



Legislation Details (With Text)

**File #:** 121706      **Version:** 0  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/21/2013      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 4/9/2013  
**Effective date:**

**Title:** An ordinance relating to revisions of provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

**Indexes:** CODE OF ORDINANCES

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 4-25-13

Date	Ver.	Action By	Action	Result	Tally
3/21/2013	0	COMMON COUNCIL	ASSIGNED TO		
3/26/2013	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/26/2013	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/26/2013	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/27/2013	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/1/2013	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
4/9/2013	0	COMMON COUNCIL	PASSED	Pass	15:0
4/18/2013	0	MAYOR	SIGNED		
4/25/2013	0	CITY CLERK	PUBLISHED		

121706  
ORIGINAL

THE CHAIR

An ordinance relating to revisions of provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

- 200-42-3-a-0      am
- 214-3      am
- 225-3-1      am
- 225-4-5      am
- 236-21-2      am
- 239-1-4      am
- 261-98-4      am
- 262-01      am
- 263-01      am
- 264-01      am

264-70-3-a am  
264-70-4 am

This ordinance revises certain provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

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

Part 1. Section 200-42-3-a-0 of the code is amended to read:

### **200-42. Certificate of Occupancy.**

**3. WHEN ISSUED.** a. In the case of a proposed use, as described in ~~[[ch. Comm 62]]~~ >>ch. SPS 362<<, Wis. Adm. Code, as amended, that is not within the same group of uses as the prior use, and where the proposed use is as hazardous or more hazardous, based on life and fire risk, than the prior use, or whenever the proposed use is an elementary or secondary school, or a daycare or a rooming house, or a tavern, fast food/carryout restaurant as defined under s. 295-20-449 or a sit-down restaurant, as defined under s. 295-201-501, or where otherwise requested, the commissioner shall issue a certificate of occupancy:

Part 2. Section 214-3 of the code is amended to read:

**214-3. Adoption of Model Fire Code.** Pursuant to ~~[[s. Comm. 14.001(2)]]~~ >>s. SPS 314.001(2)<< Wis. Adm. Code, as amended, the city of Milwaukee adopts the 2006 International Fire Code except where in conflict with applicable state statutes or state administrative rules.

Part 3. Section 225-3-1 of the code is amended to read:

### **225-3. Plumbing Permits Required.**

**1. ISSUANCE.** No permit for plumbing shall be issued by the commissioner ~~[[of city development]]~~ to any person not duly licensed, registered and bonded. Permits issued shall be subject to the rules and regulations of the commissioner of neighborhood services, and it shall be unlawful to do any plumbing without a permit with the exception of work as regulated in sub. 3.

Part 4. Section 225-4-5 of the code is amended to read:

### **225-4. Drainage of Yard Areas and Roofs.**

**5. STORM INLETS.** Storm inlets shall be installed as regulated in ~~[[s. Comm 82.36]]~~ >>s. SPS 382.36<<, Wis. Adm. Code.

Part 5. Section 236-21-2 of the code is amended to read:

### **236-21. Flammable and Combustible Liquids.**

**2. RELINING OF UNDERGROUND STORAGE TANKS.** The relining of steel, underground tanks used for the storage of flammable and combustible liquids shall be permitted, provided ~~[[s. Comm 40.530]]~~ >> s. SPS 310.530<<, Wis. Adm. Code, are complied with and flex connectors are placed at the top of the tank and between the tank and the vent pipe.

Part 6. Section 239-1-4 of the code is amended to read:

### **239-1. Detached Private Garages.**

**4. FOOTINGS AND FOUNDATIONS.** Footings and foundations as regulated in ~~[[chs. Comm 61 and 62]]~~ >>chs. SPS 361 and 362<<, Wis. Adm. Code, shall be provided for all private garages, except that private garages of Type IIB, VA or VB construction may be provided with a continuous floating slab of reinforced concrete not less than 4 inches in thickness. Reinforcement shall be a minimum of number of 10 (6X6) inch wire mesh or fiber reinforced concrete. The slab shall be provided with a thickened edge all around, 12 inches wide and 8 inches below the top of the slab. The thickened edge shall have 2 continuous #4 horizontal reinforcement bars placed in the lower third of the thickened edge. Exterior wall curbs shall not be less than 8 inches above the adjoining grade.

Part 7. Section 261-98-4 of the code is amended to read:

**261-98. Beer Gardens. 4. TENTS.** Tents used in conjunction with beer gardens shall meet the requirements of s. 261-42, and all applicable requirements of ~~[[chs. Comm 61 and 62]]~~ >>chs. SPS 361 and 362<<, Wis. Adm. Code, as amended.

Part 8. Section 262-01 of the code is amended to read:

**262-01.** Adoption of State and International Building Codes. The city adopts ~~[[ch. Comm 62]]~~ >>ch. SPS 362<<, Wis. Adm. Code, as amended, and ch. 9, s. 907.1.1, International Building Code, as part of this code.

Part 9. Section 263-01 of the Code is amended to read:

**263-01. Adoption of State Code.** The city of Milwaukee adopts ~~[[ch. Comm 63]]~~ >>ch. SPS 363<<, Wis. Adm. Code, as amended, as part of the code.

Part 10. Section 264-01 of the Code is amended to read:

**264-01.** Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts ~~[[chs. Comm 45 and 64]]~~ >>chs. SPS 345 and 364<<, Wis. Adm. Code, as amended, as part of this code.

Part 11. Section 264-70-3-a and 4 of the Code is amended to read:

### **264-70. Incinerators.**

#### **3. INCINERATOR CHIMNEYS.**

a. Except as otherwise regulated herein, chimneys for incinerators shall be constructed as regulated in ~~[[ch. Comm 64]]~~ >>ch. SPS 364<<, Wis. Adm. Code, as amended, for low temperature chimneys. Chimneys for incinerators having a grate area of more than 9 square feet shall be provided with a lining of firebrick not less than 4-1/2 inches in thickness for the entire height of the chimney, except that such lining need not extend for a distance of more than 40 feet above the top of the combustion chamber.

**4. INCINERATOR REFUSE CHUTES.** ~~[[Where]]~~ >>if<< a refuse chute is provided for an incinerator, the chute shall be constructed as regulated in ~~[[ch. Comm 64]]~~ >>ch. SPS 364<<, Wis. Adm. Code, as amended, for low temperature chimneys. ~~[[Such]]~~ >>The<< chutes shall extend not less than 4 feet above the roof and shall be capped with an approved ventilating weather hood, designed so as not to act as a smoke flue. Each service opening into the chute shall be equipped with an approved

self-closing hopper so constructed that the opening is closed off while the hopper is being charged, and that no part of the hopper will project into the chute. The area of each service opening shall not exceed 1/3 of the cross sectional area of the chute.

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: \_\_\_\_\_

LRB143278-1

Teodros W. Medhin:lp

3/18/2013