

# City of Milwaukee

### City Hall 200 East Wells Street Milwaukee, WI 53202

## **Common Council Minutes**

# **COMMON COUNCIL**

Friday, September 12, 2008

9:00 AM

**Common Council Chambers** 

The meeting was called to order at 9:10 a.m.

The roll was called.

Present: 15 -

Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

The Pledge of Allegiance was said followed by a moment of silent meditation.

THE FINANCE AND PERSONNEL COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

1. <u>080486</u> A substitute ordinance amending various fees and forfeitures.

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

- Part 1. Section 60-1-3-a-2 of the code is amended to read:
- 60-1. General Provisions.
- 3. REFUND OF FEES BY HEALTH DEPARTMENT.
- a-2. [[\$55]]>>\$61<<, if the license or permit fee is more than \$100.
- Part 2. Section 60-9-1 and 2-a to c of the code is amended to read:
- 60-9. Asbestos Project Permit
- 1. Review and inspection of permit application: [[\$75]]>>\$80<<.
- 2.
- a. For a period not exceeding 3 days of asbestos project work: [[\$150]]>>\$235<<.
- b. For a period of 4 to 10 days of asbestos project work: [[\$300]]>>\$390<<.
- c. For a period exceeding 10 days of asbestos project work: [[\$440]]>>\$540<< or 1% of the total cost of the asbestos abatement project, whichever is greater.
- Part 3. Section 60-13-2-0 of the code is amended to read:
- 60-13. Bed and Breakfast Establishment Permit.
- 2. The annual fee for a bed and breakfast permit shall be [[\$55]] >>\$61<<.
- Part 4. Section 60-16-1-a-1 to 3, and 3 of the code is amended to read:
- 60-16. Closing Out Sale License.

- 1. FEE.
- a-1. For a period not exceeding 15 days: [[\$38]]>>\$42<<.
- a-2. For a period not exceeding 30 days: [[\$72]]>>\$80<<.
- a-3. For a period not exceeding 60 days: [[\$110]>>\$122<<.
- 3. EXTENSION OF TIME. A supplemental fee is required in addition to the regular license fee if an extension of time is granted pursuant to s. 88-1-4. The supplemental fee shall be [[\$34]]>>\$38<< per day.
- Part 5. Section 60-20-2 of the code is amended to read:
- 60-20. Filling Station License.
- 2. The fee for each license shall be [[\$117]]>>\$200<<.
- Part 6. Section 60-21-2-b to d, 4, 5, 7 and 8 of the code is amended to read:
- 60-21. Food Dealer's License.
- 2
- b. All other restaurants:

Anticipated Gross Annual Sales for All Food Operations

```
Less than $20,000 [[$345]] >>$383<<
$20,001 - $200,000 [[534]] >>593<<
$200,001 - $2,000,00 [[818]] >>908<<
Over $2,000,000 [[1,222]]>>1,356<<
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c. Food Stores - Processing:

Anticipated Gross Annual Sales for All Food Operations

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Less than $20,000 [[$240]] >>$266<<
$20,001 - $200,000 [[404]] >>448<<
$200,001 - $2,000,00 [[905]] >>1,005<<
Over $2,000,000 [[1,440]] >>1,598<<
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d. Distributors/Food Stores -No Processing:

Anticipated Gross Annual Sales for All Food Operations

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Less than $20,000 [[$135]] >>$150<<
$20,001 - $200,000 [[199]] >> 221<<
$200,001 - $2,000,00 [[370]] >>411<<
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Over \$2,000,000

[[578]] >>642<<

- 4. If multiple independent restaurant locations are operated at the same address and by the same person, a separate fee shall be charged for each additional location. An additional restaurant location shall be considered independent if it is physically separated from any other food preparation areas. The annual fee for each additional location shall be [[\$50]] >>\$56<<.
- 5. The yearly fee for a meal service establishment shall be [[\$20]] >>\$22<<.
- 7. License renewals shall be filed by July 1. There shall be an additional fee for the filing of a late renewal application in the amount of [[\$40]] >>\$44<<. If renewal applications are not sent out by June 15, the late penalty shall be assessed 16 days after the applications are sent.
- 8. The fee for a duplicate license is [[\$8]]>>\$9<<.
- Part 7. Section 60-23-3-a-1, b-1 and 2, c, and d-1, and 5 and 6 of the code is amended to read:
- 60-23. Temporary Food Dealer's License.
- 3. FEES. a. Restaurants. a-1. The fee per temporary event for the 1st day of operation of each temporary restaurant and for a temporary restaurant that operates no more than one day is [[\$60]] >>\$67<<.
- b. Retail. b-1. The fee per temporary event for temporary food operations that process food at the point of sale is [[\$60]] >>\$67<<.
- b-2. The fee per temporary event for temporary food operations that do not process food at the point of sale is [[\$40]] >>\$44<<.
- c. Farmers' market. The fee for an annual temporary food dealer's license for vendors who offer for sale foods other than restaurant foods is [[\$65]] >>\$72<<.
- d-1. For an extension of a licensed premises that operates one day or less: [[\$45]] >> \$50 <<.
- 5. LATE FEE. Any person who does not meet the application deadline in sub. 4 shall pay a late application fee of [[\$40]] >>\$44<< for each individual food operation, site, location or stand where food is prepared, served or sold at the temporary event.
- 6. DUPLICATE PERMIT. The fee for a duplicate permit is [[\$8]] >>\$9<<.
- Part 8. Section 60-25-1 and 2 of the code is amended to read:
- 60-25. Food Operations Plan Examinations.
- 1. The fee for each portion of a food operations plan examination for fire protection, plumbing or ventilation equipment shall be [[\$60]] >>\$67<<.
- 2. The fee for each complete plan review shall be [[\$200]] >>\$222<<.
- Part 9. Section 60-27-1 to 3 of the code is amended to read:
- 60-27. Food Operations-Preinspections.
- 1. For change of operator only, with no change in the operation or equipment: [[\$45]] >>\$50<<.

- 2. For new operations with no new construction or substantial alterations: [[\$45]] >>\$50<<.
- 3. For new or altered food operations which involve new construction or substantial alterations: [[\$176]] >>\$195<<.

Part 10. Section 60-29-1 to 3 of the code is amended to read:

60-29. Food Peddler Basic Permit.

- 1. For each motorized vehicle: [[\$100]] >>\$111<<.
- 2. For each pushed, peddled or pulled vehicle: [[\$85]] >>\$94<<.
- 3. For each person carrying containers: [[\$70]] >>\$78<<.

Part 11. Section 60-31-2. 4 and 5 of the code is amended to read:

60-31. Food Peddler Permits.

- 2. The surcharge for a food peddler permit to allow night operation by a food peddler shall be [[\$30]] >>\$33<<.
- 4. Permit renewals shall be filed July 1. There shall be an additional fee for the filing of a late renewal application in the amount of [[\$40]] >>\$44<<. If renewal applications are not sent out by June 15, the late penalty will be assessed 16 days after the applications have been sent.
- 5. The fee for a duplicate permit or identifying device is [[\$8]] >>\$9<<.

Part 12. Section 60-39-2 of the code is amended to read:

60-39. Food Processing - Retail.

2. The fee shall be:

Anticipated Gross

Annual Sales for Annual This Operation Fee

Less than \$50,000 [[ \$60]] >>\$67<< \$50,000 and over [[\$105]] >>\$117<<

Part 13. Section 60-43-2 and 3 of the code is amended to read:

60-43. Grooming Establishment, Animals.

- 2. The fee for each permit shall be [[\$61]]>>\$70<<.
- 3. There shall be an additional fee for the filing of a late renewal application on or after January 1 of the following year in the amount of [[\$25]] >>\$30<<.

Part 14. Section 60-47-3 of the code is amended to read:

60-47. Horse Stable Permit.

3. There shall be an additional fee for the filing of a late renewal application on or after January 1 of the following year in the amount of [[\$25]] >>\$30<<.

Part 15. Section 60-48-1 and 3 of the code is amended to read:

60-48. Ice Cream Peddler License.

- 1. The fee for each ice cream peddler license shall be [[\$55]] >>\$61<<.
- 3. The fee for a duplicate license is [[\$8]] >>\$9<<.

Part 16. Section 60-51-2 and 3 of the code is amended to read:

60-51. Kennel Permit.

- 2. The fee for each license shall be  $[[\$61]] \gg \$70 <<$ .
- 3. There shall be an additional fee for the filing of a late renewal application on or after January 1 of the following year in the amount of [[\$25]] >>\$30<<.

Part 17. Section 60-53-3 of the code is amended to read:

60-53. Laundry, Self-service Registration Certificate.

3. There shall be an additional fee for the filing of a late renewal application on or after February 1 of the following year in the amount of [[\$25]] >>\$30<<.

Part 18. Section 60-57-1 of the code is amended to read:

60-57. Masonry Building Cleaning, Sandblasting Permit.

1. The fee for each permit for each calendar day or partial calendar day for masonry building cleaning shall be [[\$31]] >>\$50<<.

Part 19. Section 60-58-2 of the code is amended to read:

60-58. Massage Establishment License.

2. The fee for each license shall be [[\$225]] >>\$235<<.

Part 20. Section 60-66 of the code is amended to read:

60-66. Noise Variance Permit. The fee for application for a noise variance permit shall be [[\$30]] >>\$40<<.

Part 21. Section 60-67-2 of the code is amended to read:

60-67. Pesticide Applicator Certificate, Commercial.

2. The fee for each certificate shall be [[\$50]] >>\$55<<.

Part 22. Section 60-69-2 of the code is amended to read:

60-69. Pet Shop License.

2. The fee for each license shall be  $[[\$61]] \gg \$70 <<$ .

Part 23. Section 60-70-1-a and b, 2-a and b of the code is amended to read:

60-70. Inspection Fees for Health Code Violations.

- 1. PREVIOUSLY DOCUMENTED.
- a. If as a result of the routine inspection a violation which had been documented at the time of the previous routine inspection is found, the fee for the routine inspection [[is]]>>shall be<< [[\$78]] >>\$87<<.

- b. The fee for the first reinspection under this subsection relating to the same order to correct the violation shall be [[\$156]] >>\$173<<. The fee for each subsequent reinspection shall be the fee for the previous reinspection plus an additional [[\$78]] >>\$87<<.
- 2. NOT PREVIOUSLY DOCUMENTED.
- a. If as a result of the routine inspection a violation which had not been documented at the time of the previous routine inspection is found, the fee for the first reinspection relating to the order to correct the violation [[is]]>>shall be<< [[\$78]]>>\$87<<.
- b. The fee for the second reinspection under this subsection relating to the same order to correct the violation shall be [[\$156]] >>\$173<<. The fee for each subsequent reinspection shall be the fee for the previous reinspection plus an additional [[\$78]] >>\$87<<.
- Part 24. Section 60-71-1-a and b of the code is amended to read:
- 60-71. Mobile Restaurants/Peddlers.
- a. For prepackaged food [[\$60]]>>\$67<<.
- b. For food preparation [[\$115]]>>\$128<<.
- Part 25. Section 60-72-1 and 2 of the code is amended to read:
- 60-72. Site Evaluation Food Operation.
- 1. For a food operation that does not engage in food processing, the fee shall be [[\$80] >>\$89<<.
- 2. For a food operation that engages in food processing, the fee shall be [[\$155]] >>\$172<<.
- Part 26. Section 60-81-5 and 7 of the code is amended to read:
- 60-81. Swimming and Other Water Use Facility Operating Licenses.
- 5. License renewals must be filed by July 1. There shall be an additional fee for the filing of a late renewal application in the amount of [[\$10]] >>\$27<<. If renewal applications are not sent out by June 15, the late penalty will be assessed 16 days after the applications have been sent.
- 7. The fee to transfer a license shall be [[\$25]] >>\$35<<.
- Part 27. Section 60-83-1-a to g and 2 of the code is amended to read: 60-83. Swimming and Other Water Use Facilities: Plan Examinations and Preinspections.
- 1.
- a. Private temporary facility plan examination: [[\$31]] >>\$40<<.
- b. Nonmobile temporary facility plan examination made prior to construction: [[\$38]] >>\$40<<.
- c. Private nonmobile facility plan examination paid after construction has begun: [[\$50]] >>\$55<<.
- d. Complete facility review and preinspections of a public pool, excluding wading

pools: [[\$125]] >>\$150<<.

- e. Partial facility review and preinspections of a public pool, excluding wading pools: [[\$50]] >>\$60<<.
- f. Complete review and preinspections of a public wading pool: [[\$94]] >>\$100<<.
- g. Partial review of a public wading pool: [[\$55]] >>\$60<<.
- 2. There shall be an additional fee for the filing of a late application in the amount of [[\$10]] >> \$27 <<.

Part 28. Section 60-83.5-1 to 4, 6 and 7 of the code is amended to read: 60-83.5. Tattooing and Body-Piercing Establishments.

- 1. TATTOO ESTABLISHMENT LICENSE. The fee for a tattoo establishment license shall be [[\$130]] >>\$144<<. The fee for a temporary tattoo establishment license shall be [[\$130]]>>\$144<<.
- 2. BODY-PIERCING ESTABLISHMENT LICENSE. The fee for a body-piercing establishment license shall be [[\$130]]>>\$144<<. The fee for a temporary body-piercing establishment license shall be [[\$130]] >>\$144<<.
- 3. COMBINED TATTOO/BODY-PIERCING LICENSE. The fee for a combined tattoo/body-piercing establishment license shall be [[\$190]]>>\$211<<. The fee for a temporary combined tattoo/body-piercing establishment license shall be [[\$130]] >>\$144<<.
- 4. PREINSPECTION FEE. For inspection of a new tattooing or body-piercing establishment, a preinspection fee of [[\$90]] >>\$100<< shall be charged.
- 6. DUPLICATE LICENSE. The fee for a duplicate copy of any of the licenses listed in this section shall be [[\$8]]>>\$9<<.
- 7. LATE FEE. There shall be an additional fee of [[\$40]]>>\$44<< for the late filing of a renewal application for any of the licenses listed in this section.

Part 29. Section 60-84-2-a and b of the code is amended to read:

60-84. Waste Tire Transporters and Generators.

2.

- a. For a waste tire transporter license: [[\$111]] >> \$120 << for the first vehicle and [[\$25]] >> \$30 << for each additional vehicle.
- b. For each waste tire generator license: [[\$139]] >>\$150<<.

Part 30. Section 60-91-1, 2, 3-a to c, 4, 5, 6 and 7-a to e of the code is amended to read:

60-91. Weighing and Measuring Device Licenses.

- 1. LINEAR METERS. a. The fee for each linear meter license shall be [[\$22]] >>\$24<<.
- b. The fee for the filing of a late renewal application shall be [[\$40]]>>\$44<<.
- c. The fee for a duplicate linear meter license is [[\$8]]>>\$9<<.
- 2. RETAIL PETROLEUM METERS.
- a. The fee for each retail petroleum meter license shall be [[\$40]] >>\$44<<.

- b. The fee for the filing of a late renewal application shall be [[\$40]] >>\$44<<.
- c. The fee for a duplicate retail petroleum meter license is [[\$8]]>>\$9<<.
- 3. SCALES. a. The following schedule of fees shall apply to scale licenses:

Capacity Annual Fee

0 - 50 pounds [[\$40]] >>\$ 44<< 51 - 1,000 pounds [[\$60]] >>\$ 67<< Over 1,000 pounds [[\$90]] >>\$100<<

- b. The fee for the filing of a late renewal application is [[\$40]]>>\$44<<.
- c. The fee for a duplicate scale license is [[\$8]]>>\$9<<.
- 4. TAXIMETERS. a. The fee for each taximeter license shall be [[\$45]] >>\$50<<.
- b. The fee for a filing of a late renewal application shall be [[\$40]] >>\$44<<.
- c. The fee for a duplicate taximeter license is [[\$8]]>>\$9<<.
- 5. TIMING DEVICES. a. The fee for each timing device license shall be [[\$10]] >>\$11<<.
- b. The fee for the filing of a late renewal application shall be [[\$40]] >>\$44<<.
- c. The fee for a duplicate timing device license is [[\$8]]>>\$9<<.
- 6. VEHICLE TANK AND BULK PLANT METERS. a. The fee for each vehicle tank and bulk plant meter license shall be [[\$90]]>>\$100<<.
- b. The fee for a filing of a late renewal application shall be [[\$40]] >>\$44<<.
- c. The fee for a duplicate vehicle tank or bulk plant meter license is [[\$8]] >>\$9<<.
- 7. VEHICLE SCALES.
- a. Public Vehicle Scales. The fee for each public vehicle scale shall be [[\$170]]>>\$189<<.
- b. "Type I" Nonpublic Vehicle Scales. The fee for each "type I" nonpublic vehicle scale shall be [[\$125]] >>\$139<<.
- c. "Type II" Nonpublic Vehicle Scales. The fee for each "type II" nonpublic vehicle scale shall be [\$125]>>\$139<<.
- d. Late Fee. There shall be an additional fee of [[\$40]] >>\$44<< for the filing of a late renewal application after January 1 of each year.
- e. Duplicates. The fee for a duplicate license specified in this subsection shall be [[\$8]] >>\$9<<.

Part 31. Section 79-2-1-b-1 of the code is amended to read:

79-2. Collection Regulations.

- 1. GENERAL REGULATIONS; MULTIUNIT DWELLINGS.
- b-1. The fee charged under this paragraph shall include indirect costs[[, but shall exclude costs relating to capital equipment depreciation]].

Part 32. Section 81-1-4 of the code is amended to read:

81-1. General Provisions.

4. DUPLICATE LICENSE OR PERMIT FEE. Except where otherwise provided, the fee for a duplicate copy of any license or permit issued through the city clerk's office shall be [[\$8]]>>\$10<<.

Part 33. Section 81-1-6 of the code is created to read:

81-1. General Provisions.

6. REINSTATEMENT FEE. If a permit or license issued through the city clerk's office is suspended due to the cancellation, expiration or nonrenewal of any required surety or performance bond, direct obligations or insurance policy, the fee for the reinstatement of the license or permit shall be \$25.

Part 34. Section 81-17.7 of the code is amended to read:

81-17.7. Center for the Visual and Performing Arts. Each center for the visual and performing arts license shall be issued and shall expire on the same date as the tavern amusement license held by the same premise. The fee for each license shall be [[\$225]] >>\$300<<.

Part 35. Section 81-39-2 of the code is amended to read:

81-39. Dance Hall (Public) License.

2. The fee for each license shall be [[\$140]]>>\$175<<.

Part 36. Section 81-49.8-2 of the code is amended to read:

81-49.8. Escort License.

2. The fee for each license shall be [[\$50]]>>\$75<<.

Part 37. Section 81-51-2 of the code is amended to read:

81-51. Extended Hours Establishments.

2. The fee for each license shall be [[\$200]]>>\$250<<.

Part 38. Section 81-60-2-a of the code is amended to read:

81-60. Home Improvement Contractor's or Salesperson's License.

2. a. The fee for each new or renewal home improvement contractor's license shall be [[\$225]]>>\$250<<.

Part 39. Section 81-63-3 of the code is amended to read:

81-63. Junk Collector License.

3. The fee for a junk collector with a motor vehicle shall be [[\$125]] >>\$150<< per vehicle.

Part 40. Section 81-73-2 of the code is amended to read:

81-73. Lobbying License.

2. The fee for each license shall be \$125 >> per lobbyist << per principal, payable at the time of registration [[, for the first 4 principals registered by the same lobbyist in a

calendar year. The fifth and all subsequent principals registered by the same lobbyist in a calendar year may be registered without further charge]].

Part 41. Section 81-82-2 of the code is amended to read:

81-82. Parking Meter Permanent Removal.

2. REMOVAL FOR FACILITIES OTHER THAN LOADING ZONES. The fee for the removal of each parking meter needed to accommodate facilities other than loading zones shall be [[\$40]]>>\$60<<.

Part 42. Section 81-101-3 of the code is amended to read:

81-101. Pre-recorded Music Machine, Record Spins Premises License.

3. The fee for each license shall be [[\$40]]>>\$60<<.

Part 43. Section 81-101.3 of the code is amended to read:

81-101.3. Public Passenger Vehicle Fee, Special. The fee for special inspection of a public passenger vehicle, which shall apply when the vehicle owner fails to obtain a current inspection sticker during an established inspection period, as provided in s. 100-51, shall be [[\$75]]>>\$100<<.

Part 44. Section 81-102.2-2 of the code is amended to read:

81-102.2 Publication Rental Boxes.

2. The fee for each permit for each rental box shall be [[\$24]]>>\$35<<.

Part 45. Section 81-116-1-a and b of the code is amended to read:

81-116. Street and Alley Vacation Fees.

- 1. REQUIRED FEES. Street and alley vacations shall be subject to the following fees:
- a. The fee for filing a preliminary application for vacation of a street shall be [[\$1,254]]>>\$1,275<< plus [[\$139]]>>\$140<< for each 100 feet of street length or fraction thereof above 300 feet. Of this fee, \$300 is intended to cover the department of city development's costs for administering the vacation procedure, while the remainder is intended to cover the costs incurred by the department of public works in preparing a map, legal description and coordinated report for the proposed vacation pursuant to s. 308-28-4.
- b. The fee for filing a preliminary application for vacation of an alley shall be [[\$834]]>>\$855<< plus [[\$94]]>>\$95<< for each 100 feet of alley length or fraction thereof above 300 feet. Of this fee, \$300 is intended to cover the department of city development's costs for administering the vacation procedure, while the remainder is intended to cover the costs incurred by the department of public works in preparing a map, legal description and coordinated report for the proposed vacation pursuant to s. 308-28-4.

Part 46. Section 81-126.5-1 and 2 of the code is amended to read:

81-126.5. Temporary Extension of Alcohol Beverage Licensed Premises for Special

Events.

- 1. [[\$35]]>>\$50<<, if the application is filed at least [[30]]>>45<< days prior to the event.
- 2. [[\$50]]>>\$75<<, if the application is filed less than [[30]]>>45<< days prior to the event.

Part 47. Section 81-131.5 of the code is amended to read:

81-131.5. Vehicle Replacement Fee. The fee for each public passenger vehicle transfer shall be [[\$75]]>>\$100<<.

Part 48. Section 200-33-1-a, 5-a-1-a to c, b-1, d-2 and 3, 8.5-a-1 and 2 and c-2 of the code is amended to read:

200-33. Fees.

- 1. AIR AND SUBTERRANEAN SPACE. a. Applications for air and subterranean space leases shall be accompanied by a fee of [[\$150]] >>\$200<<.
- 5. BUILDING PERMITS.
- a. Commercial Buildings and Residential Buildings Containing 3 or More Units, New Construction and Additions.
- a-1-a. Residential buildings containing 3 or more units: [[\$0.22]]>>\$0.25<< per square foot.
- a-1-b. Industrial and manufacturing buildings: [[\$0.15]]>>\$0.20<< per square foot.
- a-1-c. All other commercial buildings: [[\$0.20]]>>\$0.25<< per square foot.
- b. Dwellings, New Construction and Additions.
- b-1. The fee for all one-and 2-family dwellings shall be computed at
- [[\$0.22]]>>\$0.25<< per square foot, using the definition set forth in s. 200-08-86.2
- d. Footing and Foundation Permits.
- d-2. The minimum fee for one- and 2- family dwellings and accessory structures shall be [[\$100]]>>\$150<<.
- d-3. The minimum fee for all other buildings and structures shall be [[\$175]]>>\$200<<.
- 8.5. CERTIFICATES OF OCCUPANCY AND ZONING.
- a. Certificates of Occupancy.
- a-1. The required fee for certificates of occupancy in existing buildings or parts thereof with gross areas of less than 10,000 square feet, open lots, outdoor storage and outdoor circuses shall be [[\$175]]>>\$200<<.
- a-2. The required fee for certificates of occupancy in existing buildings or parts thereof with gross areas of 10,000 square feet or more shall be [[\$375]]>>\$400<<.
- c-2. If issued by the department of neighborhood services, the fee for a temporary certificate of occupancy >> for buildings with gross area of less than 10,000 square feet<< shall be [[\$50]]>>\$100<< or 20% of the fee for a certificate of occupancy, whichever is greater.

Part 49. Section 200-33-8.5-c-3 of the code is created to read:

c-3. If issued by the department of neighborhood services, the fee for a temporary certificate of occupancy for buildings with gross area more than 10,000 square feet shall be \$150 or 20% of the fee for a certificate of occupancy, whichever is greater.

Part 50. Section 200-33-13-a-1-a to e, 18, 18.5, 28.5, 35-a to d, 37, 40-a and b-1, 40.5, 41-a, 41.5, 42, 46-a, b and c-1, 48-a, 51-a and b-1, 52-a-7, b-11 and c-6, 56-a and b, 57-a, 62-a and g, 63-b, 63.5-a, 64-a, and 65-b to i of the code is amended to read:

13. ELEVATORS.

- a. Inspection Fees.
- a-1. Periodic inspections and reinspections:

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a-1-a. Class 1, 2, 3 and 6 (0 to 4 landings): [[$55]]>>$75<<.
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a-1-b. Class 1, 2, 3 and 6 (5 to 10 landings): [[\$85]]>>\$100<<.

a-1-c. Each additional landing: [[\$5]]>>\$115<<.

a-1-d. Class 7: [[\$115]]>>\$150<<.

a-1-e. Class 2A, 4, 5 and 8: [[\$55]]>>\$75<<.

- 18. FIREWORKS DISPLAY. The fee for each fireworks display permit shall be [[\$150]]>>\$200<<.
- 18.5. FIREWORKS, WHOLESALING. The permit fee for the selling of fireworks at wholesale shall be [[\$100]]>>\$150<< per year.
- 28.5. MOTHBALLING. The permit fee for mothballing of an historic structure shall be [[\$25]]>>\$50<<.
- 35. PLAN EXAMINATION, BUILDING, AUTOMATIC SPRINKLER,

HEATING AND VENTILATING. a. New Construction, Additions and Alterations.

a-1. Commercial Buildings, Structures and Parking Lots. The plan examination fees for new commercial buildings and structures, additions, alterations and parking lots shall be computed on the basis of square footage, in accordance with the following table. For new commercial buildings and structures, and for additions, square footage shall be calculated as defined in s. 200-08-86.2. For alterations, square footage shall be the square footage of the area to be altered.

```
Square Feet
                         Fee
Less than 250
                 [[$
                      85]]>>$95<<
    (alterations)
Less than 250
                 [[$ 165]]>>$185<<
(new construction and additions)
250 - 500
               [[$ 165]] >>$185<<
500 - 2,000
               [[$ 275]] >>$305<<
               [[$ 330]] >>$365<<
2,001 - 3,000
3,001 - 4,000
               [[$ 440]] >>$485<<
4,001 - 5,000
               [[$ 550]] >>$605<<
               [[$ 605]] >>$665<<
5,001 - 6,000
6,001 - 7,500
               [[$ 660]] >>$725<<
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COMMON COUNCIL Common Council Minutes September 12, 2008

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7,501 - 10,000 [[$ 830]] >>$915<<
10,001 - 15,000
                   [[$ 880]] >>$970<<
15,001 - 20,000
                   [[$ 940]]>>$1,035<<
20,001 - 30,000
                   [[$ 995]]>>$1,095<<
30,001 - 40,000
                   [[$1,220]]>>$1,345<<
40,001 - 50,000
                   [[$1,550]]>>$1,705<<
50,001 - 75,000
                   [[$1,885]]>>$2,075<<
Over 75,000
                [[$2,550]]>>$2,805<< plus
            [[$0.0063]]>>$0.0069<<
                 per sq. ft. over 75,000 sq. ft.
```

- a-2. One- and 2-family Dwellings. The plan examination fees for construction and alteration of one- and 2- family dwellings and additions thereto shall be computed at [[\$0.07]]>>\$0.08<< per square foot. For new construction and additions, square footage shall be calculated using the definition set forth in s 200-08-86.2. For alterations, square footage shall be the square footage of the area to be altered. The minimum fee for new construction and additions shall be [[\$85]]>>\$95<<. The minimum fee for alterations shall be [[\$30]]>>\$35<<.
- b. Energy Code. The fee for compliance with the state energy code for one-and 2-family dwellings shall be [[\$40]]>>\$45<<.
- c. Hazardous Liquid Storage. The fee for the review of flammable and combustible liquid storage system installation, upgrading or stage II vapor recovery plans shall be [[\$275]]>>\$305<<.
- d. Transmission Towers. The fee for the review of transmission tower plans shall be [[\$385]]>>\$425<< and shall include the review of plans for buildings accessory to the tower that are submitted at the same time as the tower plans.
- 37. PLAN EXAMINATION, FIRE DETECTION AND SUPPRESSION SYSTEMS OTHER THAN SPRINKLER SYSTEMS.
- a. The plan examination fee for a fire detection and suppression system, other than a sprinkler system, shall be computed at [[0.5%]]>>0.6%<< of the cost of construction. The minimum fee shall be [[\$55]]>>\$60<<; the maximum fee \$5,500.
- b. The fee for a priority plan review, which expedites completion of the plan review in less than the normal processing time after submission of required documents and fees, shall be computed at [[1.0% of the cost of construction]]>>200% of the fees specified in par. a<<. [[The minimum priority plan review fee shall be \$110.]] 40. PLAN EXAMINATION, PLUMBING. a. Commercial Buildings, New Construction and Additions. The fees for plumbing plan examination apply regardless of the number of fixtures to be installed. Fees shall be computed on the basis of

Square Feet Fee

3,000 or less

[[\$305]] >>\$335<<
3,001-4,000

[[\$415]] >>\$460<<

building square footage, as defined in s. 200-08-86.2, as follows:

```
4.001 - 5.000
                             [[$525]] >>$580<<
5,001 - 6,000
                             [[$605]] >>$665<<
6,001 - 7,500
                             [[$660]] >>$725<<
7,501 - 10,000
                             [[$770]] >>$850<<
10,001 - 15,000
                            [[ $825]] >>$910<<
15,001 - 20,000
                            [[ $880]] >>$970<<
20,001 - 30,000
                              [[ $990]]>>$1,090<<
30,001 - 40,000
                             [[$1,100]]>>$1,220<<
40,001 - 50,000
                             [[$1,400]]>>$1,540<<
50,001 - 75,000
                             [[$1,880]]>>$2,070<<
Over 75,000
                               [[$2,200]]>>$2,420<< plus
                          [[$0.0063]]>>$0.0069<<
                          per sq. ft. over 75,000 sq. ft.
```

b. Alterations. b-1. The fees for plumbing plan examination relating to alteration or remodeling of buildings, computed on the basis of the number of plumbing fixtures and water-using appliances (e.g., water heater, dishwasher) to be installed, shall be as follows:

```
Number of Fixtures
                      Fee
11 - 15
                   [[ $220]] >>$245<<
16 - 25
                   [[ $305]] >>$335<<
26 - 35
                   [[ $415]] >>$460<<
36 - 50
                   [[ $525]] >>$580<<
51 - 75
                   [[ $720]] >>$795<<
76 - 100
                       [[ $830]] >>$915<<
101 - 125
                       [[ $940]]>>$1,035<<
126 - 150
                       [[$1,050]]>>$1,155<<
Over 150
                       [[$1,050]]>>$1,155<< plus
                   [[ $135]] <<$150<< for
                      each additional 25
                      fixtures or fraction
                    thereof
```

- 40.5. PLAN EXAMINATION, CODE CONSULTATION. a. The fee for code consultation regarding the Uniform Dwelling Code shall be [[\$85]]>>\$95<< per hour or fraction thereof.
- b. The fee for code consultation regarding the Wisconsin Enrolled Commercial Building Code or the Wisconsin Plumbing Code shall be [[\$165]]>>\$185<< per hour or fraction thereof.
- 41. PLAN EXAMINATION, SIGNS.
- a. The plan examination fee for the construction or alteration of all signs and billboards shall be [[0.525%]] >> 0.6% << of the cost of signage. The minimum plan

examination fee shall be [[\$55]]>>\$60<<.

- 41.5. PLAN EXAMINATION, STORM WATER. The fee for processing storm water plans, maps and other pertinent information shall be [[\$110]]>>\$125<< per submittal.
- 42. PLAN EXAMINATION, STRUCTURAL PLANS. The fee for the examination of structural plans for precast concrete, laminated wood, beams and other structural elements when submitted separately from the general building plans shall be [[\$165]]>>\$185<< per plan.
- 46. RAZING. a. The permit fee for the razing or demolishing of any building or structure shall be [[\$30]]>>\$40<< plus \$0.002 per cubic foot of the volume of the building.
- b. The permit fee for interior demolition of any building or structure shall be computed at \$0.002 of the cost of demolition. The minimum fee shall be [[\$50]]>>\$60<<.
- c-1. Evaluation of bids, letting contracts and notifying contractor: [[\$100]]>>\$200<< plus 20% of parcel demolition bid.
- 48. REINSPECTION FEE.
- a. To compensate for inspectional and administrative costs, a fee of \$50 may be charged for any reinspection to determine compliance with an order to correct conditions of provisions of the Milwaukee code under the jurisdiction of the department of neighborhood services or assigned to the department, except no fee shall be charged for the reinspection when compliance is recorded. A fee of \$75 may be charged for a second reinspection, a fee of [[\$150]]>>\$200<< for a third reinspection and a fee of [[\$300]]>>\$350<< for each subsequent reinspection. Reinspection fees shall be charged against the real estate upon which the reinspections were made, shall be a lien upon the real estate and shall be assessed and collected as a special charge.
- 51. SIGNS. a. The permit fee for the construction and alteration of all outdoor signs shall be 1% of the cost of signage, with a minimum fee of [[\$40]]>>\$50<<.
- b-1. The annual maintenance fee for projecting signs that project into the public right-of-way shall be [[\$33]]>>\$35<<.
- 52. SPRINKLER, STANDPIPE AND SUPPRESSION SYSTEMS.
- a-7. A reinspection fee for noncompliance of fire suppression permit work: [[\$60]]>>\$75<<<.
- b. Tests.
- b-11. Reinspection fee: [[\$60]]>>\$75<<.
- c. Periodic Inspections.
- c-6. Reinspection fee because of noncompliance on fire supression system violations: [[\$60]]>>\$75<<.
- 56. STREET-WALK OPENINGS.
- a. The permit fee for all covered openings in street walks shall be computed at [[\$2]]>>\$5<< per square foot of openings. The minimum fee shall be [[\$35]]>>\$50<<.
- b. An annual inspection maintenance fee shall be assessed thereafter at [[\$2]]

- >>\$5<< for each covered opening.
- 57. SUBTERRANEAN SPACE LEASES.
- a. Applications for subterranean space leases shall be accompanied by a fee of [[\$150]]>>\$200<<.
- 62. TRAILER HOUSES.
- a. License Fee, Manager. Applications for licenses or renewals shall be filed with the city clerk and shall state the total number of authorized available spaces. The application shall be accompanied by a fee computed at [[\$100]]>>\$125<< for each 50 spaces or fraction thereof in the existing or proposed camp. The licensee shall file a plat of the trailer park with the city clerk.
- g. Transfer of License. Trailer house community licenses may in the discretion of the common council be transferable upon the payment of a fee of [[\$10]]>>\$20<<. Any change in ownership in fee of the premises, which is under lease to the licensee, shall not invalidate the license issued nor require any fee if the license remains in possession and control.
- 63. UNDERGROUND FIRE PROTECTION PIPING FOR FOAM LINES.
- b. The minimum fee shall be [[\$50]]>>\$60<<.
- 63.5. VARIANCES, STATE BUILDING CODE.
- a. The fee required to petition the commissioner for a variance shall be [[\$500]]>>\$550<<.
- 64. WOOD STOVE OR PRE-FABRICATED FIREPLACES.
- a. The permit fee for the installation of wood stoves or prefabricated fireplaces shall be [[\$40]]>>\$50<<.
- 65. ZONING, BOARD OF APPEALS.
- b. Dimensional variances: [[\$300]]>>\$325<< per variance requested.
- c. Use variances (per variance requested), based on lot area:
- c-1. 0-10,000 square feet: [[\$300]]>>\$325<<.
- c-2. 10,001-20,000 square feet: [[\$600]]>>\$625<<.
- c-3. Over 20,000 square feet: [[\$900]]>>\$925<<.
- d. Special uses (per special use requested) based on lot area:
- d-1. 0-10,000 square feet: [[\$250]]>>\$275<<.
- d-2. 10,0001-20,000 square feet: [[\$350]]>>\$375<<.
- d-3. Over 20,000 square feet: [[\$450]]>>\$475<<.
- e. Name changes: [[\$250]]>>\$275<<.
- f. Billboards: [[\$600]]>>\$625<< per sign face.
- g. On premise signs: roof signs, freestanding signs and projecting signs:
- g-1. 0-50 square feet: [[\$200]]>>\$225<<.
- g-2. 51-100 square feet: [[\$300]]>>\$325<<.
- g-3. Over 100 square feet: [[\$400]]>>\$425<<.
- h. Transmission towers: [[\$900]]>>\$925<<.
- i. Application for an extension of time to comply with conditions imposed in a previous decision of the board: [[\$250]]>>\$275<<.

Part 51. Section 305-47-6 of the code is amended to read:

305-47. Principals' Expense Statements.

6. There shall be [[an additional]]>>a<< fee in the amount of \$25 >> for each 30-day period or portion thereof, but not exceeding \$100,<< for the late filing of any report required by this section.

This ordinance increases various fees and forfeitures effective January 1, 2009.

A motion was made by ALD. MURPHY that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan,

Puente, Murphy, Dudzik, Witkowiak, Zielinski Hines Jr.

No: 1 - Davis

Excused: 1 - Witkowski

#### ADOPTION OF THE FOLLOWING:

2. <u>080483</u> Substitute resolution amending the 2008 Local Snow and Ice Removal Charge in accordance with Sub-Section 2(a) and (b) of Section 309-83 of the Milwaukee Code of Ordinances.

Whereas, Section 309-83 of the Milwaukee Code of Ordinances established a Snow and Ice Removal Cost Recovery Charge as authorized by s.66.0627, Wis. Stats.; and

Whereas, Section 309-83 of the Milwaukee Code requires adoption of a resolution on an annual basis that establishes the snow and ice removal cost recovery charge; and

Whereas, Section 309-83 of the Milwaukee Code allows the charge to be amended no more than once annually on the basis of cost recovery experience; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the 2008 annual snow and ice removal cost recovery charge is amended in accordance with s.309-83 of the Code, to be billed on a yearly basis:

- 1. Residential property \$0.6522 per foot of street frontage. For residential property (one, 2-, 3-, and 4-family dwelling units) with multiple street frontage (corner lots), the shortest side shall be used for billing purposes.
- 2. Nonresidential property \$0.6522 per foot of total street frontage.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

**Aye:** 12 - Hamilton, Kovac, Bauman, Coggs, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

#### No: 3 - Davis, Bohl Donovan

#### 3. 080485

Substitute resolution establishing the 2009 Local Snow and Ice Removal Charge in accordance with Sub-Section 2(a) and (b) of Section 309-83 of the Milwaukee Code of Ordinances.

Whereas, Section 309-83 of the Milwaukee Code of Ordinances established a Snow and Ice Removal Cost Recovery Charge as authorized by s.66.0627, Wis. Stats.; and

Whereas, Section 309-83 of the Milwaukee Code requires adoption of a resolution on an annual basis that establishes the snow and ice removal cost recovery charge; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the 2009 annual snow and ice removal cost recovery charge is established in accordance with s.309-83 of the Code, to be billed on a yearly basis:

- 1. Residential property \$0.6522 per foot of street frontage. For residential property (one, 2-, 3-, and 4-family dwelling units) with multiple street frontage (corner lots), the shortest side shall be used for billing purposes.
- 2. Nonresidential property \$0.6522 per foot of total street frontage.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion FAILED by the following vote:

Aye: 6 - Kovac, Coggs, Murphy, Dudzik, Witkowski Hines Jr.

**No:** 9 - Hamilton, Davis, Bauman, Bohl, Wade, Donovan, Puente, Witkowiak Zielinski

4. 080514

Substitute resolution approving components of a 2008 Budget Adjustment Plan.

Whereas, Adverse weather conditions including record setting amounts of snow and rainfall, as well as extraordinary increases in the cost of gasoline and diesel fuel, have resulted in city departments providing service levels and making expenditures far above those authorized in the 2008 adopted city budget; and

Whereas, The Budget and Management Division presented a communication to the Common Council in July under File Number 080315 which described a 2008 Budget Adjustment Plan which is intended to avoid contingent borrowing for 2008 operations while enabling continuation of essential city services through the end of 2008; and

Whereas, It is incumbent to take action to authorize the nonexpenditure of 2008 funds assigned to city departments which have not yet been expended; and

Whereas, Other actions are also necessary to deal with the shortfall in various accounts associated with the weather and increases in the cost of gasoline and diesel

fuel; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, in order to achieve the goals of a balanced budget and continuation of essential services for 2008, and pursuant to s. 65.05, Wis. Stats., s. 18-06, city charter, and other applicable code provisions, that the appropriate city departments are authorized and directed to take the following actions:

- Maintenance of vacancies and avoidance of operational expenditures, resulting in the nonexpenditure of funds authorized in the 2008 budget, as described in the summary attached to this file.
- Application of approximately \$2 million from 2 Federal Emergency Management Administration grants which the city is expected to receive for 2008 in a manner consistent with achieving 2008 budget balance.
- Application of all 2008 Snow and Ice Removal Cost Recovery Charge revenues, upon adoption of ensuing Common Council files, to the operating shortfall in various Department of Public Works accounts resulting from extraordinary costs for snow and ice operations.

; and, be it

Further Resolved, It is also the intent of the Common Council, if conditions warrant, to act on the appropriation of additional anticipated 2008 revenues resulting from an increase in private contract revenues for City collection of solid waste, pursuant to adoption of Common Council File Number 080016, adopted May 20, 2008, adjusting solid waste collection charges, to reduce the operating shortfall in various Department of Public Works accounts, consistent with Comptroller revenue recognition and code procedures; and, be it

Further Resolved, That the Budget and Management Division report on projected final 2008 operating results and any additional actions needed to achieve 2008 budget balance no later than March 31, 2009.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

**Aye:** 11 - Hamilton, Kovac, Bauman, Coggs, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski Hines Jr.

No: 4 - Davis, Bohl, Donovan Zielinski

#### PLACING ON FILE THE FOLLOWING:

5. <u>080315</u> Communication from the Budget & Management Division regarding a 2008 Budget

Adjustment Plan.

A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

**Aye:** 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Zielinski Hines Jr.

No: 1 - Davis

Excused: 1 - Witkowski

6. <u>080484</u> Substitute resolution establishing the 2009 Local Solid Waste Charge in accordance with Sub-Section 2(a) and (b) of Section 79-6 of the Milwaukee Code of Ordinances

Common Council President Hines yielded the chair at 10:37 a.m.

A motion was made by ALD. MURPHY that this Resolution be PLACED ON FILE. The motion PREVAILED by the following vote:

**Aye:** 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Zielinski Hines Jr.

No: 2 - Davis Witkowski

Osubstitute resolution establishing a Special Joint Committee on Redevelopment of Abandoned and Foreclosed Homes to plan for administration of emergency assistance available under Title III of the federal Housing and Economic Recovery Act of 2008.

Alderman Davis asked to be added as a sponsor.

A motion was made by ALD. BAUMAN that this Resolution be TAKEN FROM COMMITTEE. The motion PREVAILED by the following vote:

**Aye:** 12 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Witkowiak, Zielinski Hines Jr.

No: 3 - Murphy, Dudzik Witkowski

A motion was made by ALD. BAUMAN that this Resolution be SUBSTITUTED. The motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

Substitute resolution establishing a Special Joint Committee on Redevelopment of Abandoned and Foreclosed Homes to plan for administration of emergency assistance available under Title III of the federal Housing and Economic Recovery Act of 2008.

Whereas, The United States Congress enacted the Housing and Economic Recovery Act of 2008 ("the Act"), signed by the President of the United States on July 30,

2008; and

Whereas, Title III of the Act, entitled "Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes," provides nearly \$4 billion to be distributed through the Community Development Block Grant (CDBG) program of the Department of Housing and Urban Development (HUD) to states and localities; and

Whereas, The Secretary of HUD is required to establish a formula for the distribution of these funds within 60 days of enactment and to distribute the funds within 30 days following the establishment of the formula; and

Whereas, The eligible uses for funds made available by the Act are:

- A. Establishing financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties, including mechanisms such as soft-seconds, loan loss reserves, and shared equity loans for low- and moderate income homebuyers.
- B. Purchasing and rehabilitating homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.
- C. Establishing land banks for homes that have been foreclosed upon.
- D. Demolishing blighted structures.
- E. Redeveloping demolished or vacant properties.

; and

Whereas, The sub-prime mortgage loan crisis and the downturn in the housing market has caused the City of Milwaukee, like communities across the state and nation, to experience increases in foreclosures on residential properties and in numbers of vacant residential properties; and

Whereas, Vacant and abandoned residential properties contribute to a decline in assessed values of properties adjacent and near to an abandoned residence and a reduction in tax revenues, create an increased risk of fire, offer opportunities for crime including drug-trafficking and vandalism, often constitute an attractive public nuisance, and, when neglected, threaten the health, safety and welfare of neighborhoods; and

Whereas, It is the policy of the City of Milwaukee to maximize resources available to address the problems of vacant, abandoned and foreclosed properties, and to utilize available resources in the most effective and efficient manner; and

Whereas, It is the intent of the Common Council to encourage a timely and coordinated response by City administrators and policy-makers to quickly and effectively utilize the funding available under the Act; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Special Joint Committee on Redevelopment of Abandoned and Foreclosed Homes shall be established to consist of 3 members appointed by the Mayor, one of whom shall be designated Co-Chair by the Mayor, and 3 members to be appointed by the President of the Common Council, one of whom shall be designated Co-Chair by the President; and, be it

Further Resolved, That the committee shall meet regularly and as needed at the call of the Co-Chairs, with staffing provided by the City Clerk, for purposes of identifying City needs, sharing information, discussing application for and maximizing funds available under the Act, coordination of administrative activities with policy development, and the preparation of regular communications to the Mayor and the Common Council, including recommendations for future activity and policy action; and, be it

Further Resolved, That, in the conduct of its business, the committee may receive communications from the public and from City officers and departments, and may entertain testimony and consult with experts both within and outside City government.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 11:05 a.m.

-- Jim Owczarski, Deputy City Clerk