" shall mean a person who buys, sells, collects, or delivers "Scrap Salvage" which is acquired from another person as a business or employment within the City, but who is not an operator of a "Scrap Salvage Yard" within the City or an employee of such an operator.

~~36. "Business Premises", "Licensed Premises" or "Premises" shall mean the area of a "Scrap Salvage Yard" as described in a "Scrap Salvage Dealer's" license or application for license, as provided for in this Ordinance, and granted approved by the Common Council. The term "Licensed Premises" also means the area described in an application filed with the City Clerk for a Scrap Salvage Yard license before such application has been finally considered by the Common Council.~~

~~27. "Fire Lane" shall mean a roadway which that is accessible year round and of sufficient size, configuration and location so as to permit firefighting and emergency equipment access to all acres of the "Scrap Salvage Yard".~~

~~1. "Exterior Premises" has the definition given to the term in Chapter 16.~~

C. License Requirements/ Prohibitions/ Exceptions.

1. License Required. It shall be unlawful for any person to act as a "Scrap Salvage Dealer" or "Scrap Salvage Collector" within the City whether personally, by agents or employees, singly, or along with some other business or enterprise, without first having obtained a license therefor from the Common Council in accordance with the provisions of this Ordinance.

2. Separate Licenses. A "Scrap Salvage Dealer" who operates more than one (1) "Scrap Salvage Yard" within the City shall be required to have in effect a separate license for each "Scrap Salvage Yard".

3. Other Licenses And Permits. A license issued hereunder shall not exempt the holder thereof from obtaining such other licenses and permits as may be relevant and otherwise required by the City or by any other governmental agency.

~~4. Aluminum Cans. No "Scrap Salvage Collector" or "Scrap Salvage Dealer" License is required hereunder for the collection of aluminum cans for the purpose of recycling thereof, as authorized by the Zoning~~

~~Ordinance, where they are stored in a wholly enclosed building or structure.~~

5. Compliance With License Requirements. It shall be unlawful for any licensee to perform a licensed activity contrary to the terms of this Ordinance.

46. Compliance With Order Of City Enforcing Departments. It shall be unlawful for any licensee to fail to obey any final order of any enforcing department which was issued under the authority hereof.

6. Exceptions to the Requirements of this Section

a7. Returnable Glass Bottles. No "Scrap Salvage Collector" or "Scrap Salvage Dealer" License is required for the collection of returnable glass bottles for the purpose of the refilling thereof, when they are stored in a wholly enclosed building or structure.

b. Aluminum Cans. No Scrap Salvage Collector or Scrap Salvage Dealer License is required hereunder for the collection of aluminum cans for the purpose of recycling thereof, as authorized by the Zoning Ordinance, where they are stored in a wholly enclosed building or structure.

8c. City Licensed Towers. No "Scrap Salvage Collector" or "Scrap Salvage Dealer" License is required for a Tower licensed under §13.12 of the Code of General Ordinances while engaged in a licensed activity thereunder.

d. NonProfit And Charitable Entities. Nonprofit and charitable entities and persons acting on behalf thereof need not obtain a license hereunder where old newspapers, cardboard, aluminum cans or returnable glass bottles are collected solely for the purpose of fund raising and sold directly to a Scrap Salvage Dealer or Scrap Salvage Collector, and where such activity is conducted for no more than thirty (30) days, individually or consecutively, within any calendar year, and where Scrap Salvage is stored within a building or enclosed structure, and secured so as not to become litter.

It shall be unlawful for any unlicensed nonprofit or charitable entities or persons acting on behalf thereof to act in the capacity of a Scrap Salvage Dealer or Scrap Salvage Collector, except within the limitations above provided.

9e. City. The City of Kenosha is excluded from the licensing requirements hereof.

D. Enforcement. The Director of the Department of Community Development and Inspections, or designee thereof, shall have the primary responsibility to enforce this Ordinance through the coordination of inspections and shall be responsible for submitting inspection reports of all enforcing departments to the Common Council and its licensing committee.

Citizens may file complaints with any Department having enforcement powers, and it shall be the duty of any Department receiving a complaint which is not within their jurisdiction to take the complaint and refer it to the Department having proper jurisdiction. After normal City Municipal Building working hours, all complaints shall be made to the Police Department, who, where the complaint is outside of its jurisdiction, shall take the complaint and refer it to the Department having proper jurisdiction.

The Director of the Department of Community Development and Inspections, or designee thereof, shall have the responsibility of investigating complaints to the effect that some person is engaged in an activity requiring a license hereunder without first having obtained said license. Said investigation shall be sent to the City Attorney who shall make a final determination on said matter and issue cease and desist orders where appropriate.

This Ordinance shall be enforced by the following City Departments (enforcing departments) as follows:

1. By the Director of the Department of Community Development and Inspections or designee thereof, with respect to the Building (**Chapter IX**) and Sign (**Chapter XV**) Codes, the Zoning Code, and with respect to provisions of this Ordinance regulating fences and height of "Scrap Salvage" piles.

2. By the Fire Chief, or designee thereof with respect to the Fire (**Chapter III**) Code and with respect to the provisions of this Ordinance related to "Fire Lanes" and fire control, fire prevention and fire fighting.

3. By the Police Chief, or designee thereof, with respect to Good Order and Conduct (**Chapter XI**) and with respect to the crime prevention and detection provisions of this Ordinance.

4. By the Health Administrator, or designee thereof, with respect to the Health (**Chapter IV**) and Noise (**Chapter XXIII**) Codes, and with respect to the health and sanitation provisions of this Ordinance.

E. Inspections.

1. Scrap Salvage Dealers. Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the ~~premises proposed to be licensed or licensed~~ Licensed Premises, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance. ~~without first obtaining a special inspection warrant.~~ Inspections shall be made during normal hours of business operation in the absence of emergency circumstances ~~that~~ which require prompt action to protect the public health, safety ~~and~~ welfare or to preserve evidence of noncompliance with this Ordinance. The ~~unreasonable~~ failure to permit inspections shall be grounds for license denial, nonrenewal, suspension or revocation.

Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the equipment associated with the operations of the Scrap Salvage Dealer or proposed to be used by an applicant for a Scrap Salvage Dealer license, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance.

~~Upon notice of application by the City Clerk to the enforcing departments, they shall inspect the premises/equipment of each new license applicant and licensee seeking license renewal, where they have duties with respect thereto, as part of the application/license renewal process and prior to application review. The Fire Chief, or designee thereof, shall make periodic inspections of Licensees premises/equipment during the license period and report apparent violations of this Ordinance over which it does not have jurisdiction to any enforcing department having jurisdiction thereover. Enforcing departments may also inspect the premises/equipment of any Licensee upon a complaint being made with respect thereto by any person.~~

2. Scrap Salvage Collectors. Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the portions of the Exterior Premises of the residence of the licensee/applicant to which the licensee/applicant has legal authority to enter, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance. ~~without the necessity of the authorized representative first obtaining a special inspection warrant.~~ Inspections shall be made during daylight in the absence of emergency circumstances that require prompt action to protect the public health, safety or welfare or to preserve evidence of noncompliance with this Ordinance. The unreasonable failure to permit inspections is grounds for license denial, nonrenewal, suspension or revocation.

Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the equipment associated with the operations of the Scrap Salvage

Collector or proposed to be used by an applicant for a Scrap Salvage Collector license, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance.

F. Application. An applicant for a license under this Ordinance shall file with the City Clerk a written application, which is true, correct and complete, signed by himself, if an individual, by all partners if a partnership, and by the president or chief officer of a corporation or other organization, upon forms provided by the City Clerk, together with a fee as hereinafter prescribed. The application shall be sworn to by each of its signers before a notary public or other officer authorized by law to administer oaths and shall include the following information or material:

1. With respect to "Scrap Salvage Dealers":

a. Exact address or location of the place where the business is or is proposed to be carried on, plus a sketch of the actual premises to be used in connection with the business, giving distances in feet and showing fire lanes, property lines, buildings, and abutting roads.

b. A description of the type of construction of any building and structure to be used in connection with the licensed business; a sketch showing the location of such buildings or structures on the business premises, with respect to their distance from roads and fire lanes and a diagram or plan giving distances and heights, showing floors, exits, entrances, windows, ventilators, and walls.

c. A description of any equipment or machinery which will be utilized to process "Scrap Salvage" and a description of motor vehicles which will be used to collect or haul "Scrap Salvage" in the operation of the licensed business, including their I.D., D.M.V. and L.C. numbers, where applicable.

d. Such other information as is reasonably necessary to effectuate the purposes of this Ordinance and to arrive at a fair determination of whether the terms of this Ordinance have been complied with.

e. Proof of insurance/financial responsibility for all motor vehicles which will be utilized in the operation of the licensed business, in accordance with the requirements of State law.

f. Proof that licensee's name is conspicuously and legibly printed on all motor vehicles to be used in the operation of the licensed business.

g. Proof of current registration of all motor vehicles to be used in the course of performing licensed activities.

h. A list of all persons who will operate motor vehicles in the course of performing licensed activities and proof of their possessing a valid and appropriate Wisconsin Driver's License.

2. With respect to "Scrap Salvage Collectors":

a. A photograph of all persons required to sign the application, taken within sixty (60) days immediately prior to the date of the filing of the application, which shall be at least 2" by 2", showing their head and shoulders in a clear and distinguishing manner.

b. A description of motor vehicles which will be used to collect or haul "Scrap Salvage" in the operation of the licensed business, including I.D., M.V.D. and L.C. numbers, where applicable.

c. Such other information as is reasonably necessary to effectuate the purposes of this Ordinance and to arrive at a fair determination of whether the terms of this Ordinance have been complied with.

d. Proof of insurance/financial responsibility for all motor vehicles which will be utilized in the operation of the licensed business, in accordance with the requirements of State law.

e. Proof that licensee's name is conspicuously and legibly printed on all motor vehicles to be used in the operation of the licensed business.

f. Proof of current registration of all motor vehicles to be used in the course of performing licensed activities.

g. A list of all persons who will operate motor vehicles in the course of performing licensed activities and proof of their possessing a valid and appropriate Wisconsin Driver's License.

h. the address of the residence of the applicant.

G. Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Community Development and Inspections, Fire Department, Health Department and Police Department. The Department of Community Development and Inspections, Fire Department and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the Committee on Licensing who, in turn, shall deliver them with the application, to the Committee on Licensing. Such Committee shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

H. License.

1. Form. The "Scrap Salvage Dealer's" License as issued, shall bear the following language on its face: "IMPORTANT - This license applies only to the described premises approved by the Common Council and authorizes the Licensee to operate a "Scrap Salvage Yard" in a lawful place and manner only; it is not a substitute for any Certificate of Occupancy, Building Permit, Conditional Use Permit or other licenses, certificates, or permits that might be required by law of the Licensee, and it does not relieve the Licensee of the responsibility of having all such required licenses, permits or certificates at all times and complying with all other laws, rules and regulations affecting the business premises".

2. Fee.

- a. Scrap Salvage Dealer: \$350
- b. Scrap Salvage Collector: ~~\$75~~\$50

3. Term.

- a. Scrap Salvage Dealer: May 1 through April 30.
- b. Scrap Salvage Collector: May 1 through April 30.

4. Renewal. License renewal applications shall be the same as new license applications, except that Licensee's report of police record need only be updated, and except that renewal applications must be filed with the City Clerk by March 15th in order to provide for continuous licensing.

5. Transfer/Assignment. Licenses are not transferable or assignable, and may not be utilized and approved by the Common Council.

I. Amendment/Correction. Applicants and Licensees shall have the duty to amend and correct their application within ten (10) days of such time as any information stated therein is known by Applicant/Licensee to be untrue, incorrect or incomplete. However, no material change in personnel, scope of operation, or site of operation shall be effective without the advance approval thereof by the Common Council based upon a specific request for such approval.

~~———— J. NonProfit And Charitable Entities. Nonprofit and charitable entities and persons acting on behalf thereof need not obtain a license hereunder where old newspapers, cardboard, aluminum cans or returnable glass bottles are collected solely for the purpose of fund raising and sold directly to a "Scrap Salvage Dealer" or "Scrap Salvage Collector", and where such activity is conducted for no more than thirty (30) days, individually or consecutively, within any calendar year, and where "Scrap Salvage" is stored within a building or enclosed structure, and secured so as not to become litter.~~

~~———— It shall be unlawful for any unlicensed nonprofit or charitable entities or persons acting on behalf~~

thereof to act in the capacity of a "Scrap Salvage Dealer" or "Scrap Salvage Collector", except within the limitations above provided.

K. General Operating Requirements.

1. Scrap Salvage Dealers. The following general operating requirements shall apply to all "Scrap Salvage Dealers" licensed in accordance with the provisions of this Ordinance:

- a. The license issued pursuant to this Ordinance shall be plainly displayed on the business premises.
- b. The "Scrap Salvage Yard" shall, at all times be maintained in as clean, sanitary and neat of a condition as such premises will reasonably permit.
- c. An area which is not described in the approved license application shall not be used in the conduct of licensed business.
- d. No water shall be allowed to stand on the premises in such manner as to, in the opinion of the Health Administrator, constitutes a breeding place for insects or disease which may endanger health.
- e. Grass and other ground cover on the premises shall be kept at a height of not more than eight (8) inches. The premises shall be substantially free of noxious weeds.
- f. No garbage, refuse or other waste liable to give off a foul odor or attract vermin shall be kept on the premises, except for domestic garbage which shall be kept in containers which are, in the opinion of the Health Administrator, rodentproof, and removed from the premises as often as is necessary to provide a sanitary environment, but at no less an interval than on a weekly basis.
- g. No "Scrap Salvage" which is stored on the premises shall be allowed to rest upon or protrude over any public street, walkway, or curb or become scattered about or blown off the premises.
- h. "Scrap Salvage" on the premises, which is not stored in racks or containers, shall be stored in piles not exceeding thirty (30) feet in height, at an angle of forty (40) degrees or less from the ground, and shall be arranged so as to permit access to all such "Scrap Salvage" for firefighting purposes. "Scrap Salvage" which is stored in racks or containers shall not be stored at a height in excess of twenty-five (25) feet.
- i. No combustible material of any kind not necessary for the operation of the licensed business, whether within or without a building or structure, shall be kept on the premises, except with the written permission of the Fire Department. The premises shall not be allowed to become a fire hazard.
- j. "Scrap Salvage" may not be broken into smaller pieces on the premises through the use of a ball or object dropped from a crane or apparatus, without Licensee first obtaining a permit therefor from the Common Council which may be granted and issued only upon a showing by Licensee that such activity will be conducted in a manner which is safe and lawful and which will not injure the public health, safety or welfare. Licensee may be requested, as part of the application process, to conduct or arrange for a demonstration, on site if possible, of the acts which are subject to this permit requirement before the Building Inspector or other designee of the Common Council who may make appropriate observations and cause noise, vibration and other tests to be conducted. The Common Council may place reasonable restrictions on the permitted activity, regulating the time, place and manner of operation.
- k. Licensee shall not directly or indirectly purchase "Scrap Salvage" from any person that they know, or should know, cannot rightfully or lawfully sell it or deliver clear title thereto.
- ~~l. Except for leaves and plant clippings which may be burned in accordance with §3.23 of the Fire Code, no "Scrap Salvage" or other material shall be burned on the premises.~~
- m. No process shall be utilized to reduce "Scrap Salvage" in size which causes vibrations which may damage the property of another or which may be injurious to the public health, safety and welfare. Complaints in this regard shall be processed by the Health Department, which may issue abatement orders, following notice and an opportunity to be heard.
- n. Chapter XXIII of the Code of General Ordinances, "Noise Control", shall be strictly complied with.
- o. The Exterior Premises of the Licensed Premises~~open area of the premises~~ whereupon "Scrap Salvage" is stored shall be enclosed with a solid, vertical wall or fence of a minimum height of six (6) feet measured from ground level, except where "Scrap Salvage" is shielded from view by an earthen berm of a minimum height of six (6) feet in which

event the required fence need not shield "Scrap Salvage" from view. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of the licensed business. Fences must be sturdily constructed, safe vertical straight, well maintained and must shield "Scrap Salvage" from view. Fences must be protected with paint or other preservatives. Fences must not create an appearance of patchwork which is indicative of a state of disrepair. Fences shall be of uniform color which will not detract from the value of abutting and neighboring real estate. No signs may be painted on or attached to any fence, except for a sign of not more than eight (8) square feet, located at an entranceway thereto which provides the name of the business. Fences must be constructed in such a fashion and of such materials and color as are approved by the Building Inspector prior to fence construction, repair or replacement. Chainlink fencing shall be appropriate where opaque strips are inserted in the fence. No fence may be constructed or replaced without the approval of the Building Inspector, or designee thereof, which approval may be denied if the above standards have not been complied with or if the construction of a proposed new fence or replacement fence would violate any other provision of law. No "Scrap Salvage" may be stored outside of said fence or may be stored so as to rest against said fence, protrude through it, or hang over it. Fence gates shall be kept closed when not required to be open for ingress or egress, except where a buffer fence is constructed in the vicinity of fence gates within the "Scrap Salvage Yard" which shields "Scrap Salvage" from view when the gates are open. In all other respects, fences shall be installed and constructed in accordance with City Ordinances.

p. No "Scrap Salvage Dealer" licensed hereunder or his agent or employee shall, except for aluminum cans, purchase or receive any "Scrap Salvage" for use in the licensed business from any person under the age of eighteen (18) years without the written consent of a parent or guardian of such person. Such writing shall be held available for inspection by any member, or representative, of the Police Department for one (1) year.

q. Each acquisition of such "Scrap Salvage" as is capable of being used for its original and intended purpose without repair or alteration, including all motor vehicle parts, except for bulk purchases from industrial and commercial concerns, shall be recorded in English in a permanent type register kept on the business premises, giving the name and residence address of the person from whom the acquisition was made, a description of the "Scrap Salvage" acquired, any identification or serial number, and the date of the transaction. Such data shall be held available for inspection by any member, or representative, of the Police Department for one (1) year. The identification of each seller of a motor vehicle or motor vehicle part shall be checked and the type of identification checked noted, except where the purchase is from a licensed motor vehicle dealer, an insurance company, a City licensed tower or an auction.

r. No "Scrap Salvage Yard" shall be allowed to become a public or attractive nuisance; nor shall any "Scrap Salvage Yard" be operated in such manner as to adversely affect the public health, safety, or welfare.

s. There shall be full compliance with the City Building, Fire and Health Codes and with all other City, County, State and Federal laws, rules or regulations which may be applicable.

t. The Fire Department may order Licensees to install fire lanes, following notice and opportunity to be heard, and upon providing a reasonable time for compliance.

u. The terms of a Conditional Use Permit which are not inconsistent with this Ordinance, shall be complied with at all times as a condition of license maintenance.

v. No "Scrap Salvage" shall be collected which is placed on a City right-of-way for City collection and no "Scrap Salvage" shall be deposited or sorted on a City right-of-way or removed from the property of any nonconsenting person or party.

w. The licensed premises must possess appropriate zoning for the licensed business or constitute a lawful nonconforming use.

x. Motor vehicles which are used in the licensed business shall hold and display an L.C. and M.V.D. number where such number is required by State law, rule or regulation, shall be insured or financially responsible in accordance with State law, shall be properly and currently registered with the State Motor Vehicle Department, and shall have the licensee's name conspicuously and legibly printed thereon.

2. Scrap Salvage Collectors. The following general operating requirements shall apply to all "Scrap

Salvage Collectors" licensed in accordance with this Ordinance:

a. Licensees shall have the license issued to them under this Ordinance in their immediate possession at all times when acting as a "Scrap Salvage Collector" in the City and shall exhibit it to any person upon request.

b. Licensee, except for aluminum cans, shall not purchase or receive any "Scrap Salvage" from any person under the age of eighteen (18) years without the written consent of a parent or guardian of such person. Licensee shall retain such writing for a period of at least one (1) year, and shall produce it within a reasonable time upon the request of any member, or representative of a member of the Police Department.

c. Licensee shall record in English, in a permanent type register, each acquisition of such "Scrap Salvage" as is capable of being used for its original and intended purpose, including all motor vehicle parts, except for bulk purchases from industrial and commercial concerns, within the City, giving the name and residence address of the person from whom the acquisition was made, a description of the "Scrap Salvage" acquired, any identification or serial number, and the date of the transaction. Licensee shall retain such data for a period of at least one (1) year, and shall produce them within a reasonable time upon the request of any member or representative of the Police Department. The identification of each seller of a motor vehicle or motor vehicle part shall be checked, and the type of identification checked, noted, except where the purchase is from a licensed motor vehicle dealer, an insurance company, a City licensed tower or an auction.

d. Licensee shall not directly or indirectly purchase "Scrap Salvage" from any person that they know, or should know, cannot rightfully or lawfully sell it or deliver clear title thereto.

e. No "Scrap Salvage" shall be collected which is placed on a City right-of-way for City collection and no "Scrap Salvage" shall be deposited or sorted on a City right-of-way or removed from the property of any nonconsenting person or party.

f. Motor vehicles which are used in the licensed business shall hold and display an L.C. and M.V.D. number where such number is required by State law rule or regulation, shall be insured or financially responsible in accordance with State law, shall be properly and currently registered with the State Motor Vehicle Department, and shall have the licensee's name conspicuously and legibly printed thereon.

g. Scrap Salvage Collectors must notify the City Clerk in writing of any changes to the residence of the licensee or the equipment being used by the licensee, as soon as practicable

L. Licensees/Responsibility. "Scrap Salvage Dealers" and "Scrap Salvage Collectors" shall, with respect to the conduct of their business, have a duty to supervise their agents and employees and shall be responsible for the acts thereof.

M. Suspected Stolen and Evidentiary Scrap Salvage. The Police Department may order any licensee hereunder to retain any "Scrap Salvage" upon the premises which is suspected to be stolen, for a period not to exceed thirty (30) days pending an investigation. The Police Department, at any time, may seize from the premises, as evidence, any "Scrap Salvage" that which they have probable cause to believe is stolen, and may hold said "Scrap Salvage" for so long as it shall have evidentiary value. Any seized item shall be released within a reasonable time upon prosecution being denied by any prosecuting attorney. Any enforcing department may order a Licensee to retain "Scrap Salvage" upon the premises which is suspected of being held in violation of this Ordinance for a period not to exceed thirty (30) days during which an investigation can be conducted. Any enforcing department may take samples of "Scrap Salvage" for purposes of testing or arrange for any other governmental agency to do so.

N. Conditional Use Permits. Conditional Use Permits, as required by the Zoning Ordinance, shall be required prior to any unlicensed premises being licensed and prior to the expansion of any existing licensed premises, and each license shall be conditioned upon obtaining and complying with the provisions of a Conditional Use Permit, where required. A Conditional Use Permit may contain

requirements over and above the requirements of this Ordinance, but may not negate any of the requirements of this Ordinance, and if it would do so, any conflicting provisions thereof shall be null and void.

O. Appeals From Orders. A Licensee, where the public health, safety and welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any enforcing Department under authority of this Ordinance by filing a written Notice of Appeal with said Department within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that the appeal be heard by a Committee thereof.

P. Revocation and Suspension Of Licenses. The Common Council may, for just cause, suspend, revoke or not renew any license herein provided, upon serving such party written notice of the charges forming a basis for the proposed penalty, in the same manner as that for the service of a Summons in a civil action. Just cause shall include, but not be limited to:

1. Failing to maintain a status of good moral character and business responsibility.
2. Obtaining the license through fraud or misrepresentation.
3. Operating contrary to the terms of this Ordinance.
4. Failing to commence doing business within ninety (90) days of being granted a license or within ninety (90) days of the first day of the license term, whichever is longer, unless an extension of time is applied for and granted by the Finance Committee.
5. Suspending doing business for a period of ninety (90) consecutive days, unless permission is applied for and granted by the Finance Committee.

Q. Disciplinary Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, may be held before the Common Council or before the Committee charged with license review responsibilities.

The Committee on Licensing, when it conducts a hearing, shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal of the license, it shall be suspended, revoked or not renewed as provided by law. If the City Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

R. Penalty. Any person who shall violate any of the terms and conditions of this Ordinance shall, upon conviction thereof, forfeit not more than Five Hundred (\$500) Dollars, plus the costs of prosecution, and in default of the timely payment thereof be confined in the County Jail for a period not to exceed (30) days.

S. Violations. Each day of a violation of this Ordinance shall be considered a separate offense.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director
Shelly Billingsley, P.E., Deputy Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 25, 2014

To: Alderperson Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Michael M. Lemens, P.E.,
Director of Public Works

Subject: ***Request to Rescind and Rewrite the Resolution Governing the Parking Restrictions on 8900 Block of 29th Court during Soccer Events***

BACKGROUND INFORMATION:

Public Works Engineering Staff has received a Police complaint regarding inconsistencies between the signed parking restrictions on 29th Court south of 89th Street. The existing signs on 29th Court and portions of 89th Street and 29th Avenue state "No Parking During Soccer Event" whereas Resolution 118-97 states the following:

"Both sides of 29th Court on the 8900 block, both sides of 89th Street from 30th Avenue to 31st Avenue; and, the south side of 89th Street from 30th Avenue to 29th Avenue be and are hereby designated as 'No Parking One Hour Before / After Soccer Events.'

Resolution 118-01 has since removed and rescinded the parking restrictions on the north side of 89th Street from 30th Avenue to 31st Avenue.

The parking restrictions on 29th Avenue are governed by Resolution 111-01 which states stating the following:

"The west side of 29th Avenue from 89th Street south approximately two hundred sixty (260') feet, be and hereby is designated as 'No Parking One Hour Before / After Soccer Event.'"

RECOMMENDATION:

To prevent confusion and to ensure the restriction of parking at the locations listed above, Public Works Engineering Staff recommends that resolutions 111-01 and 118-97 be rescinded and a new resolution be written stating the following:

RESOLUTION ____-14

By: Committee on Public Safety and Welfare

TO DESIGNATE AS "NO PARKING DURING SOCCER EVENT" BOTH SIDES OF 29TH COURT ON THE 8900 BLOCK, THE SOUTH SIDE OF 89TH STREET FROM 31ST AVENUE TO 29TH AVENUE, AND THE WEST SIDE OF 29TH AVENUE FROM 89TH STREET SOUTH APPROXIMATELY TWO HUNDRED SIXTY (260') FEET.

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin that both sides of 29th Court in the 8900 block, the south side of 89th Street from 31st Avenue to 29th Avenue, and the west side of 29th Avenue from 89th Street south approximately two hundred sixty (260') feet, be and are hereby designated as "NO PARKING DURING SOCCER EVENT".

Discussion #1 & #2

Zimbra

dmiles@kenosha.org

FW: STATUS

From : Rocco LaMacchia Sr. <rocco_sr@hotmail.com>

Wed, Sep 24, 2014 12:55 PM

Subject : FW: STATUS**To** : Diane Hoff <dhoff@kenosha.org>

Hi Diane,

Please add this to our agenda as a information item.
Thank you Alderman LaMacchia

Date: Mon, 22 Sep 2014 14:33:49 -0500**From**: jjpoltrock@kenosha.org**To**: district5@kenosha.org**Subject**: STATUS

Alderman LaMacchia:

An update:

- Work proceeds at Station 4 on the Administrative addition. Structural ironwork has been erected, metal-clad roof decks affixed, and interior compartmentalization proceeds as of today. The main floor slab is in place.
- A pre-construction meeting on the Station 5 floor repair was held today at 1400 in DPW's conference room. All stakeholders met for discussion on logistics and timetables. Another meeting will be held at Station 5 next Monday morning. After that meeting, work will immediately commence on the Station 5 repair.

Best regards:

John Poltrock

Discussion #3



Engineering Division
Shelly Billingsley
Director of Engineering
Fleet Maintenance
Mauro Lenci
Superintendent
Park Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Director
Shelly Billingsley, P.E., Deputy Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 25, 2014

To: Alderperson Rocco LaMacchia, Chairman
Public Safety and Welfare Committee

From: Shelly Billingsley, P.E.,
Deputy Director of Public Works / City Engineer

Subject: **Informational Item: On-street Accessible Parking at Commercial Properties**

BACKGROUND INFORMATION:

Public Works Engineering Staff has received multiple requests for the installation of on-street accessible parking spaces at commercial properties. There currently is no policy, resolution, or ordinance governing the installation of on-street accessible parking spaces in the City of Kenosha. Public Works currently has a policy for the installation of on-street accessible parking spaces at residential properties which is attached for your reference.

RECOMMENDATION:

Public Works Engineering Staff would like some input from the Public Safety and Welfare Committee on creating a policy or resolution for the installation of on-street accessible parking at commercial properties.