



Legislation Text

File #: 131448, Version: 0

131448
ORIGINAL

THE CHAIR

An ordinance relating to the permitting of dumps and the licensing of junkers.

80-45-1-a am
80-45-3 am
80-45-8 am
80-46.5-1 am
80-46.5-2 am

This ordinance transfers administrative authority for the permitting of dump sites and licensing of junkers from the city clerk's office to the department of neighborhood services.

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

Part 1. Section 80-45-1-a of the code is amended to read:

80-45. Public Dump Regulations. 1. PERMIT REQUIRED FOR DUMPING.

a. No person, firm or corporation shall dump or deposit or permit any other person, firm or corporation to dump or deposit any refuse of any kind, whether it be organic or inorganic in character, upon any lot or premises in his>>, her<< or its possession or control in the city other than the lot or premises where ~~[[in such]]~~ >>the<< refuse is produced, unless he>>, she<< or it holds a valid dumping permit issued by ~~[[the city clerk]]~~ >>the department of neighborhood services<< in the name of the operator of the dump and for the specific site on which the dumping or refuse is to take place.

Part 2. Section 80-45-3 of the code is amended to read:

3. APPLICATION. The operator of a dump site shall file ~~[[in triplicate]]~~ an application for a dumping permit in the ~~[[office of the city clerk]]~~ >>department of neighborhood services<< on application forms prepared by ~~[[said clerk]]~~ >>the department<<.

Part 3. Section 80-45-8 of the code is amended to read:

8. NOT TRANSFERABLE. No permit issued under the provisions of this section shall be transferable and the operator shall notify ~~[[the city clerk and]]~~ the commissioner >>of neighborhood services<< in writing within 24 hours after having relinquished proprietorship of, having sold, transferred, given away, or otherwise disposed of ~~[[such]]~~ >>the<< interest or control of any dump site and shall file in writing with the ~~[[city clerk]]~~ >>commissioner of neighborhood services<< the name and address of the person to whom proprietorship has been relinquished by sale, gift or other method of ~~[[transferal]]~~ >>transfer<< or disposition.

Part 4. Section 80-46.5-1 and 2 of the code is amended to read:

80-46.5. Junker's License for Public and Private Dumps. 1. LICENSE REQUIRED. No person, firm or corporation shall be permitted to operate as a junker on a public, private, or city dump without first having procured a license from the ~~[[city clerk]]~~ >>commissioner of neighborhood services<< approved by the common council.

Employers of junkers shall be required to obtain a license under this section. See ch. 81 for the required license fee.

2. LIABILITY. A condition for the issuance of ~~[[such]]~~>>the<< license shall be that the licensed junker will execute and deliver to the city at the ~~[[office of the city clerk]]~~>>department of neighborhood services<<, an agreement in consideration of the issuance of the license holding the city harmless from any liability whatsoever to ~~[[such]]~~>>the<< junker by reason of his~~[,]~~her or its junking activities, ~~[[such]]~~>>the<< agreement to be approved as to form by the city attorney.

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: _____

City Clerk's Office - License Division

LRB 150541-1

Andrew R. VanNatta

01/10/2014