



Legislation Details (With Text)

File #: 011258 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 12/21/2001 **In control:** PUBLIC SAFETY COMMITTEE
On agenda: **Final action:** 2/12/2002

Effective date:

Title: A substitute ordinance specifying the storage location of solid waste and recycling containers.

Sponsors: ALD. RICHARDS

Indexes: RECYCLING, SOLID WASTE, SOLID WASTE DISPOSAL

Attachments:

Date	Ver.	Action By	Action	Result	Tally
12/21/2001	0	COMMON COUNCIL	ASSIGNED TO		
1/3/2002	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/3/2002	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/10/2002	0	PUBLIC SAFETY COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
1/24/2002	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/24/2002	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/24/2002	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/30/2002	1	CITY CLERK	DRAFT SUBMITTED		
1/31/2002	1	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
2/12/2002	2	CITY CLERK	DRAFT SUBMITTED		
2/12/2002	2	COMMON COUNCIL	PASSED	Pass	15:0
2/21/2002	2	MAYOR	SIGNED		
2/28/2002	2	CITY CLERK	PUBLISHED		

011258
SUBSTITUTE 2

ALD. RICHARDS

A substitute ordinance specifying the storage location of solid waste and recycling containers.

- 79-5-2 am
- 79-16-2-a-1-b rn
- 79-16-2-a-1-b cr
- 79-16-2-a-1-c rn

This ordinance mandates that solid waste and recycling containers be stored in the rear yard, if possible, or the side yard if the rear yard may not be utilized, unless the property owner can prove, to the satisfaction of the commissioner, that this cannot be done. If the rear or side yard is unsuitable for storage of containers, the commissioner must approve an alternate location prior to its use. Failure to comply may result in a special charge of \$10 for the first failure following a written warning,

and a \$25 special charge for each subsequent failure within a calendar year.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 79-5-2 of the code is amended to read:

79-5. Location of Containers.

2. NEAR ALLEY. Containers shall be stored immediately adjacent to the alley except where a premises does not have an alley, in which case containers shall be stored >>in the rear yard. If the rear yard may not be utilized for this purpose, the side yard may be used providing the containers are sited<< as conveniently as possible for servicing, as specified by the commissioner of public works. >>If the property owner can prove to the satisfaction of the commissioner that the rear or side yard cannot be used, the commissioner shall approve an alternate location prior to its use<<.

Part 2. Section 79-16-2-a-1-b and c of the code is renumbered 79-16-2-a-1-c and d.

Part 3. Section 79-16-2-a-1-b of the code is created to read:

79-16. Penalty.

2. LIEN.

a-1-b. A person who fails to comply with s. 79-5-2 shall receive a written notice to comply with respect to the alleged violation of s. 79-5-2. Failure to comply following such notification shall result in a special charge of \$10, and the second and each subsequent failure to comply within a calendar year shall result in a special charge of \$25.

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: _____

LRB01574-3

LME

2/6/02