



Legislation Text

File #: 091528, Version: 1

091528
SUBSTITUTE 1

ALD. DAVIS

A substitute ordinance relating to commercial garbage receptacles.

79-3-2 am

79-3-4-a rn

79-3-4-2-a-1 cr

This ordinance requires commercial areas to provide waste receptacles. The containers shall be maintained in good repair and shall be free and fully accessible at all times for handling and collection. Sufficient containers for not less than 2 weeks' accumulation shall be required for the property or business, and collection shall be made at least weekly unless arrangements are made for more frequent collection as required by the department of public works. The property owner or operator shall ensure that the waste is removed by a private entity. The ordinance also clarifies that nuisance abatement procedure specified in s. 79-3-2 does not apply to commercial waste receptacles.

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

Part 1. Section 79-3-2 of the code is amended to read:

79-3. Waste Containers Required.

2. NUISANCE ABATEMENT. Where a nuisance is found to exist due to insufficient containers, an order shall be directed to the property owner, where practical, to furnish sufficient approved containers as required in this section. >>Except for receptacles required in sub. 4-a-1<< ~~[[Where]]~~ >>where<< the owner fails to provide such containers or where it is impractical to serve such an order, the city shall furnish the required containers and assess the cost thereof as a lien upon the lot or premises involved in the same manner as any tax on real estate.

Part 2. Section 79-3-4-a of the code is renumbered 79-3-4-a-2.

Part 3. Section 79-3-4-a-1 of the code is created to read:

4. FOR COMMERCIAL AREAS.

a-1. Receptacles Required. Containers as specified under s. 79-4 or as otherwise approved by the commissioner shall be provided by the property owner or operator. Containers shall be maintained in good repair. Sufficient containers for not less than 2 weeks' accumulation shall be required for the property or business, and collection shall be made at least weekly unless arrangements are made for more frequent collection as required by the department. The property owner or operator shall ensure the waste is removed by a private entity.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

MET

3/24/10

LRB10046-2