

..Number

240174

..Version

PROPOSED SUBSTITUTE C

..Reference

231740

..Sponsor

ALD. BAUMAN

..Title

A substitute ordinance relating to certain regulatory provisions in place during the Republican National Convention.

..Analysis

This ordinance authorizes the Commissioner of the Department of Neighborhood Services to suspend enforcement of zoning code provisions that do not cause imminent public health or safety risks from July 8 through July 22, 2024. This period includes the 2024 Republican National Convention, which is expected to bring over 50,000 visitors to Milwaukee. This ordinance also prohibits certain items within the security footprint established by Common Council File No. 231740 during the Republican National Convention.

..Body

Whereas, The 2024 Republican National Convention (“RNC”) is a four day convention from July 15 through July 18, 2024, that will be held at the Fiserv Forum at 1111 Vel R. Phillips Avenue, with additional events in the days before and after the RNC; and

Whereas, The Common Council adopted File Number 200176 on July 28, 2020, prohibiting the possession of certain items, the obstruction of public right-of-way, the abandonment of certain items, and camping within the security footprint during the convention period for the Democratic National Convention, and substantially similar restrictions are necessary for the Republican National Convention; and

Whereas, The Common Council adopted File Number 231740 on March 19, 2024, establishing a security footprint for the RNC and establishing regulations and regulation-issuance procedures for the use of city streets and public property during the RNC; and

Whereas, The RNC will bring substantial business to Milwaukee hotels, restaurants, taverns, entertainment venues, cultural institutions, retail and many other venues, thereby contributing to the economic vitality in the Milwaukee area; and

Whereas, The City of Milwaukee desires to have a successful convention and encourage local businesses to take advantage of the temporary opportunities that may result from this extraordinary special event make to the visit enjoyable for attendees as well as having a streamlined process for conducting business during this time; and

Whereas, Due to the scale and nature of this event, the Department of Neighborhood Services anticipates that many business and property owners may have a desire for temporary uses and temporary signage that may normally either represent a short-duration zoning violation or require approval by the Board of Zoning Appeals or

amendment or modification of Planned Development zoning districts and it would not be an efficient use of public or private resources to require business or property owners to seek approvals for such short-term uses or signage that do not pose imminent threats to public health and safety (e.g. temporary banner and advertising signage, temporary light and heavy motor vehicle parking and outdoor storage, other temporary uses) that may occur in the days before, during and after the RNC; and

Whereas, The Commissioner of the Department of Neighborhood Services shall be given the tools and discretion to efficiently allocate available permitting and enforcement resources; and

Whereas, The Common Council believe that during the RNC the Department of Neighborhood Services should focus its zoning code enforcement efforts and resources on zoning code violations that threaten public health and safety; now, therefore,

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

1. Zoning Code Enforcement. a. Between July 8 and July 22, 2024, (the “RNC Period”) the commissioner of the department of neighborhood services may suspend enforcement provisions of the following zoning code regulations, provided that non-enforcement does not pose imminent threats to public health and safety:

- a-1. Temporary banner and advertising signage.
- a-2. Temporary light and heavy motor vehicle parking and outdoor storage.
- a-3. Other temporary uses that, in the discretion of the commissioner, do not pose an imminent threat to public health or safety.

b. The suspension of the enforcement of any zoning code provisions by the commissioner shall not also suspend any requirement that a property owner or business operator obtain applicable licenses or building permits required for such temporary uses occurring during the dates identified above.

2. Possession of Certain Items Prohibited Within the Security Footprint During the Dates of the RNC. a. Within all public areas of the security footprint established by Common Council File No. 231740, possession of the following items is prohibited during the dates of the RNC:

- a-1. Lumber larger than 2 inches in width and 0.25 inches thick, including supports for signs.
- a-2. Metal, plastic, or other hard material larger than 0.75 inches thick and 0.0125 inches in wall thickness, including pipe and tubing.
- a-3. Any air rifle, air pistol, paintball gun, blasting cap, cestus or other combat glove, billy club, blackjack, sword, saber, hatchet, axe, slingshot, BB gun, pellet gun, wrist shot or wrist rocket, metal knuckles, nunchucks, iron buckle, axe handle, shovel, or other instrument potentially used to cause damage to persons or property.
- a-4. Any firearm, as defined by s. 167.31(1)(c), Wis. Stats., any ammunition for such firearm, or any dangerous ordnance, weapon, or firearm that is prohibited by the laws of the state of Wisconsin under ss. 941.26, 941.28 and 941.298, Wis. Stats.
- a-5. Any explosive, explosive device, or incendiary device.
- a-6. Any firework or rocket.

- a-7. Any drone or other unmanned aircraft system or device.
- a-8. Any containers of bodily fluid or waste.
- a-9. Any containers of flammable liquid.
- a-10. Any aerosol can.
- a-11. Any mace, pepper spray, OC spray or other chemical irritant.
- a-12. Any umbrella with a metal tip.
- a-13. Any projectile launcher, such as a slingshot, wrist rockets, water gun or water cannon.
- a-14. Any adhesive or any rope, chain, cable, strapping, wire, string, line, tape or similar material in a length greater than 6 inches.
- a-15. Any glass bottle, ornament, light bulb, ceramic vessel or other frangible or brittle container, regardless of whether the container holds any substance.
- a-16. Any lock, including, without limitation, any padlock, bicycle locking device, chain lock or similar device, but not including:
 - a-16-a. Any integral component of a conveyance or structure.
 - a-16-b. Any lock when utilized by the owner of private real property to secure temporary or permanent fencing.
 - a-16-c. Any lock attached to a bicycle.
- a-17. Any tent or other shelter, sleeping bag, sleeping pad, mattress, cot, hammock, bivy sack or stove.
- a-18. Any cooler or ice chest.
- a-19. Any backpack or bag exceeding the dimensions of 18 inches by 13 inches by 7 inches.
- a-20. Any laser.
- a-21. Any non-plastic container, bottle, can or thermos.
- a-22. Any ladder.
- a-23. Any grappling hook, sledgehammer, hammer, crowbar or prybars.
- a-24. Any canned goods.
- a-25. Any tennis balls or other similarly sized balls.
- a-26. Any gas mask or similar device designed to filter all air breathed by the wearer in an attempt to protect the respiratory tract or face against irritating or noxious gasses or other materials. This prohibition shall not apply to law enforcement and emergency personnel acting in their official capacities, any person wearing a medical oxygen mask that fits over the person's nose and mouth to provide oxygen from an oxygen tank to that person, or any cloth, N95/KN95 or surgical mask used as personal protection equipment to avoid transmission of viral infection.
- a-27. Any other item determined by the chief of police to be a clear and present danger to the safety of others.
- b. The prohibitions of par. a shall not be applicable to:
 - b-1. Any person possessing an item listed in par. a when both of the following are true:
 - b-1-a. The person or the person's employer maintains a place of employment within the security footprint; and
 - b-1-b. The possession of the item is in the normal course of the person's licensed business or employment and to be used within that business or place of employment.
 - b-2. Any person possessing an item listed in par. a when both of the following are true:
 - b-2-a. The person resides within the security footprint; and
 - b-2-b. The item is kept and used within the person's residence.

- b-3. Any law enforcement personnel or other local, state or federal government employee possessing a prohibited item in the course of that person's authorized duties.
- b-4. Any licensed medical professional in the performance of that professional's medical duties.

3. Possession of Obstruction Devices; Abandoning Object and Camping in the Security Footprint Prohibited.

- a. It is unlawful for any person within the security footprint, with the intent to obstruct the public's ability to freely move about on rights-of-way, sidewalks or other areas to which the public has access, to possess, utilize or place any tool, object, instrument, or any combination thereof, that is adapted, designed, or intended to be used for obstructing the public's ability to freely move about on rights-of-way, sidewalks, entrances and exits to private property, or other areas to which the public has access. This shall include, but is not limited to, the maneuver commonly referred to as the "Sleeping Dragon," tripods, bipods, poles, any sections of pipe or containers filled with or wrapped in weighted material, such as concrete, or containing handcuffs, chains, carabiners, padlocks, road stars, or other locking devices.
- b. It is unlawful for any person, other than law enforcement, emergency personnel, or an individual properly authorized and credentialed by law enforcement, to inhibit, for any reason, the movement of other persons on streets, rights-of-way or sidewalks.
- c. It is unlawful for any person to attach themselves to another person, building, vehicle, or any other fixture or structure with the intent to obstruct the public's ability to freely move about on rights-of-way, sidewalks, entrances and exits to private property, or any other areas to which the public has access.
- d. It is unlawful for any person to abandon or place any container or object on the rights-of-way, sidewalks, entrances and exits to private property, or any other areas to which the public has access, and remove themselves from immediate proximity of the container or object. Any container or object so abandoned or placed shall be subject to immediate search, removal or disposal.
- e. It is unlawful to camp in the security footprint.
- f. Any government employee performing tasks within the employee's official duties of their government work shall be exempt from this section.

..Requestor

..Drafter
LRB179933-3
Jeff Osterman
06/07/2024