Legislation Details (With Text)

File #:	221953 **Version:** 0		
Type:	Ordinance	**Status:**	Passed
File created:	4/18/2023	**In control:**	COMMON COUNCIL
On agenda:		**Final action:**	5/9/2023
Effective date:			
Title:	An ordinance relating to containers used for solid waste disposal and storage of recyclable materials.		
Sponsors:	ALD. BAUMAN		
Indexes:	GARBAGE CARTS, RECYCLING, SOLID WASTE DISPOSAL		
Attachments:	1. 178045 Bauman Ordinance Repeal dumpster clause.pdf, 2. Presentation, 3. OCA Approval 221953, 4. Notice published 5/26/2023		

Date	Ver.	Action By	Action	Result	Tally
4/18/2023	0	COMMON COUNCIL	ASSIGNED TO		
4/26/2023	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
5/9/2023	0	COMMON COUNCIL	PASSED	Pass	15:0
5/16/2023	0	MAYOR	SIGNED		
5/26/2023	0	CITY CLERK	PUBLISHED		

221953
ORIGINAL
221295
ALD. BAUMAN
An ordinance relating to containers used for solid waste disposal and storage of recyclable materials.
79-5-7 rp
79-36 rp
This ordinance repeals redundant provisions in the Milwaukee Code of Ordinances concerning the storage locations of containers used for solid waste disposal and for recyclable materials.

Whereas, Common Council File Number 221295 clarifies where dumpsters may be located and requires consideration of dumpster location prior to building permit issuance; and

Whereas, By moving the dumpster location regulations to Chapter 295 (Zoning) of the Code of Ordinances, File Number 221295 allows the City to apply the “fully indoor location” requirement to downtown, which is necessary with limited space and buildings built out to the property line in many cases, while not applying it to properties in outlying areas, where large parking lots provide sufficient space for dumpsters; and

Whereas, Regulating dumpsters through zoning also provides the ability for appeals to go to Board of Zoning Appeals, since the Department of Public Works does not have a review board; now, therefore

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

Part 1. Section 79-5-7 of the code is repealed.

Part 2. Section 79-36 of the code is repealed.

LRB
APPROVED AS TO FORM

_____
Legislative Reference Bureau
Date: _____
Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

_____
Office of the City Attorney
Date: _____

Alex Highley
LRB178045-1
April 12, 2023