



Legislation Details (With Text)

File #: 160535 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/1/2016 **In control:** COMMON COUNCIL
On agenda: **Final action:** 12/13/2016
Effective date:
Title: A substitute ordinance relating to planting fruits and vegetables in the public right-of-way.
Sponsors: ALD. BOHL
Indexes: PERMITS
Attachments: 1. Proposed Substitute A, 2. Notice Published on 1-4-17

Date	Ver.	Action By	Action	Result	Tally
9/1/2016	0	COMMON COUNCIL	ASSIGNED TO		
9/7/2016	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:1
9/20/2016	0	COMMON COUNCIL	ASSIGNED TO	Pass	10:5
11/30/2016	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	3:0
11/30/2016	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
12/13/2016	1	COMMON COUNCIL	PASSED	Pass	14:0
12/20/2016	1	MAYOR	SIGNED		
1/4/2017	1	CITY CLERK	PUBLISHED		

160535

SUBSTITUTE 1

ALD. BOHL

A substitute ordinance relating to planting fruits and vegetables in the public right-of-way.

116-54-1 am

116-54-2 am

This ordinance prohibits the planting of fruits and vegetables in the public right-of-way without a special privilege permit.

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

Part 1. Section 116-54 of the code is amended to read:

116-54. Planting of Flowers in the Public Right-of-Way.

1. PLANTING OF FLOWERS. The planting of flowers in the public right-of-way is permitted as long as it does not encroach in the path of pedestrians or block the vision of motorists. >>The planting of edible fruits and vegetables is prohibited without a special privilege permit.<< The diggers hotline must be contacted at least 3 business days prior to any excavation related to this subsection.

Part 2. Section 116-54 of the code is amended to read:

2. REQUIREMENTS. >>Flowers may be planted by, or with permission from, the property owner immediately adjacent to that section of the public right-of way.<< Plants may not grow so as to obstruct or encroach upon the curb or sidewalk, block sight lines to the street, be higher than 3 feet or potentially create a trip hazard on the sidewalk or roadway. The department of public works may issue additional planting guidelines.

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: _____

LRB165500-3

Adam Wickersham

09/19/2016