



## Legislation Text

File #: 030862, Version: 0

030862  
ORIGINAL

### THE CHAIR

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

101-27.7-9-c-0        am  
101-34-1               am  
101-34-4-a            am  
101-34-5               am  
101-34-6        am  
101-34-8               am  
115-5-2                rc  
115-41                 rp

This ordinance revises 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 101-27.7-9-c-0 of the code is amended to read:

#### **101-27.7. Residential Daytime Parking Privilege for Commuter Parking Impacted Areas.**

9. PARKING AREA LOCATIONS. c. Locations of Commuter Parking Impacted Areas. After adoption by the common council, an area map showing all streets of the impacted parking area shall be ~~be~~ prepared by the department of public works ~~outlined and will have a division of traffic engineering and electrical services drawing number~~ ~~prepared by the department of public works~~<<. The map showing all streets of the impacted parking area, as adopted by the common council shall be found in the common council proceedings, the official record of file in the city clerk's office, and the code on file in the legislative reference bureau.

Part 2. Section 101-34-1 of the code is amended to read:

#### **101-34. Stipulation Procedure; Nonmoving Traffic Violations.**

1. PROCEDURE. Any person to whom a citation has been issued for a nonmoving traffic violation in this section may be permitted to enter into a stipulation with the city of Milwaukee providing for a forfeiture of money which may be paid at ~~any police station~~ the city's violation bureau's payment centers<< or may appear in municipal court to answer the charges as set forth in the citation.

Part 3. Section 101-34-4-a of the code is amended to read:

4. STIPULATION DEPOSIT. a. The amount of the forfeiture for such violations shall be paid in cash, money order, bank check or by other means acceptable to the ~~chief of police~~ city of Milwaukee<< and shall be made payable to the city of Milwaukee. Such payment may be made by mail as provided on the citation. ~~In the event the person receiving a citation transmits the citation by messenger or mail to the traffic bureau or district police station, the chief of police may require such person to print his name, post office address, his operator's license number and date of birth thereon~~

as appropriate.]]

Part 4. Section 101-34-5 and 6 of the code is amended to read:

5. DEPOSIT WITH THE CITY TREASURER. The forfeiture received shall be deposited with the city treasurer ~~[[who shall furnish a receipt to the chief of police or his designee for the money received]]~~.

6. FAILURE TO PAY FORFEITURE. If the alleged violator fails to pay the amount of the forfeiture as provided herein or to appear in court within 28 days after the issuance of a nonmoving traffic citation, the ~~[[chief of police]]~~ >>city<< may take any or all of the actions authorized under s. 345.28, Wis. Stats.

Part 5. Section 101-34-8 of the code is amended to read:

7. COSTS. Pursuant to ss. 345.28(4)(d) and 800.10(6), Wis. Stats., in any case where a defendant is convicted of violating any of the provisions of this section, and notice to the Wisconsin department of transportation as submitted pursuant to s. 345.28(4), Wis. Stats., by the ~~[[chief of police]]~~ >>city<< or pursuant to

8. s. 345.47(1)(d), Wis. Stats., by the court, the disbursed cost of each such notice shall be taxed as an item of costs.

Part 6. Section 115-5-2 of the code is repealed and recreated to read:

**115-5. Permits for Excavation in New Street Pavements.**

2. NON-EMERGENCY SITUATIONS. When the commissioner finds that no emergency exists, the commissioner may issue a permit for excavation in any new street, reconstructed street or resurfaced street where the pavement is less than 3 years old only upon:

- a. Determining that no alternative to excavation is reasonably feasible.
- b. Consulting with the local common council member or members. The commissioner shall deny the permit upon request of the council member.

Part 7. Section 115-41 of the code is repealed.

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: \_\_\_\_\_

LRB03464-1  
BJZ/cac  
10/10/2003