



## Legislation Text

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**File #: 990863, Version: 1**

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990863  
SUBSTITUTE 1

### THE CHAIR

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

100-51-6-b am  
100-54-1 am  
100-54-2-d am  
101-34-7-g am  
200-17-5-3 am  
222-11-3-c-1 am  
222-11-3-d-1 am  
222-11-3-e-1 am  
222-11-3-f-1 am  
236-01 am  
236-21-0 am  
236-21-2 am  
240-01 am  
240-22-2 am  
275-61-3-f am  
304-49-4 am  
304-49-6-c-6 am  
350-40-15-a-1-e rp  
350-40-15-a-1-f rp  
- Analysis -

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 100-51-6-b of the code is amended to read:

100-51. Vehicle Inspection.

### 6. DOCUMENTS.

b. Applicants for transfer under s. 100-50-2-b-2 and licensees replacing a vehicle under s. 100-50-8 who cannot obtain a certificate of vehicle registration, because of a waiting period imposed by the Wisconsin department of transportation, may present an application showing proof of receipt of the application by the Wisconsin department of transportation and payment of the registration fee. Licensees providing the proof of application shall present the certificate of vehicle registration to the city clerk as soon as it is issued. [[Taxicab licensees that have had their licenses terminated per s. 100-50-5 because of a waiting period from the Wisconsin department of transportation since January 1, 1998, may apply for reinstatement of their permit within 30 days of October 10, 1998.]]

Part 2. Section 100-54-1 of the code is amended to read:

100-54. Driver's License. 1. REQUIRED. Every person driving a public passenger vehicle, excepting motor buses operated by a transportation company, within this city must be licensed as such. No permittee may allow their vehicle to be operated by anyone who has not met the qualifications of this section and paid the required license fee as provided in s. 81-44.7. [[Effective May 17, 1992, any]] >>Any<< person driving a vehicle used for the transportation of elderly or handicapped persons, regardless of whether the vehicle of such organization is licensed or otherwise regulated by the state of Wisconsin as a human service vehicle for the transportation of elderly or handicapped persons, shall be required to possess a driver's license as set forth in this section.

Part 3. Section 100-54-2-d of the code is amended to read:

### 2. QUALIFICATIONS AND APPLICATION.

d. Drivers of a handicapped-elderly vehicle shall have successfully completed a training program in passenger assistance techniques in programs approved by the commissioner of health [[for all such licenses issued after October 15, 1988]].

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

101-34. Stipulation Procedures; Nonmoving Traffic Violations

7. Penalty.

g. Violations of s. 346-505, Wis. Stats., adopted by s. 101-3: \$[[50]] >>55 << to \$300.

Part 5. Section 200-17-5-3 of the code is amended to read:

200-17.5. State Building Code Variances.

3. The commissioner shall exercise powers with respect to state building code variances pursuant to the process and procedures specified in ch. [[ILHR]], >>Comm<< 3, Wis. Adm. Code, as amended, and s. Comm 50.25, Wis. Adm. Code, as amended.

Part 6. Section 222-11-3-c-1, d-1, e-1 and f-1 of the code is amended to read:

222-11. Electrical License and Certificate of Qualifications.

3. ELECTRICAL LICENSE.

c. Type C License. c-1. Applicants for a Type C electrical contractor's license and renewal thereof shall comply with ch. Comm [[17]] >>5<<, subch. IV, Wis. Adm. Code, as amended, or shall submit an affidavit to the effect that a person holding a Class 1 master electrician certificate will be a bona fide full time employee and that such master electrician certificate holder will have complete and unquestionable authority and supervision over all matters regulated in this chapter

d. Type M License. d-1. Applicants for a Type M electrical maintenance license and renewal thereof shall comply with ch. Comm [[17]] >>5<<, subch. IV, Wis. Adm. Code, as amended, or shall submit an affidavit to the effect that a person holding a Class 1 or 2 certificate will be a bona fide full time employee, and that such certificate holder will have complete and unquestionable authority and supervision over the electrical maintenance and repair work in the building or structure (plant) of the employer.

e. Type E License. e-1. Applicants for a Type E elevator electrical contractor license and renewals thereof shall comply with ch. Comm [[17]] >>5<<, subch. IV, Wis. Adm. Code, as amended, or shall submit to the board an affidavit to the effect that a person holding a Class 1 or a Class 3 certificate will be a bona fide full time member of the applicant's business concern or a full time employee and that such master or elevator electrician certificate holder will have complete and unquestionable authority and supervision over all matters regulated in this chapter.

f. Type HL License. f-1 Applicants for a Type HL handicap lift electrical contractor license and renewals thereof shall comply with ch. Comm [[17]] >>5<<, subch. IV, Wis. Adm. Code, as amended, or shall submit to the board an affidavit to the effect that a person holding a Class 1, 3 or 4 certificate will be a bona fide full time member of the applicant's business concern or a full time employee and that such handicap lift electrical certificate holder will have complete and unquestionable authority and supervision over all matters regulated in this chapter.

Part 7. Section 236-01 of the code is amended to read:

236-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts chs. [[ILHR]] >>Comm<< 10 and [[Comm]] 11, Wis. Adm. Code, as amended, as part of this code.

Part 8. Section 236-21-0 and 2 of the code is amended to read:

236-21. Flammable and Combustible Liquids. In addition to the regulations set forth in ch. [[ILHR]] >>Comm<< 10, Wis. Adm. Code, above ground flammable liquid storage facilities shall comply with the following:

2. RELINING OF UNDERGROUND STORAGE TANKS. The relining of steel, underground tanks used for the storage of flammable and combustible liquids shall be permitted, provided s. [[ILHR]] >>Comm<< 10.51 (1), (2m) and (3), Wis. Adm. Code, are complied with and flex connectors are placed at the top of the tank and between the tank and the vent pipe.

Part 9. Section 240-01 of the code is amended to read:

240-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee, adopts chs. [[ILHR]] >>Comm<< 20 to 25, Wis. Adm. Code, as amended, as part of this code.

Part 10. Section 240-22-2 of the code is amended to read:

240-22. Attics and Third Floor Spaces.

2. THIRD FLOOR SPACES. For all buildings regulated by this chapter and constructed prior to June 1, 1980, all 3rd floor spaces used for other storage and loft space shall meet the exiting requirements in ch. [[ILHR]] >>Comm<< 21, Wis. Adm. Code, as amended, except that one of the 2 required exits shall be a stair leading into the interior space of the 2nd floor unit. The minimum distance between the 2 exits from the 3rd floor shall be calculated by the method described in s. Comm 51.151, Appendix A.

Part 11. Section 275-61-3-f of the code is amended to read:

275-61. Heating Facilities.

3. SPACE HEATERS.

f. The clearance of automatically controlled gas space heaters shall be set forth in s. [[ILHR]] >>Comm<< 23.17, Wis. Adm. Code, as amended.

Part 12. Section 304-49-4 and 6-c-6 of the code is amended to read:

304-49. Disposal of City Real Estate Property.

4. RAZING OF PROPERTY. A building is not a usable building if the commissioner of neighborhood services has issued a simple raze and remove order pursuant to s. [[66.05, Wis. Stats]] >>218-4<<. A building may be a usable building if the commissioner has issued a raze or rehabilitate order pursuant to s. [[66.05, Wis. Stats]] >>218-4<<.

6. SOLICITATION OF BIDS.

c-6. The department of neighborhood services has submitted a written report to the city clerk verifying whether any of the properties is subject to raze orders issued pursuant to s. [[66-05, Wis. Stats.]] >>218-4<<, indicating what if any orders to correct condition of

premises have been issued by the department, and listing total costs incurred or to be incurred by it with respect to each property.

Part 13. Section 350-40-15-a-1-e and f 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: \_\_\_\_\_

99344-2

BJZ/rk

9/29/99