PROOF OF PUBLICATION

STATE OF WISCONSIN } SS
MILWAUKEE COUNTY

ANN E. RICHMOND, being the first duly sworn on oath, says that she is the publisher as of January 1, 2004, of THE DAILY REPORTER - that the notice of which the printed one attached is a true copy, which copy was clipped from said newspaper, was inserted and published in said newspaper on

12/22/2005 12/29/2005

Ann E. Richmond

Subscribed and sworn to before me

December 29, 2005

Notary Public, Milwaukee County, Wisconsin
My Commission Expires April 15, 2007

CAREY W. COX NOTARY PUBLIC STATE OF WISCONSIN

CITY OF MILWAUKEE

C. NO. 68
FILE NUMBER 041402

OFFICIAL NOTICE
Published by Authority of the Common Council of the City of Milwaukee Office of the City Clerk

Notice is hereby given that an ordinance (passage of which is now pending) was introduced at the February 1, 2005 meeting of the Milwaukee Common Council, the essence of which is as follows:

A substitute ordinance relating to zoning regulations for certain types of group living facilities.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-201-144 of the code is created to read:

295-201. Definitions.

144. DISABLED PERSON means an individual who has either of the following:

a. A physical or mental impairment which substantially limits one or more of such person's major life activities, provided the impairment is not related to current, illegal use of, or an addiction to, a controlled substance.

b. A record of having such an impairment.

Part 2. Section 295-503-2-f and g of the code is amended to read:

295-503. Uses.

2. LIMITED USE STANDARDS.

f. Adult Family Home or Small Group Shelter Care Facility. f-1. Adult Family Home. >All residents of the adult family home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, small foster home, group home or group foster home, or another adult family home.

f-2. Small Group Shelter Care Facility. >All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, adult family home, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

g. Small Foster Home. >All residents of the small foster home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, group home or group foster home, or another small foster home.

Part 3. Section 295-503-2-h-1 of the code is amended to read:

h. Group Home, Group Foster Home or Community Living Arrangement.

h-1. All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a small foster home or another group home, group foster home or community living arrangement.

Part 4. Section 295-503-2-h-3 of the code is repealed.

(Note: The provision being repealed reads as follows:

h-3. The use has not been determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.) Part 5. Section 295-603-2-b and c of the code is amended to read:

295-603. Uses.

2. LIMITED USE STANDARDS.

b. Adult Family Home or Small Group Shelter Care Facility. b-1. Adult Family Home. >All residents of the adult family home, other than the operator or care provider and the operator and care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, small foster home, group home or group foster home, or another adult family home.

b-2. Small Group Shelter Care Facility. >All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the [[The]] use shall not be located within 2,500 feet of a community living arrangement, adult family home, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

c. Small Foster Home. >All residents of the small foster home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, group home or group foster home, or another small foster home.

Part 6. Section 295-603-2-d-1 of the code is amended to read:

d. Group Home, Group Foster Home or Community Living Arrangement.

d-1. >All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a small foster home or another group home, group foster home or community living arrangement.

Part 7. Section 295-603-2-d-3 of the code is repealed.

(Note: The provision being repealed reads as follows:

d-3. The use has not been determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.) Part 8. Section 295-703-2-c and d of the code is amended to read:

295-703. Uses.

2. LIMITED USE STANDARDS.

c. Adult Family Home or Small Group Shelter Care Facility. c-1. Adult Family Home. > All residents of the adult family home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, small foster home, group home or group foster home, or another adult family home.

c-2. Small Group Shelter Care Facility. >All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, adult family home, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

d. Small Foster Home. >All residents of the small foster home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, group home or group foster home, or another small foster home.

Part 9. Section 295-703-2-e-1 of the code is amended to read:

e. Group Home, Group Foster Home or Community Living Arrangement.

e-1. >All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a small foster home or another group home, group foster home or community living arrangement.

Part 10. Section 295-703-2-e-3 of the code is repealed.

(Note: The provision being repealed reads as follows:

e-3. The use has not been determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.) Part 11. Section 295-803-2-a and b of the code is amended to read:

295-803. Uses.

2. LIMITED USE STANDARDS.

a. Adult Family Home or Small Group Shelter Care Facility. a-1. Adult Family Home. >All residents of the adult family home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, small foster home, group home or group foster home, or another adult family home.

a-2. Small Group Shelter Care Facility. >All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, adult family home, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

b. Small Foster Home. >All residents of the small foster home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a community living arrangement, group home or group foster home, or another small foster home.

Part 12. Section 295-803-2-c-1 of the code is amended to read:

c. Group Home, Group Foster Home or Community Living Arrangement.

c-1. >All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a small foster home or another group home, group foster home or community living arrangement.

Part 13. Section 295-803-2-c-3 of the code is repealed.

(Note: The provision being repealed reads as follows:

c-3. The use has not been determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.) Part 14. Section 295-905-2-b-1 and 2 of the code is amended to read:

295-905. Institutional District (TL).

2. USES.

b. Limited Use Standards.

b-1. Group Home or Group Foster Home. >All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a small foster home, community living arrangement or another >group home or<< group foster home.

b-2. Small Group Shelter Care Facility. >All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of an adult family home, community living arrangement, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

Part 15. Section 295-905-2-b-3-a of the code is amended to read:

b-3. Community Living Arrangement.

b-3-a. >All residents of the community living arrangement, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons. If this standard is not met, the<< [[The]] use shall not be located within 2,500 feet of a small foster home, group home, group foster home or community living arrangement.

Notice is hereby further given that the foregoing matter will be given a public hearing by the Committee on Zoning, Neighborhoods and Development in Room 301-B, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, on Tuesday, January 10, 2006 at 9:00 A.M., pursuant to the provision of Sub-Section (7)(d) of Section 62.23 of the Revised Statutes of the State of Wisconsin.

PLEASE NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

b) If you have difficulty with the English language, you may bring an interpreter with you, at your own expense, so that you can answer questions and participate in the hearing.

c) Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX) 286-3456, (TDD) 286-2025 or by writing to the ADA Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

d) Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

e) This meeting will be web-cast live at www.milwaukee.gov/channel25.

RONALD D. LEONHARDT,
City Clerk.

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