



Legislation Details (With Text)

**File #:** 06950      **Version:** 1      **Name:** 9/4 auto title loan businesses in C3 & C3L  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/9/2007      **In control:** PLAN COMMISSION  
**On agenda:** 9/4/2007      **Final action:** 9/4/2007  
**Enactment date:** 9/22/2007      **Enactment #:** ORD-07-00104

**Title:** Amending Sections 28.04(2) and 28.09(4)(d)8., creating Section 28.09(4)(d)9., and amending Section 28.09(6)(d) of the Madison General Ordinances to add a definition of auto title loan business and make them a conditional use in the C3 and C3L Districts.

**Sponsors:** Marsha A. Rummel, Brenda K. Konkel

**Indexes:**

**Code sections:**

**Attachments:** 1. Memos.pdf

Date	Ver.	Action By	Action	Result
9/4/2007	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
8/20/2007	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
7/17/2007	1	COMMON COUNCIL	Refer For Public Hearing	
7/11/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
7/11/2007	1	Attorney's Office	Referred for Introduction	
7/9/2007	1	Attorney's Office/Approval Group	Approved As To Form	
7/9/2007	1	Attorney's Office	Fiscal Note Required / Approval	

**Fiscal Note**

The Planning Department estimates that this and several other proposed amendments to move conditional uses to permitted uses may eliminate an estimated 15 conditional uses per year, resulting in reduced conditional use application fees of \$7,500. However, City costs for publishing newspaper notices, mailing and staff costs for processing the applications will also be reduced, such that the realized efficiencies should equal or exceed the reduction in revenue.

**Title**

Amending Sections 28.04(2) and 28.09(4)(d)8., creating Section 28.09(4)(d)9., and amending Section 28.09(6)(d) of the Madison General Ordinances to add a definition of auto title loan business and make them a conditional use in the C3 and C3L Districts.

**Body**

DRAFTER'S ANALYSIS: A number of auto title loan businesses have opened in recent years. Currently they are regulated as financial institutions. Recognizing the distinction between these businesses and traditional lending institutions, a specific definition is created and the location of auto title loan businesses is restricted to the C3 and C3L Districts.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (2) entitled "Definitions" of Section 28.03 entitled "Rules and Definitions" of the Madison General Ordinances is amended by creating therein the following:

"Auto Title Loan Business. An auto title loan business is any person licensed pursuant to Wis. Stat. sec. 139.09, who

makes a loan that is secured by an interest, other than a purchase money security interest, in the borrower's motor vehicle."

2. Paragraph 8. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "C3 Highway Commercial District " of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is amended to read as follows:

"8. Payday loan businesses, provided no other payday loan business or any auto title loan business is located within five thousand (5,000) feet."

3. Paragraph 10. of Subdivision (d) entitled "Conditional Uses" of Subsection (4) entitled "C3 Highway Commercial District " of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is created to read as follows:

"10. Auto title loan businesses, provided no other auto title loan business or any payday loan business is located within five thousand (5,000) feet."

4. Subdivision (d) entitled "Conditional Uses" of Subsection (6) entitled "C3L Commercial Service And Distribution District (Nonresidential)" of Section 28.09 entitled "Commercial Districts" of the Madison General Ordinances is amended to read as follows:

"(d) Conditional Uses. The following conditional uses may be allowed in the C3L District, subject to the provisions of Sec. 28.12(11):

1. Any use allowed as a conditional use in the C3 district, excepting dwelling units and lodging rooms located on the ground floor
2. Payday loan businesses, provided that no other payday loan business or any auto title loan business is located within five thousand (5,000) feet."
3. Auto title loan businesses, provided no other auto title loan business or any payday loan business is located within five thousand (5,000) feet."