



## Legislation Text

File #: 171140, Version: 2

### 171140 SUBSTITUTE 2

ALD. BAUMAN

A substitute ordinance relating to private waste containers.

200-33-51.7 rc

245-12-7 am

This ordinance decreases the time that the holder of a special privilege permit for placing a dumpster in the public right-of-way has to comply with an order to correct a violation from 60 days to 24 hours. Also, the fee for failing to comply with such an order is increased from \$25 per month to an escalating fee schedule of \$250 for the first month, and \$500 for the second and subsequent months.

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

Part 1. Section 200-33-51.7 of the code is repealed and recreated to read:

**51.7. SPECIAL PRIVILEGE ENFORCEMENT FEE.** a. General Fee. A monthly fee of \$25 may be charged for failure to comply with an order issued under s. 245-12.

b. Dumpster in the Public Right-of-Way. In the case of a special privilege for the placement of one or more dumpsters in the public right-of-way, a monthly fee for failure to comply with an order issued under s. 245-12 may be charged as follows:

b-1. For the first month, \$250.

b-2. For the second and subsequent months, \$500 per month.

Part 2. Section 245-12-7 of the code is amended to read:

### **245-12. Special Privileges.**

**7. ENFORCEMENT; SANCTIONS.** If the commissioner of public works determines that a person has failed to comply with the provisions of this section, the commissioner shall notify the person of the violation. If the person fails to comply with any order issued by the commissioner within 60 days of receipt of the order, >>or, in the case of a special privilege for placement of one or more dumpsters in the public right-of-way, within 24 hours of receipt of the order,<< the commissioner may assess the person a monthly enforcement fee under s. 200-33 until compliance is obtained. The fee may be assessed and collected as a special tax on the property or otherwise be collected as allowed by law. In addition, in the case of a special privilege for placement of one or more dumpsters in the public right-of-way, the common council may, by resolution, revoke the special privilege for failure to comply with any of the standards of sub. 3-h.

Part 3. This ordinance is effective January 1, 2018.

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: \_\_\_\_\_

LRB170304-3

Dana J. Zelazny

November 13, 2017