



## Legislation Text

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**File #:** 131798, **Version:** 1

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### 131798 SUBSTITUTE 1

#### ALD. MURPHY, DONOVAN, WADE AND WITKOWSKI

Substitute resolution establishing a task force to review and make recommendations relating to City licensing and regulation of recycling, including junk collection and junk dealing, second-hand vehicle dealing, salvage and wrecking, and metal recycling and scrapping.

This resolution establishes a Recycling, Salvage and Metal Scrapping Task Force to address current challenges to public safety and lawful commerce presented by increased theft and unlawful conversion of property, particularly metal materials used in building construction and found in municipal infrastructure, heating, ventilation and air conditioning systems, motor vehicles and automotive parts.

The resolution creates a task force of 11 members consisting of the Common Council President or designee and 3 members appointed by the Common Council President representing recycling, scrapping, salvage and automotive concerns. Three additional members are to be appointed from the membership of 3 standing committees of the Common Council by the chair of each committee: Public Safety, Licenses, and Zoning, Neighborhoods and Development. The Mayor is to appoint 2 members. One member is to be appointed by the Chief of Police and one member is to be appointed by the City Clerk.

The resolution further directs that support and assistance be provided as appropriate by the City Clerk's Office, the City Attorney's Office, the Intergovernmental Relations Division-Department of Administration and the Department of Neighborhood Services.

The resolution directs that the findings and recommendations of the task force be submitted to the Common Council within 120 days of adoption of this resolution at which time the task force will be dissolved.

Whereas, The recession and economic downturn which began in 2007 and 2008, and increases in global demand for recycled metals, including nonferrous and rare metals, have increased the value of recycled metals and contributed to a potentially lucrative market in stolen and unlawfully-converted recyclables; and

Whereas, The Common Council finds that revisions in ch. 92 of the Code of Ordinances addressing, among other matters, the record-keeping and reporting of second hand articles, junk and other recyclable materials by junk collectors, junk dealers and others have, together with increased education and cooperation of recycling businesses, has successfully reduced and prevented some portion of the illegal activity, including the stripping of vacant buildings of plumbing, ventilation and heating systems, siding and other metal, the theft of automobiles, catalytic converters and other automobile parts; and

Whereas, The municipal authority of the City to license and regulate recycling businesses and to enforce ordinances does not extend to other jurisdictions within or beyond the state of Wisconsin; and

Whereas, Metal articles stolen in Milwaukee have been identified in scrap and salvage yards as far away as Wausau; and

Whereas, An analysis of stolen property incidents conducted by the Police Department for the period January 1, 2011, to October 20, 2011, found more than 1400 incidents involving recyclable materials resulting in estimated loss and damage totaling more than \$4 million; and

Whereas, Common Council Resolution File Number 111628, adopted April 11, 2012, recognized the need for consistent statewide enforcement of laws relating to recycling, metal scrapping and salvage and the need for revision of statutes, rules and procedures to address problems, including the unlawful transfer of vehicles for junking and the need to create a statewide reporting system and directed the Intergovernmental Relations Division-Department of Administration to work with other jurisdictions, appropriate state agencies and the Wisconsin Legislature to develop rules, guidelines and necessary legislation to implement the purposes of this resolution including approaching and coordinating efforts with the:

1. Wisconsin Department of Transportation in developing rules and regulations for the lawful sale, purchase or transfer of motor vehicles.
2. The Wisconsin Department of Justice and the Office of Justice Assistance in developing, coordinating and supporting regional and statewide minimum recordkeeping requirements for transfers of discarded materials and recyclables, including ferrous and non-ferrous metal items and salvage vehicles, and data-reporting systems permitting effective tracking of materials by local law enforcement agencies.
3. The Wisconsin Legislature as appropriate where the purposes of this resolution cannot be adequately accomplished through agency rule, regulation and direction.

; and

Whereas, Despite significant efforts by the Intergovernmental Relations Division-Department of Administration, state agencies and the legislature have not adopted, passed or implemented adequate and appropriate changes to address these continuing criminal activities; and

Whereas, The Common Council finds that the creation of a task force to address theft and unlawful conversion of property related to the businesses of recycling, scrapping and salvage will better inform the public of these public safety and environmental issues, will promote a lawful and robust recycling community, will result in preventing potential loss of millions of dollars to the City and its residents, and will lead to improvements in licensing, regulation and enforcement of related ordinances; therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Recycling, Salvage and Metal Scrapping Task Force be created consisting of:

1. The Common Council President or the President's designee.
2. One member of the Public Safety Committee appointed by the Chair of the Public Safety Committee.
3. One member of the Licenses Committee appointed by the Chair of the Licenses Committee.
4. One member of the Zoning, Neighborhoods and Development Committee appointed by the Chair of the Zoning, Neighborhoods and Development Committee.
5. One member from the Police Department designated by the Chief of Police.
6. One member from the staff of the City Clerk designated by the City Clerk.
7. 3 members representing recycling, scrapping, salvage and automotive concerns, who need not reside within the City, appointed by the Common Council President.
8. 2 members designated by the Mayor.
9. The Common Council President shall appoint a Chair and a Vice-Chair from among the members of the task force.

; and, be it

Further Resolved, That the task force is directed to review and assess current business practices associated with recycling, salvage and scrapping and the experience of the City related to theft and unlawful conversion of recyclable, salvage and scrap materials in the context of state and national experience; and, be it

Further Resolved, That the task force provide a report to the Common Council of its findings and recommendations on or before the expiration of 120 days from the date of adoption of this resolution; and, be it

Further Resolved. That the findings and recommendations of the task force shall address current challenges to public safety and lawful commerce presented by increased theft and unlawful conversion of property, particularly metal materials used in building construction and found in municipal infrastructure, heating, ventilation and air conditioning systems, motor vehicles and automotive parts; and, be it

Further Resolved, That the recommendations of the task force shall include proposed revisions to the Code of Ordinances, particularly chs. 92 and 93, proposals as necessary and appropriate for state legislation, rules, procedures and enforcement, and any other recommendations for improving related industry practices, licensing, regulation and enforcement; and, be it

Further Resolved, That the City Clerk's Office, the City Attorney's Office, the Intergovernmental Relations Division-Department of Administration, the Department of Neighborhood Services and the Department of Public Works shall provide staff as appropriate to support and assist the task force;

and, be it

Further Resolved, That the task force shall be dissolved upon the submission of its report of findings and recommendations.

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Richard L. Withers  
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