



Legislation Details (With Text)

File #: 170183 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 5/9/2017 **In control:** COMMON COUNCIL
On agenda: **Final action:** 7/30/2019

Effective date:

Title: A substitute ordinance relating to regulations for disposition of waste tires.

Sponsors: ALD. HAMILTON

Indexes: REFUSE DISPOSAL, TIRES

Attachments: 1. Proposed Substitute A, 2. HearingNotice20-Jun-2017-11-57-52, 3. Master with text, 4. 2614 W PORT SUNLIGHT ST - TIRES, 5. 3811 W HAMPTON AV - TIRES 03-25, 6. 4251 N 20TH ST - CTY OWND LOT TIRES 06-07, 7. 4301 N 20TH ST TIRES 11-19, 8. 4339 N 20TH ST - TIRES 06-19, 9. 4339 N 20TH ST - TIRES 12-12, 10. 4339 N 20TH ST - TIRES 12-21, 11. 4339 N 20TH ST - TIRES CTY LOT 12-14, 12. 4339 N 20TH ST TIRES 12-19 #2, 13. 4424 N HOPKINS ST - TIRES 06-04, 14. 4424 N HOPKINS ST CTY OWND BLDG TIRES, 15. 6111 N HOPKINS ST - TIRES, 16. Hearing Notice 7-11-19, 17. Hearing notice list 7-11-19, 18. 4219 N 20th St, 19. 4229 N 20th St, 20. photos, 21. Proof of Publication

Date	Ver.	Action By	Action	Result	Tally
5/9/2017	0	COMMON COUNCIL	ASSIGNED TO		
6/20/2017	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
6/20/2017	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
6/20/2017	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
6/27/2017	1	LICENSES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
7/11/2019	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
7/16/2019	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
7/16/2019	1	LICENSES COMMITTEE	SUBSTITUTED	Pass	3:0
7/30/2019	2	COMMON COUNCIL	PASSED	Pass	14:0
8/8/2019	2	MAYOR	SIGNED		
8/15/2019	2	CITY CLERK	PUBLISHED		

170183
SUBSTITUTE 2

ALD. HAMILTON

A substitute ordinance relating to regulations for disposition of waste tires.

- 93-49-2 am
- 93-49-3 rn
- 93-49-3 cr
- 93-49-4 rn
- 93-49-4 cr
- 93-49-5 rn

93-49-5 am
93-49-6 rn
93-49-6 am

This ordinance makes the following changes relating to code provisions regulating waste tires:

1. Stipulates costs incurred to remove legally-dumped tires be assessed to the dumper.
2. Requires periodic inspection of the premises of each waste tire generator by the department of neighborhood services.
3. Requires waste tires on the premises of a licensed recycling, salvaging or towing be permanently marked with the letters "RST" and the licensee's license number before leaving the premises, and not later than 5 working days after receipt on the premises.
4. Requires waste tire generators use only city-licensed waste tire transporters to transport waste tires.
5. Stipulates records kept by waste tire generators and waste tire transporters include the quantities of tires picked up and delivered to waste tire disposers.
6. Requires licensee tire disposition records be submitted to the department of neighborhood services 60 days prior to each anniversary of license issuance.

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

Part 1. Section 93-49-2 of the code is amended to read:

93-49. Waste Tires.

2. >>IMPROPER<< DISPOSAL. No licensed recycling, salvaging or towing premises or vehicle may knowingly dispose of any waste tires >>improperly by disposing of waste tires in a manner<< other than to a tire disposer or tire reprocessor. >>A waste tire transporter who improperly disposes of waste tires shall be assessed costs incurred to dispose of the waste tires properly.<<

Part 2. Section 93-49-3 to 7 of the code is renumbered 93-49-5 to 9.

Part 3. Section 93-49-3 and 4 of the code is created to read:

3. INSPECTION. The commissioner of neighborhood services shall periodically inspect the premises of each waste tire generator for proper storage, marking and recordkeeping.

4. REGULATION. a. Each waste tire located at a licensed recycling, salvaging or towing premise shall be permanently marked, by the licensee in a manner approved by the commissioner of neighborhood services, with the letters "RST" and the licensee's license number. Each tire shall be marked before it leaves the premises, and all tires shall be marked not later than 5 working days after receipt on the premises.

b. A waste tire generator shall use only a city-licensed waste tire transporter to pick up and transport its waste tires.

Part 4. Section 93-49-5 and 6 of the code is amended to read:

5. RECORDKEEPING. Each waste tire generator >>and waste tire transporter<< shall maintain for 3 years all records and receipts relating to waste tires handled by the business. The record for each transaction shall include:

a. For a waste tire generator, the number of waste tires generated, the name of the waste tire transporter, the date >>and quantity<< of pickup and the transporter's recycling, salvaging or towing license number.

b. For a waste tire transporter, the date of pickup, number of waste tires, name and address of the waste tire generator, the name and address of the waste tire disposer or reprocessor, and the date >>and quantity<<of delivery of the waste tires to the waste tire disposer or reprocessor.

6. REPORTING. ~~[[Each waste tire transporter shall submit to the city clerk a semi-annual report of waste tire collections. The city clerk shall determine the type of information required in the report and shall specify the date by which each semi-annual report shall be submitted.]]~~ >>Records required in s. 93-49-5 shall be submitted to the commissioner of neighborhood services, in a form specified by the commissioner, annually 60 days prior to each anniversary of license issuance.<<

LRB
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: _____

LRB #168353-3
Aaron Cadle
June 19, 2019