



Legislation Text

File #: 030819, Version: 2

030819
SUBSTITUTE 2

ALD. WITKOWSKI, DUDZIK, WADE and BREIER

A substitute ordinance relating to the placement of dumpsters in the public way.
115-11.5 cr

This ordinance provides that any firm which places a dumpster in the public way shall be responsible for obtaining the required permit. No permit shall be required for placement of a dumpster in the public way by the city.

This ordinance further provides that, for any dumpster placed in the public way, it shall be the responsibility of the commissioner of public works (for a dumpster placed by the city) or the business placing the dumpster (for all other dumpsters) to provide:

a. The name and telephone number of the city agency or private business placing the dumpster, applied to the exterior of the dumpster in letters and numbers at least one inch high.

b. Either of the following:

b-1. Alternating red and white DOT-C2-approved 2-inch-wide retroreflective conspicuity tape applied along at least 50% of the exterior sides of the dumpster and entirely across the front and back ends of the dumpster. In addition, 2 2-inch-by-12-inch segments of white retroreflective conspicuity tape shall be placed together to form an inverted "L" on the exterior of each upper corner of the dumpster.

b-2. One Type I barricade with an attached flashing yellow light. This barricade shall be placed on the side of the dumpster which faces approaching traffic. For a dumpster in an alley or sidewalk area, barricades of this type shall be provided on both sides of the dumpster which face vehicular or pedestrian traffic.

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

Part 1. Section 115-11.5 of the code is created to read:

115-11.5. Dumpsters in the Public Way. 1. RESPONSIBILITY TO OBTAIN PERMIT. For any dumpster placed in the public way, it shall be the responsibility of the business placing the dumpster to obtain the permit required by s. 115-10. No permit shall be required for any dumpster placed in the public way by the city.

2. STANDARDS. For any dumpster placed in the public way, it shall be the responsibility of the commissioner (for a dumpster placed by the city) or the business placing the dumpster (for all other dumpsters) to provide:

a. The name and telephone number of the city agency or private business placing the dumpster, applied to the exterior of the dumpster in letters and numbers at least one inch high.

b. Either of the following:

b-1. Alternating red and white DOT-C2-approved 2-inch-wide retroreflective conspicuity tape applied along at least 50% of the exterior sides of the dumpster and entirely across the front and back ends of the dumpster. In addition, 2 2-inch-by-12-inch segments of white retroreflective conspicuity tape shall be placed together to form an inverted "L" on the exterior of each upper corner of the dumpster.

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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: _____

LRB03427-3

JDO

11/10/03