

..Number

160535

..Version

PROPOSED SUBSTITUTE A

..Reference

..Sponsor

ALD. BOHL

..Title

A substitute ordinance relating to planting fruits and vegetables in the public right-of-way.

..Sections

116-54-1 am

116-54-2 am

..Analysis

This ordinance prohibits the planting of fruits and vegetables in the public right-of-way without a special privilege permit.

..Body

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

Part 1. Section 116-54 of the code is amended to read:

116-54. Planting of Flowers in the Public Right-of-Way.

1. PLANTING OF FLOWERS. The planting of flowers in the public right-of-way is permitted as long as it does not encroach in the path of pedestrians or block the vision of motorists. >>The planting of edible fruits and vegetables is prohibited without a special privilege permit.<< The diggers hotline must be contacted at least 3 business days prior to any excavation related to this subsection.

Part 2. Section 116-54 of the code is amended to read:

2. REQUIREMENTS. >>Flowers may be planted by, or with permission from, the property owner immediately adjacent to that section of the public right-of way.<< Plants may not grow so as to obstruct or encroach upon the curb or sidewalk, block sight lines to the street, be higher than 3 feet or potentially create a trip hazard on the sidewalk or roadway. The department of public works may issue additional planting guidelines.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

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

Office of the City Attorney
Date: _____
..Requester
..Drafter
LRB165500-3
Adam Wickersham
09/19/2016