



Legislation Details (With Text)

**File #:** 160535      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/1/2016      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 12/13/2016

**Effective date:**  
**Title:** A substitute ordinance relating to planting fruits and vegetables in the public right-of-way.  
**Sponsors:** ALD. BOHL  
**Indexes:** PERMITS  
**Attachments:** 1. Proposed Substitute A, 2. Notice Published on 1-4-17

Date	Ver.	Action By	Action	Result	Tally
9/1/2016	0	COMMON COUNCIL	ASSIGNED TO		
9/7/2016	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:1
9/20/2016	0	COMMON COUNCIL	ASSIGNED TO	Pass	10:5
11/30/2016	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	3:0
11/30/2016	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
12/13/2016	1	COMMON COUNCIL	PASSED	Pass	14:0
12/20/2016	1	MAYOR	SIGNED		
1/4/2017	1	CITY CLERK	PUBLISHED		

160535  
SUBSTITUTE 1  
ALD. BOHL

A substitute ordinance relating to planting fruits and vegetables in the public right-of-way.

116-54-1 am  
116-54-2 am

This ordinance prohibits the planting of fruits and vegetables in the public right-of-way without a special privilege permit.

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

Part 1. Section 116-54 of the code is amended to read:

**116-54. Planting of Flowers in the Public Right-of-Way.**

**1. PLANTING OF FLOWERS.** The planting of flowers in the public right-of-way is permitted as long as it does not encroach in the path of pedestrians or block the vision of motorists. >>The planting of edible fruits and vegetables is prohibited without a special privilege permit.<< The diggers hotline must be contacted at least 3 business days prior to any excavation related to this subsection.

Part 2. Section 116-54 of the code is amended to read:

2. REQUIREMENTS. >>Flowers may be planted by, or with permission from, the property owner immediately adjacent to that section of the public right-of way.<< Plants may not grow so as to obstruct or encroach upon the curb or sidewalk, block sight lines to the street, be higher than 3 feet or potentially create a trip hazard on the sidewalk or roadway. The department of public works may issue additional planting guidelines.

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: \_\_\_\_\_

LRB165500-3

Adam Wickersham

09/19/2016