



## Legislation Text

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File #: 130640, Version: 1

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130640  
SUBSTITUTE 1

ALD. DONOVAN

A substitute ordinance relating to the fraudulent tapping of public utilities.

110-18 cr

This ordinance prohibits the tapping of electric wires or gas or water meters or pipes with intent to defraud any vendor of electricity, gas or water. Any person violating this provision shall be subject to a forfeiture of not less than \$100 nor more than \$500, and in default of payment thereof, may be imprisoned as provided by law.

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

Part 1. Section 110-18 of the code is created to read:

**110-18. Tapping of Public Utilities.**

**1. PROHIBITED.** Any person who, without permission and for the purpose of obtaining electrical current, gas or water with intent to defraud any vendor of electricity, gas or water doing any of the following shall be subject to the forfeiture provided in sub. 2.

a. Connects or causes to be connected by wire or any other device with the wire, cables or conduits of any vendor.

b. Connects or disconnects the meters, pipes or conduits, or connects with the meters, pipes or conduits by pipes, conduits or other instruments.

**2. PRESUMPTIVE EVIDENCE.** The existence of any of the conditions with reference to meters, pipes, conduits or attachments, described in this section, shall be presumptive evidence that the person to whom gas, electricity or water is at the time being furnished by or through the meters, pipes, conduits or attachments has, with the intent to defraud, created or caused to be created the conditions. The presumption shall not apply to any person furnished with gas, electricity or water less than 31 days or until there has been at least one meter reading.

**3. ENFORCEMENT.** The police department and department of neighborhood services shall have responsibility for the enforcement of this action.

**4. PENALTY.** a. Any person violating this section shall be subject to a forfeiture of not less than \$100 nor more than \$500, and in default of payment thereof, may be imprisoned as provided by law.

b. Any person who commits a second or subsequent violation of this section shall be subject to a forfeiture of not less than \$200 nor more than \$500, and in default of payment thereof, may be imprisoned as provided by law.

APPROVED AS TO FORM

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Legislative Reference Bureau

Date: \_\_\_\_\_  
IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

LRB148125-2  
TWM:lp  
9/4/2013