

## SECTION 13. PERFORMANCE STANDARDS

### 13.1 Compliance

This Ordinance permits specific uses in specific districts and the following performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or district. No structure, land, or water shall hereafter be used except in compliance with their district regulations and with the following performance standards.

### 13.2 Air Pollution

No activity shall emit any fly ash, dust, fumes, vapors, mists, or gases in such quantities as to cause soiling or danger to the health of persons, animals, vegetation, or other forms of property. No activity shall emit any liquid or solid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas nor any color visible smoke equal to or darker than No. 2 on the Ringelmann Chart described in the United States Bureau of Mine's Information Circular 7718.

### 13.3 Fire and Explosive Hazards

All activities involving the manufacturing, utilization, processing, or storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate firefighting and fire-suppression equipment and devices that are standard in the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing system. The above-ground storage capacity of materials that produce flammable or explosive vapors shall not exceed the following:

| <u>Closed Cup Flash Point</u> | <u>Gallons</u> |
|-------------------------------|----------------|
| Over 187° F.                  | 400,000        |
| 105° F. to 187° F.            | 200,000        |
| Below 105° F.                 | 100,000        |

### 13.4 Glare and Heat

No activity shall emit glare or heat that is visible or measurable outside its premises except activities in the M-2 Heavy Industrial District which may emit direct or sky reflected glare which shall not be visible outside their district. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

### 13.5 Liquid or Solid Wastes

No activity shall discharge at any point onto any land or into any water or public sewer any materials of such nature, quantity, noxiousness, toxicity, or temperature which can contaminate, pollute, or harm the quantity or quality of any water supply, can cause the emission of dangerous or offensive elements, can overload the existing municipal utilities, or can injure or damage persons or property.

### 13.6 Noise

No activity shall produce a sound level outside the M-1 Light Industrial District, the M-2 Heavy Industrial District and the SP Special Purpose District boundaries that exceeds the following sound level measured by a sound level meter and associated octave band filter:

| Octave Band Frequency<br>(Cycles Per Second) |    |      | Sound Level<br>(Decibels) |
|----------------------------------------------|----|------|---------------------------|
| 0                                            | to | 75   | 79                        |
| 75                                           | to | 150  | 74                        |
| 150                                          | to | 300  | 66                        |
| 300                                          | to | 600  | 59                        |
| 600                                          | to | 1200 | 53                        |
| 1200                                         | to | 2400 | 47                        |
| 2400                                         | to | 4800 | 41                        |
| Above                                        |    | 4800 | 39                        |

No other activity in any other district shall produce a sound level outside its premises that exceeds the following:

| Octave Band Frequency<br>(Cycles Per Second) |    |      | Sound Level<br>(Decibels) |
|----------------------------------------------|----|------|---------------------------|
| 0                                            | to | 75   | 72                        |
| 75                                           | to | 150  | 67                        |
| 150                                          | to | 300  | 59                        |
| 300                                          | to | 600  | 52                        |
| 600                                          | to | 1200 | 46                        |
| 1200                                         | to | 2400 | 40                        |
| 2400                                         | to | 4800 | 34                        |
| Above                                        |    | 4800 | 32                        |

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character or shrillness.

### 13.7 Odors

No activity shall emit any odorous matter or pollutant of such nature or quantity as to be offensive, obnoxious, or unhealthful outside its premises. When providing for odor

measurement and control, the Town may use as a guide Section NR 429.03 of the Wisconsin Administrative Code. The Town may also provide for use of scent monitoring and measurement devices that from time to time may be developed and/or recommended under or by government regulation or scientific studies. Agriculture odors associated with normal agricultural activities are exempted from this section, except those odors created by the use of Center Pivot Waste Distribution Systems and Traveling Gun Waste Distribution Systems, the use of which is prohibited in all zoning districts except for Agricultural Farmland Preservation District (A-FP) and Agricultural District One (A-1), in which said systems require the issuance of a Conditional Use Permit by the Town Board after recommendation by the Planning and Zoning Committee.

### 13.8 Radioactivity and Electrical Disturbances

No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises.

### 13.9 Vibration

No activity in any district except the M-2 Heavy Industrial District and the SP Special Purpose District shall emit vibrations which are discernible without instruments outside its premises. No activity in the M-2 and SP District shall emit vibrations which exceed the following displacement measured with a three-component measuring system:

| Frequency<br>(Cycles Per Second) | Outside the Premises | Outside<br>The District |
|----------------------------------|----------------------|-------------------------|
| 0 to 10                          | .0020                | .0004                   |
| 10 to 20                         | .0010                | .0002                   |
| 20 to 30                         | .0006                | .0001                   |
| 30 to 40                         | .0004                | .0001                   |
| 40 to 50                         | .0003                | .0001                   |
| 50 and over                      | .0002                | .0001                   |

### 13.10 Water Quality Protection

No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature that would be likely to run off, seep, percolate or wash into surface or subsurface waters so as to contaminate, pollute, or harm such waters or cause nuisances such as objectionable shores deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life. In addition, no activity shall discharge any liquid, gaseous, or solid materials so as to exceed or contribute toward the exceeding of the minimum standards and those other standards and the application of those standards set forth in Chapter NR-102 of the Wisconsin Administrative Code for all navigable waters.