



Legislation Text

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051534
SUBSTITUTE 1

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Substitute resolution directing Intergovernmental Relations Division-Department of Administration to seek the development and passage of state legislation relating to regulation of disorderly assemblages of motor vehicles, authorizing vehicle impoundments and establishing penalties therefore.

Wisconsin law does not authorize the City of Milwaukee to require payment of forfeitures as a condition of releasing an impounded vehicle to its owner where the vehicle has been towed as a result of unruly, dangerous and disorderly assemblages of vehicles. This resolution directs the Intergovernmental Relations Division-Department of Administration to seek the development and passage of state legislation authorizing municipalities to adopt ordinances and procedures for regulating the unruly, dangerous and disorderly assemblage of vehicles upon streets, highways and public places including authority to impound vehicles operated in a disorderly assemblage or whose operator is engaged in disorderly conduct including conduct that allows passengers or occupants of the vehicle to engage in disorderly or disruptive conduct while on streets, highways and public places. The legislation sought will authorize removal and impoundment of vehicles engaged in a disorderly assemblage and will authorize the adoption of ordinances and procedures to condition release and return of such vehicles to owners upon the payment of forfeitures. Under the proposed legislation, unpaid towing costs, fees, other related costs and forfeitures will be treated as a lien or claim against the property of the vehicle operated in a disorderly assemblage.

Whereas, On recent and frequent occasions in the City of Milwaukee, vehicles operated and occupied by disorderly, excessively loud and disruptive persons have congregated in the evening and early morning hours along streets, highways and public places; and

Whereas, The operation of vehicles engaged in disorderly assemblages creates a heightened risk of physical harm and injury to persons and property, is associated with unlawful and criminal behavior and contributes to traffic congestion threatening the health, safety and welfare of the public; and

Whereas, Disorderly assemblages of vehicles on the streets, highways and public places have required increased policing, have disrupted regular patrolling assignments across the city and have required the redeployment of officers and police vehicles; and

Whereas, Disorderly assemblages of vehicles in one city neighborhood during a single weekend have resulted in as many as 96 arrests, 124 citations for city ordinance violations and arrests for 18 state criminal violations; and

Whereas, Beyond the direct costs incurred by the city and taxpayers for the protection of public safety, disorderly assemblages of vehicles create an economic and social burden on affected neighborhoods including, but not limited to, reduced commerce and lost business, injury to the quality

of residential life and restriction of the public's right and ability to travel freely; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division-Department of Administration is directed to seek the development and passage of state legislation authorizing municipalities to adopt ordinances and procedures for regulating the unruly, dangerous and disorderly assemblage of vehicles upon streets, highways and public places within municipalities; and, be it

Further Resolved, That such legislation provide authority to impound vehicles operated in a disorderly manner or whose operator is engaged in disorderly conduct including conduct that allows passengers or occupants of the vehicle to engage in disorderly or disruptive activities while on streets, highways and public places; and, be it

Further Resolved, That such legislation provide authority to remove and impound vehicles engaged in disorderly assemblages; and, be it

Further Resolved, That such legislation authorize the adoption of ordinances and procedures to condition the release and return of such vehicles to owners upon the payment of forfeitures, towing costs, fees and related costs and that unpaid towing costs, fees and forfeitures will be treated as a lien or claim against the property of the vehicle engaged in a disorderly assemblage.

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RLW
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