



Legislation Text

File #: 021691, Version: 2

021691 SUBSTITUTE 2

THE CHAIR

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

84-34-3 rp
87-1-6-b am
90-5-4-d-1 am
90-5-4-d-2 am
101-34-7-g am
105-40-1 rp
105-65.7 rn
309-83-2-a am
309-83-5-a am
310-7 am
310-29-2 am

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 Section 84-34-3 of the code is repealed. (Note: the provision being repealed reads as follows:

84-34. Street Photographer.

3. RESIDENCE REQUIRED. Every applicant for street or highway photographer's license shall be required to have been a bona fide resident of the city for a period of 2 years prior to the date of the filing of the application, excepting that all sidewalk photographers now actually engaged in the business of sidewalk photography (**section initially enacted May 12, 1947**) shall not be required to meet the residence requirements.)

Part 2. Section 87-1-6-b of the code is amended to read:

87-1. Pool And Billiard Table Licenses.

6. OTHER POOL AND BILLIARD TABLE REGULATIONS. b. Hours. It shall be unlawful for any person, firm, corporation, society or club to operate a billiard or pool table between the hours of 2 a.m. and 6 a.m. Monday through Friday and 2:30 a.m. and 6 a.m. on [Sundays] >>Saturday and Sunday<<. It shall be unlawful to harbor, or permit any person or persons to be, or remain in any room where billiard or pool tables are maintained for hire at any time between these hours, except to permit regular employees to remain therein to perform necessary work.

Part 3. Section 90-5-4-d-1 and 2 of the code is amended to read:

90-5. Licensing.

4. DEPOSIT OF FEE; REFUND. d-1. Upon the withdrawal or the ~~[[proper license committee's]]~~ >> common council's<< denial of a class "A" or Class "B" liquor license application or Class "A" fermented malt beverage license application, the amount of \$50 of the application fee shall be

retained by the city treasurer to defray the cost of investigation of facts and administration thereof. The remainder of the application fee for Class "A" or Class "B" liquor or Class "A" fermented malt beverage licenses and deposits on all applications denied by the common council shall be refunded by the city treasurer upon surrender of the deposit receipt certified by the city clerk, provided that the certified deposit receipt is surrendered no later than one year after the date of the license denial.

d-2. Upon withdrawal or the ~~[[proper license committee's]]~~ >>common council's<< denial of a Class "D" Operator's license, the amount of \$21 shall be retained by the city treasurer to defray the cost of investigation of facts and administration thereof.

Part 4. Section 101-34-7-g of the code is amended to read:

101-34. Stipulation Procedure; Nonmoving Traffic Violations.

7. PENALTY. g. Violations of s. 346.505, Wis. Stats., adopted by s. 101-3: \$60 to \$~~[[305]]~~ >>300<<.

Part 5. Section 105-40-1 of the code is repealed. (Note: the provisions being repealed reads as follows:

105-40. Application for License.

1. RESIDENCY. No person shall be granted a license to conduct in any manner a shooting gallery or place to practice target shooting within the limits of the city unless he shall have been, at the time of filing said application, a full citizen of the United States, a resident of the city continuously for at least 2 years prior to the date of said application, nor unless such individual is with respect to his qualifications satisfactory to the chief of police and the common council.)

Part 6. Section 105-65.7 of the code is renumbered 101-24.5.

Part 7. Section 309-83-2-a of the code is amended to read:

309-83. Snow and Ice Removal Cost Recovery Charge.

2. CHARGE. a. There is imposed a snow and ice removal cost recovery charge to be collected on ~~[[a quarterly basis on]]~~ all property for such service previously rendered.

Part 8. Section 309-83-5-a of the code is amended to read:

5. BILLING AND COST. a. An interest penalty and late charge of 3% on outstanding balances will be charged on all past due accounts each quarter. This fee may be waived by the water works where deemed warranted by special circumstances. Charges that remain unpaid for 2 full quarters ~~[[on October 1]]~~ shall be deemed delinquent. Such delinquent user charges and 10% penalty shall be reported to the city comptroller for placement on the tax roll.

Part 9. Section 310-7 of the code is amended to read:

310-7. ~~[[Data Services Director]]~~ >>Chief Information Officer <<. The ~~[[data services director]]~~, >>chief information officer<< who is the equivalent to the supervisor of the central electronics board under s.62.51, Wis. Stats., shall be subject to the direction and control of the director of administration.

Part 10. Section 310-29-2 of the code is amended to read:

310-29. Control of Unclaimed and Abandoned Goods and Obsolete Material.

2. DISPOSITION OF MATERIAL. If any of the material, equipment or supplies can be used by any other municipal department or the Milwaukee public schools, the ~~[[central board of purchases]]~~ >>department of administration<< is authorized to make such material or equipment available for use in that department. If the material or equipment, because of its condition, can no longer be used for

municipal purposes, the department of administration may trade the same in for new equipment or sell or dispose of the same at private or public sale as provided in this subsection. If the value of the property to be sold is more than \$250 or is unclaimed or abandoned property turned over to the department of administration by the police department for disposition, the department shall advertise for bids in a daily paper having a general circulation in the city for at least 3 consecutive days and shall award the sale of such property to the highest responsible bidder; provided, however, in the case of city material, equipment or supplies, the department may dispose of them by such other means as deemed in the best interest of the city, and in the case of unclaimed or abandoned property; the department may, if it deems in the best interests of the city, dispose of said property either through an agreed upon amount of sale or as a gift, pursuant to s. 66.0139, Wis. Stats. Whenever the estimated value of the property to be sold is less than \$250, excepting in cases of unclaimed or abandoned property turned over by the police department for disposition, in which cases the unclaimed or abandoned property shall be sold as property of more than \$250 in value, the department of administration may, without advertising, sell the property to the highest responsible offers obtainable; provided, however, that a list of the material or equipment to be sold in this manner shall be posted in the office of the department and informal bids shall be solicited for property, except that in all other cases where the said property in the judgment of the department is less in estimated value than \$100 the department may dispose of the property by using or not using the notice and bidding procedures specified in this subsection. The proceeds of all sales under this section shall be paid into the hands of the city treasurer and credited to the proper city fund. The provisions of this subsection, however, are not applicable to the disposition of unclaimed or abandoned flammable, explosive or incendiary devices, and unclaimed or abandoned firearms or ammunition.

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: _____

LRB03085-3

BJZ/cac

3/12/2003