

STATE OF WISCONSIN

WAUKESHA COUNTY

VILLAGE OF LANNON

ORDINANCE NO. _____

AN ORDINANCE CREATING § 18-300 – 18-302
OF THE VILLAGE CODE OF ORDINANCES
REGULATING SELF-STORAGE NON-CLIMATE CONTROLLED MINI WAREHOUSES

WHEREAS, the Village of Lannon is a small municipality with limited resources, and a very small police force to enforce the Ordinances, and

WHEREAS self-service storage facilities, also known as self-storage and mini-warehouse facilities, are currently permitted in the L-1 Light Industrial District, and

WHEREAS these warehouses are intended for the short- or long-term cold storage of personal property only in units that are not allowed to have temporary or permanent heating or cooling devices or fixtures, via lease of an individual space on a self-service basis, and

WHEREAS the Village Board is aware of evidence that certain lessees of these individual spaces have been using their space not just to store merchandise or other property for their businesses but to actually conduct business, and have used the electrical outlets within the spaces to power equipment necessary to conduct their businesses, and

WHEREAS Wis. Stat. Sec. 704.90(2) of the State of Wisconsin Statutes forbids the use of leased spaces within self-service storage facilities for residential use, and

WHEREAS conducting activities such as automobile and boat refinishing, engine service, and other hazardous business activities in individual spaces presents a fire hazard to surrounding individual spaces and to the surrounding areas and is contrary to the letter and spirit of Wis. Stat. Sec. 704.90, and

WHEREAS the existing self-service storage facilities within the Village have generated a disproportionate number of concerns and inspections for possible hazardous business activities within leased units, and

WHEREAS the Village Board has determined that further regulation of self-service storage facilities is necessary to preserve the health, safety, and welfare of the Village of Lannon, its residents, businesses, and the properties in the immediate area of the self-storage warehouses.

THE VILLAGE BOARD OF THE VILLAGE OF LANNON DO ORDAIN AS FOLLOWS:

SECTION 1: Section 18, Article IX, Sec. 18-300—18-302 of the Village of Lannon Code of Ordinances are hereby created, to read as follows:

Article IX. Self-Storage Mini Warehouses

Sec. 18-300. Definitions.

(a) “Self-service storage facility” means real property containing space that a lessee or licensee is entitled to use for the storage of personal property on a self-service basis pursuant to a rental agreement. This definition does not include storage space provided to a lessee in conjunction with or as a part of property for residential use under the zoning ordinances of the Village of Lannon. The units licensed or leased must be “non-climate controlled” in that no unit can have any temporary or permanent heating or cooling device, fixture or feature that affects the climate within a unit.

(b) “Operator” means any owner, lessor, any sublessor, licensor or any sublicensor of a self-service storage facility, or any agent thereof, or any person who is authorized by an owner, lessor, any sublessor, licensor or any sublicensor to manage the facility or receive rent from a lessee or licensee under a rental agreement.

Sec. 18-301 Electricity; Compliance with other Codes.

(a) No individual self-service storage facility unit shall be provided with a metered utility service. No individual self-service storage facility unit shall be provided with any electrical service in excess of that needed to power three (3) 100 watt bulbs for each 200 square feet within a unit and a 15 ampere (amp) outlet separately. Electrical service necessary for the operation of the overall facility including, but not limited to, leasing offices, restrooms, exterior lighting, or security functions shall be inaccessible to the individual self-service storage facility units.

(b) All components of a self-service storage facility shall comply with all applicable provisions of the Village Zoning Code and all applicable Building, Electrical, and Plumbing Codes.

(c) If electrical service, as allowed by section 18-301(a) is provided to any Unit, said electrical service shall not be used to conduct any hazardous or flammable activity, or to operate any business venture or enterprise.

Sec. 18-302 Leases and Licenses; Duties of Operators.

(a) No operator shall permit units to be used for any purpose other than non-climate-controlled storage.

1. Operators shall not permit lessees or licensees to maintain, operate, or to allow to be operated in their units, any business venture or enterprise, except storage of personal property.
2. Operators shall not permit sleeping or any residential activity in any part of a self-service storage facility.
3. Operators shall not permit lessees or licensees to circumvent the prohibition on electricity in the self-service storage facility units through the use of generators, extension cords, or other means intended to provide electricity.
4. Operators shall not permit the storage of flammable gases or liquids, or the use of combustion engines, fuel-powered generators, or other combustible fuel within the Units.

(b) Leases or license agreements for self-storage units shall specify that the use of the unit is limited to non-climate-cold storage controlled storage without the ability to operate any business venture or enterprise, except storage of personal property other than flammable gases or liquids.

- (c) Operators shall install continuous electronic monitoring devices, such as security cameras, to monitor entrance points, and shall supply recordings to the Plan Commission, Zoning Inspector, or Police Department upon demand.
- (d) Operators shall maintain the names, titles/business names, telephone numbers, and mailing address of all lessees or licensees.
- (e) Operators shall assist inspection of each self storage unit by designated Village of Lannon Fire Department representatives and consultants on a random basis annually to monitor compliance with the public safety objectives of these ordinances: sections 18-300, 301 and 302.

SECTION 2: If any section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of such ordinance.

SECTION 3: This ordinance shall take effect and be in full force from and after its passage and publication.

Passed and approved this 14th day of June, 2010.

VILLAGE OF LANNON

By: _____
D.W. Martin, Village President

ATTEST:

James J. Lamb, CMC, Village Clerk