



# DANE COUNTY PLANNING & DEVELOPMENT

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TO: Interested parties  
FROM: Roger Lane, Dane County Zoning Administrator  
SUBJECT: Zoning Ordinance change regarding Salvage operations  
DATE: February 17, 2023

It has been identified that the salvage yard land use is not listed in the MI Zoning District. The land use was inadvertently removed from the zoning ordinance. The purpose of the ordinance amendment is to insert the land use into the ordinance as listed under the previous zoning ordinance. The update also inserts language to better align salvage operations with the requirements found under the Wisconsin Department of Transportation requirements for licensing of salvage vehicle operations. The amendment also removes the licensing requirement for salvage yards due to the obsolete nature of the license. Salvage operations currently approval from DOT, DNR, and require a conditional use permit.

Updates required:

1. Update definitions to include DOT Type 1, 2, 3, and 4 license types
2. Update MI Zoning District to include salvage yards
3. Remove license requirement language

Specific Ordinance Changes:

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10.004 (82) Junkyard. (See Salvage ~~yard~~ **Operation**.)

10.004(118) Outdoor sales, display, or repair.

**(a)** Includes uses that conduct or display merchandise outside of an enclosed building that is for sale or rent and land uses that conduct maintenance or repairs on merchandise or equipment outside of an enclosed building. **(b)** Examples of such land uses include, but are not limited to, vehicle sales, vehicle rental, manufactured and manufactured home sales, monument sales, and lawn mower repair. **(c)** Such land uses do not include uses where the outdoor sales or display area is less than 15 percent of the gross floor area of any principal building where sales are also conducted, which are instead classified in the "indoor sales" land use category; motor vehicle repair or maintenance, which are instead classified in the "Drive-in establishment" category; drive-in theaters, which are instead classified in the "outdoor commercial entertainment" category; or the storage or display of inoperative vehicles or materials typically associated with a junkyard or salvage ~~yard~~ **operation**.

10.004 (137) Salvage yard **Operation**.

An area where junk, waste or scrap materials are bought, sold, exchanged, stored, recycled, baled, packed, disassembled or handled.

~~(f)~~ **(a)** For the purposes of this definition, waste or scrap materials may include, but are not limited to: garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, any inoperable motor vehicle, any used tire or used motor vehicle part, and any scrap material such as metal, paper, rags, cans or bottles

~~(g)~~ **(b)** A salvage or junk yard may **shall** include a motor vehicle wrecking or dismantling yard **operations requiring a DOT type 1, 2, or 3 license**

~~(h)~~ **(c)** A salvage or junk yard **operation** does not include a solid waste recycling center, composting facilities or processing operations meeting the definition of an agriculture-related use.

(145) Solid waste recycling center. (See also Salvage yard **operation**.)

A solid waste disposal operation at which temporary storage and processes such as baling of paper, grinding of glass and flattening of cans, are conducted on segregated solid waste to facilitate reuse of the segregated solid waste as raw material.

10.004 (171) Vehicle repair or maintenance service.

Includes all principal land uses that perform repair, maintenance, or painting services to motorized vehicles.

**Vehicle repair or maintenance service shall include operations requiring a DOT Type 4 license.**

10.102(4) Junk and refuse.

Except for salvage yards **operations**, solid waste disposal operations or solid waste recycling centers under an approved conditional use permit, all properties shall be maintained to be free of accumulated junk or refuse.

10.103 (17) Salvage yards **Operations** or junkyards

~~(a)~~ Use. For purposes of this ordinance, any premises used for the storage, gathering, recycling or sale of junk, as defined in this chapter, is a salvage recycling center. A salvage recycling center need not have a commercial purpose.

~~1.~~ Junk, as defined under this chapter, may be stored on any premises on which a permitted business enterprise is actually conducted, provided, that all such junk is actually used in the conduct of such permitted business enterprise, and that all such junk is at all times stored in an enclosed building on the premises, thereby securing it from public view.

~~2.~~ Junk, as defined in this chapter, may be stored on any premises used chiefly for residential purposes, provided that it is stored solely for eventual use on the premises, and that all such junk is at all times stored in an enclosed building thereby securing it from public view.

~~(b)~~ **(a)** Location and boundaries.

1. No salvage yard **operation** or junkyard shall be located within one hundred (100) feet of the boundary of any residential district.

2. No salvage yard **operation** or junkyard with outdoor operations shall be located within the zone of contribution to a municipal well, as shown in the most current adopted version of the Dane County Water Quality Plan.

**(c)** License.

1. **The operator shall be required to obtain a Type 1, 2, or 3 license from the Wisconsin Department of Transportation, if applicable.** Before any premises may be used as a privately operated salvage yard **operation** or junkyard, it shall be licensed. Application for such license shall be made to the zoning administrator, setting forth the description of the premises, the nature of the business and the materials to be handled, the type of construction of any building to be used in connection with the business, the applicant's name or names, officers, if any, and address of each. The application shall be referred to the zoning committee which

shall, within a reasonable time, hold a public hearing, notice of which shall be given by a class 2 notice under chapter 985, Wis. Stats. If, after such public hearing, the zoning committee finds that the premises are in conformity with the provisions of this ordinance, and that the site is suitable for the conduct of such business, the committee shall grant a license, and such license shall expire on July 1 of each year. Licenses may be renewed from year to year on authorization of the committee when inspection discloses that the business is being conducted in accordance with the provisions of this ordinance.

~~2.~~ Revocation of license. Upon the complaint of any interested person, or on its own motion or after inspection discloses that the provisions of this ordinance are being violated, the zoning committee may hold a public hearing to determine whether a privately operated salvage yard or junkyard license shall be revoked, notice of such hearing to be given to all interested parties. After public hearing, the zoning committee may order the license revoked.

~~3.~~ Should any town elect to license salvage yard or junkyards by adoption of an ordinance pursuant to the provisions of [s. 59.55\(5\), Wis. Stats.](#), and file a copy of such ordinance with the zoning department, then the provisions of paragraphs (a) and (b) above shall not apply, but no such license shall be issued by any town for such purpose unless the area is properly zoned and unless the zoning committee, after public hearing, determines that the site is suitable. When a salvage yard or junkyard is licensed by the town, then the responsibility of controlling such salvage yard or junkyard rests with the town.

10.281(3)(k) Salvage yard **Operations** or junkyards.

10.282(3)(q) **Salvage Operations** or junkyards.

10.500(2)(c)8. Review and issue annual licenses for salvage yards and junkyards under s. 10.103(17)(e).