



Legislation Details (With Text)

**File #:** 171535      **Version:** 1

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

**File created:** 1/17/2018      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 2/6/2018

**Effective date:**

**Title:** A substitute ordinance relating to the provision of pedestrian protection in connection with the construction or demolition of buildings in C9 downtown zoning districts.

**Sponsors:** ALD. BAUMAN

**Indexes:** SIDEWALKS

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 2-22-18

Date	Ver.	Action By	Action	Result	Tally
1/17/2018	0	COMMON COUNCIL	ASSIGNED TO		
1/25/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/25/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/25/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/25/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/25/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/30/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
1/30/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	3:0
2/6/2018	1	COMMON COUNCIL	PASSED	Pass	15:0
2/15/2018	1	MAYOR	SIGNED		
2/22/2018	1	CITY CLERK	PUBLISHED		

171535  
SUBSTITUTE 1

ALD. BAUMAN

A substitute ordinance relating to the provision of pedestrian protection in connection with the construction or demolition of buildings in C9 downtown zoning districts.

- 115-10-2-h am
- 228-2-2-a am
- 228-2-2-b am
- 228-2-2-e am

This ordinance provides that, for any occupancy of the public way in connection with the erection, construction, enlargement, alteration, repair, renovation, maintenance, removal or demolition of a

building or structure on property in a C9 downtown zoning district, where the work is occurring more than 10 feet above grade, a protective canopy roof providing full pedestrian protection shall be required..

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

Part 1. Section 115-10-2-h of the code is amended to read:

**115-10. Temporary Occupancy of Public Ways.**

**2. CONDITIONS OF OCCUPANCY.**

h. Approved canopies shall be erected over street walks as provided in s. 228-2-2. >>For any occupancy of the public way in connection with the erection, construction, enlargement, alteration, repair, renovation, maintenance, removal or demolition of a building or structure on property in a C9 downtown zoning district, where the work is occurring more than 10 feet above grade, a protective canopy roof providing full pedestrian protection and meeting the standards of s. 228-2-2 shall be required.<<

Part 2. Section 228-2-2-a, b and e of the code is amended to read:

**228-2. General Regulations.**

**2. ROOFS OVER WALKWAYS AND SIDEWALKS.**

a. During the construction or demolition of any building or structure, the commissioner of neighborhood services may require >> and in the case of construction or demolition of any building or structure on property in a C9 downtown zoning district where the work is occurring more than 10 feet above grade, shall require, << that there shall be erected and maintained a protective canopy roof over walkways or sidewalks of a length and width as required by the commissioner of public works. Such canopy roof shall be erected as soon as the building or structure reaches a height of 10 feet above established adjacent grade and shall be maintained until the entire work on the side abutting or near the public sidewalk is completed. The canopy roof shall be tightly boarded and have a clear height of 10 feet above the walkway or sidewalk. The entire structure shall be designed to carry loads to be imposed on it, provided the minimum live load to be used in design shall not be less than 30 pounds per square foot, uniformly loaded.

b. The commissioner of ~~[[city development]]~~ >> neighborhood services << may require that the canopy roof be designed by a registered architect or engineer. The drawings shall be approved by the commissioner ~~[[of city development]]~~ and a separate permit issued for the construction of the canopy roof.

e. The commissioner of ~~[[city development]]~~ >> neighborhood services << may approve thrust-out platforms or other substitute protections in lieu of walkway or sidewalk canopy roofs when deemed adequate to insure the public safety.

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: \_\_\_\_\_

LRB170646-2  
Jeff Osterman  
01/30/2018