



## Legislation Details (With Text)

**File #:** 45548      **Version:** 1      **Name:** Clarifying automobile service station activities  
**Type:** Ordinance      **Status:** Passed  
**File created:** 12/22/2016      **In control:** PLAN COMMISSION  
**On agenda:** 2/7/2017      **Final action:** 2/7/2017  
**Enactment date:** 2/21/2017      **Enactment #:** ORD-17-00021  
**Title:** Amending Sections 28.151 and 28.211 of the Madison General Ordinances to clarify that automobile service station activities must occur inside a building and that the windows and doors to that building must be closed if working during evening hours.

**Sponsors:** David Ahrens

**Indexes:**

**Code sections:**

**Attachments:** 1. ZText\_Memo.pdf

Date	Ver.	Action By	Action	Result
2/7/2017	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
1/23/2017	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
1/3/2017	1	COMMON COUNCIL	Refer For Public Hearing	Pass
12/22/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

No fiscal impact.

### Title

Amending Sections 28.151 and 28.211 of the Madison General Ordinances to clarify that automobile service station activities must occur inside a building and that the windows and doors to that building must be closed if working during evening hours.

### Body

DRAFTER'S ANALYSIS: This amendment clarifies automobile service station activities must occur indoors (except for three limited activities specified in sub. (d.)). This amendment further specifies that if automobile service station activities are occurring between the hours of 7:00 pm and 7:00 am, the doors and windows to the building in which these activities are occurring must remain closed. Also, this ordinance changes the name of the use Auto Repair Shop to Auto Repair Station in order to ensure consistency with how the use is referred to throughout the ordinance. Finally, this ordinance amends the definition of Auto Service Station to include electricity as a type of energy source that may be provided.

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

1. Subsection entitled "Automobile Body Shop, Automobile Sales and Rental, Automobile Service Station, Automobile Repair Station, Convenience Store" of Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended to read as follows:

"Automobile Body Shop, Automobile Sales and Rental, Automobile Service Station, Automobile Repair Station, Convenience Store.

(a) All automobile servicing and repair activities shall ~~either:~~  
1. ~~B~~be carried on within an enclosed building; ~~or~~

2. ~~Be screened along any property line that abuts a residential zoning district with:~~
  - a. ~~A minimum of six (6) foot high masonry or decorative wood fencing; and~~
  - b. ~~An area with a minimum width of eight (8) feet, planted with a minimum of one (1) shade tree per fifty (50) linear feet and one (1) shrub per four (4) linear feet. .~~
- (b) No automobile servicing and repair activities may take place between the hours of 7:00 p.m. and 7:00 a.m. unless all of the building's windows and doors are closed.
- (b~~c~~) A convenience store shall not be located within one thousand nine hundred eighty (1,980) feet distance of three (3) or more existing convenience stores, as measured along the center lines of streets.
- (c~~d~~) The following activities and equipment are allowed only outside if located within the rear yard and building envelope, and at least fifty (50) feet from a residential zoning district:
  1. Storage of vehicle parts and refuse.
  2. Temporary storage of vehicles during repair and pending delivery to the customer.
  3. Vacuuming and cleaning.
- (d) ~~The following activities and equipment are allowed only within an enclosed building:~~
  1. ~~Lubrication equipment.~~
  2. ~~Motor vehicle washing equipment.~~
  3. ~~Hydraulic hoists and pits.~~
  4. ~~Body work and painting.~~
  5. ~~Storage of motor vehicles not in safe operating condition.~~
- (e) Outside storage or parking of any disabled, wrecked, or partially dismantled vehicle is not allowed for a period exceeding ten (10) days during any thirty (30) day period.
- (f) No building, structure, canopy, gasoline pump, or storage tank shall be located within twenty-five (25) feet of a residential zoning district.
- (g) In the NMX, DC, UMX and TSS Districts, the requirement in (g) above, may be modified as part of the conditional use approval so that pump islands are located in front of the building if provides more effective circulation, aesthetics or buffering of neighboring uses."

2. Subsection entitled "Auto Repair Shop" of Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended to read as follows:

"Auto Repair Shop Station. A shop or business where the following services may occur: general motor vehicle repair; engine rebuilding or reconditioning of motor vehicles; and minor collision service."

3. Subsection entitled "Auto Service Station" of Section 28.211 entitled "Definitions" of the Madison General Ordinances is amended to read as follows:

"Auto Service Station. A place where gasoline, electricity, or any other automobile engine fuel (~~stored only in underground tanks~~), kerosene, motor oil, lubricants, grease (for operation of motor vehicles), or minor accessories are retailed directly to the public on the premises and/or where the servicing or minor repair of automobiles may occur."