



## Legislation Text

File #: 111678, Version: 0

### 111678 ORIGINAL THE CHAIR

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

78-22-0 am  
78-23-1-b am  
78-25-2-a am  
106-1-2 am  
108-7-3-0 am  
222-52-4 am  
222-54 am  
222-58 am  
222-59 am  
225-01 am

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

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

Part 1. Section 78-22-0 of the code is amended to read:

**78-22. Pit-Bull and Rottweiler Dogs.** The owner of any pit bull dog, as defined in ~~[[s. 78-1-21]]~~ >> s. 78-1-33<<, or any rottweiler dog, as defined in ~~[[s. 78-1-23]]~~ >> s. 78-1-35<<, shall comply with all of the following:

Part 2. Section 78-23-1-b of the code is amended to read:

### **78-23. Harboring Dangerous Animals.**

#### **1. DANGEROUS ANIMALS REGULATED.**

b. The commissioner may determine an animal to be a dangerous animal whenever the commissioner finds that an animal meets the definition of a dangerous animal in ~~[[s. 78-1-9]]~~ >> s. 78-1-13<<.

Part 3. Section 78-25-2-a of the code is amended to read:

### **78-25. Prohibited Dangerous Animals.**

**2. DETERMINATION OF A PROHIBITED DANGEROUS ANIMAL.** a. The commissioner may determine an animal to be a prohibited dangerous animal whenever the commissioner finds that an animal meets the definition of a prohibited dangerous animal in ~~[[s. 78-1-22]]~~ >> 78-1-34<< or is a dangerous animal in non-compliance with any of the provisions of s. 78 23.

Part 4. Section 106-1-2 of the code is amended to read:

**106-1. Disorderly Conduct.**

**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.]]~~ >>8:00 p.m. and 5:00 a.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]]~~ >> as provided by law<<. 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 5. Section 108-7-3-0 of the code is amended to read:

**108-7. Issuance of License.**

**3. AUTHORIZED OCCUPANCY.** Every premises authorized for a public entertainment premises license shall, notwithstanding the legal occupancy limit of the premises specified on the plan of operation under ~~[[s. 108-5-3-b-8-c]]~~ >>s. 108-5-3-b-7-c<<, be authorized by the common council to serve a specified occupancy. In determining the specified occupancy, the council shall consider the legal occupancy limit set forth on the plan of operation, other information provided in the plan of operation, evidence concerning the character of the surrounding neighborhood and evidence concerning traffic and parking patterns. The council shall authorize one of the following occupancies for each licensed premises:

Part 6. Section 222-52-4 of the code is amended to read:

**222-52. Construction Permits.**

**4. WORK WITHOUT PERMIT.** Where any work is begun on the installation, alteration, repair or replacement of any elevator or other device regulated in ~~[[s. Comm 18.1002]]~~ >>s. SPS 318.1002<< Wis. Adm. Code, without obtaining a permit as regulated in sub. 1, the commissioner shall have the power and authority to stop such work until a permit has been procured and quadruple fees paid as regulated in s. 200-32-3.

Part 7. Section 222-54 of the code is amended to read:

**222-54. Safety Tests and Tags.** A tag shall be fastened to the governor releasing carrier upon completion of a satisfactory test of the car safety device and speed governor. Reports of tests as specified in ~~[[ch. Comm 18]]~~ >>ch. SPS 318<<, Wis. Adm. Code, shall also be submitted to the department of city development.

Part 8. Section 222-58 of the code is amended to read:

**222-58. Drains in Elevator Pits.** In all elevator shaftways located on or below grade, a floor drain or sump pump shall be installed in accordance with ~~[[ch. Comm 82]]~~ >>ch. SPS 382<<, Wis. Adm. Code.

Part 9. Section 222-59 of the code is amended to read:

**222-59. Door Interlock or Contact and Lock.** All existing passenger elevators, except roped hydraulic elevators, shall be provided with an approved interlock or contact and lock on each hoistway entrance door or gate in the same manner as required by ~~[[ch. Comm. 18]]~~ >>ch. SPS 318 <<, Wis. Adm. Code, as amended, for new elevators. All necessary requirements of emergency keys and keyways shall also be provided.

Part 10. Section 225-01 of the code is amended to read:

**225-01. Adoption of State Law.** Except as otherwise provided in this chapter, the city of Milwaukee adopts ss. 145.01, 145.06, 145.11, 145.15(4) and 145.175, Wis. Stats., as amended, and ~~[[chs. SPS 81-87]]~~ >>chs. SPS 381 to 387<<, Wis. Adm. Code, as amended, as part of this code.

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: \_\_\_\_\_

LRB138234-2  
Teodros W. Medhin:lp  
4/5/2012