



Legislation Details (With Text)

**File #:** 060322      **Version:** 2  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/20/2006      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:** 7/12/2006

**Effective date:**

**Title:** A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

**Indexes:** CODE OF ORDINANCES, REVISORS BILL

**Attachments:** 1. Fiscal Note, 2. Notice Published on 7-28-06.PDF

Date	Ver.	Action By	Action	Result	Tally
6/20/2006	0	COMMON COUNCIL	ASSIGNED TO		
6/23/2006	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/29/2006	1	CITY CLERK	DRAFT SUBMITTED		
7/6/2006	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/6/2006	2	CITY CLERK	DRAFT SUBMITTED		
7/12/2006	2	COMMON COUNCIL	PASSED	Pass	14:0
7/17/2006	2	MAYOR	SIGNED		
7/28/2006	2	CITY CLERK	PUBLISHED		

060322  
SUBSTITUTE 2

THE CHAIR

A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

- 77-5-4      rp
- 84-56-1-c      am
- 99-6-1-0      am
- 99-6-2-k      am
- 106-21-3-a      am
- 200-33-9-b      am
- 244-18-6      rc
- 295-107-2 (table)      am
- 313-05      rp
- 350-207-3      am

This ordinance revises various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

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

Part 1. Section 77-5-4 of the code is repealed.

(Note: the provisions being repealed read as follows:

**77-5. Pesticide.**

**4. WARNING SIGNS TO BE POSTED.**

a. Required. Warning signs informing occupants, adjacent property owners and the public of the hazards associated with the application of pesticides, shall be posted on the premises prior to the application. The provisions of this subsection shall apply to anyone applying a pesticide as provided in sub. 2, including the owner or occupant of a single, 2-family or multifamily dwelling of 8 or less units if a pesticide is applied by a noncommercial applicator, as well as commercial pesticide applicators.

b. Size and Wording. The warning signs shall:

b-1. Be a minimum of 4 inches by 5 inches in size, be professionally printed with red lettering on a white background, attached to a stable supporting device and made of a rigid material durable enough so that a sign can be easily read at least 72 hours after posting, notwithstanding reasonably foreseeable adverse conditions.

b-2. Include language and a symbol that warns people to stay off the premises on which the pesticide is to be applied. Each sign shall contain the universal symbol depicting an adult, child and pet in a circle, with a diagonal line across the circle. Each sign shall bear the words, in not less than 36-point type, "PESTICIDE APPLICATION", and "PLEASE KEEP OFF."

b-3. State the name of the pesticide to be applied as well as the name and phone number of the applicator who will apply the pesticide, if the applicator is other than the owner or resident at the premises.

b-4. The date and time of the pesticide application and when the sign may be removed. Each sign shall also bear the words, in not less than 9-point type, "DO NOT REMOVE UNTIL SUNSET THE DAY FOLLOWING APPLICATION" and "FOR ADDITIONAL INFORMATION ON THIS APPLICATION OR ANY FUTURE APPLICATIONS CALL [name and telephone number of the commercial applicator's business] OR THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION AT 608-266-LAWN."

c. Removal. Warning signs shall remain on the property on which a pesticide is to be applied until sunset the day following the application.

d. Exemptions. This subsection shall not apply to:

d-1. The city, when a pesticide is applied to the concrete portion of a median.

d-2. The necessary application of a pesticide in either an emergency or nonemergency condition, as determined by the commissioner, to protect the public health or safety.)

Part 2. Section 84-56-1-c of the code is amended to read:

**84-56. Qualifications.**

**1. AMUSEMENT MACHINE DISTRIBUTOR.**

c. Residency. No amusement machine distributor's license shall be granted to any person or partner not a resident of this state for at least one year prior to the date of the filing of the application. In the case of a corporate applicant, a one year state residency requirement shall apply to the agent ~~[[and all officers and directors of the corporation must be residents of the state at least one year prior to the date of the filing of the application]]~~.

Part 3. Section 106-21-3-a of the code is amended to read:

**106-21. Unlawful Library Acts.**

**3. FAILURE TO RETURN LIBRARY MATERIAL.**

a. ~~[[No]]~~ >>After notice has been sent to the last known address, no<< person may fail to return overdue, borrowed library material ~~[[after having received a written notice to return the material]].~~

Part 4. Section 200-33-9-b of the code is amended to read:

**200-33. Fees.**

**9. COPIES OF RECORDS; CERTIFIED.**

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 5. Section 244-18-6 of the code is repealed and recreated to read:

**244-18. Temporary Banners and Other Nonrigid Signs.**

**6. COPIES OF CODE PROVISIONS.** The election commission shall furnish copies of this section to candidates for public office.

Part 6. Section 295-107-2 (table) of the code is amended to read:

**295-107. Zoning Districts.**

TABLE 295-107-2 ZONING DISTRICTS			
District	Map Indicator	Most Similar District the Previous Code	Subchapter Reference
<b>Residential Districts</b>			
Single-Family	RS1, RS2, RS3, RS4, RS5 and RS6	R/F-1/40, R/F-2/40, R/F-3/40, R/F-4/40	5
Two-Family	RT1, RT2, RT3 and RT4	R/D-1/40, R/C-1/40 and R/E/40	5
Multi-Family	RM1	R/D/40	5
Multi-Family	RM2	R/C/40	5
Multi-Family	RM3	R/D/40, R/D/60 and R/D/85	5
Multi-Family	RM4	R/C/40, R/C/60, R/C/85 and R/C/100	5
Multi-Family	RM5	R/B/40	5
Multi-Family	RM6	R/B/60	5
Multi-Family	RM7	R/B/85, R/A/85 and R/A/125	5
Residential and Office	RO1, RO2	all O and RO districts	5
<b>Commercial Districts</b>			
Neighborhood Shopping	NS1, NS2	all S districts	6
Local Business	LB1, LB2	all L districts	6
Commercial Service	CS	all CS districts	6
Regional Business	RB1, RB2	all RS districts	6

Central Business	C9A-C9H	C9A-C9H	7
<b>Industrial Districts</b>			
Industrial-Office	IO	M/D/40, M/C/60, I/D/40 and I/E/40	8
Industrial- Light	IL	M/B/85, M/A/125, I/C/60, I/D/40, I/	8
Industrial-Mixed	IM	none	8
Industrial-Heavy	IH	I/A125 and I/B/85	8
<b>Special Districts and Overlay Zones</b>			
Parks	PK	none	9
Institutional	TL	all T districts	9
Planned Develop	PD and DPD	GPD and DPD	9
>>Redevelopme	RED	none	9<<
Neighborhood Conservation	NC	none	10
Interim Study	IS	none	10
Development Incentive	DIZ	DIZ	10
Site Plan Review	SP	SPROD	10
Floodplain	FW, FF and FSD	FP1 and FP2	10
Shoreland-Wetla	WL	Shoreland-Wetland	10
Lakefront	LF	LF/C/60	10
Master Sign Prog	MSP	none	10

Part 7. Section 313-05 of the code is repealed. (Note: the provisions being repealed read as follows:

**313-05. Monthly Reports of Services; Orders for Salaries.** The chief engineer shall report to the comptroller on or before the last day in each month the names of all the members of the department, with the amount due each for services for the current month, on which, audited by the comptroller, the city clerk shall make out orders in accordance with the provisions of the law, fixing salaries for members of the fire department.)

Part 8. Section 350-207-3 of the code is amended to read:

**350-207. Bonds for Officers and Employes.**

**3. APPROVAL.** All bonds shall be approved as to form and execution by the city attorney ~~[[and thereafter filed in the office of the city clerk]].~~

Part 9. Wherever the term "utilities and licenses committee" appears in the following sections of the code, the term "appropriate licensing committee of the common council" is substituted: 99-6-1-0 and 99-6-2-k.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

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

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

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

LRB06319-3

BJZ/mbh

7/6/2006

[Clerical Correction - 7/24/06, jro]