

CITY OF MILWAUKEE

Form CA-43a

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January 10, 2003

Alderman Marvin E. Pratt
1st Aldermanic District
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202

Re: The Requirements for Filing a Petition for a Name Change of a City Street

Dear Alderman Pratt:

By a letter dated December 20, 2002, you requested an opinion as to whether a postcard survey of property owners adjoining a street would satisfy the legal requirements of sec. 113-3(4a-7) of the Milwaukee Code of Ordinances, which governs the renaming of streets within the City.

As used in sec. 113-3 of the Milwaukee Code of Ordinances the term "petition" is not defined. We have previously stated that individual signatories can submit documents labeled "Petition," as long as the signatures are "obtained by the person or persons requesting the renaming, as is required by sec. 113-3, MCO." (Opinion dated 4/29/96, attached).

It is our opinion that a postcard survey of property owners would not be sufficient for the purpose of meeting the requirements regarding collection of signatures.

Alderman Marvin E. Pratt

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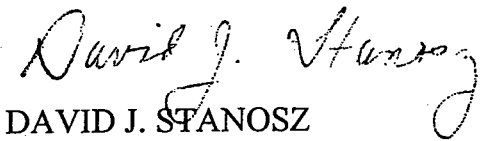
The intent of the ordinance's requirement in this regard is clear. The person or persons requesting the renaming are responsible for actually obtaining the signatures of the property owners themselves, and can, if it becomes necessary at a later date, attest to representations made by those individuals about their identities, as well as to their physical appearance and understanding of the issue. "Mail-in" petitions do not permit this degree of confidence in the integrity of the process.

If you have any further questions regarding this matter, please feel free to contact our office.

Very truly yours,



GRANT E. LANGLEY
Assistant City Attorney



DAVID J. STANOSZ
Assistant City Attorney

DJS/ms

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