



## Legislation Details (With Text)

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**Effective date:**

**Title:** A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

**Indexes:** CODE OF ORDINANCES, REVISORS BILL

**Attachments:** 1. Fiscal Note, 2. Notice Published on 10-12-06.PDF

Date	Ver.	Action By	Action	Result	Tally
7/31/2006	0	COMMON COUNCIL	ASSIGNED TO		
8/17/2006	1	CITY CLERK	DRAFT SUBMITTED		
9/8/2006	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/18/2006	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
9/26/2006	1	COMMON COUNCIL	PASSED	Pass	15:0
10/5/2006	1	MAYOR	SIGNED		
10/12/2006	1	CITY CLERK	PUBLISHED		

060520  
SUBSTITUTE 1

**THE CHAIR**

A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

60-84 rc  
81-114.7 rp  
81-114.8 rp  
105-56-1 am  
105-56-2-b am  
105-57-2 am  
105-57-3 rc  
105-58 rp  
105-59 rp  
106-1 rc  
261-10 rp  
350-40-3-a-1-a rc  
350-40-3-a-1-b rc  
350-40-3-a-1-c rc  
350-40-3-a-1-d rc

350-401-3-a-1-e rc  
350-40-3-a-1-f rc  
350-40-3-a-1-g rc  
350-40-5-a rc  
350-40-5-b rc

This ordinance revises various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

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

Part 1. Section 60-84 of the code is repealed and recreated to read:

**60-84. Tire Transporters and Waste Generators.**

1. Each waste tire generator or transporter license shall be issued for a one-year period beginning October 1 and expiring the following September 30.
2. The following fees apply to waste tire transporter and generator licenses:
  - a. For a waste tire transporter license: \$111 for the first vehicle and \$25 for each additional vehicle.
  - b. For each waste tire generator license: \$139.
  - c. No fee shall be charged to city departments or the vehicles of those departments.(See s. 84-48.)

Part 2. Sections 81-114.7 and 81-114.8 of the code are repealed.

Part 3. Section 105-56-1 and 2-b of the code is amended to read:

**105-56. Sales on Public Premises.**

1. PURPOSE. It is determined and declared that the use of certain public premises for the specific public purposes to which such premises are intended is preeminent. It is further determined and declared that sales on the designated public premises interfere with their use for their intended purposes. It is further determined and declared that the use of the public sidewalk and streets outside of the entrance to the Midwest Express Center, the Auditorium, the Arena, the Milwaukee public museum, the Bradley Center, the Performing Arts Center, the Eagles Auditorium, the Riverside Theater, Summerfest ~~[[, the circus grounds, as may be specified annually, on the day of the circus parade and the 3 days prior to the parade,]]~~ and Miller Park parking facilities, for sales interferes with the orderly ingress and egress to and from those premises and therefore with their use for their intended purposes.

**2. REGULATIONS.**

b. It shall be unlawful for any person to sell, or offer to sell, any goods, merchandise, foodstuffs, tickets or any other article of any kind on any public street or public sidewalk within 500 feet of the premises of the Midwest Express Center, the Auditorium, the Arena, the Milwaukee public museum, the Bradley Center, the Performing Arts Center, the Eagles Auditorium, the Riverside Theater, Summerfest ~~[[, the circus grounds, as may be specified annually, on the day of the circus parade and the 3 days prior to the parade,]]~~ or Miller Park parking facilities, for the period of time beginning 2 hours immediately before the commencement of any scheduled event therein and ending one hour immediately after the conclusion of the event. This paragraph does not apply to any sales or offers to sell on the premises listed.

Part 4. Section 105-57-2 of the code is amended to read:

**105-57. Sales on Public Right of Way (Special Events).**

2. SPECIAL EVENTS; DESIGNATED RIGHT OF WAY. ~~[[The circus parade shall proceed along the approved route specified in the special event permit issued annually by the department of public works.]]~~ The right of way for Riversplash shall be as described in the application for the special event permit issued annually by the department of public works.

Part 5. Section 105-57-3 of the code is repealed and recreated to read:

### 3. REGULATIONS.

- a. Any person licensed as a food peddler under this code who wishes to sell food stuffs within the Riversplash right of way must obtain a permit pursuant to s. 74-1-2-b.
- b. Any person licensed as a food peddler or as a direct seller who wishes to make sales within the Riversplash right of way during Riversplash must apply for and obtain not less than 3 days prior to the first day of Riversplash a civic event vendor's badge from the department of city development which shall permit the holder to remain or park within the right of way during Riversplash. There shall be no fee for a civic event vendor's badge. The provisions of s. 105-56 shall not apply to Riversplash.
- c. All persons obtaining permits or civic event vendor's badges under par. b for the special events specified in sub. 2 and making sales from vehicles must indicate, when filing application for the permit or badge, a location within the right of way where they wish to station their vehicles. Assignment to locations, which shall be made by the police department and the organization sponsoring the special event, shall be based on a first come, first served basis, subject to all vehicles being at least 15 feet apart from each other.

Part 6. Sections 105-58 and 105-59 of the code are repealed.

Part 7. Section 106-1 of the code is repealed and recreated to read:

#### 106-1. Disorderly Conduct.

1. PROHIBITED. It shall be unlawful for any person to engage, in a public or private place, in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
2. PENALTIES. Any person violating this section shall upon conviction forfeit not more than \$500 or, upon default of payment thereof, be imprisoned in the house of correction of Milwaukee county for not more than 20 days; and, for offenses occurring between the hours of 8:00 a.m. and 5:00 p.m. upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved, shall be fined not less than \$200 nor more than \$1,000 and in default of payment shall be imprisoned in the county jail or house of correction for not more than 40 days, or until the fine and costs are paid. In lieu of paying a forfeiture, any person violating this section may be ordered to perform community service work, in accordance with s. 800.09, Wis. Stats.

Part 8. Section 261-10 of the code is repealed.

Part 9. Section 350-40-3-a-1-a to g of the code is repealed and recreated to read:

#### 350-40. Vacations.

##### 3. TIME EARNED FOR ANNUAL VACATION PERIOD.

###### a. Full Time Employes.

a-1-a. 3.7 hours per pay period for employees who have completed less than 4 years of active service.

a-1-b. 5.3 hours per pay period for employees who have completed at least 4 years but less than 9 years of active service.

- a-1-c. 6.8 hours per pay period for employees who have completed at least 9 years but less than 14 years of active service.
- a-1-d. 8.4 hours per pay period for employees who have completed at least 14 years but less than 21 years of active service.
- a-1-e. 9.9 hours per pay period for employees who have completed at least 21 years of active service.
- a-1-f. 10.5 hours per pay period for employees who were on the payroll, or leave of absence or working toward year-round employment as of January 1, 1964.
- a-1-g. 10.8 hours per pay period for employees who were on the payroll, or leave of absence or working toward year-round employment as of January 1, 1963.

Part 10. Section 350-40-5-a and b of the code is repealed and recreated to read:

## 5. MAXIMUM VACATION BALANCES.

### a. Management Employees.

- a-1. 176 hours for employees who have completed less than 4 years.
  - a-2. 216 hours for employees who have completed 4 years of service but less than 9 years of service.
  - a-3. 256 hours for employees who have completed 9 years of service but less than 14 years of service.
  - a-4. 296 hours for employees who have completed 14 years of service but less than 21 years of service.
  - a-5. 336 hours for employees who have completed at least 21 years of service.
  - a-6. 352 hours for employees described in sub. 3-a-1-f.
  - a-7. 360 hours for employees described in sub. 3-a-1-g.
- ### b. Nonmanagement, Nonrepresented Employees.
- b-1. 136 hours for employees who have completed less than 4 years.
  - b-2. 176 hours for employees who have completed 4 years of service but less than 9 years of service.
  - b-3. 216 hours for employees who have completed 9 years of service but less than 14 years of service.
  - b-4. 256 hours for employees who have completed 14 years of service but less than 21 years of service.
  - b-5. 296 hours for employees who have completed at least 21 years of service.
  - b-6. 312 hours for employees described in sub. 3-a-1-f.
  - b-7. 320 hours for employees described in sub. 3-a-1-g.

City Clerk - Legislative Reference Bureau

LRB06400-2

BJZ/mbh

8/16/2006

Clerical correction -- 9/21/06 -- jro

Clerical correction - - 9/2/5/06 -- lme