



Legislation Details (With Text)

**File #:** 130790      **Version:** 1

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

**File created:** 9/24/2013      **In control:** FINANCE & PERSONNEL COMMITTEE

**On agenda:**      **Final action:** 11/1/2013

**Effective date:**

**Title:** A substitute ordinance increasing various fees and forfeitures.

**Sponsors:** THE CHAIR

**Indexes:** FEES, FINES AND PENALTIES

**Attachments:** 1. Fiscal Impact Statement, 2. Budget Response, 3. Hearing Notice List, 4. Change in 2014 Budget for Anticipated Revenues, 5. Notice Published on 11-19-13

Date	Ver.	Action By	Action	Result	Tally
9/24/2013	0	COMMON COUNCIL	ASSIGNED TO	Fail	
9/30/2013	1	CITY CLERK	DRAFT SUBMITTED		
10/24/2013	1	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
10/30/2013	1	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/1/2013	1	COMMON COUNCIL	PASSED	Pass	15:0
11/12/2013	1	MAYOR	SIGNED		
11/19/2013	1	CITY CLERK	PUBLISHED		

130790  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance increasing various fees and forfeitures.

- 60-70-0            am
- 60-70-1-b        am
- 60-70-2-b        am
- 60-91-0           am
- 60-91-2-a        am
- 60-91-3-a        am
- 81-31.5           am
- 81-70-2           am
- 81-70-3           am
- 82-14-5           am
- 200-16.5          am
- 200-33-11-g-7   cr
- 200-33-11-h-2   am
- 200-33-40.6     cr
- 200-33-64.5     cr

This ordinance increases various fees and forfeitures, effective January 1, 2014. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 60-70-0, 1-b and 2-b of the code is amended to read:

**60-70. Inspection Fees for Health Code >>and Weights and Measures<< Violations.**

**1. PREVIOUSLY DOCUMENTED.**

- b. >> b-1. << The fee for the first reinspection under this subsection relating to the same order to correct the violation shall be ~~[[ \$213 ]]~~ >> \$250 <<.
- >> b-2. << The fee for a second reinspection shall be ~~[[ \$320 ]]~~ >> \$375 <<.
- >> b-3. << The fee for a third reinspection shall be \$426.
- >> b-4. << The fee for each subsequent reinspection shall be the fee for the previous reinspection plus an additional \$96.

**2. NOT PREVIOUSLY DOCUMENTED.**

- b. >> b-1. << The fee for the second reinspection under this subsection relating to the same order to correct the violation shall be ~~[[ \$213 ]]~~ >> \$250 <<.
- >> b-2. << The fee for a third reinspection shall be ~~[[ \$320 ]]~~ >> \$375 <<.
- >> b-3. << The fee for each subsequent reinspection shall be the fee for the previous reinspection plus an additional \$96.

Part 2. Section 60-91-0, 2-a and 3-a the code is amended to read:

**60-91. Weighing and Measuring Device Licenses.**

Each of the following weighing and measuring device licenses shall be issued for the calendar year. Each license may be renewed annually upon payment of the required fee before January 1 of the following year. >> Weighing and measuring device licenses shall not be transferable between operators, establishments, devices or vehicles. Weights and measures inspection fees for noncompliant devices are provided in s. 60-70. <<

**2. RETAIL PETROLEUM METERS.**

- a. The fee for each retail petroleum meter license shall be ~~[[ \$54 ]]~~ >> \$60 <<.

**3. SCALES.** a. The following schedule of fees shall apply to scale licenses:

<u>Capacity</u>	<u>Annual Fee</u>
0 - 50 pounds	\$ 54
51 - 1,000 pounds	\$ 83
Over 1,000 pounds	<del>[[ \$123 ]]</del> >> <u>\$150</u> <<

Part 3. Section 81-31.5 of the code is amended to read:

**81-31.5. Class "D" Special Temporary Operator's License.** The fee for each Class "D" special temporary operator's license shall be ~~[[ \$42 ]]~~ >> \$15 <<.

Part 4. Section 81-70-2 and 3 of the code is amended to read:

**81-70. Loading Zone Permit.**

- 2. >> a. << The fee for each original loading zone permit, except a permit issued to a disabled person as defined in s. 101-23.7-1-b, shall be computed at the rate of ~~[[ \$250 ]]~~ >> \$275 << for every 30 feet of

curb space or fraction thereof.

>>b.<< The fee for each original loading zone permit issued to a disabled person shall be \$50, with all such permits being for 30-foot loading zones.

3. The fee for each renewal loading zone permit shall be computed at the rate of ~~[[ \$140]]~~ >>\$150<< for every 30 feet of curb space or fraction thereof.

Part 5. Section 82-14-5 of the code is amended to read:

#### **82-14. Weighing or Measuring Device License.**

5. TRANSFERABILITY. >>Licenses are not transferable between owners, meters, vehicles or establishments.<< No device may be moved or transferred to another premises in the city and put into service, whether operated by the same owner or not, unless application is made first, a new fee paid and a license issued. ~~[[However, licenses may be transferred from one owner to another if the devices are not moved from the premises in which they are originally inspected and licensed and provided that an amended application is filed with the commissioner prior to use of the devices by the new owner.]]~~

Part 6. Section 200-16.5 of the code is amended to read:

**200-16.5. Variances.** Upon written application by an owner or an owner's agent >>and payment of the fee provided in s. 200-33<<, the commissioner may approve a variance of any provision of the building and zoning code, except ch. 295, provided the spirit and functional intent of the code are observed and the public health, safety and welfare are assured. The decision of the commissioner concerning a variance shall be made in writing, and the application for the variance and the decision by the commissioner concerning the variance shall be retained in the permanent records of the department. The commissioner may require or consider a statement from a registered design professional or another person competent in the subject area of the application as to the equivalency of the proposed variance. In addition, the commissioner may require the application to include construction documents sealed by a registered design professional.

Part 7. Section 200-33-11-g-7 of the code is created to read:

#### **200-33. Fees.**

##### **11. ELECTRICAL INSTALLATIONS AND REPAIRS.**

g. Feeder.

g-7. Feeder switch located at meter main enclosure: \$20.

Part 8. Section 200-33-11-h-2 of the code is amended to read:

h.

h-2. ~~[[Detection alarm device]]~~ >>Fire alarm initiating and indicating device<<: \$5 each.

Part 9. Section 200-33-40.6 of the code is created to read:

**40.6. PLAN EXAMINATION, FLOOD PLAIN DEVELOPMENT PLAN REVIEW.** An additional development plan review fee of \$250 shall be charged for new construction, additions and alterations of commercial buildings, structures and parking lots located in a flood plain.

Part 10. Section 200-33-64.5 of the code is created to read:

**64.5. VARIANCES.** The fee to petition the commissioner for a variance as provided in s. 200-16.4 shall be \$100.

Part 11. This ordinance takes effect January 1, 2014.

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: \_\_\_\_\_

DOA-Budget and Management Division

LRB149016-2

Teodros W. Medhin:lp

9/25/2013