



## Legislation Details (With Text)

**File #:** 32299      **Version:** 1      **Name:** Family day care homes  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/22/2013      **In control:** COMMON COUNCIL  
**On agenda:** 1/21/2014      **Final action:** 1/21/2014  
**Enactment date:** 1/30/2014      **Enactment #:** ORD-14-00015  
**Title:** Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091, and 28.151 of the Madison General Ordinances to amend zoning regulations for Family Day Care Homes.  
**Sponsors:** Lisa Subeck  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. BODY, 2. Staff Comments.pdf

Date	Ver.	Action By	Action	Result
1/21/2014	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
1/7/2014	1	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
12/16/2013	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
12/3/2013	1	COMMON COUNCIL	Referred for Public Hearing	
11/22/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

No significant fiscal impact is anticipated.

### Title

Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091, and 28.151 of the Madison General Ordinances to amend zoning regulations for Family Day Care Homes.

### Body

DRAFTER'S ANALYSIS: Previously, the zoning code required that a Family Day Care Home be the principal place of residence of the operator. This amendment changes the rule to require that the home be the principal place of residence of the *provider* and requires conditional use approval if the *license holder* does not reside at, or have its principal place of business at, the day care home. In addition, this amendment removes the prohibition on employees who do not live in the home. Under this amendment, up to two employees who do not reside at the home are allowed. Finally, it removes the requirement for inspection by the Building Inspection Division and Fire Prevention Bureau, and the requirement for a use permit based on this inspection. In practice, this requirement did not accomplish much because building and fire code requirements for single family homes are not very strict and make no distinctions based on whether a child care center exists in the home. The relevant inspections are conducted by the state Department of Children and Families, the body that issues childcare licenses.

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The Common Council of the City of Madison do hereby ordain as follows:  
Please see "BODY" in Attachments.