

Motion by Ald. Michael J. Murphy re: File #080034

I move to amend File #080034 by substituting a proposed substitute in lieu of substitute 1. The changes between the 2 versions are as follows:

- 1.) Under Part 2 of the ordinance, instead of repealing Section 115-43-2-b-3, the provision reads as follows:

b-3. Paving – ~~[[60%]]~~ >>20%<<.
- 2.) Under Part 4 of the ordinance, amend Section 304-25-2 so that the annual vehicle registration fee is \$10, rather than \$20:

2. VEHICLE REGISTRATION FEE. A municipal vehicle registration fee is imposed on every motor vehicle registered in Wisconsin and customarily kept in the city of Milwaukee. The amount of the fee is ~~[[\$20]]~~ >>\$10<< annually. The municipal vehicle registration fee is in addition to state registration fees.
- 3.) Part 6 is created relating to the effective date of the vehicle registration fee , which now differs from the effective date of the revised recovery rates for public improvement projects.
- 4.) Part 7 is created to read as follows:

Part. 7. Parts 1 to 3 of this ordinance –relating to the recovery rates shall take effect for all public improvement projects approved by the common council pursuant to s. 66.073, Wis. Stats., and s. 115-42, code, on and after January 1, 2009.

..Number

080034

..Version

PROPOSED SUBSTITUTE **A**

..Reference

060325

..Sponsor

ALD. MURPHY

..Title

A substitute ordinance relating to the adjustment of recovery ratios for certain assessable improvements and the establishment of a municipal motor vehicle registration fee.

..Sections

115-43-2-b-1 am

115-43-2-b-3 am

115-43-2 -b-4 am

304-25 cr

..Analysis

This ordinance imposes a \$10 annual municipal motor vehicle registration fee ("MVR fee") on every motor vehicle registered in Wisconsin and customarily kept in Milwaukee. The MVR fee applies to automobiles, station wagons and trucks whose gross weight is not more than 8,000 pounds. The local MVR fee is in addition to state registration fees. Vehicles which are exempt from state registration fees or which pay a special state fee of \$5 are exempt from the MVR fee. Also, no local MVR fee shall be imposed on a vehicle which replaces a vehicle for which a current Milwaukee MVR fee has been paid. The ordinance provides that MVR fee revenues shall be deposited in an enterprise fund to be called the transportation fund. Revenues in the fund shall be used only to defray city costs for transportation related purposes including, but not limited to costs related to the design, construction, operation of streets, alleys, bridges, public way lighting, traffic signs and signals, traffic calming installations, maintenance, and which may also include special assessments imposed upon property owners under the Milwaukee code. The city clerk is directed to notify the state department of transportation that the city of Milwaukee has enacted a municipal vehicle registration fee.

This ordinance also adjusts the recovery ratios for certain assessable reconstruction improvements by reducing the recovery ratio of 60% for paving improvements to 20%, the recovery ratio for alley improvements from 90% to 60%, and reducing the recovery ratio walk improvements from 70% to 50%.

The portion of the ordinance relating to the vehicle registration fee (Part 4) shall take effect 61 days after the city's clerk notification of the state department of transportation of this ordinance. The portions of the ordinance relating to the recovery rates (Parts 1 to

3) shall take effect for all public improvement projects approved by the common council pursuant to s. 66.073, Wis. Stats., and s. 115-42, code, on and after January 1, 2009.

..Body

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

Part 1. Section 115-43-2-b-1 of the code is amended to read:

115-43. Recovery Rates for Assessable Improvements.

2. RECOVERY RATES AND RATIOS.

b. Reconstruction.

b-1. Alley - [~~90%~~] >>60%<<.

Part 2. Section 115-43-2-b-3 of the code is amended to read:

b-3. Paving – [~~60%~~]>>20%<<.

Part 3. Section 115-43-2 –b-4 of the code is renumbered 115-43-2-b-3 and amended to read:

b-3. Walks - [~~70%~~] >> 50%<<.

Part 4. Section 304-25 of the code is created to read:

304-25. Municipal Vehicle Registration Fee. 1. DEFINITION. In this section, "motor vehicle" means an automobile or station wagon or motor truck registered under s. 341.25(1)(c), Wis. Stats., at a gross weight of not more than 8,000 pounds.

2. VEHICLE REGISTRATION FEE. A municipal vehicle registration fee is imposed on every motor vehicle registered in Wisconsin and customarily kept in the city of Milwaukee. The amount of the fee is \$10 annually. The municipal vehicle registration fee is in addition to state registration fees.

3. EXEMPTIONS. The following vehicles are exempt from the municipal vehicle registration fee:

a. All vehicles exempted under ch. 341, Wis. Stats., from payment of a state vehicle registration fee.

b. All vehicles registered by the state under s. 341.26, Wis. Stats., for a fee of \$5.

4. REPLACEMENT VEHICLES. No vehicle registration fee shall be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current Milwaukee municipal vehicle registration fee has been paid.

5. REVENUES; ENTERPRISE FUND. Revenues collected under this section shall be deposited in an enterprise fund to be called the transportation fund. Revenues in the fund shall be used only to defray city costs for transportation related purposes including but not limited to costs related to the design, construction, operation of streets, alleys,

bridges, public way lighting, traffic signs and signals, traffic calming installations, and which may also include special assessments imposed under s. 115-43.

Part 5. The city clerk is directed to notify within 10 days of passage and publication of this ordinance, the state department of transportation that the city of Milwaukee has enacted a municipal vehicle registration fee ordinance and the amount of the fee.

Part 6. Part 4 of this ordinance shall take effect 61 days after the city's clerk notification of the state department of transportation pursuant to part 4.

Part 7. Parts 1 to 3 of this ordinance –relating to the recovery rates shall take effect for all public improvement projects approved by the common council pursuant to s. 66.073, Wis. Stats., and s. 115-42, code, on and after January 1, 2009.

..LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____

..Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

..Drafter
LRB08160-3
JWC
7/21/08