

## City of Milwaukee

200 E. Wells Street Milwaukee, Wisconsin 53202

### 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:

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2. REQUIREMENTS. >>Flowers may be planted by, or with permission from, the property owner								

**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

Legislative Reference Bureau	
Date:	

# IT IS OUR OPINION THAT THE ORDINANCE IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date:
LRB165500-3
Adam Wickersham
09/19/2016