



Legislation Text

File #: 971310, Version: 0

971310
ORIGINAL

THE CHAIR

An ordinance implementing various provisions of the 1998 city budget.

275-35-4 am
275-35-5 rc
275-35-7 rp
310-1-7 rc
310-1-11 rc
320-33-1 am
320-37-3 am
- Analysis -

This ordinance makes a number of changes to the city code in light of the 1998 city budgets:

1. Changes title of various city agencies.
2. Transfers administration of the city's anti-graffiti program from the department of city development to the department of building inspection. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 275-35-4 of the code is amended to read:

275-35.: Graffiti Abatement.

4. NOTIFICATION BY DEPARTMENT [[OF CITY DEVELOPMENT.]] Whenever the department [[of city development or authorized agent]] determines that graffiti on any building or structure within the city is visible from the street or other public or private property, the department may notify by letter the owner or operator of the property that the graffiti shall be abated in a timely manner.

Part 2. Section 275-35-5 of the code is repealed and recreated to read:

5. GRAFFITI ABATEMENT. a. The commissioner may issue an order to the property owner or operator of the property to abate the graffiti observed by the commissioner at the time of inspection within a reasonable time after notification.

b. The minimum compliance of any order shall be the obliteration of graffiti by a primer paint. Removal of the graffiti with primer paint and matching building paint or other suitable removal system appropriate to the surface shall be encouraged.

c. Upon the failure of the property owner or operator to comply with the order of graffiti abatement issued by the department by the designated date, the department may cause the graffiti to be abated by city forces or private contract. The city or private contractor shall be expressly authorized to enter on the property and abate the graffiti upon exterior walls, fences and other structures abutting public streets, property or right of way. All reasonable efforts to minimize damage from such entry shall be taken by the city, and any paint used to obliterate graffiti shall be as close as practicable to the background color or colors. The cost of the graffiti abatement and inspection costs shall be charged against the property, shall be a lien upon the property and shall be collected as a special charge.

Part 3. Section 275-35-7 of the code is repealed. (Note: The provisions being repealed read as follows:

7. PENALTY. Any person who violates this section shall upon conviction forfeit not less than \$25 nor more than \$500 together with costs of prosecution. Imprisonment in the house of correction or county jail of Milwaukee county shall not be an alternative in default of payment. Each day during which a violation continues shall be determined a separate and distinct offense. Accumulated penalties recoverable in any one action shall not exceed \$10,000. A violation of this section exists on the date that the order or citation is issued and continues to exist until remedied.)

Part 4. Section 310-1-7 of the code is created to read:

310-1. Department Established.

7. Purchasing.

Part 5. Section 310-1-11 of the code is created to read:

11. Information resource management.

Part 6. Section 320-33-1 of the code is amended to read:

320-33. City Records Committee. 1. CREATED. The city records committee shall be composed of the city comptroller, the director of administration, the city clerk, the city librarian or their duty authorized representatives, and one common council member to be selected by the council president. The common council president shall make his or her appointment within 60 days after commencement of a new common council term or within 60 days after a vacancy in the committee position occurs, whichever is later. The [[city purchasing]] >>information systems<< director shall serve as executive secretary, and shall carry out such duties as the committee designates. The city attorney shall designate an assistant city attorney to be present at all meetings of the committee.

Part 7. Section 320-37-3 of the code is amended to read:

320-37. Anti-graffiti Policy Committee.

3. STAFFING. The [[department of]] city [[development]] >> clerk's office<< shall provide staff assistance to the committee with additional assistance from other departments as needed. All city departments are directed to cooperate with the committee and provide assistance whenever the committee so requests.

Part 5. Retitling. The title of the city agency listed in the following sections of the code is retitled as shown:

Code Section	Current Title	New Title
50-20-2	Milwaukee Information Systems	Central Services Division - Milwaukee Information Systems
50-20-2	Procurement and Standards	Purchasing
350-11	Milwaukee Information systems division	central services division - Milwaukee information systems
350-11	procurement and standards	purchasing

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-Legislative Reference Bureau

LRB97592.1

BJZ:dw

11/12/97