

ORDINANCE NO. 08-17

AN ORDINANCE AMENDING CHAPTER 17 (ZONING CODE)
OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That Section 17.47 (Performance Standards) is to be revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.47(1) COMPLIANCE.

This chapter permits specific non-residential land uses and activities to be conducted on property in specific non-residential zoning districts, including the "A" agricultural, "B" business and "M" manufacturing and industrial zoning districts. and ~~These~~ performance standards are designed to limit, restrict and prohibit the effects of these such non-residential land uses outside their premises or and activities beyond the boundaries of property located within these non-residential zoning districts. All structures, lands, air and waters associated with property located within the "A" agricultural, "B" business and "M" manufacturing and industrial zoning districts shall hereafter, in addition to all other applicable use, site and sanitary regulations, comply with the following performance standards.

SECTION 2. That Section 17.47(6) is to be revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are added:

17.47(6) NOISE.

No land use or activity being conducted on property located in the M-1, M-2, M-3 and M-4 Manufacturing and Industrial Zoning Districts shall produce a sound level beyond the boundaries of that property outside the district boundary that exceeds the following sound level limits set forth in Table 1 as measured by a sound level meter and ~~associated octave band filter:~~

Zoning District	Daytime (6:00am to 10:00pm)	Nighttime (10:00pm to 6:00am)
M-1	70 db(A)	65 db(A)
M-2		
M-3	75 db(A)	70 db(A)
M-4		

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Octave Band Frequency	Sound Level
(Cycles Per Second)	(Decibels)
0 to 75	79
75 to 150	74
150 to 300	66
300 to 600	59
600 to 1,200	53
1,200 to 2,400	47
2,400 to 4,800	41
Over 4,800	35

No other activity in any other district shall produce a sound level outside its premises that exceeds the following:

Octave Band Frequency	Sound Level
(Cycles Per Second)	(Decibels)
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1,200	46
1,200 to 2,400	40
2,400 to 4,800	34
Over 4,800	32

All noise shall be so muffled or otherwise controlled so as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character or shrillness.

Pursuant to the sound level limit requirement set forth herein, no sound level shall be deemed to be in violation of this requirement unless the offending sound exceeds the applicable sound level limit in Table 1, and, exceeds the then existing ambient sound level by at least five (5) db(A) at the location from which the sound level is measured.

All land uses and activities in all zoning districts, except the "M" manufacturing and industrial zoning districts set forth herein, are subject to all provisions and regulations concerning noise as set forth in Chapter 9 (Public Peace and Good Order) and Chapter 10 (Public Nuisances).

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SECTION 3. That Section 17.07(3)(b) is to be revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.07(3)(b) Performance Standards.

Performance standards listed in section 17.47 of this chapter shall be complied with by all non-residential uses in the all districts as specified therein.

SECTION 4. That Section 17.07(3)(d) is created to read as follows:

17.07(3)(d) Village Licenses and Permits.

It is the responsibility of all owners, tenants, or other users of all property to obtain all licenses and permits that may be required by the Village prior to the use of such property including the conduct of a business operation from such property. Village licenses and permits may include, but not limited to: Entertainment Permit, Liquor License, and any other license or permit required under Section 12 and other sections of the Municipal Code.

SECTION 5. That Section 17.08(48) is to be revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.08(48) 17.08(48) LOT, DOUBLE FRONTAGE.

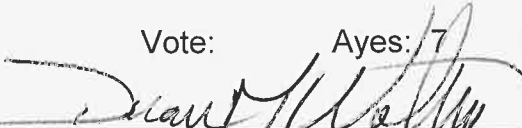
A lot having ~~a pair of opposite~~ lot lines that abut along two (2) or more or less parallel public streets and which is not a corner lot. For the purpose of this ordinance, double and three-sided frontage lots in residential districts shall be deemed to have one front yard on the street to which the dwelling faces ~~and from which principal access to the dwelling is provided~~, and, one rear yard. Any other yard that is not a front or rear yard shall be deemed to be a side yard for purposes of determining the type, height, location and setback requirements for accessory buildings and fences to be installed on any double frontage lot.

SECTION 6. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: Baum

Adopted: June 19, 2017

Vote: Ayes: 7 Nays: 2



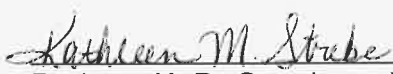
Dean M. Wolter, Village President

APPROVED AS TO FORM:



Brian C. Sajdak, Village Attorney

ATTEST:



Barbara K. D. Goeckner, Village Clerk
Kathleen M. Strobe, Deputy Clerk