

Title 13 ► Chapter 11

Industrial District (I)

13-11-1	Permitted Uses
13-11-2	Conditional Uses
13-11-3	Regulations and Standards

The Industrial District is designed according to the following principles to provide for a range of industrial uses which: have suitable access to transportation facilities, are located so as to minimize nuisances and adverse impact to surrounding land uses, incorporate adequate right-of-way, open space, or other buffers where required to protect neighboring land uses, are located so as to minimize traffic through residential areas, and are located and sized to meet the requirements of a variety of industrial uses.

Sec. 13-11-1 Permitted Uses

1. Automotive repair and body shops
2. Cleaning, dyeing and pressing establishments and laundries, except bag cleaning.
3. Commercial bakeries.
4. Commercial greenhouses.
5. Farm machinery sales and service.
6. Feed mill.
7. Food processing and packing, except for cabbage, fish, meat, and poultry products.
8. General farming.
9. Knitting mills and the manufacture of products from finished fabrics.
10. Laboratories.
11. Manufacture of goods from leather, but not tanning of hides, or manufacture of leather.
12. Manufacture of wood products.
13. Manufacture, processing and assembly of confections, cosmetics, electrical and electronic appliances and devices, instruments, jewelry, non-alcoholic beverages, pharmaceuticals, tobacco and toiletries.
14. Metal fabrication and machining.
15. Paper converting operations.
16. Printing and publishing.
17. Residential uses, limited to dwellings for watchmen, caretakers, owners or manager employed on the premises, the residence of a fanner engaged in general fanning on the premises or dormitories and bunkhouses for the accommodation of seasonal workers employed in the harvesting, processing or manufacture of food and food products.
18. Signs, meeting the requirements of Section 13-10-1 (11), 13-11-3(7) and 13-11-3(8) of this ordinance.
19. Warehousing.
20. Wholesaling.
21. Any other uses similar in character to or customarily established in connection with the foregoing.

Sec. 13-11-2 Conditional Uses

1. Salvage yards and the storage of wrecked or dismantled vehicles.
 - (a) No person or persons, association, partnership, firm or corporation shall hereafter in the Town of Friendship, keep, conduct or maintain any building, structure, yard or place for keeping, storing or piling, in commercial quantities or conducting business therefrom or thereon, whether temporarily, irregularly or continually, or for the buying or selling at retail or wholesale or dealing in any old, used or second hand materials of any kind, including cloth, rags, clothing, paper, copper or other metal, furniture, used motor vehicles or parts thereof, or other articles which from its worn condition renders it less useful or practically useless for the purpose of which it was made, whether commonly classed as junk or parts, including the conduct of business in second-hand motor vehicles, wrecks of motor vehicles or the conduct of motor vehicle junking, auto salvage or junk yards, without first having obtained and paid for a license as hereinafter provided. One carrying on any of the aforesaid business shall be referred to herein as "junk dealer".
 - (b) Every applicant for a license to engage in the business of junk dealer shall file with the Town Clerk a written application upon a form prepared and provided by the Town signed by the applicant or applicants. Said application shall state:
 - (1) The name and residence of the applicant, if an individual, partnership or firm, or the names of the principal officers and their residence, if the applicant is an association or corporation.
 - (2) The detailed nature of the business to be conducted and the kinds of material to be collected, bought, sold or otherwise handled.
 - (3) The premises where such business is to be located or carried on.Each application shall contain an agreement that the applicant accepts the license, if granted, upon the condition that it may be suspended for the cause at any time by the Town Board. Likewise, the business licensed to be carried on shall at all times be subject to the police power of the Town of Friendship, which is reserved to the Town for the benefit of the public welfare and common good of the inhabitants of the Town of Friendship.
 - (c) The Town Clerk shall report such application to the Town Board who shall inspect or cause to be inspected such premises to determine whether it complies with all laws, ordinances, rules and regulations. Said premises and all structures thereon shall be so situated and constructed that the business of junk dealer may be carried on in a sanitary manner, shall contain no fire hazards, and shall be arranged so that there can be a thorough inspection at any time by the proper authorities.

Each of the premises upon which the business of junk dealer is to be carried on shall be enclosed by a solid, painted fence or other structure not less than seven (7) feet in height, constructed so that no dust or other material may pass through. Said enclosure shall be maintained in good condition at all times. No articles shall be piled so as to protrude above said enclosure.
 - (d) No premises shall be used for carrying on the business of junk dealing when more than two buildings situated within a distance of three hundred (300) feet are used solely for residence purposes. Said enclosure shall be located 25 feet from the street or road line and nine feet from the side lot line. Two or more adjoining junk yards may be constructed wall to wall if approved by the Town Board and property owners. In the event that the character of the neighborhood so changes as to require the suspension or revocation of the license as a means of protecting property values of the surrounding territory, such may be done if exercised within the police power as such is exercised by the Town Board.
 - (e) Upon the filing of the application and the payment to the Town Clerk of the license fee herein after provided, the Town Constable shall issue to the applicant a license to engage in business as provided in Section 13-1. No license shall be refused except for a specified reason. All licenses shall be numbered in the order in which they are issued and shall clearly state the location of the junk business, and the date of issuance and expiration of the license and the names and address of the licensee.

No applicant to whom a license has been refused shall make further application until a period of at least six months shall have elapsed since the last previous rejection unless he can show that the reason for such rejection no longer exists. In granting the application, the Town Board shall take into consideration the location of the proposed junk yard, the absence of a police record of the applicant, the type of neighborhood in which the junk yard is to do business, all to the effect as to whether the engaging of the junk business in the particular neighborhood will detract from the existing property values.

- (t) Every junk dealer shall pay an annual license fee of \$10.00. All licenses shall be issued as of July 1st, and shall continue in force until June 30th next succeeding the date of issuance thereof, unless revoked sooner.
- (g) Every junk dealer's license shall designate the place of business in or from which the junk dealer receiving such license shall be authorized to carry on such business. No licensee shall remove his or its place of business from the place designated in the license until a written permit has been secured from the Town Board, and the same shall have been endorsed upon the license.
- (h) No junk dealer shall carry on the business at or from any other place than the one designated in the license therefor. Nor shall said business be carried on after such license has been revoked or has expired.
- (i) The Health Officer shall formulate reasonable rules and regulations relating to the conduct of the business of junk dealing which shall protect the health of the community. No junk dealer shall violate any such rule or regulation.
- (j) Every junk dealer upon being served with a written notice to do so by the Town Board on blank forms to be furnished by the said Town Board, an accurate description of all goods, articles or other things purchased or received by him in the course of business of a junk merchant at such time and during such period of time specified in the notice, stating the amount paid for the same, and the name, residence and general description of the person from who such goods, articles or things were received.
- (k) If any goods, articles or things whatsoever shall be advertised in any newspaper printed in the City of Fond du Lac as having been lost or stolen, and the same or any answering the description advertised or any portion or part thereof shall be or come into possession of any junk merchant or peddler, he or it shall give information thereof in writing to the proper officer and state from whom the same was received. Any junk merchant or peddler who has or receives any goods, articles or things lost or stolen, or alleged or supposed to have been lost or stolen, shall exhibit the same on demand to any police officer, Town Board, or any magistrate or person duly authorized in writing by the Sheriff of Fond du Lac County, or any magistrate who shall exhibit such authorization to such dealer or peddler.
- (l) Upon complaint being made in writing by any town official or resident of the Town of Friendship to the Town Constable that any licensee has violated any of the provisions of this ordinance, the Town Board shall summon such licensee to appear before it at the time specified in the summons, which shall be not less than three days after the date of the service thereof, to show cause why this license shall not be revoked. The Town Board and the Town Constable shall proceed to hear the matter and if they find the allegations of said complaint are correct, they, shall revoke said junk dealer's license.

Whenever any license shall be so revoked, no refund of any unearned portion of the fee therefore shall be made and no license shall be granted to any person, firm, partnership, association or corporation whose license has been revoked within a period of one year from the date of such revocation. Notice of such revocation and the reason or reasons therefore in writing shall be served by an officer upon the person, firm, partnership, association or corporation named in the application, by mailing the same to the address given in the application and upon filing a copy of the same with the Town Constable.

- (m) Any person, persons, firm, association, partnership, or corporation who by himself or itself or by his or its clerk, agent, or employee, shall conduct the business of a junk dealer as herein defined without the license required by this ordinance, or shall violate any of the provisions of this ordinance, or who, having had his, its or their license revoked, shall continue as a junk dealer, may upon conviction thereof be subjected to a forfeiture of not more than \$10.00 for each day during which said violation shall continue, together with the costs of prosecution, and in default of the payment of such forfeiture and the costs of such prosecution, shall, be imprisoned in the County Jail of Fond du Lac County for a period not exceeding ninety days. In addition to the penalties imposed, the license of the person, firm, association, partnership or corporation violating the same shall be cancelled or revoked.
- 2. Outdoor storage of goods and materials.
- 3. Recapping or re-treading of tires.
- 4. Mineral extraction operations, including washing, crushing, quarrying, borrow pits, or other processing or removal of mineral resources, the erection of buildings and the installation of necessary machinery used in the said extraction and processing, and the preparation of hot black top mix or ready-mix concrete, and the operation of lime kilns; provided that:
 - (a) An application for a permit shall be submitted by the owner and shall include an adequate description of the operation; a plan of the site showing purpose and existing roads and drives, the sources, quantity and disposition of water to be used, if any; estimated dates for the completion of the extraction and commencement and completion dates for the reclamation; a reclamation plan, and such other information as may be necessary to determine the nature of the operation and the effect on the surrounding area.
 - (b) The reclamation plan shall contain adequate provision that all final slopes around the area be flatter than a 3 to 1 horizontal slope in a sand and gravel or borrow pit operation, or in a safe angle of repose in a quarrying operation; excavations below the grade of the nearest abutting public street or highway shall be set back from the said street or highway a distance not less than that required for buildings and structures under this ordinance; all final slopes shall be covered with topsoil and seeded to prevent future erosion; the plan shall require that after completion of the anticipated operation the area shall be cleared of all debris and left in a clean condition, subject to the approval of the Town Board or its agent. The reclamation plan shall indicate the proposed future use or uses of the site, however, the proposed re-use of the site for a dumping grounds shall have the concurrence of the Town Board.
 - (c) Application for a permit for mineral extraction operation proposed to be located within 600 feet of a residence district, a residential subdivision or a city or village limits lines, or within 300 feet of any building occupied for residence purposes; or for a hot blacktop mix or a ready-mix concrete plant, shall not be granted except on approval of the Town Board given after the public hearing has been held.
 - (d) The permit shall be for a period of time as stated in the application or as modified by the Board of Appeals (and where Town Board approval is required, approved by the Town Board). Modification of the application or reclamation plan may be permitted through appeal, or additional conditions may be required. The Board of Appeals and the Town Board, where such approval is required, shall consider the effect of the proposed operation and the proposed reclamation upon existing and future conditions, including streets, neighboring land development, land use drainage, water supply, water pollution, air pollution, soil erosion, natural beauty and land value of the locality. The application and/or reclamation plan may be approved, approved conditionally, or rejected.
 - (e) No permit shall be granted for a period of time exceeding four years, unless approved by The Town Board. A renewal may be granted upon application provided that the applicant has fully complied with the terms of this ordinance and a permit issued hereunder. The Board of Appeals may require a public hearing prior to such renewal.

- (f) A filing fee of \$250 shall be required for each initial application, and a filing fee of \$25 for each renewal application.
- (g) All existing mineral extraction operations lawfully operated and existed shall be considered non-conforming uses and may be continued provided that they have been worked prior to the date of the adoption of this provision of this ordinance.

Sec.13-11-3 Regulations and Standards

1. MINIMUM LOT SIZE: 40,000 square feet in area.
2. MINIMUM LOT WIDTH: 150 feet at the building line.
3. MAXIMUM LOT COVERAGE: The amount of the total lot area which may be covered by all principal and accessory building shall not exceed fifty percent.
4. REQUIRED YARDS AND OPEN SPACES: On every lot in the I District yards shall be required as follows: A front yard on each lot line abutting a street, a side and a rear yard, except in the case where three lot sides abut a street, there shall be required in addition to three front yards, a side yard.
 - (a) Front Yard: where a lot abuts a highway or street the front yard shall extend 110 feet from the center line of road.
 - (b) Side Yard: Side yard widths shall be 10 feet or greater, no accessory building shall project into the required side yard spaces.
 - (c) Rear Yard: Rear yard depth shall not be less than 25 feet. Within the required yards or in addition thereto, there shall be sufficient space for the loading and unloading of motor vehicles off the street.

Where a lot abuts a lot in a Residence District there shall be provided along such lot line a suitable buffer or plant materials, fencing or a combination of both, to shield the residential area from the industrial area. Where the transition from the Industrial District to the Residence District is a public street, the front yard in the I-Industrial District to the Residence District is a public street, the front yard in the Industrial District shall be suitably landscaped.
5. Any permitted use shall be so constructed and operated as to create no nuisance with respect to noise, vibration, emission of smoke or particular matter, glare and heat or as to create fire or explosive hazards.
6. OFF STREET PARKING SPACE: Off-street parking shall be provided as follows:
 - (a) One off-street parking space per person normally employed on the lot or tract of land.
 - (b) One off-street parking space for each truck or other vehicle incidental to the use of such lot or tract of land.
7. SIGNS: Signs are permitted as an accessory use to the principal use of the premises.
 - (a) The gross area of signs per establishment shall not exceed one-half the lineal feet of frontage of the zoning lot on which such signs are located.
8. No signs affixed to a structure shall project more than three feet beyond the limits of such structure and shall not project across lot lines.
9. On lots not served by public sewer, sufficient lot area shall be provided so that the requirements of Fond du Lac County Sanitary Code and all provisions of the Administrative Code relating to the use and occupancy of the building are complied with.