

**ORDINANCE NO. 2023-18**

**ORDINANCE TO AMEND SECTION 40.316(6)(6a) OF THE VILLAGE CODE PERTAINING TO THE LIMITED SALE & DISPLAY OF AUTOMOBILES, LIGHT TRUCKS AND MOTORCYCLES IN THE B-5 LIGHT INDUSTRIAL ZONING DISTRICT**

**WHEREAS:** The Village of Pewaukee does not allow for the sale of automobiles, light trucks and motorcycles in any zoning district; and

**WHEREAS:** The Village Planning Commission did hear a request from a property owner to allow for the sale of automobiles, light trucks and motorcycles on a property in the B-5 Light Industrial Zoning District on a limited basis; and

**WHEREAS:** The Planning Commission did, on August 10, 2023 consider draft language and recommend proposed language to the Village Board for consideration; and

**WHEREAS:** The Village Board did, on September 19, 2023, hold a public hearing on the proposed ordinance amendment.

**NOW, THEREFORE,** Be it ordained by the Village Board of the Village of Pewaukee, Wisconsin as follows:

**SECTION 1.**

That the following Section of the Village of Pewaukee Municipal Code is hereby amended to read as follows:

**Sec. 40.316. - Conditional uses.**

Conditional uses in the B-5 district shall include:

(6) Automobile service facilities.

(6.a.) ‘Regular Automobile’, ‘Light Truck’, and ‘Motorcycle’ sales/display use (not to exceed three (3) outdoor vehicle display space and/or up to three (3) indoor vehicle display spaces), as a subordinate and accessory use conducted in support of an approved principal conditional use “Automobile service facility”. Outside display shall only be permitted during regular business hours. ‘Regular Automobile’ shall be defined as autos, including vans and sport utility vehicles, when more than 50% of the internal capacity is dedicated to seating, and eligible to licensed by the State of Wisconsin Department of Transportation (WDOT) as a ‘Regular Automobile’. ‘Light Truck’ shall be defined as a motor truck with original manufacturers design features intended to facilitate carrying cargo and pulling loads and eligible to be licensed by WDOT as a ‘Light Truck’ . ‘Motorcycle’ shall be defined as two or three-wheeled motor vehicle steered by a handlebar from a saddle-style seat and eligible to be licensed by WDOT as a ‘Motor Cycle’ or ‘Moped’.

**SECTION II**

The Village President and Village Clerk are authorized to execute this ordinance on behalf of the Village of Pewaukee.

This ordinance shall take effect upon passage and publication as required by law.

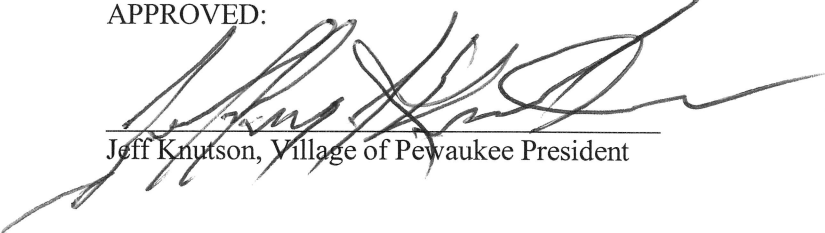
**SECTION III**

The several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

**PASSED AND ADOPTED** by the Village Board this 19 day of September, 2023.

APPROVED:

  
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Jeff Knutson, Village of Pewaukee President

Countersigned:

  
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Casandra Smith, Village of Pewaukee Clerk