



Legislation Text

File #: 060223, Version: 1

060223
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to exceptions to fees for permits required for occupancy or use of the public way.

81-102-1-a	rn
81-102-1-a	cr
81-102-1-b	rn
81-102-1-c	rn
81-102-1-d	rn
81-102-2	rn
81-102-2-b	cr

This ordinance amends current provisions to exempt from permit fees any temporary occupancy of a sidewalk area, roadway area, parking lane, traffic lane or other public way where, at the end of the temporary occupancy, the area occupied which was previously available for public use will not be available for public use in any manner or will be conveyed to the adjacent property owner. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-102-1-a to d of the code is renumbered 81-102-1-b to e.

Part 2. Section 81-102-1-a of the code is created to read:

81-102. Public Ways: Permits for Temporary Occupancy or Use as Public Ways.

1. DEFINITIONS.

a. "Available for public use" means available for use by the public as a parking lane, sidewalk area, roadway area, traffic lane or other public way.

Part 3. Section 81-102-2 of the code is renumbered 81-102-2-a.

Part 4. Section 81-102-2-b of the code is created to read:

2. CALCULATION OF FEES.

b. Exemption for Certain Projects. b-1. The fees charged in subs. 3 to 5 shall not be charged for any temporary occupancy of a sidewalk area, roadway area, parking lane, traffic lane or other public way where, at the end of the temporary occupancy, the area occupied which was previously available for public use as a parking lane, sidewalk area, roadway area, traffic lane or other public way will not be available for public use in any manner or will be conveyed to the adjacent property owner.

b-2. All other provisions of the code governing the safety and inspection requirements for temporary occupancy or use of the public ways shall apply to temporary occupancy or use exempt from fees under this section.

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: _____

LRB06275-2

LCS

6/6/06