



# City of West Allis

## Legislation Text

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**File #:** O-2003-0003, **Version:** 1

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An Ordinance to Amend Sections 12.16(9)(a) and 12.16(12) and to Create Subsection 12.16(13)(c) of the Revised Municipal Code to make various changes and clarifications related to Special Uses.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 12.16 of the City of West Allis Revised Municipal Code is hereby amended to read:

### 12.16 SPECIAL USES.

\* \* \*

#### (9) Regulations, Conditions and Restrictions.

(a) In granting any special use, the Common Council shall have the authority to change the minimum or maximum requirements specified for such uses in the respective Zoning Districts and shall establish such regulations and impose such conditions and restrictions on the use as are reasonably necessary to secure compliance with the standards set forth in this Section and Subchapter.

\* \* \*

PART II. Section 12.16(12) of the City of West Allis Revised Municipal Code is hereby amended to read:

(12) Effect of Denial. No application for a special use which has been denied, wholly or in part, by the Common Council may be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of new information or changed conditions which are found to be of a material nature by the Common Council. Once the Common Council has determined that the information or changed condition is material, the applicant is entitled to a rehearing upon submission of one-half (1/2) of the filing fee for a new special use application.

PART III. Section 12.16(13)(c) of the City of West Allis Revised Municipal Code is hereby created to read:

(13) Termination of Special Use. The Common Council may terminate a special use after a public hearing if any of the following determinations are made:

\* \* \*

(c) The special use has had a demonstrably negative impact upon the surrounding area.

PART IV. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART V. This ordinance shall take effect and be in force from and after its passage and publication.

Reviewed by the City Attorney's Office  
this \_\_\_\_ day of \_\_\_\_\_, 2003.

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City Attorney

ATTO-Amend Various Secs of 12.16