



Legislation Text

File #: 070737, Version: 2

070737
SUBSTITUTE 2

THE CHAIR

A substitute ordinance relating to implementation of the 2008 city budget.

79-6.5-c-2 am
81-19-a am
81-96 rc
81-116-1-a am
81-116-1-b am
101-34-3-c am
200-01-2-L rp
200-33-67-a rc
200-33-67-b-1 am
200-33-67-c rc
302-9 cr
309-1-1-a-1 am

To implement certain provisions of the 2008 city budget, this ordinance:

1. Clarifies that the current \$50 charge for the collection of bulky waste exceeding 4 cubic yards does not apply to bulky waste collected during the annual clean and green program's period for the property as established by the commissioner of public works.
2. Creates a board of absentee ballot canvassers.
3. Transfers responsibility for the maintenance of vacant, city-owned lots from the department of neighborhood services to the department of public works.
4. Reduces from \$5 to \$2.50 the amount that may be used to pay the cost of using the Wisconsin traffic violation and registration program if a stipulation is not entered within 58 days following issuance of a citation for a nonmoving traffic violation.
5. Increases department of city development fees for street and alley vacations, final subdivision plats, certified survey maps, zoning changes, creation of planned developments, and creation and amendment of development incentive overlay zones and site plan review overlay zones.
6. Creates a new \$300 fee for minor modification of a planned development.
7. Replaces a formula-based fee (\$85 plus \$2.50 per linear foot of lot frontage) for development plan review in a development incentive overlay zone or a site plan review overlay zone with a flat fee of \$1,200.
8. Creates a new \$300 fee for filing a preliminary subdivision plat.

Part 1. Section 79-6.5-3-c-2 of the code is amended to read:

79-6.5. Special Collection Charges.

3. DOMESTIC TREE AND BULKY WASTE. c-2. Subdivision 1 does not apply to bulky waste collected annually during the clean and green >>program's collection<< period >>for the property>>as established by the commissioner.

Part 2. Section 81-19-a of the code is amended to read:

81-19. Certified Survey Map Filing Fee.

a. The fee for each certified survey map shall be ~~[[\$65]]~~ >> \$150 << .

Part 3. Section 81-96 of the code is repealed and recreated to read:

81-96. Plat Filing Fee. The filing fee for submission of any cemetery or residential preliminary or final plat shall be \$300.

(See s. 119-4.)

Part 4. Section 81-116-1-a and b of the code is amended to read:

81-116. Street and Alley Vacation Fees.

1. REQUIRED FEES.

a. The fee for filing a preliminary application for vacation of a street shall be ~~[[\$1,220]]~~ >> \$1,254 << plus \$139 for each 100 feet of street length or fraction thereof above 300 feet. Of this fee, ~~[[\$266]]~~ >> \$300 << is intended to cover the department of city development's costs for administering the vacation procedure, while the remainder is intended to cover the costs incurred by the department of public works in preparing a map, legal description and coordinated report for the proposed vacation pursuant to s. 308-28-4.

b. The fee for filing a preliminary application for vacation of an alley shall be ~~[[\$800]]~~ >> \$834 << plus \$94 for each 100 feet of alley length or fraction thereof above 300 feet. Of this fee, ~~[[\$266]]~~ >> \$300 << is intended to cover the department of city development's costs for administering the vacation procedure, while the remainder is intended to cover the costs incurred by the department of public works in preparing a map, legal description and coordinated report for the proposed vacation pursuant to s. 308-28-4.

Part 5. Section 101-34-c of the code is amended to read:

101-34. Stipulation Procedure: Nonmoving Traffic Violation

3. PAYMENT AFTER 10 DAYS

c. If a stipulation is not entered into with 58 days commencing at 6:00 p.m. on the day of the citation is issued, the forfeiture shall be increased by \$25. ~~[[Five dollars]]~~ >> Two dollars and fifty cents << of the increased forfeiture amount may be used to pay the cost of using the Wisconsin traffic violation and registration program.

Part 6. Section 200-01-2-L of the code is repealed.

Part 7. Section 200-33-67-a of the code is repealed and recreated to read:

200-33. Fees.

67. ZONING, PLAN COMMISSION/COMMON COUNCIL.

a. Planned Development. a-1. The fee for an application to establish a planned development shall be \$2,000.

a-2. The fee for a planned development amendment application shall be \$1,200.

a-3. The fee for an application for a minor modification to a planned development shall be \$300.

Part 8. Section 200-33-67-b-1 of the code is amended to read:

b. Overlay Zone Plan Review.

b-1. In an overlay zone where development plan review is required, >>other than a development incentive overlay zone or a site plan review overlay zone,<< the fee for the plan review shall be \$85 plus \$2.50 for each linear foot of lot frontage as measured at the street line. Frontage on an alley shall not be included in this calculation. >>The fee for plan review in a development incentive overlay zone or a site plan review overlay zone shall be \$1,200.<<

Part 9. Section 200-33-67-c of the code is repealed and recreated to read:

c. Zoning Amendment. c-1. The fee for a zoning map amendment pursuant to s. 295-307, other than creation or amendment of a development incentive overlay zone or a site plan review overlay zone, shall be \$1,200.

c-2. The fee for a zoning map amendment to create a development incentive overlay zone or a site plan review overlay zone shall be \$2,000. The fee for a zoning map amendment to amend an existing development incentive overlay zone or site plan review overlay zone shall be \$1,200.

Part 10. Section 302-9 of the code is created to read:

302-9. Board of Absentee Ballot Canvassers .

1. CREATION. Pursuant to ss. 7.52 and 7.53 (2m), Wis. Stats., there is created a board of absentee ballot canvassers.

2. COMPOSITION. The board of absentee ballot canvassers shall be composed of the election commission executive director, or a qualified elector of the city designated by the executive director, and 2 other qualified electors of the city appointed by the executive director for a term of 2 years commencing on January 1 of each odd-number year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee. The executive director may appoint additional inspectors under s. 7.30(2)(a), Wis. Stats., to assist the board in canvassing absentee ballots under this section.

3. CANVASSING OF ABSENTEE BALLOTS. In lieu of canvassing absentee ballots at polling places under s. 6.88, Wis. Stats., the board shall canvass all absentee ballots at all elections held in the city.

4. COUNTING OF ABSENTEE BALLOTS. At every election held in the city, the board shall, any time after the opening of the polls and before 10 p.m. on election day, publicly convene to count the absentee ballots for the city. The election commission executive director shall give at least 48 hours' notice of any meeting under this section.

5. POSTING. The election commission executive director, no later than the closing hour of the polls, shall post at his or her office and on the Internet at a site announced by the executive director before the polls open, and shall make available to any person upon request, a statement of the number of absentee ballots that the executive director has mailed or transmitted to electors and that have been returned by the closing hour on election day.

Part 11. Section 309-1-1-a-1 of the code is amended to read:

309-1. Department of Public Works.

1. DUTIES. a-1. The department of public works shall be responsible for all matters relating to the design, construction, maintenance and operation of the physical properties of the city of Milwaukee

including the streets, street appurtenances, alleys, pedestrian ways, malls, bridges, public buildings, water works, and storm and sanitary collection facilities, parking, municipal communications >>_<< [[and]] the landscaping of public space >>and the maintenance of vacant, city-owned lots<<. The department is also responsible for citation processing, contract administration, parking checker, tow desk and night parking call-in desk functions, solid waste collection and disposal, street cleaning, snow and ice control and removal, and operation and maintenance of the city's centralized fleet of motor vehicles.

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: _____

LRB07476-3
TWM/JDO
11/06/2007