



MEMORANDUM

LEGISLATIVE REFERENCE BUREAU

WWW.MILWAUKEE.GOV/LRB

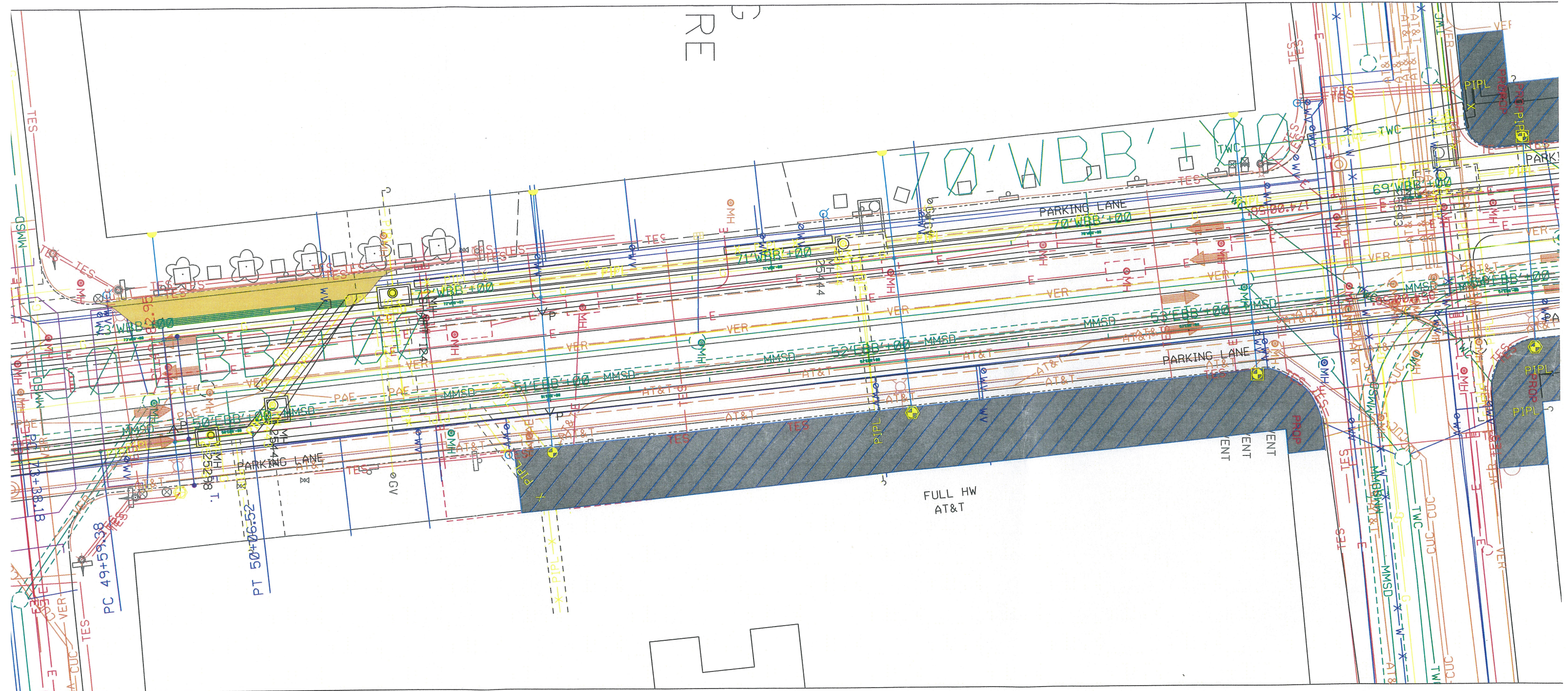
To: Ald. Jim Bohl
From: Jeff Osterman, Legislative Fiscal Analyst
Date: September 28, 2011
Subject: RESPONSIBILITY FOR COSTS OF RELOCATING UTILITY LINES

You have asked whether the City has an ordinance assigning responsibility for the costs of permanent relocation of a utility line necessitated by a City public works project. Section 115-22 of the Milwaukee Code of Ordinances reads as follows:

115-22. Utilities to Change Structures Upon Request. Any public utility operating under a franchise, privilege or permit whether under the ordinances of this city or of the statutes of the state of Wisconsin, owning and maintaining any structures and/or facilities under such franchise, privilege or permit on, under, or over any public way or public place or any property owned by the city or any public board, commission, authority or agency which shall at any time interfere with or obstruct or be in the path of any public works or improvements of any nature whatsoever undertaken by the city in its own behalf, or any public board, commission, authority or agency, shall, upon written notice from such city, public board, commission, authority, or agency or the commissioner of public works, or their duly authorized agents, make such changes in the construction or location, or both, of the structures and/or facilities at the cost and expense of said utility as will permit such public works or improvements.

The language of this section clearly states that a public utility is responsible for relocating any utility facilities that are in the path of or obstruct a City public works or public improvement project. This responsibility includes relocating the facilities "at the cost and expense of said utility."

Alderman Dudzik
(more to follow)
x3301



GRE

70' WBB' +00

PARKING LANE
70' WBB' +00

FULL HW
AT&T

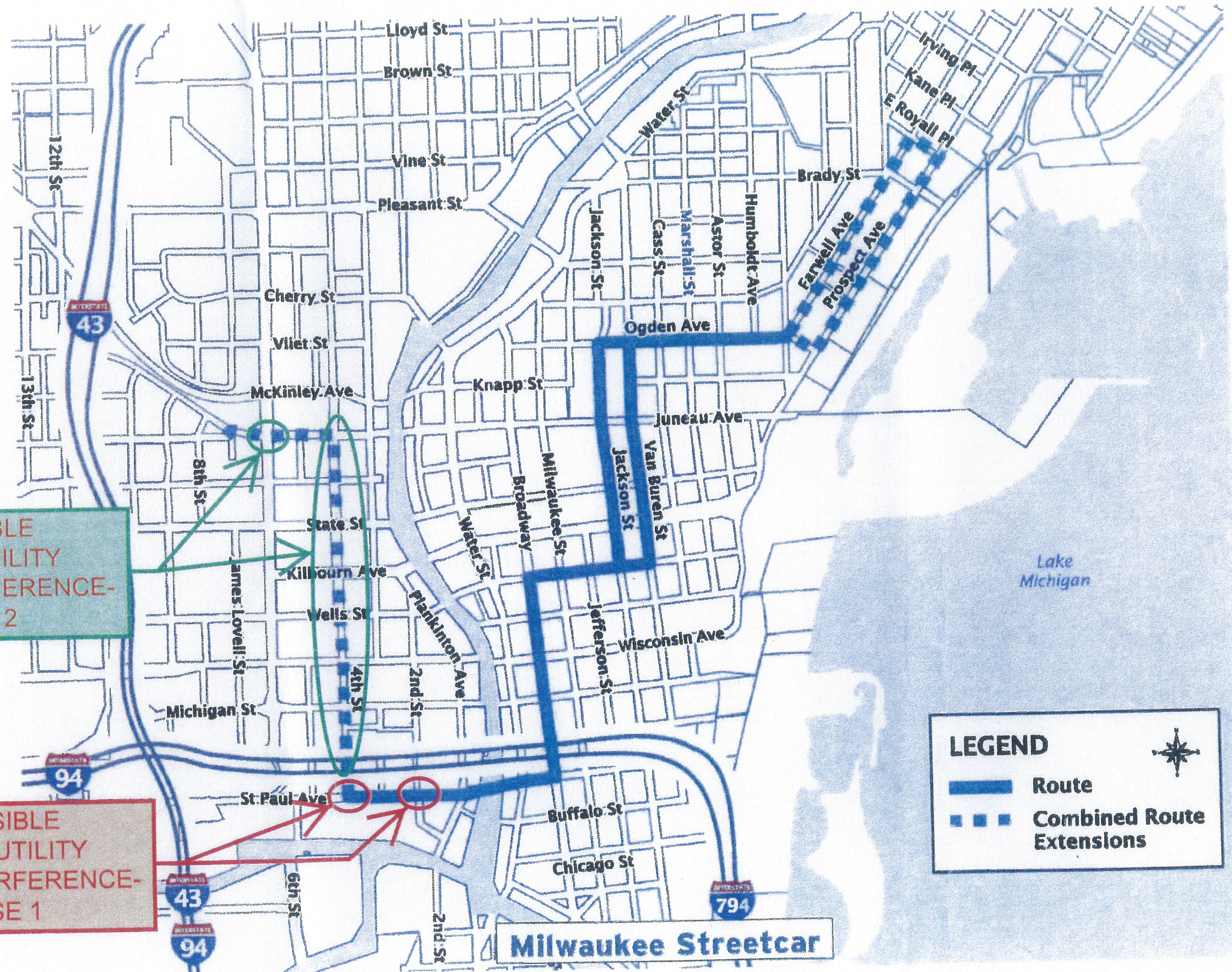
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PARKING LANE
PT 50+06.52

PC 49+59.38

MH 25298 T.








POSSIBLE
ATC UTILITY
INTERFERENCE-
PHASE 2

POSSIBLE
ATC UTILITY
INTERFERENCE-
PHASE 1

LEGEND

 Route

 Combined Route Extensions



Milwaukee Streetcar