



Legislation Details (With Text)

**File #:** 100308      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/7/2010      **In control:** PUBLIC SAFETY COMMITTEE

**On agenda:**      **Final action:** 3/1/2011

**Effective date:**

**Title:** A substitute ordinance relating to the dumping of waste on public and private property.

**Sponsors:** ALD. COGGS, ALD. WADE, ALD. PUENTE

**Indexes:** HAZARDOUS WASTE, SOLID WASTE, SOLID WASTE DISPOSAL

**Attachments:** 1. Background on How and Why the Proposed Ordinance was Created, 2. Hearing Notice List, 3. Notice Published on 3-17-11

Date	Ver.	Action By	Action	Result	Tally
7/7/2010	0	COMMON COUNCIL	ASSIGNED TO		
7/9/2010	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
11/2/2010	1	CITY CLERK	DRAFT SUBMITTED		
11/4/2010	1	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
11/4/2010	1	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
11/11/2010	1	PUBLIC SAFETY COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
12/2/2010	1	CITY CLERK	Sponsor added		
2/10/2011	1	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
2/10/2011	1	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
2/17/2011	1	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/17/2011	1	CITY CLERK	Sponsor added		
3/1/2011	1	COMMON COUNCIL			
3/10/2011	1	MAYOR	SIGNED		
3/17/2011	1	CITY CLERK	PUBLISHED		

100308  
SUBSTITUTE 1

ALD. COGGS, WADE AND PUENTE

A substitute ordinance relating to the dumping of waste on public and private property.

61-22 cr

80-44 cr

80-90-1 am

This ordinance defines dumping as the depositing of solid waste, as defined in s. 79-1-12, in an amount greater than the capacity of a standard 20-gallon container without the consent of the property owner, and prohibits dumping on public or private property other than a permitted facility under ss. 80-45 and 46. Violators shall be subject to a forfeiture of no less than \$1,500 nor more

than \$5,000. Property owners shall be responsible for the removal of solid waste resulting from dumping activities.

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

Part 1. Section 61-22 of the code is created to read:

**61-22. Class P.** Upon conviction of a Class P violation, the violator shall forfeit not less than \$1,500 nor more than \$5,000. Each incidence of a dumping violation shall constitute a separate offense. Upon default of payment, the violator shall be subject to imprisonment not less than 30 days nor more than 100 days.

Part 2. Section 80-44 of the code is created to read:

**80-44. Dumping.**

1. DEFINITION. In this section, “dumping” means the depositing on public or private property of solid waste, as defined in s. 79-1-12, in an amount greater than the capacity of a standard 20-gallon container without the consent of the property owner.
2. PROHIBITED. No person may engage in dumping on public or private property other than a permitted facility under ss. 80-45 and 46.
3. RESPONSIBILITY. It shall be the responsibility of the property owner to remove solid waste resulting from dumping activities.

Part 3. Section 80-90-1 of the code is amended to read:

**80-90. Penalties. 1.** Any person violating any of the following provisions of the chapter listed in column A shall be liable on conviction to the penalties listed in column B and described in ch. 61:

A	B
80-3	Class E
80-6 to 7	Class E
80-12	Class E
80-13	Class E
80-15	Class D
80-19	Class E
80-22	Class F
80-27	Class E
80-28	Class E
80-29	Class E
80-31	Class E
80-42	Class F
80-44	Class <del>E</del> >> <u>P</u> <<
80-45 to 80-46.5	Class E
80-48	Class E
80-49	Class K
80-60 to 80-65-3	Class E

80-65-4	Class K	
80-66 to 80-68	Class E	
	80-69	Class C
80-70 to 80-73	Class E	

APPROVED AS TO FORM

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Legislative Reference Bureau

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

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

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

Department of Neighborhood Services

MET

10/25/10

LRB10306-2