



Legislation Text

File #: 100334, **Version:** 5

100334
SUBSTITUTE 5

ALD. WITKOWIAK

A substitute ordinance relating to the disposal of prescription drug containers.

79-2-12 cr

This ordinance requires that prior to the disposal of a prescription drug container, the name and address of the person the drug is prescribed for, the name of the type of drug and the prescription number be removed or obliterated from the prescription drug container's label. The ordinance does not apply to any prescription drug collection program sponsored by a government entity or nonprofit organization, or to prescription drug containers disposed of by hospitals. It further exempts agencies disposing of prescription drug containers in a manner deemed acceptable by the commissioner of the department of health. The commissioner is required to promulgate rules relating to acceptable disposal within 90 days of the passage and publication of this ordinance. Any person violating this ordinance shall be subject to a forfeiture of not less than \$25 or more than \$500 for the first offense and not less than \$50 or more than \$500 for each subsequent offense. Finally, this ordinance requires that the health department, police department and any other appropriate city department necessary to support this effort educate the public regarding this ordinance.

This ordinance will take effect 90 days following its passage and publication.

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

Part 1. Section 79-2-12 of the code is created to read:

79-2. Collection Regulations.

12. PRESCRIPTION DRUG CONTAINERS.

- a. Prior to the disposal of a prescription drug container, the name and address of the person the drug is prescribed for, the name of the type of drug and the prescription number shall be removed or obliterated from the prescription drug container's label.
- b. This subsection shall not apply to any prescription drug collection program sponsored by a government entity or nonprofit organization, or to prescription drug containers disposed of by hospitals or any agency disposing of prescription drug containers in a manner deemed acceptable by the commissioner of the department of health.

Part 2. The commissioner of the department of health shall, within 90 days of the passage and publication of this ordinance, promulgate rules relating to acceptable disposal of prescription drug containers. The health department, police department and any other appropriate city department necessary to support this effort shall educate the public regarding this section.

Part 3. This ordinance shall take effect 90 days following its passage and publication.

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: _____

LRB10316-12
JWC
11/3/10