

Sub 1 to 2023 OA-009

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING SALVAGE OPERATIONS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Sections 10.004 is amended to read as follows:

10.004 DEFINITIONS.

(80) Junkyard. (See Salvage [yardOperation](#).)

(116) Outdoor sales, display, or repair.

(c) Such land uses do not include uses where the outdoor sales or display area is less than 15 percent of the gross floor area of any principal building where sales are also conducted, which are instead classified in the "indoor sales" land use category; motor vehicle repair or maintenance, which are instead classified in the "Drive-in establishment" category; drive-in theaters, which are instead classified in the "outdoor commercial entertainment" category; or the storage or display of inoperative vehicles or materials typically associated with a junkyard or salvage [yardoperation](#).

(117) Outdoor storage.

(b) Outdoor storage does not include loading and parking areas, storage of materials typically associated with a salvage [operation](#) ~~or junkyard~~, salvage recycling centers or solid waste recycling centers.

(135) Salvage [yardOperation](#). An area where junk, waste or scrap materials are bought, sold, exchanged, stored, recycled, baled, packed, disassembled or handled.

(a) For the purposes of this definition, waste or scrap materials may include, but are not limited to: garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, any inoperable motor vehicle, any used tire or used motor vehicle part, and any scrap material such as metal, paper, rags, cans or bottles.

(b) Other than an operation that holds a scavenger license, A-a salvage [operation](#) or junk yard may shall include ~~a motor vehicle wrecking or dismantling yard any use requiring a motor vehicle salvage dealer's license under Wis. Stat. s. 218.205.~~

(c) A salvage ~~or junk yard~~[operation](#) does not include a solid waste recycling center, composting facilities or processing operations meeting the definition of an agriculture-related use.

(136m) Scavenger license. A “Type 4” salvage dealer license issued by the Wisconsin Department of Transportation to businesses that buy vehicles from owners and transport them to a licensed salvage yard or scrap metal recycler after removing tires, batteries and gas tanks.

(143) Solid waste recycling center. (See also Salvage yard.) A solid waste disposal operation at which temporary storage and processes such as baling of paper, grinding of glass and flattening of cans, are conducted on segregated solid waste to facilitate reuse of the segregated solid waste as raw material.

(169) Vehicle repair or maintenance service. Includes all principal land uses that perform repair, maintenance, or painting services to motorized vehicles. Vehicle repair or maintenance service shall include all operations requiring a ~~scavenger motor vehicle salvage dealer’s~~ license under Wis. Stat. s. 218.205.

ARTICLE 3. Section 10.102(4) is amended to read as follows:

(4) Junk and refuse. Except for salvage yards operations, solid waste disposal operations or solid waste recycling centers under an approved conditional use permit, all properties shall be free of accumulated junk or refuse.

ARTICLE 4. Section 10.103(17) is amended to read as follows:

(17) Salvage yards operations or junkyards.

~~(a) Use. For purposes of this ordinance, any premises used for the storage, gathering, recycling or sale of junk, as defined in this chapter, is a salvage recycling center. A salvage recycling center need not have a commercial purpose.~~

~~1. Junk, as defined under this chapter, may be stored on any premises on which a permitted business enterprise is actually conducted, provided, that all such junk is actually used in the conduct of such permitted business enterprise, and that all such junk is at all times stored in an enclosed building on the premises, thereby securing it from public view.~~

~~2. Junk, as defined in this chapter, may be stored on any premises used chiefly for residential purposes, provided that it is stored solely for eventual use on the premises, and that all such junk is at all times stored in an enclosed building thereby securing it from public view.~~

(ba) Location and boundaries.

1. No salvage yard operation or junkyard shall be located within one hundred (100) feet of the boundary of any residential district.

2. No salvage yard operation or junkyard with outdoor operations shall be located within the zone of contribution to a municipal well, as shown in the most current adopted version of the Dane County Water Quality Plan.

(cb) License.

1. If applicable, the operator of a salvage operation shall be required to obtain a motor vehicle salvage dealer’s license under Wis. Stat. s. 218.205.

~~Before any premises may be used as a privately operated salvage yard or junkyard, it shall be licensed. Application for such license shall be made to the zoning administrator, setting forth the description of the premises, the nature of the business and the materials to be handled, the type of construction of any building to be used in connection with the business, the applicant's name or names, officers, if any, and address of each. The application shall be referred to the zoning committee which shall, within a reasonable time, hold a public hearing, notice of which shall be given by a class 2 notice under chapter 985, Wis. Stats. If, after such public hearing, the zoning committee finds that the premises are in conformity with the provisions of this ordinance, and that the site is suitable for the conduct of such business, the committee shall grant a license, and such license shall expire on July 1 of each year. Licenses may be renewed from year to year on authorization of the committee when inspection discloses that the business is being conducted in accordance with the provisions of this ordinance.~~

~~2. Revocation of license. Upon the complaint of any interested person, or on its own motion or after inspection discloses that the provisions of this ordinance are being violated, the zoning committee may hold a public hearing to determine whether a privately operated salvage yard or junkyard license shall be revoked, notice of such hearing to be given to all interested parties. After public hearing, the zoning committee may order the license revoked.~~

~~3. Should any town elect to license salvage yard or junkyards by adoption of an ordinance pursuant to the provisions of s. 59.55(5), Wis. Stats., and file a copy of such ordinance with the zoning department, then the provisions of paragraphs (a) and (b) above shall not apply, but no such license shall be issued by any town for such purpose unless the area is properly zoned and unless the zoning committee, after public hearing, determines that the site is suitable. When a salvage yard or junkyard is licensed by the town, then the responsibility of controlling such salvage yard or junkyard rests with the town.~~

(c) Inspection. All salvage operations shall be subject to an annual inspection by the Zoning Administrator to confirm compliance with this ordinance.

ARTICLE 5. Section 10.281(3)(k) is amended to read as follows:

10.281 RI (RURAL INDUSTRY) ZONING DISTRICT.

(3) Conditional uses.

(k) Salvage ~~yard operations~~ or junkyards.

ARTICLE 6. Section 10.282(3)(q) is created to read as follows:

10.282 MI (MANUFACTURING AND INDUSTRIAL) ZONING DISTRICT.

(3) Conditional uses.

(q) Salvage operations.

ARTICLE 7. Section 10.500(2)(c)8. is rescinded:

10.500 ROLES, RESPONSIBILITIES AND DUTIES.

138 (2) Zoning and Land Regulations Committee.

139 (c) Powers and Duties. The zoning committee shall have the following powers
140 and duties:

141 ~~8. Review and issue annual licenses for salvage yards and junkyards under s.~~
142 ~~10.103(17)(c).~~
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145 *[EXPLANATION: This amendment conforms definitions and procedures with state*
146 *law regarding salvage operations and motor vehicle salvage operations.]*