

MEMORANDUM

To: Lee Jensen, Commissioner of Building Inspection  
Dr. Seth Foldy, Commissioner of Health  
Michael Morgan, Commissioner of City Development  
Laura Engan, Budget and Management Director  
Grant Langley, City Attorney

From: Jeff Osterman, Legislative Reference Bureau

Date: December 8, 1998

Subject: DRAFT ORDINANCE CREATING DEPARTMENT OF NEIGHBORHOOD SERVICES  
AND MAKING RELATED FUNCTION TRANSFERS

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Attached you will find a draft of the ordinance creating the Department of Neighborhood Services and making the related interdepartmental function transfers. In general terms, these changes can be described as follows:

1. The Department of Neighborhood Services would be able to perform any function currently performed by the Consumer Protection and Environmental Health Division of the Health Department except food-related licensing/inspections, regulation of lead abatement activities and investigation of licensed dwelling facility license applications. However, the Department of Neighborhood Services could only perform these functions if the Health Department's authority was delegated to it pursuant to a memorandum of understanding.
2. The plan review, approval and permit/certificate issuance and revocation functions of the current Department of Building Inspection would be transferred to the Department of City Development.
3. The Department of Neighborhood Services would assume responsibility for maintaining vacant, City-owned lots and demolition of certain City-owned structures. These functions are currently the responsibility of the Department of City Development.

Also, please note that the draft ordinance includes a section (part 53) which sets forth the functions, powers and duties of the Department of Neighborhood Services and its commissioner. Please review this section to make sure that the provisions accurately reflect the mission of the new department.

While these changes seem fairly straightforward on the surface, as you can tell from the magnitude of the draft ordinance, there are literally dozens of specific functions being transferred. To aid you in reviewing the draft, I have enumerated them for you on the following pages. Please review these lists to determine whether all changes in the proposed ordinance are what you had in mind.

## FUNCTIONS TRANSFERRED FROM HEALTH TO NEIGHBORHOOD SERVICES

Campgrounds and mobile home parks (ch. 64)

Asbestos hazards (ch. 66, subch. 1)

Self-service laundries (s. 75-1)

Bed & breakfast establishments (s. 75-5)

Swimming pools & places (s. 75-20)

Massage establishments (s. 75-21)

Appointment of members to the Environmental Health Board (s. 75-40)

Factory inspections (s. 76-1)

Dry cleaning establishments (ss. 76-20, 76-21)

Posting monoxide poisoning warning signs (s. 77-4)

Commercial pesticide application (s. 77-5)

All animal-related regulations (ch. 78)

Solid waste & recycling (non-DPW functions currently assigned to Health)  
(ch. 79)

All nuisances (ch. 80)

Filling stations (s. 84-45)

Waste tire generators and transporters (s. 84-48)

Closing-out sales (ch. 88; currently a function of the "city sealer" -  
however, the sealer's other functions (ch. 82) would remain with the  
Health Department, since they are apparently food-related)

Auto wrecker's license (s. 93-20)

Fire prevention-related inspections (s. 214-5)

Sewage disposal system permits (ch. 225, subch. 2)

Sealing of illegal plumbing fixtures in mobile home parks (s. 246-2-8)

Receiving copy of affidavit relating to application for trailer house  
community license (s. 246-6-1)

Correcting rodent/vermin problems on vacant land/in vacant buildings  
(s. 275-82-3)

## FUNCTIONS TRANSFERRED FROM HEALTH TO NEIGHBORHOOD SERVICES

Enforcement of zoning code parking standards (s. 295-75-1.5-b-2)

Preparing a report on whether nuisances exist on a property for which the City is proceeding to vacate its in rem judgment (s. 304-49-6-c-8)

Inspections of charter schools (s. 330-7-9)

Please note that the draft does not transfer these functions directly from the Health Department to the Department of Neighborhood Services. Rather, the term "health department" is replaced by "health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council." Similarly, the "commissioner" referred to in these sections becomes "the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council," rather than the "commissioner of neighborhood services." The reason for this approach is that the City Attorney's Office has informed the LRB that many Health Department functions are specifically assigned to the Health Department by the Wisconsin Statutes and that, short of a change in state law, the only way to transfer these functions to the Department of Neighborhood Services is to have the Health Department maintain formal control over them but delegate its authority for day-to-day administration of the regulations to the Department of Neighborhood Services. Since the LRB does not know which functions are and are not assigned to local health departments by the Statutes, the ordinance uses the delegation-of-authority approach for all the functions listed above.

If you know of any items in the above list that are not the subject of state legislation specifically authorizing local health department enforcement, please let me know, so that these functions can be assigned directly to the Department of Neighborhood Services. This would make the ordinance "cleaner" and also make it easier for readers of the code to determine which department is responsible for regulating a particular activity.

For those functions where the revised, longer definitions of "commissioner" and "department" must be used, a separate resolution will have to be drafted (as soon as possible) to approve the memorandum of understanding assigning these duties to the Department of Neighborhood Services.

Also, please note that there are 6 regulatory areas where the LRB assumes that there is no state legislation requiring local health department involvement and where the LRB sees no reason for including the Health Department in the process. In these cases, references to the Health Department are eliminated completely and replaced by new references to the Department of Neighborhood Services where appropriate. These functions are:

Theater and moving picture house licenses (s. 83-1)

Coin-operated moving picture house licenses (s. 83-5)

Carnival site permits (s. 87-14)

Public dance hall licenses (ch. 108)

Determining whether basement rooms are fit for human habitation (s. 257-17-5)

Preparing reports on applications for certain industrial special uses (s. 295-59-5.5-d)

#### FUNCTIONS TRANSFERRED FROM BLDG. INSP. TO DCD

Permits to connect to Water Works pipes (ss. 97-1, 97-2)

Building/zoning permits, plan exams, approvals and collection of related fees, generally (various sections of Volume 2)

Mothballing permits (s. 200-11.5)

Keeping records of permits, fees, approvals and certificates (s. 200-13-5; Neighborhood Services would still keep records of all of these items plus records of inspections, orders issued, correspondence, etc.)

State building code variance determinations (s. 200-17.5)

Permit or approval revocation (s. 200-31; the Commissioner of Neighborhood Services would also have this power)

Certificates of occupancy (s. 200-42)

Permits for storage or use of explosives (s. 207-3)

Permits for moving of buildings (s. 218-2)

Temporary safeguard provisions (s. 218-5)

Recordkeeping for electrical permits (s. 222-10)

Electrical permits (s. 222-13)

## FUNCTIONS TRANSFERRED FROM BLDG. INSP. TO DCD

- Special permission for temporary electrical wiring and equipment (s. 222-15-1)
- Approval of electrical equipment (s. 222-17)
- Elevator permits (s. 222-52)
- Boiler permits (s. 223-3)
- Plumbing plans and permits (ss. 225-3, 225-13)
- Plans to prevent backwater and basement flooding (s. 225-7)
- Well operation permits (s. 225-41)
- Plans and permits for covered sidewalks (s. 228-2)
- Spray coating operations, general approval of plans and specifications (s. 236-11; various specific approvals would still under the jurisdiction of the commissioner of neighborhood services)
- Fireworks storage, wholesaling and display permits (s. 236-31)
- Temporary buildings and structures (s. 239-9)
- Foundation repair and damp-proofing permits (s. 240-23)
- Sign permits (s. 244-2)
- Permits and approvals for retainment devices in right-of-way (s. 245-4.6)
- Street-walk basement permits (s. 245-5)
- Projection permits (s. 245-11)
- Special privileges (s. 245-12)
- Air and subterranean space leases (s. 245-14)
- Trailer house community licenses (ss. 246-4, 246-5)
- Fire protection systems (s. 251-7)
- Parking lots, areas and spaces (s. 252-74)
- Grandstand permits (s. 262-10)
- Beer garden permits (s. 262-98)

## FUNCTIONS TRANSFERRED FROM BLDG. INSP. TO DCD

Festival permits (s. 262-103)

Erosion control plans (s. 290-9)

Certificates of appropriateness, historic preservation (s. 308-81-9)

Please note that, in addition to inspection and enforcement functions, the Department of Neighborhood Services would retain responsibility for the following:

Recording of residential and commercial buildings (s. 200-51.5)

Certificates of habitability for rental dwellings (s. 200-51.7)

Certificates of code compliance (s. 200-52)

Certificates of exterior code compliance (s. 200-55)

Electrical licenses (electricians, etc.) and certificates of qualification (s. 222-11)

Stationary engineer and boiler operator licenses (s. 223-5)

Registration of plumbing businesses (s. 225-2)

Licensed dwelling facility licensing (s. 275-20)

Certification of floodproofing (s. 295-718)

## FUNCTIONS TRANSFERRED FROM DCD TO NEIGH. SERVICES

Razing of surplus property with usable building, when no offer or bid was received (s. 304-49-9)

Vacant lot maintenance (implied by s. 308-1-2-f)

Administration of home repair loan and mortgage programs (s. 308-1-3-c-2)

One other change that is being made as part of this ordinance: applications for mothballing certificates (s. 308-81-12-a) would hereafter be filed with the historic preservation officer, rather than the commissioner of building inspection. This is consistent with the recently approved change in the procedure for processing applications for certificates of appropriateness (Common Council File No. 980694, passed October 30, 1998, effective November 18, 1998).

## OTHER ISSUES

In addition to all of the issues delineated in this memo, the following questions need to be addressed:

1. The draft ordinance reflects an assumption that responsibility for making appointments to the Environmental Health Board is transferred from the commissioner of health to the commissioner of neighborhood services. Is this appropriate? It was not a clear-cut decision, since it seems that half of the environmental health activities are going over to the new department, while the other half are staying with the Health Department.
2. Section 350-221-1-a states that "inspectional personnel of the bureau of consumer protection and environmental health of the city health department" do not have to wear identification badges when the performance of their duties requires anonymity. The LRB assumes that all of the consumer protection and environmental personnel who need this anonymity are the food inspectors who are staying with the Health Department and that the nuisance/vector inspectors who are being transferred to the Department of Neighborhood Services do not need anonymity. Is this correct? If not, s. 350-221-1-a will need to be amended to give anonymity to certain inspectors in the Department of Neighborhood Services.
3. You will note in the draft ordinance (ss. 200-31 and 290-15-1-b) that both the permit-issuing department (City Development) and the inspection/enforcement department (Neighborhood Services) have the authority to revoke permits, approvals and certificates. Is this appropriate? If not, which department should have this authority?
4. Does the Department of Neighborhood Services need the overtime provision for supervisory rodent inspectors (part 110 in the draft)? If the current overtime provision for rodent inspectors is not used, perhaps this new section is unnecessary.

## FEEDBACK TO LRB

Please provide any comments or corrections to me by the end of the day on Friday, December 11, so that I can make the necessary changes and have the ordinance in the file in time for the Zoning, Neighborhoods and Development Committee meeting on December 15.

LRB98491

DRAFT

..NUMB:

980963

..VERS:

SUBSTITUTE 1

..REF:

..XXBY:

ALD. HENNINGSEN, HINES, RICHARDS, SCHRAMM, WITKOWIAK,  
PRATT, GORDON, D'AMATO AND MURPHY

..TITL:

A substitute ordinance relating to implementation of  
the department of neighborhood services.

..SECS:

..ANLS:

- Analysis -

This ordinance makes changes to the code which are necessary for implementation of the department of neighborhood services, as created by the adopted 1999 city budget. In summary, these changes:

1. Rename the department of building inspection and the commissioner of building inspection the department of neighborhood services and commissioner of neighborhood services, respectively.
2. Allow the department of neighborhood services to perform all functions currently performed by the health department's bureau of consumer protection and environmental health except enforcement of food-related and lead-abatement regulations and health-related investigation of new and renewal licensed dwelling facility license applications.
3. Transfer the department of neighborhood services' plan review, approval and permit and certificate issuance and revocation functions to the department of city development. The department of neighborhood services shall retain responsibility for issuance of certificates of code compliance, certificates of exterior code compliance, certificates of habitability for rental dwellings and licensed dwelling facility licenses. The department of neighborhood services will also continue to administer the residential and commercial building recording regulations.
4. Transfer the department of city development's responsibility for maintaining vacant, city-owned lots and demolition of certain city-owned structures to the department of neighborhood services.
5. Transfer the commissioner of city development's authority with respect to home repair and mortgage



loan programs to the commissioner of neighborhood services.

6. Eliminate language referring to the now-defunct homestead and homeownership programs.

..BODY:

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

Part 1. Section 59-3-1 of the code is repealed and recreated to read:

59-3. Administration. 1. DEFINITION. In this chapter, "commissioner" means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 2. Section 59-15 of the code is amended to read:

59-15. Health Service Fees. The commissioner [~~of health~~] shall turn over to the city treasurer all fees [~~collected by him~~] >>that he or she collects<<.

Part 3. The title of chapter 60 is changed from "health department fees" to "health-related fees."

Part 4. Section 60-1-1 of the code is repealed and recreated to read:

60-1. General Provisions. 1. DEFINITIONS. In this chapter:

a. "Calendar year" means January 1 to December 31.

b. "Department" means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 5. The title of chapter 61 is changed from "penalties for health code violations" to "penalties for health-related violations."

Part 6. Section 61-5-1 of the code is amended to read:

61-5. General Provisions. 1. Any person who violates any [~~health code~~] provision >>of chapters

62 to 78<< or order of the commissioner of health  
[[~~or~~]] >> << a representative of the commissioner  
>> or any city official to whom the commissioner's  
authority has been delegated pursuant to a memorandum  
of understanding approved by resolution of the common  
council<< shall be subject to penalties as set forth  
in this chapter and as referenced in specific  
sections of [[~~the health code~~]] >> those chapters<<.  
Where citations are issued the Milwaukee municipal  
court deposit schedule shall be used as a guide for  
[[~~health code~~]] penalties >> for violations of these  
chapters<<.

Part 7. Section 64-02 of the code is repealed and  
recreated to read:

64-02. Definition. In this chapter, "department"  
means the health department or any department to  
which the health department's authority has been  
delegated pursuant to a memorandum of understanding  
approved by resolution of the common council.

Part 8. Section 66-10-6 and 7 of the code is  
repealed and recreated to read:

66-10. Definitions.

6. COMMISSIONER means the commissioner of  
neighborhood services or the commissioner's  
designated representative.

7. DEPARTMENT means the department of neighborhood  
services.

Part 9. Section 66-12-11 of the code is amended to  
read:

11. DISPOSABLE CLOTHING. An asbestos project  
permittee, when conducting an asbestos project, shall  
keep on the premises a minimum of 10 suits of  
disposable clothing for asbestos work which shall be  
utilized by emergency medical personnel or fire  
department personnel responding to an emergency  
medical services call or by [[~~health or building  
inspection~~]] employees >> of the department of  
neighborhood services<<.

Part 10. Section 75-01 of the code is repealed and  
recreated to read:

75-01. Definitions. In this chapter:

1. COMMISSIONER means the commissioner of health,  
his or her designated representative within the

health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

2. DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 11. Section 75-21-1-b of the code is repealed. (Note: The provision being repealed reads as follows:

**75-21. Massage Regulation.**

**1. DEFINITIONS.**

b. "Commissioner" means the commissioner of health or an authorized representative.)

Part 12. Section 75-21-1-c to f is renumbered 75-21-1-a to d.

Part 13. Section 75-40-1 of the code is amended to read:

**75-40. Environmental Health Board.**

1. ESTABLISHMENT. An environmental health board is established consisting of 3 members appointed by the [[health]] commissioner. At least 2 members shall be professional environmental health personnel. Elected officials and city employes who serve on the board shall not receive remuneration.

Part 14. Section 76-01 of the code is created to read:

**76-01. Definitions. In this chapter:**

1. COMMISSIONER means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

2. DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 15. Section 76-20-1-c of the code is repealed.  
(Note: The provision being repealed reads as follows:

76-20. Dry Cleaning Establishments with Category I, II, IIIA and IIIB Equipment.

1. DEFINITIONS.

c. "Commissioner" means the commissioner of health of designated representative.)

Part 16. Section 76-20-1-d to r of the code is renumbered 76-20-1-c to q.

Part 17. Section 77-01 of the code is created to read:

77-01. Definitions. In this chapter:

1. COMMISSIONER means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

2. DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 18. Section 78-1-7 of the code is repealed and recreated to read:

78-1. Definitions.

7. COMMISSIONER means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 19. Section 78-1-9.5 of the code is created to read:

9.5. DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 20. Section 78-29-2 of the code is amended to read:

**78-29. Animals; Disturbing the Peace.**

2. CITATIONS. Notwithstanding sub. 1, enforcement personnel from the ~~[[police and health departments]]~~ >>department and the police department<< may utilize a citation to help obtain relief from animal annoyances. In such instances, a notice shall be issued to the owner or caretaker of the animal producing the alleged nuisance specified by the complainant. Following issuance of such notice and where subsequent complaints are received of an alleged continued nuisance, the designated enforcement agencies may attempt to verify the reported animal nuisance. Where such verification is accomplished, these enforcement personnel may issue or cause to be issued a citation in accordance with other provisions of this chapter on the owner or caretaker of the animal causing the disturbance.

Part 21. Section 78-31-5 of the code is repealed. (Note: The provision being repealed reads as follows:

**78-31. Cruelty to Animals.**

5. ENFORCEMENT. Duly appointed and acting humane officers shall enforce this section.)

*Note: The humane society no longer performs this function. As with the rest of chapter 78, enforcement shall be the responsibility of the department of neighborhood services and the police department (see s. 78-55).*

Part 22. Section 79-1-5.5 of the code is created to read:

**79-1. Definitions.**

5.5. HEALTH DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 23. Section 79-23-6.5 of the code is created to read:

**79-23. Definitions.**

6.5. HEALTH DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 24. Section 80-1 of the code is repealed and recreated to read:

80-1. Definitions. In this chapter:

1. COMMISSIONER means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

2. DEPARTMENT means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

3. PERSON means any individual, owner, operator, corporation, partnership, association, municipality or interstate, state or federal agency.

4. PUBLIC NUISANCE includes but is not limited to those nuisances which are referred to in this chapter, in addition to all other nuisances which threaten, impair or affect the public health or which are known to the common law of the land or the state statutes as nuisances and which may be treated and prosecuted as such.

Part 25. Section 80-2 of the code is amended to read:

80-2. ~~[[Commissioners of Health or Building Inspection]]~~ >>Commissioner<< Authorized to Abate Nuisances. The commissioner ~~[[of health, or the commissioner of building inspection when authorized by him, or their duly authorized agents]]~~ shall have the authority to cause the summary abatement of any nuisance found on any premises in accordance with the procedure prescribed in s. 80-8.

Part 26. Section 80-8 of the code is amended to read:

80-8. Notice to Abate Nuisance. It shall be the duty of the commissioner ~~[[of health, or of the acting health officer, or of the commissioner of~~

~~building inspection, or any member of his staff duly authorized by him,]] to give notice in writing to the person, firm or corporation owning, occupying, in charge or control of any premises wherein a public nuisance shall be, to forthwith abate and remove the same; and any premises or conditions so described in ss. 80-6 to 80-7 which shall be so maintained or permitted to exist for a period of 2 hours after reasonable notice in writing, signed by the commissioner ~~[[of health or the commissioner of building inspection, or their duly authorized agents]]~~, shall have been given to the person, firm or corporation owning, occupying, in charge or control of the same, are ~~[[hereby]]~~ declared to be public nuisances which shall be forthwith abated.~~

Part 27. Section 80-19-1-a of the code is repealed. (Note: The provision being repealed reads as follows:

#### 80-19. Nuisance Light on Residential Properties.

##### 1. DEFINITIONS.

a. "Commissioner" means the legally designated head of the health department or a representative.)

Part 28. Section 80-19-1-b to f of the code is renumbered 80-19-1-a to e.

Part 29. Section 80-19-6-b of the code is amended to read:

##### 6. EXEMPTIONS.

b. There is no written complaint filed with the ~~[[Milwaukee health]]~~ department by a person directly affected by such light; or

Part 30. Section 80-29-1 of the code is amended to read:

#### 80-29. Masonry Building Cleaning: Sandblasting.

1. PERMIT REQUIRED. No person, firm or corporation shall undertake to clean the exterior of an existing masonry building without first obtaining a permit from the ~~[[health]]~~ department ~~>>of city development<<~~. When chemical or abrasive cleaning ~~[[7]]~~ ~~>>or<<~~ sandblasting ~~[[7]]~~ methods are to be used, the applicant must file a notarized statement stating familiarity with and intent to comply with the environmental regulations of the Wisconsin department of natural resources. When the public way

is occupied by any materials, equipment, scaffolding and/or structures, a separate permit shall also be obtained from the commissioner of public works as provided in ss. 115-10 and 115-32.

Part 31. Section 80-29-4 of the code is amended to read:

4. REVOCATION OF PERMIT. The commissioner of ~~[[health]]~~ >>city development<< or ~~[[his]]~~ >>the commissioner's<< authorized representative shall have the authority to summarily halt the abrasive cleaning operation by suspension or revocation of the masonry building cleaning permit if the commissioner or ~~[[his]]~~ >>the commissioner's<< authorized representative finds the permit holder to be in violation of the terms of the permit as specified in sub. 2.

Part 32. Section 80-46.5-3 of the code is amended to read:

80-46.5. Junker's License for Public and Private Dumps.

3. VIOLATIONS. Any violation of any of the rules and regulations of the commissioner of health >>, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council<< or commissioner of public works governing the conduct of public, private or city dumps, or junkers shall be grounds for revocation of such junker's license. Likewise, any failure on the part of the junker to obey any reasonable order of any city police officer or any officer, agent, or employe of the city in charge of or supervising the operations of such public, private or city dump shall be grounds for revocation of such junker's license.

Part 33. Section 80-46.5-5-c of the code is amended to read:

5. REGULATIONS.

c. Posting of Rules. The city clerk shall have available for distribution a copy of such rules and regulations of the ~~[[commissioners of health and public works]]~~ >>commissioner of public works and the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's



authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council<<. One copy shall be given to each licensee with the issuance of the junker's license. At least one copy shall be posted at each such dump so as to be readily inspected by junkers.

Part 34. Section 80-49-2-a of the code is repealed. (Note: The provision being repealed reads as follows:

**80-49. Nuisance Vehicles.**

**2. DEFINITIONS.**

a. "Commissioner" means the commissioner of health of the commissioner of building inspection, when authorized by the commissioner of health, or a designated representative.)

Part 35. Section 80-49-2-b to e is renumbered 80-49-2-a to d.

Part 36. Section 80-49-7-a of the code is amended to read:

**7. ENFORCEMENT.**

a. The ~~[[departments of building inspection and health]]~~ >>department<< shall enforce this section.

Part 37. Section 80-60-4 of the code is repealed. (Note: The provision being repealed reads as follows:

**80-60. Definitions.**

4. COMMISSIONER OF HEALTH shall mean the legally designated health authority of the city of Milwaukee or his authorized representative.)

Part 38. Section 80-60-5 to 16 of the code is renumbered 80-60-4 to 14.

Part 39. Section 83-1-4 of the code is amended to read:

**83-1. Theaters and Moving Picture Houses.**

4. INVESTIGATIONS TO BE MADE. Applications for such license shall be referred to the common council ~~{f, to the commissioner of health}~~ and to the commissioner of ~~[[building inspection, both of whom]]~~ >>neighborhood services, who<< shall cause an

investigation to be made of the premises to be licensed and report ~~[[their]]~~ >>the<< findings to the utilities and licenses committee of the common council as soon as possible.

*Note: The health department is being taken out of the investigation process for theater and moving picture house licenses, since, presumably, the types of issues it investigated will now be investigated by the department of neighborhood services.*

Part 40. Section 83-5-4 of the code is amended to read:

**83-5. Coin-operated Motion Picture Houses.**

4. INVESTIGATIONS TO BE MADE. Applications for such license shall be referred to the common council ~~[[~~ ~~to the commissioner of health]]~~ and to the commissioner of ~~[[building inspection, both of whom]]~~ >>neighborhood services, who<< shall cause an investigation to be made of the premises to be licensed and report ~~[[their]]~~ >>the<< findings to the utilities and licenses committee of the common council as soon as possible.

*Note: The health department is being taken out of the investigation process for coin-operated moving picture house licenses, since, presumably, the types of issues it investigated will now be investigated by the department of neighborhood services.*

Part 41. Section 84-45-2-a of the code is repealed and recreated to read:

**84-45. Filling Stations.**

**2. DEFINITIONS.**

a. "Commissioner" means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 42. Section 84-48-1-a to f of the code is renumbered 84-48-1-c to h.

Part 43. Section 84-48-1-a and b of the code is created to read:

84-48. Waste Tire Generators and Transporters. 1.  
DEFINITIONS.

a. "Commissioner" means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

b. "Department" means the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 44. Section 87-14-3-b-1 of the code is amended to read:

87-14. Carnivals.

3. CARNIVAL SITE PERMIT.

b. City Clerk Action. b-1. Upon receipt of a completed carnival site application, payment of the permit fee required by s. 81-17 and approval of the local alderman, which shall be withheld only if possible reasons as to why the site would be detrimental to the public health, safety or welfare of the neighborhood are provided to the city clerk, the city clerk shall issue the carnival site permit and transmit notice of the permit to the commissioner of ~~[[building inspection]]~~ >>neighborhood services<< ~~[[and the commissioner of health]]~~.

*Note: Notification of the health department is being eliminated because there is nothing about a carnival site that is food-related per se. If a carnival involves the sale or serving of food, the health department will still be involved when the appropriate food-related permits are applied for.*

Part 45. Section 88-1-1-c of the code is repealed.  
(Note: The provision being repealed reads as follows:

88-1. Closing Out Sales.

1. DEFINITIONS.

c. City sealer. The sealer of weights and measures of the city of Milwaukee.)

Part 46. Section 88-1-1-d of the code is renumbered 88-1-1-c.

Part 47. Section 88-1-1-d of the code is created to read:

d. Commissioner. The commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 48. Section 88-1-4-a of the code is amended to read:

4. TIME OF SALE.

a. Not in Excess of 60 days. No license shall be granted by the ~~[[sealer]]~~ >>commissioner<< for a period in excess of 60 successive days, Sundays excepted, from the issuance of said license. In the event a license has been granted for a period of less than 60 days, the applicant ~~[[therein]]~~, upon tendering the additional amount sufficient to constitute the fee required for a license for a longer period, but not exceeding 60 days, may have the expiration date of such license extended to such further date.

Part 49. Section 93-20-11 of the code is amended to read:

93-20. Auto Wrecker's License.

11. NOT TO CREATE NUISANCE. No person, firm ~~[[7]]~~ or corporation shall conduct or carry any business as described in this section in such manner as to disturb unduly the peace and quiet of the neighborhood. All premises used for any of the business aforesaid shall at all times be kept in full compliance with all the ordinances of the city and in accordance with the reasonable rules, regulations and directions of the common council. None of the materials mentioned in the preceding section shall be sorted in a public street, alley or sidewalk. All of the said materials shall be kept within a building or enclosure or site approved by the ~~[[building inspector]]~~ >>department of neighborhood services<<, fire department, police department and health department >>or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council<<.

Part 50. Section 108-3 of the code is amended to read:

108-3. Investigation; Issuance of License. Whenever any applicant for a license as provided for in this chapter shall have complied with all the conditions and regulations relative to the filing of the application, such application shall be referred to the utilities and licenses committee. It shall be the duty of the city clerk to investigate or cause to be investigated each original application for a dance hall license. In making such investigation, the city clerk shall have the assistance of the ~~[[health department,]]~~ fire department, ~~[[building inspection]]~~ department >>of neighborhood services<< and the police department. The city clerk shall furnish to the utilities and licenses committee in writing the information derived from such investigation, accompanied by the reports and recommendations of the ~~[[commissioner of health,]]~~ chief of the fire department, commissioner of ~~[[building inspection]]~~ >>neighborhood services<< and the chief of police as to whether a license should be granted or refused. No license shall be renewed except after inspection of the premises as herein provided for and no alterations, changes or additions shall be made to such designated licensed premises without first securing a permit for such alterations, changes or additions from the commissioner of ~~[[building inspection]]~~ >>city development<<. Applications for renewal of licenses, if favorably approved by the chief of police, commissioner of ~~[[building inspection,]]~~ >>neighborhood services<< ~~[[commissioner of health]]~~ and the chief of the fire department shall be automatically renewed upon receipt by the city clerk.

*Note: Investigation by the health department is being eliminated since a public dance hall license is not inherently food-related. If food is sold or served at a dance hall, the health department will still be involved when the appropriate food-related permits are applied for.*

Part 51. The title of subchapter 1 of chapter 200 is changed from "TITLE, PURPOSE AND SCOPE" to "GENERAL PROVISIONS."

Part 52. Section 200-01 of the code is renumbered 200-002.

Part 53. The city of Milwaukee elects not to be governed by the provisions of s. 62.23(9)(a), Wis. Stats., previously adopted by the city by passage of common council file number 25437a on October 15,

1923, with respect to those provisions relating to the issuance of building permits by the building inspector, currently referred to in the code as the commissioner of building inspection.

Part 54. Section 200-01 of the code is created to read:

**200-01. Department of Neighborhood Services.**

1. **CREATED.** There is created a department of neighborhood services which shall have the same status and standing as any other city department.

2. **FUNCTIONS, POWERS AND DUTIES.** In order to protect the health, safety and welfare of all persons, the department of neighborhood services shall have the following authority, functions and duties:

a. To enforce the provisions of the building and zoning code by conducting inspections and reinspections, and by issuing orders to correct violations or to stop work whenever a building, structure, equipment or premises is being erected, constructed, installed, enlarged, altered, repaired, removed, converted to other uses, razed, demolished, occupied, used or maintained contrary to the provisions of the building and zoning code. However, plan review, approvals and permit issuance for the erection, construction, enlargement, alteration, repair, moving, improvement, conversion to new uses, razing or demolition, occupancy and use of buildings or structures, and such other development-related activities as specified in this code shall be the responsibility of the department of city development.

b. To revoke permits and approvals whenever work on a building, structure, equipment or premises is not being performed in conformance with the building and zoning code.

c. To maintain records of inspections performed and orders and citations issued, as well as plans, permits and all other information relating to a particular building, structure, piece of equipment or construction project.

d. To issue and conduct necessary inspections relating to certificates of code compliance, exterior code compliance and habitability of rental units.

e. To administer the city's residential and commercial building recording program.

f. To review plans, issue and revoke permits, perform inspections and enforce regulations and standards relating to the keeping or sale of domestic animals, the operation of lodging facilities, asbestos hazard control, the commercial application of pesticides, the operation of self-service laundries, dry cleaning establishments, public swimming places and massage businesses, and such other activities for which regulatory and enforcement authority is assigned to the department elsewhere in the code of ordinances.

g. To abate nuisances and control vectors.

h. To assist in the enforcement of the city's solid waste and recycling regulations.

i. To serve as custodian of the official map of the city.

j. To perform investigations and inspections relating to various licenses issued by the city, including but not limited to alcohol beverage licenses, dance hall licenses and theater licenses.

k. To ensure the proper maintenance of land drainage facilities.

l. To maintain vacant, city-owned lots.

m. To demolish structures on city-owned lots as directed by the common council.

n. To perform all other duties assigned to the department or to the commissioner of neighborhood services in the building and zoning code or elsewhere in the Milwaukee code of ordinances.

3. COMMISSIONER. a. Authority. The department of neighborhood services shall be under the supervision and direction of a commissioner. The commissioner of building inspection shall be the commissioner of neighborhood services. The commissioner shall be paid a salary as the common council shall by ordinance determine.

b. Jurisdiction. The commissioner shall have supervision, control and direction over all matters relating to building and zoning code enforcement and inspections, nuisance abatement and vector control and all functions, powers and duties of the department described in sub. 2.

Part 55. Section 200-08-19 of the code is amended to read:

**200-08. Definitions.**

19. COMMISSIONER means >>, unless otherwise specified, << the commissioner of [[building inspection]] >>neighborhood services<< or a designated representative.

Part 56. Section 200-08-21 of the code is amended to read:

21. DEPARTMENT means >>, unless otherwise specified, << the department of [[building inspection]] >>neighborhood services<<.

Part 57. Section 200-12-1 of the code is amended to read:

**200-12. Orders to Correct Condition.**

1. ISSUANCE OF ORDERS. Whenever the commissioner >>of neighborhood services<< determines, or has reasonable grounds to believe, that a condition which violates this code exists in any building, structure or premises or in the use of any equipment covered by this code or that any person builds contrary to the plans and specifications submitted to and approved by the commissioner >>of city development<< or that any person omits, neglects or refuses to do any act required by this code, the commissioner >>of neighborhood services<< may order the owner, operator or occupant thereof [[7]] to correct the condition. If a placard action which requires posting of the order is warranted, it shall be as prescribed in s. 200-11-6.

Part 58. Section 200-12.5-1 of the code is amended to read:

**200-12.5. Emergency Orders.** 1. ISSUANCE OF EMERGENCY ORDERS. Whenever the commissioner >>of neighborhood services<< finds that an emergency exists which requires immediate action to protect the public health, safety or welfare, or that any person builds contrary to the plans and specifications submitted to an approved by the commissioner >>of city development<<, or that any person omits, neglects or refuses to do any act required by this code, the commissioner >>of neighborhood services<< may issue an order to the owner, operator or occupancy thereof, reciting the existence of such



emergency and requiring that such action be taken as necessary to meet the emergency.

Part 59. Section 200-13-1-a-0 of the code is amended to read:

**200-13. Inspections. 1. REQUIRED.**

a. Following the issuance >>by the department of city development<< of any permit for the erection, construction, installation, enlargement, alteration, repair, removal, occupancy, conversion to other uses, razing or demolition of any building, structure or equipment, the commissioner may inspect the work, at intervals sufficiently frequent to ascertain if the work is being done or executed in compliance with this code. The permit holder or an agent shall notify and allow inspection as follows:

Part 60. Section 200-13-1-b of the code is amended to read:

b. The permit holder or the permit holder's representative shall notify the commissioner >>of city development<< when the stages of construction are reached that require an inspection >>by the commissioner of neighborhood services<<. All ladders, scaffolds and test equipment required to complete an inspection or test shall be provided by the property owner, permit holder or their representative. If upon any inspection it is found that a required inspection cannot be made because work to be inspected has been covered or concealed, the permit holder or agent shall uncover the work, as directed by the commissioner >>of neighborhood services<<, and no approval of covered or concealed work shall be given until the required inspection can be made and the work complies with the applicable regulations of this code.

Part 61. Section 200-13-5 of the code . repealed and recreated to read:

5. RECORDS. The commissioner of city development shall keep comprehensive records of all applications for permits, permits and fees therefor, approvals and certificates of occupancy issued. The commissioner of neighborhood services shall keep records of all inspections made and reports rendered, and of orders or citations issued, together with all correspondence and statistics on the various phases of construction and housing. The commissioner of neighborhood services shall retain on file all records pertaining to buildings, structures, equipment or construction,

including records of all permits, approvals and certificates of occupancy issued, so long as any part of the buildings, structures, equipment or construction to which they relate may be in existence. All records maintained pursuant to this subsection shall be open to public inspection at reasonable hours, but shall not be removed from the office in which they are located. Certified copies of any record may be obtained upon payment of the fee specified in s. 200-33 and in compliance with any rules and regulations of the commissioner of neighborhood services or the commissioner of city development, as the case may be.

Part 62. Section 200-27-3 of the code is amended to read:

200-27. Design and Supervision.

3. REQUIREMENTS. The issuance of a permit shall not prevent the commissioner >>of city development<< from thereafter requiring the correction of errors in plans (drawings), data, specifications and certified lot or plot plan, or >>the commissioner of neighborhood services<< from ~~[[preventing]]~~ >>stopping<< construction operations being carried on thereunder when in violation of any regulation of this code.

Part 63. Section 200-30-2-f-2 of the code is amended to read:

200-30. Lapse of Permit; Refunds.

2. REFUNDS.

f-2. Any applicant who requests the department >>of neighborhood services<< to cancel a certificate of code compliance shall do so in writing to the commissioner >>of neighborhood services<<. The processing fee charged shall be \$35 plus \$50 for each inspection made. Processing and inspection fees shall be deducted from the application fee and any remaining balance will be refunded to the applicant.

Part 64. Section 200-32-3.5 of the code is amended to read:

200-32. Permit Fees.

3.5. NOTIFICATION OF COMPLETION OF CONSTRUCTION, ETC. Upon completion of construction, erection, alteration or change of a building, structure or premises, the permit holder shall notify the

department >>of city development that the work is ready<< for inspection. Failure to notify the department may subject the permit holder to a charge of \$35.

Part 65. Section 200-33-9-b of the code is amended to read:

**200-33. Fees.**

**9. COPIES OF RECORDS.**

b. The fee for reproducing any size or type of record shall be set by the commissioner >>of neighborhood services or commissioner of city development<< equivalent to the actual cost of reproduction. A list of the reproduction fees shall be posted in the >>appropriate<< department and shall be filed with the city clerk on an annual basis.

Part 66. Section 200-33-66 of the code is repealed and recreated to read:

**66. ZONING APPEALS, ORIGINAL APPLICATION REVIEW.** The fee for review of a board of zoning appeals original application by department staff, when such review is required, shall be \$40, except that no fee shall be required when the application pertains to a one- or 2-family dwelling.

Part 67. Section 200-45 of the code is amended to read:

**200-45. Approval of Existing Occupancies.** Upon written request from an owner, the commissioner >>of city development<< shall certify and issue a certificate of legality for continuance of an existing occupancy or use of any existing building, structure, premises, or part thereof, if, after verification of the records on file in ~~[[his]]~~ >>the commissioner's<< office, and after inspection, it is found that such occupancy or use is a permitted and lawful occupancy or used under current code requirements, and, provided further, that no fire hazards or other hazards are found in such building, structure, premises or part thereof.

Part 68. Section 207-3-4 of the code is amended to read:

**207-3. Explosives.**

**4. DELIVERY IN TRANSIT.** No person conveying explosives of any kind or nature by means of a boat,

vessel, railroad car, wagon, automobile ~~[[7]]~~ or other conveyance shall enter the city under any circumstances without first reporting to the commissioner of ~~[[building inspection]]~~ >>neighborhood services<<. The commissioner of ~~[[building inspection]]~~ >>neighborhood services<< may permit such conveyance to enter and remain in the city for a specified period of time, and if such time exceeds 5 hours, a permit shall be secured from the commissioner of ~~[[building inspection]]~~ >>city development<<.

Part 69. Section 218-2-4-b of the code is amended to read:

**218-2. Moving of Buildings.**

**4. COMMISSION APPROVAL.**

b. The commissioner >>of neighborhood services<< shall determine before the hearing whether the building or structure is structurally sound, will be located in compliance with ch. 295 and will be of a type of construction required under this code.

Part 70. Section 222-17-4 of the code is amended to read:

**222-17. Approval of Electrical Equipment.**

4. A list or record of all such approved electrical equipment shall be kept in the office ~~[[of the electrical inspection division]]~~ of the commissioner of ~~[[building inspection]]~~ >>city development<< and shall be accessible to the public during regular office hours.

Part 71. Section 225-1-2 of the code is repealed and recreated to read:

**225-1. Administration.**

2. DUTIES. a. The commissioner of neighborhood services shall:

a-1. Register upon application every master plumber carrying on his or her trade or business in the city.

a-2. Inspect all plumbing and drainage installations, including connections to main sewer.

a-3. Conduct and witness tests as regulated in this chapter.

a-4. Sign and issue all notices or orders and certificates of inspection and approval.

a-5. Keep a daily record of all inspections and tests made, complaints received and investigated, notices and orders served, and all other services performed.

a-6. Make an annual report.

a-7. Enforce this code.

b. The commissioner of city development shall:

b-1. Examine, approve or reject plans for plumbing.

b-2. Approve applications for permits for all such installations when in compliance with this code.

b-3. Keep a daily record of all permits issued.

Part 72. Section 225-3-1 of the code is amended to read:

**225-3. Plumbing Permits Required.**

1. ISSUANCE. No permit for plumbing shall be issued by the commissioner >>of city development<< to any person not duly licensed, registered and bonded. Permits issued shall be subject to the rules and regulations of the commissioner >>of neighborhood services<<, and it shall be unlawful to do any plumbing without a permit with the exception of work as regulated in sub. 3.

Part 73. Section 225-14-3 of the code is repealed and recreated to read:

**225-14. Definitions.**

3. COMMISSIONER OF HEALTH means the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council.

Part 74. Section 225-18-1 of the code is amended to read:

**225-18. Maintenance of Individual Sewage Disposal System.** 1. The owner of any premises served by an individual sewage disposal system shall be responsible for the operation and maintenance of the

system, and the operation shall at all times be carried out in a manner which will preclude the development of any public health nuisance or the pollution of any public watercourse. Whenever the commissioner of health determines that an individual sewage disposal system is being operated in such a manner as to cause a public health nuisance or the pollution of any watercourse, the commissioner >>of health<< shall serve notice of such violation on the owner of the premises served by such sewage disposal system; or in cases where a building used for human habitation is located adjacent to a sanitary or combined sewer, [[he]] >>the commissioner of health<< shall notify the commissioner >>of neighborhood services<<, who shall issue an order to the owner to connect to the sanitary or combined sewer within 10 days after service of the order.

Part 75. Section 225-43-2 and 3 of the code is amended to read:

#### 225-43. Abandonment Procedure.

2. A licensed contractor is required to obtain a well abandonment permit >>from the department of city development<< prior to any well abandonment and to notify the department in advance of any well abandonment activities. The department may require the verification of proper abandonment.

3. An abandonment report form, supplied by the Wisconsin department of natural resources and properly filled out, shall be submitted by the contractor to the department of ~~[[building inspection's plumbing inspection section]]~~ >>neighborhood services<< and to the department of natural resources upon completion of the well abandonment.

Part 76. Section 228-2-2-a of the code is amended to read:

#### 228-2. General Regulations.

2. ROOFS OVER WALKWAYS AND SIDEWALKS. a. During the construction or demolition of any building or structure, the commissioner >>of neighborhood services<< may require that there shall be erected and maintained a protective canopy roof over walkways or sidewalks of a length and width as required by the commissioner of public works. Such canopy roof shall be erected as soon as the building or structure reaches a height of 10 feet above established adjacent grade and shall be maintained until the

entire work on the side abutting or near the public sidewalk is completed. The canopy roof shall be tightly boarded and have a clear height of 10 feet above the walkway or sidewalk. The entire structure shall be designed to carry loads to be imposed on it, provided the minimum live load to be used in design shall not be less than 30 pounds per square foot, uniformly loaded.

Part 77. Section 236-11-4-d-6-a (note) of the code is amended to read:

236-11. Spray Coating.

4. SPRAY COATING OPERATIONS INSIDE OF BUILDING.

d. Equipment.

d-6. Pressure Tanks and Other Containers.

d-6-a. Construction and Approval.

Note: Approval by the Underwriters' Laboratories, Inc. will be accepted by the ~~[[building inspection]]~~ department >>of neighborhood services<<.

Part 78. Section 236-31-4-b of the code is amended to read:

236-31. Fireworks.

4. ISSUANCE AND DENIAL OF PERMITS.

b. Upon receipt of the application and site plan >>by the department of city development<< , the department >>of neighborhood services<< may make an investigation of the site of the proposed display to determine compliance with this section.

Part 79. Section 239-2-6-e-1 of the code is repealed and recreated to read:

239-2. Fences.

6. ON RESIDENTIAL PREMISES.

e-1. Fences providing enclosures for swimming pools shall also comply with the department's rules and regulations for swimming pools.

Part 80. Section 245-5-4-a of the code is amended to read:

245-5. Street Walk Basements.

#### 4. APPROVAL.

a. No permit shall be issued by the commissioner of ~~[[building inspection]]~~ >>city development<< for the construction of a street-walk basement unless such basement is first approved by the commissioner of public works and the commissioner of ~~[[building inspection]]~~ >>neighborhood services<<.

Part 81. Section 246-2-8 of the code is amended to read:

#### 246-2. Trailers Prohibited; Exceptions.

8. It shall also be unlawful for any licensee or for any occupant, owner or tenant of a trailer to use or permit the use of kitchen sinks, toilets or water closets, wash basins or lavatories, bath or shower tubs in such trailer located in any trailer house community unless any and all of such fixtures are connected to the city water and sewer systems. Fixtures not so connected shall be sealed by the commissioner of health ~~[[or his representative]]~~ >>his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council,<< and it shall be further unlawful for persons as aforesaid to break or permit the breaking of such seals. If any or one such seal is broken the occupant of such trailer shall be held for violating the provisions of this section.

Part 82. Section 246-5 of the code is amended to read:

246-5. Issuance of Permits and Licenses. The application for permits, drawings, data and specifications filed by an applicant for permit shall be examined by the commissioner of ~~[[building inspection]]~~ >>city development<< within a reasonable time. If all these, together with the proposed use or occupancy of the proposed work, are found to be in conformity with the requirements of this code and all other laws and ordinances applicable thereto, and if such drawings, data and specifications bear the signature and address of a registered architect or engineer, and if the required fees are paid, permits shall be issued and such drawings, specifications and data shall be endorsed by the commissioner of ~~[[building inspection]]~~ >>city development<< by a stamp or seal or otherwise, giving the date of such



approval and endorsement, and shall be returned to the applicant, except that >>the commissioner of city development and the commissioner of neighborhood services shall each maintain on file<< one complete set of such records as approved [~~shall remain on file in the office of the commissioner of building inspection~~]]. All work thereafter shall be executed strictly in accordance with the approved plans, data and specifications and no work other than that approved shall be done on the premises, except as may be authorized under a legal permit issued by the commissioner of [~~building inspection~~] >>city development<<. Upon proper completion thereof, the commissioner of [~~building inspection~~] >>neighborhood services<< shall so notify the city clerk who shall advise the common council, and a trailer house community license shall be issued as hereinafter provided.

Part 83. Section 246-6-1 of the code is amended to read:

**246-6. License and Monthly Parking Permit Fees.**

1. ISSUED BY CITY CLERK. Trailer house community licenses shall be issued by the city clerk after approval by the common council for a period of one year commencing on July 1 and ending upon June 30 of the following year. They shall be renewable by the common council for a like period upon the filing of a renewal application with the city clerk and approval thereof by the commissioner [~~of building inspection~~] after the same inspection required for issuance of an original license. Prior to the issuance of the first trailer house community license and thereafter prior to each renewal, the licensee shall file 2 copies of an affidavit executed before a notary public with the commissioner [~~of building inspection~~]. The commissioner [~~of building inspection~~] shall forward one copy to the health commissioner >>, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council<<. Affiant shall state that he is the owner or lessee, manager and operator of such trailer house community, and that he shall be solely responsible for the proper upkeep, maintenance and sanitary condition of the premises, and that he >>or she<< shall keep the premises, buildings and all equipment in a state of good repair, all in full compliance with all laws and ordinances applicable.

Part 84. Section 275-20-3-0 of the code is amended to read:

**275-20. Licensing of Licensed Dwelling Facilities.**

3. APPLICATION. Application for a license shall be made to the commissioner >>of neighborhood services<< upon forms furnished by the commissioner >>of neighborhood services<<. The building owner or operator shall file with the license application an approved occupancy permit issued by the commissioner >>of city development<< for the operation of the licensed dwelling facility. The forms shall contain the following information:

Part 85. Section 275-82-3 of the code is amended to read:

**275-82. Extermination.**

3. VACANT STRUCTURES AND LAND. The owner shall maintain all vacant dwelling units, dwellings, structures, principal buildings and yards free from rodents or vermin. If, after the issuance of an order to correct conditions and a reasonable time to comply, the owner fails to keep the property free from rodents or vermin, the commissioner may request the health department >>, or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council,<< either by city personnel or by contract to correct the situation and charge the cost upon the tax rolls of the property.

Part 86. Section 290-9-0 of the code is amended to read:

**290-9. Control Plan for Building and Site Development.** No landowner or land user may commence a land disturbance or land development activity subject to this chapter without receiving prior approval of a control plan for the site and a permit from the department >>of city development<<, except as provided in s. 290-11. At least one landowner or land user controlling or using the site and desiring to undertake a land disturbing or land developing activity subject to this chapter shall submit an application for a permit and control plan and pay an application fee to the department >>of city development<<. By submitting an application, the applicant is authorizing the department >>of neighborhood services<< to enter the site to obtain information required for the review of the control plan.

Part 87. Section 290-9-4-c-8 of the code is amended to read:

4. PERMITS.

c. Permit Conditions.

c-8. Allow the department >>of neighborhood services<< to enter the site for the purpose of inspecting compliance with the control plan or for performing any work necessary to bring the site into compliance with the control plan.

Part 88. Section 290-15-1-b of the code is amended to read:

290-15. Enforcement.

1. BUILDING, SITE DEVELOPMENT AND SERVICES NOT LET TO PUBLIC WORKS CONTRACT.

b. If the prime contractor or owner does not cease the activity or comply with the permit conditions within 24 hours or as specified by the department >>of neighborhood services<<, the department >>of neighborhood services or department of city development<< may revoke the permit.

Part 89. Section 290-15-2-b of the code is amended to read:

2. RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS; PUBLIC WORKS CONTRACT.

b. After the department >>of public works<< notifies the offender of noncompliance, it may take whatever steps are necessary to enforce the plan, including, but not limited to, having the permittee make corrections, using its own forces, or engaging other contractors. The cost of such work shall be charged to the permittee and collected as provided in chs. 79, 115 and 116 or the contract specifications.

Part 90. Section 295-51-1-a-0 of the code is amended to read:

295-51. Enforcement.

1. BY COMMISSIONER.

a. This chapter shall be enforced by the commissioner >>of neighborhood services<<. The commissioner >>of city development<< shall issue no

permit for the use or development of any land or structure, nor for the erection, alteration, relocation, extension or substantial improvement of any structure, or part thereof, if the intended use and the plans and specifications ~~[[#herefore]]~~ >>therefor<< are not in all respects in conformity with this code. However, a temporary certificate of occupancy and related alteration permits for the use or development of any premises may be issued subject to the following:

Part 91. Section 295-59-5.5-d-0 of the code is amended to read:

**295-59. Board of Appeals.**

**5.5. SPECIAL USES.**

d. Additional Procedures for Certain Special Uses. Those uses listed in s. 295-523-12-g, 14-i to m and 15-f to h shall also require reports from the ~~[[commissioner of health and the]]~~ fire and police chiefs. Applicants shall present all applicable permits or approvals from the U.S. environmental protection agency and the Wisconsin department of natural resources. Presentation of all such approvals is a necessary, but not sufficient, condition for local approval to take effect. Such uses shall also be subject to the following:

Part 92. Section 295-75-1.5-b-2 of the code is repealed.

(Note: The provision being repealed reads as follows:

**295-75. Parking Standards.**

**1.5. STANDARDS AND LIMITATIONS.**

b-2. The department of building inspection may delegate limited authority to the health department to enforce this section.)

Part 93. Section 295-75-1.5-b-3 is renumbered 295-75-1.5-b-2.

Part 94. Section 295-84-0 of the code is amended to read:

**295-84. Review and Approval.** Upon establishment of an overlay district by the common council, an applicant having a legal interest in the site or having the permission of the owner may submit a detailed development plan to the city plan commission

for consideration. The city plan commission, in accordance with the established performance standards and the criteria contained in s. 295-86, shall consider and approve, conditionally approve or deny the development plan within 60 days after the filing of the application. Failure of the commission to act within 60 days, except under circumstances as outlined in par. b, shall constitute approval of the proposed development plan as submitted. The commission shall notify ~~[[both]]~~ the applicant ~~[[and the commissioner of building inspection]]~~ >>, the commissioner of neighborhood services and the commissioner of city development<< in writing of its decision within 10 days of the decision. An approved or conditionally approved development plan is a grant of entitlement to property and as such is transferable from one owner or tenant to the next.

Part 95. Section 304-49-6-c-5 of the code is amended to read:

**304-49. Disposal of City Real Estate Property.**

**6. SOLICITATION OF BIDS.**

c-5. The city treasurer shall date stamp, upon receipt, all written requests to proceed under this paragraph and then forward all requests which are timely received to the city clerk along with a written report which indicates: the amount of unpaid taxes, charges, interest and penalties due on the subject properties; whether the administrative and overhead costs of the various city departments have been paid; and the status of tax payments for all other properties located in the city in which the former property owners have an ownership interest and which identifies any other costs incurred or to be incurred by it with respect to the properties. The city clerk shall, upon receipt of the completed written request forms and the written report from the city treasurer, introduce a common council file no later than the next regular meeting and notify the city attorney's office, city treasurer's office, department of city development, the department of ~~[[building inspection]]~~ >>neighborhood services<< and the health department >>, or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council,<< in writing at the time of such introduction that a request has been made to proceed under this paragraph. Those departments from which reports are due hereunder shall provide those reports to the city clerk within 15 working days. An extension of said 15 day period

may be granted by the city clerk upon receipt of a written request submitted by the reporting department.

Part 96. Section 304-49-6-c-8 of the code is amended to read:

c-8. The health department >>, or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council,<< has submitted a written report to the city clerk verifying whether any of the properties is subject to a nuisance notice issued by the department, and which lists total costs incurred or to be incurred by it with respect to each property.

Part 97. Section 304-49-9 of the code is amended to read:

9. WHEN NO OFFERS OR BIDS. Whenever a surplus property containing a usable building has been advertised in accordance with the procedures set forth in sub. 6-a-1 and 2, and no offers or bids for such property were received, the real estate officer shall, unless otherwise directed by the council, [~~proceed to have the usable building razed~~] >>request the department of neighborhood services to raze the building<<.

Part 98. Section 308-1-2-f of the code is amended to read:

308-1. Department of City Development.

2. FUNCTIONS, POWERS AND DUTIES.

f. To provide real estate, relocation and other services to other city departments and agencies. >>However, the department of neighborhood services shall be responsible for maintenance of vacant, city-owned lots and demolition of city-owned structures.<<

Part 99. Section 308-1-2-h of the code is renumbered 308-1-2-k.

Part 100. Section 308-1-2-h to j of the code is created to read:

h. Pursuant to s. 200-24-1, to perform plan reviews, approvals and permit issuance for the erection, construction, enlargement, alteration, repair, moving, improvement, conversion to new uses, razing or demolition, occupancy and use of buildings or

structures, and such other development-related activities as specified in this code.

i. Pursuant to s. 200-13-5, to keep comprehensive records of all applications for permits, of all permits and fees therefor, approvals and certificates of occupancy issued, and to make such records available for public inspection or as certified copies. Certified copies of any record may be obtained upon payment of the fee specified in s. 200-33 and in compliance with any rules and regulations of the commissioner.

j. To perform such other duties and functions as are assigned to the department or the commissioner elsewhere in this code.

Part 101. Section 308-1-3-c of the code is repealed and recreated to read:

### 3. COMMISSIONER.

c. Jurisdiction. c-1. The commissioner of the department of city development shall have supervision, control and direction over all matters related to community development, city planning, urban renewal, real estate (except demolition and vacant lot maintenance) and development permit issuance activities.

c-2. The commissioner shall have such powers and duties with respect to redevelopment and public housing as from time to time may be delegated to him or her by either the common council, redevelopment authority, housing authority or city plan commission, as the case may be.

c-3. The commissioner shall have the building permit issuance authority of a "building inspector" as described in s. 62.23(9)(a), Wis. Stats. Other duties of a "building inspector" described in this statute shall be the purview of the commissioner of neighborhood services.

Part 102. Section 308-22-2-d of the code is amended to read:

308-22. Environmental Audit Required Prior to Disposition or Acquisition of Property.

### 2. ENVIRONMENTAL AUDIT.

d. Coordinator. The ~~{[department of city development's]}~~ >>health department's<< environmental

scientist shall coordinate all environmental audits, in conjunction with the departments of [~~building inspection and health~~] >>neighborhood services and city development<<, and shall review the results, determine the environmental status of the property and present a written report to the commissioner.

Part 103. Sections 308-51 and 308-52 of the code are repealed.

Part 104. Section 308-81-10.5-a of the code is amended to read:

**308-81. Historic Preservation Commission.**

**10.5. INTERIM DESIGNATION.**

a. Public Hearing. Prior to nomination or final designation of a structure as a historic structure, the commission must, after it is petitioned in accordance with par. b, hold a public hearing on the question of whether or not a structure should be designated, on an interim basis, not to exceed 180 days, either as a historic structure or as a nonsignificant structure not qualifying as a historic structure. Notice of the time, place and purpose of the hearing shall be sent by certified letter at least 7 days prior to the hearing to the owner or owners of the subject structure, and notice shall also be sent by first class mail or other comparable means to the [~~alderman of the district in which~~] >>common council member in whose district<< the structure is located [~~and to~~] >>, << the department of [~~building inspection~~] >>neighborhood services and the department of city development<<. The decision on interim designation shall be made within 5 days after the close of the public hearing, and shall be forwarded by certified letter to the owner of owners of the subject structure and also be sent by first class mail or other comparable means to the [~~alderman of the district in which~~] >>common council member in whose district<< the structure is located [~~and to~~] >>, << the department of [~~building inspection~~] >>neighborhood services and the department of city development<<.

Part 105. Section 308-81-10.5-d of the code is amended to read:

d. Appeal Petition. If >>, << after holding the hearing set forth in par. a., the commission determines not to designate, on an interim basis, the subject structure, then any resident of the city may, within 5 days of the commission's decision, file a



duly signed and acknowledged appeal petition with the city clerk for review of the commission's decision by the common council. The appeal petition shall be accompanied with a bond in the form set forth in par. e. The city clerk shall immediately notify the department of ~~[[building inspection]]~~ >>neighborhood services and the department of city development<< of the appeal petition. The common council shall review the commission's decision within 45 days after receipt by the city clerk of the appeal decision. The common council may then, after balancing the interest of the public in preserving the affected structure and the interest of the owner or owners in using the property for his or her own purposes, reverse or affirm the commission's decision on interim designation. If the common council reverses the commission's decision on interim designation, the subject structure shall be deemed designated as a historic structure on an interim basis for a period not to exceed 180 days. The city clerk shall immediately notify the department of ~~[[building inspection]]~~ >>neighborhood services and the department of city development<< of the common council's appeal decision.

Part 106. Section 308-81-10.5-f of the code is amended to read:

f. Common Council Review. If >>,<< after holding the hearing set forth in par. a, the commission determines to designate, on an interim basis, the subject structure, the owner or owners of said structure may, within 5 days of the commission's decision, file a duly signed and acknowledged appeal petition with the city clerk for review of the commission's decision by the common council. The common council shall review the commission's decision within 45 days after the receipt by the city clerk of the appeal petition. The common council may then, after balancing the interest of the public in preserving the affected structure and the interest of the owner or owners for using the property for his or her own purposes, reverse or affirm the commission's decision on interim designation. If the common council reverses the decision on interim designation, the commissioner of ~~[[building inspection]]~~ >>city development<< may then issue any permits duly applied for pursuant to s. 200-26-1. The city clerk shall immediately notify the department of ~~[[building inspection]]~~ >>neighborhood services and the department of city development<< of the common council's appeal decision. The commission shall not entertain another petition for a hearing on the subject structure under par. a until 180 days after

the common council's reversal of the commission's prior interim designation decision.

Part 107. Section 308-81-12-a of the code is amended to read:

12. MOTHBALLING CERTIFICATE.

a. Application. The owner of any vacant structure with local or national historic designation may file an application for a mothballing certificate with the ~~[[commissioner of building inspection]]~~ >>historic preservation officer<<, who shall immediately forward the application to the commission for recommendation and report. Application for a mothballing certificate may not be made for any structure which the commissioner of ~~[[building inspection]]~~ >>neighborhood services<< has determined poses an immediate threat to public health and safety.

Part 108. Section 330-7-9 of the code is repealed and recreated to read:

330-7. Certification of Compliance.

9. The school shall undergo inspections by the department of neighborhood services and the health department or any department to which the health department's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council. The school shall meet any compliance schedules established pursuant to such inspections.

Part 109. Section 350-16-5 of the code is repealed. (Note: The provision being repealed read as follows:

350-16. Health Department.

5. RODENT CONTROL EMPLOYEES. Whenever it becomes necessary in the judgment of the commissioner of health, he may employ field supervisors (rodent control), and foreman I (rodent control) for cash payment of overtime at the rate of time and one-half for each hour of overtime worked.)

Part 110. Section 350-16-6 of the code is renumbered 350-16-5.

Part 111. Section 350-21 of the code is created to read:

350-21. Department of Neighborhood Services Rodent Control Employees. Whenever it becomes necessary ir.

the judgment of the commissioner of neighborhood services, the commissioner may employ rodent control field supervisors and foremen for cash payment of overtime at the rate of time and one-half for each hour of overtime worked.

Part 112. Section 350-183-7-b-4-a of the code is amended to read:

**350-183. Private Transportation Reimbursement.**

**7. RATE SCHEDULE.**

**b. Special Provisions.**

b-4-a. Certain employes represented by Milwaukee District Council No. 48, AFSCME, AFL-CIO, who are eligible for private automobile reimbursement shall receive a minimum monthly automobile reimbursement even though no actual miles may be driven as generated by the formula in sub. 7 as follows:

EMPLOYES	MILEAGE
Department of [ <del>Building Inspection</del> ] >> <u>Neighborhood Services</u> <<	300 miles per mo.
Sanitarians [ <del>Environmental Health Specialists, Environmental Enforcement Officers, Environmental Hygienists and Vector and Nuisance Control Specialists</del> ] in the health department]]	300 miles per mo.

Part 113. Whenever the term "building inspection" appears in the following sections of the code, the term "neighborhood services" is substituted:

50-20-2  
66-12-5-b  
75-1-7-g  
75-20.1-1-b  
75-21-3-c  
79-2-6  
79-2-7  
79-2-8  
79-2-9  
80-2  
80-45-5  
83-5-5-b-2-0  
84-33-4  
84-33-7  
84-45-4-c-2

84-58-4-a  
84-60-1-b  
84-66-2-a  
87-2-5-0  
87-3-6-b-4  
90-5-7  
90-11-3  
90-35-3-b  
90-35-4  
90-35-7-a  
90-35-7-b-2  
90-36-4-a  
101-27.5-2-a-2  
105-36-1  
105-40-2-b  
105-49-1  
105-71-4  
113-31-4  
113-33-1  
113-34-1  
115-32.5-4-b-1  
115-34  
120-13-1  
120-15-2-b  
120-15-2-d  
200-12-3-a  
225-1-1  
225-13-2-b  
225-18-3  
225-21  
228-2-3  
236-41-3  
236-41-4  
236-41-5-b  
236-41-7  
245-3-2  
245-4.6-4-a  
245-12-3-c  
245-12-4  
245-14-1-a  
246-7-1  
246-8-1  
246-8- '0  
275-2  
275-20-4  
275-20-7-p-3  
275-20-9-a  
290-9-4-d  
295-14-6-a  
295-14-6-c  
295-27  
295-59-5-b  
295-59-5.5-b  
295-61-6  
304-48-3-c

304-49-4  
304-49-6-b  
304-49-6-c-3  
304-49-6-c-6  
304-49-8  
307-1  
308-22-2-a  
308-71-3-a-1  
308-71-4-f  
308-71-10-b  
308-71-12-b  
308-71-15-a  
308-81-8-d  
308-81-9-i  
308-81-11  
308-81-12-0  
308-81-12-g  
309-10  
309-51-2-f  
340-21-1-c  
350-50-2-a  
350-183-7-b-1

Part 114. Whenever the term "department of building inspection" appears in the following sections of the code, the term "department" is substituted:

200-33-7-b  
200-33-7.5-b  
200-33-26-a-0  
200-33-65-k  
207-3-3  
207-3-5-b  
207-3-7  
207-3-8-a  
207-3-8-d  
207-3-9-a  
207-3-12-c  
207-3-13-h-0  
207-3-13-h (note)  
207-3-14  
207-3-15-L  
207-3-16-0  
207-3-17-0  
207-3-17-e  
207-3-17-f  
214-1  
214-7-2-c  
214-9-2-a-2  
222-7  
222-8  
222-12-2-d  
222-12-4-b  
222-12-4-c  
222-12-4-d

222-20  
222-51  
222-52-4  
225-22-1  
225-22-2-0  
236-11-2-b  
236-11-4-b  
236-11-4-d-4-c (note 2)  
236-11-4-d-6-a  
244-3-5  
244-18-5  
245-12-3-f  
246-3-5-c  
246-8-2-c  
246-8-3  
246-8-5  
275-20-7-p-2  
275-20-9-h-2  
275-20-11-a  
290-13-1  
290-15-1-a

Part 115. Whenever the term "commissioner of health" appears in the following sections of the code, the term "commissioner" is substituted:

75-1-2  
75-1-3  
75-5-2  
75-5-5  
75-5-6  
75-5-7  
75-5-8  
75-20-1-a  
75-20-2  
75-20-3  
75-20.1-0  
75-20.1-1-a-0  
75-20.1-1-a-6  
75-20.1-3  
75-20.1-6  
75-20.1-7  
75-20.2  
75-20.4  
75-20.5  
75-20.9  
75-21-3-c  
76-1-1  
76-1-2  
76-1-3  
76-1-10  
76-1-11  
77-4  
77-5-3-d  
77-5-4-d-2

78-1-2  
78-5-1  
78-5-2-a  
78-7-1-a  
78-7-2-a  
78-9-1  
78-9-4  
78-11-1  
78-13  
78-19-1-0  
78-19-1-d  
78-19-4  
78-21-1  
78-23-12  
78-25-2-d  
78-25-5  
78-27-1  
78-27-2  
78-29-1  
78-33  
78-37  
78-49  
78-51  
78-53-2  
78-55-1-a-0  
78-55-3  
80-6.2  
80-22-1  
80-43  
80-45-1-b  
80-45-5  
80-45-8  
80-46  
80-46.5-5-a  
80-48-1-b  
80-48-1-e  
80-50  
80-61  
80-62  
80-65-4-a-1  
80-65-4-a-2  
80-66-0  
80-66-1-c-0  
80-66-2  
80-66-3  
80-68-2  
80-70  
80-73-3-0  
80-73-3-a-3  
80-73-3-b  
84-48-3-a-0  
84-48-3-a-6  
84-48-4-a  
84-48-5-h  
84-48-6

84-48-8-a-0  
84-48-8-b  
84-48-8-c

Part 116. Whenever the term "building inspection" appears in the following sections of the code, the term "city development" is substituted:

68-4-1-d  
75-5-2  
76-20-3  
76-20-7  
78-7-1-a  
78-9-1  
78-11-1  
84-10-4-a  
90-13  
90-27-4  
90-35-7-b-1  
97-1  
97-2  
115-25  
119-12-4-a-0  
119-12-4-b-0  
200-26-4-a-0  
200-26-4-b  
207-3-2-b  
207-3-15-c  
222-10  
222-13-2  
222-13-3-a  
222-15-1  
222-15-2  
222-16  
222-17-3  
222-52-2  
222-54  
222-56  
225-13-3-a  
225-13-3-b  
225-13-3-d  
225-15-3  
225-17-1  
228-2-2-e  
236-11-1-c  
244-2-1  
244-2-2-a  
244-2-2-c  
244-2-4-a  
245-3-1  
245-4.6-1  
245-4.6-3  
245-11-1  
245-12-2  
245-14-3



245-14-4  
246-2-5  
246-2-6  
246-4-1  
246-4-3  
246-6-1  
246-6-4  
246-7-14  
246-8-4  
252-74-5-f-2  
262-10-2-b  
290-9-4-b-0  
295-89  
308-71-1-a  
308-71-5-0  
308-81-9-0  
308-81-9-d  
308-81-10.5-c

Part 117. Whenever the term "health department" appears in the following sections of the code, the term "department" is substituted:

60-3-3  
60-3-4  
66-12-5-a  
75-1-2  
75-5-1  
75-21-2  
75-21-3-b-0  
75-21-7-b-0  
75-21-7-g  
75-25-1-g  
75-25-5-b  
75-30-1  
75-30-3  
76-20-2  
76-20-3  
76-20-4-a  
76-20-4-b  
76-20-5-a  
76-20-6  
76-20-8-e  
76-20-8-m  
76-20-11-d-0  
76-20-12  
76-21-3  
77-5-3-a  
77-5-3-c-0  
77-5-3-e  
78-5-4  
78-7-2-b-1-0  
78-23-7  
78-23-9  
78-23-10

78-25-2-b  
78-25-4  
80-3-5-a  
80-19-3-a  
80-19-7-a  
80-19-7-c  
80-19-7-d  
80-49-7-b  
80-49-8-b  
82-65  
84-48-5-e  
84-48-7-a  
257-17-5

Part 118. Whenever the term "department of health" appears in the following sections of the code, the term "department" is substituted:

60-23-2  
60-71-4  
60-81-3  
77-5-6  
80-46-1

Part 119. Whenever the term "commissioner of health" appears in the following sections of the code, the term "commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's authority has been delegated pursuant to a memorandum of understanding approved by resolution of the common council" is substituted:

200-33-50-b  
246-7-8  
246-7-11  
252-75-1  
295-14-6-a  
295-14-6-c

Part 120. Whenever the term "city sealer" appears in the following sections of the code, the term "commissioner" is substituted:

88-1-3-0  
88-1-3-a  
88-1-3-f  
88-1-4-b  
88-1-5-e  
88-1-6  
88-1-8  
88-1-11

Part 121. Whenever the term "department" appears in the following sections of the code, the term "department of city development" is substituted:

200-11-4  
200-11.5  
200-24-2  
200-26-1-d  
200-27-2  
200-30-2-f-1  
207-3-2-d-1  
207-3-2-d-3  
222-13-4-a  
222-13-5-a  
223-7-1-b-0  
223-7-1-b-4  
225-9-1  
225-41-0  
236-31-2-e  
236-31-6-b  
236-31-6-k  
239-11-2  
240-23-1-a  
240-23-2-d  
240-23-3-c  
251-7-1  
251-7-2-a  
251-7-3-d  
262-98-12  
262-103-8-b  
290-1-5  
290-9-3  
290-9-4-a  
290-9-4-b-0  
290-9-4-c-3  
295-14-17-c-0  
295-14-17-d-0

Part 122. Whenever the term "commissioner" appears in the following sections of the code, the term "commissioner of city development" is substituted:

200-17.5-1  
200-19-1  
200-24-1  
200-26-1-a  
200-26-1-b  
200-26-1-c-0  
200-26-1-e-2  
200-26-1-e-3  
200-26-1-e-4  
200-26-1-f  
200-26-2  
200-26-5-0  
200-27-1

200-28-1  
200-28-4  
200-28-6  
200-28-7  
200-29-1  
200-29-2-e  
200-29-2-h  
200-29-2-i  
200-30-1-b  
200-30-1-c  
200-30-2-e  
200-30-2-f-1  
200-30-2-g  
200-30-2-h  
200-30.2-2  
200-30.5-1  
200-30.5-2-0  
200-30.5-2-a  
200-31-1-f  
200-32-1  
200-32-2-c  
200-33-0  
200-33-18  
200-33-43-0  
200-42-1-a  
200-42-1-e  
200-42-2-a-0  
200-42-2-b-0  
200-43  
200-47  
200-51-2-0  
200-51-2-e  
207-3-2-d-3  
218-2-1  
218-2-4-a  
218-3-1-a  
218-5-2  
222-50  
222-53  
223-3-1-b  
223-7-1-c  
225-3-4  
225-4-3-g  
225-7  
225-9-1  
225-13-2-a  
225-39  
225-41-0  
228-2-2-b  
236-31-1.5-a  
236-31-4-d  
236-31-5-c  
239-1-8  
239-2-4-b  
239-9-2

244-2-4-a  
244-9-2-c  
251-9-2  
251-11-1-b  
252-74-5-a  
252-74-5-b  
252-74-5-d  
257-11-2-a  
262-103-5-a  
262-103-5-c-0  
262-103-5-d  
262-103-5-e  
295-12-8-c-1-c  
295-19-7-0  
295-51-1-a-6  
295-51-3

Part 123. Whenever the term "commissioner" appears in the following sections of the code, the term "commissioner of neighborhood services or commissioner of city development" is substituted:

200-17-3-a  
200-17-4-b  
200-31-1-0  
200-31-1-d  
200-31-2-b  
200-33-3  
200-33-9-a  
200-33-49  
200-33-51.5  
295-59-1

Part 124. Whenever the term "department" appears in the following sections of the code, the term "department of neighborhood services or department of city development" is substituted:

200-33-51.5  
200-33-0

Part 125. This ordinance shall be effective January 1, 1999.

..LRB:

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

..CATT:

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: \_\_\_\_\_

..ZDPT:

..DFTR:

LRB98421.1

JDO

12/7/98