

LRB - FISCAL SECTION ANALYSIS

PUBLIC SAFETY COMMITTEE

ITEM 16, FILE 990085

APRIL 29, 1999 AGENDA

CHARLOTTE JOHN-GOMEZ

File #990085 is an ordinance relating to licensing of private waste collectors and removal of graffiti on private waste containers.

**Background - 1.** The Anti-Graffiti Policy Committee has identified graffiti on garbage dumpsters, used by apartment complexes and commercial businesses, as the biggest single issue that has not been addressed by the Milwaukee Code of Ordinances. While the Department of Neighborhood Services (DNS) has asked the dumpster companies to remove the graffiti, the companies' owners have not been responsive.

3. The City Clerk's Office issues the private waste collector license. Currently, the waste collector must submit one application per vehicle.

**Discussion - 1.** This ordinance specifies the following requirements:

- ❖ A licensed private waste collector must submit one application for its activities, rather than one application per vehicle. (The fee remains at \$40 per vehicle.)
- ❖ Graffiti on private waste containers must be removed within 3 working days following notification of the private waste collector by the department of neighborhood services or within 3 working days of the last time the container was emptied.
- ❖ Each private container must be clearly marked or have signage noting the name and phone number of the company responsible for maintenance.
- ❖ Each licensed private waste collector or applicant must submit a plan for on-going and scheduled removal of graffiti on waste containers.

2. The penalties for violating any provision of this ordinance include:

- ✓ A forfeiture of \$250 to \$1,000 for each offense or imprisonment from 10 to 40 days until the forfeiture costs are paid.
- ✓ Each day of violation is a separate offense.
- ✓ Every private waste collector's license may be suspended or revoked for non-compliance.

3. In addition to the current enforcement powers of the Police Department, Health Department and DPW's Division of Sanitation, the ordinance provides the Department of Neighborhood Services with enforcement powers for graffiti removal from waste containers. DNS staff indicate the department will use existing staffing resources to enforce this ordinance.

**Fiscal Impact - 1.** The adoption of this ordinance may require enforcing departments and the Municipal Court to use existing resources for additional responsibilities and potentially higher administrative costs. However, it is anticipated that the threat of losing the waste collector license will serve as an impetus for compliance and the aforementioned indirect costs will not be realized.

2. There could be an increase to the City's general revenue, contingent on the number of private waste collectors who are fined for non-compliance.

cc: Marianne Walsh  
Laura Engan  
W. Martin Morics  
Lee Jensen  
Martin Collins  
Ald. Frank, D'Amato, Pawlinski

Prepared by: Charlotte John-Gomez  
LRB - Fiscal Review Section  
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