



Legislation Details (With Text)

File #: 980504 **Version:** 4

Type: Ordinance **Status:** Passed

File created: 7/7/1998 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 3/23/1999

Effective date:

Title: A substitute ordinance permitting uncovered handicap chair lifts and uncovered handicap chair ramps in setback areas .

Sponsors: ALD. HENNINGSEN, ALD. JOHNSON-ODOM, ALD. D'AMATO, ALD. BUTLER, ALD. RICHARDS

Indexes: SIDEWALKS, ZONING

Attachments:

Date	Ver.	Action By	Action	Result	Tally
7/7/1998	0	COMMON COUNCIL	ASSIGNED TO		
7/8/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
7/13/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/17/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/21/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR		
7/27/1998	0	CITY CLERK	PUBLISHED		
9/8/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/10/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/15/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/25/1998	1	CITY CLERK	DRAFT SUBMITTED		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/6/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/27/1998	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
12/15/1998	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
1/6/1999	2	CITY CLERK	DRAFT SUBMITTED		
1/12/1999	3	CITY CLERK	DRAFT SUBMITTED		

1/12/1999	3	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
1/12/1999	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	AMENDED	Pass	4:0
1/19/1999	3	CITY ATTORNEY	DISAPPROVED		
2/2/1999	3	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/4/1999	4	CITY CLERK	DRAFT SUBMITTED		
3/9/1999	4	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/9/1999	4	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/16/1999	4	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
3/23/1999	4	COMMON COUNCIL	PASSED	Pass	17:0
4/1/1999	4	MAYOR	SIGNED		
4/9/1999	4	CITY CLERK	PUBLISHED		

980504
SUBSTITUTE 4

ALD. HENNINGSSEN, JOHNSON-ODOM, D'AMATO, BUTLER AND RICHARDS

A substitute ordinance permitting uncovered handicap chair lifts and uncovered handicap chair ramps in setback areas .

295-13-7 cr

295-13-8 cr

- Analysis -

This ordinance permits uncovered handicap chair lifts to be constructed in any setback area as long as a screening material is provided. Uncovered handicap chair ramps may encroach into the rear and side setback. If a ramp cannot be located in the side or rear setback, it may be located in the front or side street setback as long as certain conditions are met.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-13-7 and 8 of the code is created to read:

295-13. Setbacks.

7. UNCOVERED WHEELCHAIR LIFTS. Uncovered wheelchair lifts may encroach into the setback provided one of the following standards is met:

- a. A skirting material of aluminum, painted wood or pressure-treated lumber of a minimum 4 feet in height is provided.
- b. The lift is equipped to prevent lowering if the area beneath the lift is not clear of obstructions.
- c. The lift comes equipped with skirting material which prevents obstructions to movement of the chair.

8. UNCOVERED RAMPS.

- a. Rear Setbacks. Uncovered ramps may encroach into the rear setbacks.
- b. Side Setbacks. Uncovered ramps may extend into the side setbacks if any portions more than 4 feet above grade are unobstructed so as to permit the free movement of air.
- c. Front and Side Street Setbacks. Uncovered ramps may encroach into the front or side street setback areas if:
 - c-1. A determination has been made that the ramp cannot reasonably be built in the rear or side setback.
 - c-2. The ramp has skirting material to screen the areas beneath the ramps. Skirting material and railings shall be painted or constructed of pressure-treated wood.
 - c-3. The ramp is kept in a reasonably good state of repair and maintenance.
 - c-4. Trees or shrubs displaced by the ramp shall be relocated or replaced.

c-5. The ramp must not intrude into the public way.
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: _____

Department of Neighborhood Services

98194-9

lme

3/4/99