



Legislation Details (With Text)

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**On agenda:**      **Final action:** 10/15/2019

**Effective date:**

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

**Sponsors:** THE CHAIR

**Indexes:** CODE OF ORDINANCES

**Attachments:** 1. Proof of Publication

Date	Ver.	Action By	Action	Result	Tally
4/16/2019	0	COMMON COUNCIL	ASSIGNED TO		
9/23/2019	1	CITY CLERK	DRAFT SUBMITTED		
10/7/2019	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
10/15/2019	1	COMMON COUNCIL	PASSED	Pass	15:0
10/25/2019	1	MAYOR	SIGNED		
10/31/2019	1	CITY CLERK	PUBLISHED		

190096  
SUBSTITUTE 1

THE CHAIR

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

- 78-7-1-a      am
- 81-35.5-1      rp
- 81-132-2      rc
- 90-5-8-a-10      am
- 90-5-8-a-11      am
- 101-50-3.5      cr
- 200-33-13-d-2      am
- 236-01      am
- 236-21-0      am
- 240-25-2-b-1      am
- 275-20-1.5      am
- 295-505-4-g      am
- 295-605-4-h      am
- 295-805-4-j      am
- 350-211-1      am

This ordinance revises various 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 78-7-1-a of the code is amended to read:

78-7. Kennels, Horse Stables and Animal Fancier Permits. 1. KENNELS AND HORSE STABLES. a. Permit Required. No person shall operate a kennel or horse stable without a valid permit issued by the commissioner. When all applicable provisions of this section along with applicable federal and state of Wisconsin requirements have been complied with by the applicant and a valid occupancy permit for this business has been issued by the commissioner of [[city development]] >>neighborhood services<<, the commissioner shall issue a permit to operate upon payment of the fee required in s. 60-51.

Part 2. Section 81-35.5-1 of the code is repealed.

Part 3. Section 81-132-2 of the code is repealed and recreated to read:

81-132. Wage and Tax Statement Duplicates.

2. The processing charge for requests beyond April 15, or for additional copies or duplicates shall be \$15 and \$25, respectively, for each item requested.

Part 4. Section 90-5-8-a-10 and 11 of the code is amended to read:

90-5. Licensing.

8. COMMITTEE ACTION.

a-10. If it appears for the first time at the hearing that there will be objections, then the matter [[will]] >>shall<< be laid over until the next meeting, prior to which proper notice [[will]] >>shall<< be given.

a-11. If the chair [[should]] at any time [[determine]] >>determines<< that a hearing is or will be contested, the chair [[will]] >>shall<< announce that a time limit of 30 minutes shall be provided opponents of the proposed license and a time limit of 30 minutes for the applicant and supporters of the proposed license. This time [[will]] >>shall<< be extended for relevant questioning by licensing committee members. If upon expiration of 30 minutes for opponents or 30 minutes for the applicant and proponents the chair [[should determine]] >>determines<<, subject to the approval or objection of the committee, that a full and fair hearing of relevant issues requires an extension of time to protect the interests of the public and the applicant, a reasonable extension of time may be granted. Individuals opposing the proposed license and members of the public supporting the proposed license may be limited to not more than 2 minutes testimony each, or a greater or lesser amount if the chair determines that a different time limit is appropriate to the fair and efficient conduct of the hearing. The applicant shall have the privilege of using any portion of applicant's 30 minutes for presentation and testimony. At any time, the chair may overrule or prohibit redundant testimony or argument found unnecessary to substantiate or corroborate testimony and argument previously presented.

Part 5. Section 101-50-3.5 of the code is created to read:

101-50. Fees for Special Parking Signs, Meters, etc.

3.5. The fee for a "no parking to driveway" sign requested by the owner, lessee, manager or tenant of the property involved shall be the amount specified in s. 81-109.

Part 6. Section 200-33-13-d-2 of the code is amended to read:

200-33. Fees.

13. ELEVATORS.

d-2. Application, Repairs and Remodeling. The fees for the review of alteration, repairs or remodeling of such existing [[devises]] >>devices<< by this paragraph shall be charged at the rate of 1.6% of the total cost of installation, with a minimum permit fee of \$400 for a traction elevator, other elevator driver machines, an escalator or a moving sidewalk. There shall be a minimum permit fee of \$360 for a hydraulic elevator, a minimum permit fee of \$320 for a dumbwaiter, platform lift, stair chair lift, or special application elevator.

Part 7. Section 236-01 of the code is amended to read:

236-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts [[chs. SPS 310, 340 and 343]] >>chs. ACTP 93, SPS 310 and 340<<, Wis. Adm. Code, as amended, as part of this code.

Part 8. Section 236-21 of the code is amended to read:

236-21. Flammable and Combustible Liquids. In addition to the regulations set forth in [[ch. SPS 310]] >>ch. ACTP 93<<, Wis. Adm. Code, above ground flammable liquid storage facilities shall comply with the following:

Part 9. Section 240-25-2-b-1 of the code is amended to read:

240-25. Foundation Repairs and Damp-Proofing.

2. REPAIR STANDARDS.

b. INTERIOR REPAIRS AND STANDARDS.

b-1. [[Walls]] >>A wall<< may not be reinforced if the wall has not been made [[plumbing]] >>plumb<< to close any horizontal cracking. Walls that are not plumb may be reinforced if supported by engineering data.

Part 10. Section 275-20-1.5 of the code is amended to read:

275-20. Licensing Of Licensed Dwelling Facilities.

1.5. ADOPTION OF STATE CODE. Except as otherwise provided in this subchapter, the city of Milwaukee adopts [[ch. DHS 19]] >>ch, ACTP 72<<, Wis. Adm. Code, as amended, as part of this code.

Part 11. Section 295-505-4-g of the code is amended to read:

295-505. Design Standards.

4. SITE STANDARDS.

g. Vision Triangles. A fence or other opaque or semi-opaque object located near the intersection of a street with an alley, access drive or other street shall comply with the vision triangle regulations of [[s. 295-405-3]] >>s. 295-405-1-g<<.

Part 12. Section 295-605-4-h of the code is amended to read:

295-605. Design Standards.

4. SITE STANDARDS

h. Vision Triangles. A fence or other opaque or semi-opaque object located near the intersection of a street with an alley, access drive or another street shall be in compliance with the vision triangle regulations of [[s. 295-405-3]] >>s. 295-405-1-g<<.

Part 13. Section 295-805-4-j of the code is amended to read:

295-805. Industrial Design Standards.

4. SITE STANDARDS.

j. Vision Triangles. A fence or other opaque or semi-opaque object located near the intersection of a street with an alley, access drive or another street shall be in compliance with the applicable vision triangle regulations of [[s. 295-405-3]] >>s. 295-405-1-g.

Part 14. Section 350-211-1 of the code is amended to read:

350-211. Political Activity Prohibited. 1. BY DEPARTMENTS, BOARDS, ETC. The heads of city departments, bureaus, boards and commissions or any member of their respective departments, bureaus, boards and commissions, in their official capacities, are prohibited from recommending any changes or amendments of the laws of the state of Wisconsin to the legislature of the state of Wisconsin, or to any committee of the legislature, or to any member of the state legislature of the state of Wisconsin, or from recommending to the Wisconsin department of [[industry, labor and human relations]] >>safety and professional services<<, or to any employee of Wisconsin department of [[industry, labor and human relations]] >>safety and professional services<< any changes in the Wisconsin state building code adopted by the department in discharge of its duties under ch. 101, Wis. Stats., without first submitting to the common council any changes or amendments of the laws of the state of Wisconsin or of the state building code, and obtaining the approval of and a directive from [[said]] >>the<< common council.

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: \_\_\_\_\_

LRB174115-2  
Teodros W. Medhin  
9/20/2019

