

ORDINANCE No. 2066  
AN ORDINANCE CREATING CHAPTER 5.85 CONVENIENT CASH BUSINESSES

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 5.85 is hereby created to read as follows:

5.85.010 – Convenient Cash Business

A. Purpose.

1. The purpose of this section is to provide for the regulation of convenient cash businesses and other similar establishments pursuant to § 138.09 or 218.05, Wis. Stats.
2. It is recognized that convenient cash businesses have the potential to be harmful to the public welfare, both in regards to the community harmony and with respect to potential effects on the quality, aesthetics and functional aspects of the community. The purpose of regulating convenient cash services is to ensure compatibility with surrounding uses and properties and to avoid an unchecked proliferation of convenient cash services that may result in the displacement of other necessary commercial and financial services.
3. Such businesses tailor their services to make them attractive to persons experiencing unfavorable economic circumstances, often aggravating those circumstances. Additionally, it has been found that through their business practices, convenient cash businesses are susceptible to attracting criminals seeking to commit robberies. Finally, when clustered in an area or strung out along an arterial street, such concentration creates an unwarranted negative impression regarding the economic vitality of a commercial district and the community at large. Based on their proliferation, their susceptibility to crime and the negative effects of their proliferation, the common council finds that the health, safety and welfare of the residents of the City of Wauwatosa should be protected by legislation limiting the geographic proliferation of convenient cash businesses.
4. It is therefore the intent of this ordinance to regulate the locations and hours of operation of convenient cash businesses in the City of Whitewater.

B. Location and Operation of Convenient Cash Businesses.

1. Convenient cash businesses may not be located within 2,500 feet of any other convenient cash business.
2. Convenient cash businesses may not be located within 250 feet of a residential district, as measured by the shortest line between the parcel to be occupied by the proposed convenient cash facility and the property line of the nearest R-zoned property.
3. Convenient cash businesses may not operate between the hours of 9:00 p.m. and 9:00 a.m.

4. Businesses must keep a glass entrance and exit doors with all windows clear of any signs or advertisements.
5. The building or portion thereof that is dedicated to the convenient cash use must have a minimum size of 1,500 square feet of building floor area.
6. All convenient cash businesses must purchase and provide to the City of Whitewater, based upon specifications provided by the city, one outdoor surveillance camera and wireless subscription module (total cost not to exceed \$5,000) to be positioned in close proximity to the business at a location determined by the city. The city will be the owner of this equipment and be responsible for its repair and maintenance.
7. The applicant must provide a security plan that addresses the following:
  - a. limits on amount of cash immediately available for withdrawal;
  - b. lighting plan for the business showing both exterior and interior lighting;
  - c. plans for maintaining visibility into the interior of the check cashing facility;
  - d. plans for security of the check cashing area of the facility;
  - e. a program for graffiti and litter abatement;
  - f. hours of operation; and
  - g. use of security guards and cameras.
8. The convenient cash business should work with the city and the police department to allow specific access by the police department to interior security cameras in the event of an emergency.
9. Conditional use permit application fees for businesses regulated pursuant to this section must be increased above normal fees in an amount sufficient to fund notices to all property owners within 250 feet of the parcel on which the proposed convenient cash business is to be located.

Ordinance introduced by Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:  
NOES:  
ABSENT:  
ADOPTED:

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John Weidl, City Manager

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Karri Anderberg, City Clerk