

CHAPTER 1
CITY BOUNDARIES AND PROPERTY

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1-01. Incorporation of City. 1. A MUNICIPAL CORPORATION. All the district of country in the county of Milwaukee contained within the limits and boundaries hereinafter described, shall be a city by the name of Milwaukee; and the people now inhabiting, and those who shall hereinafter inhabit, within the district of country so described, shall be a municipal corporation by the name of the city of Milwaukee, and shall have the general powers possessed by municipal corporations at common law; and, in addition thereto, shall possess the powers hereinafter specifically granted; and the authorities thereof shall have perpetual succession, shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, in all courts of law and equity; and shall have a common seal, and may change and alter the same at pleasure.

2. BOUNDARY LINES. (S. 1, subch. 1, ch. 184, L. 1874.) Current total boundary lines of the city are of public record with the secretary of state and the register of deeds of Milwaukee county.

1-02. Boundaries. All cities whether organized under a general or special charter are hereby continued as bodies corporate by the name and style which they now bear, until the same is duly changed. The district or territory now embraced within the limits and boundaries of such cities, as now described, shall continue to be the boundaries of such cities until changed

by law. Any city may direct a survey of its present boundaries to be made, and when properly attested such survey may be filed in the office of the register of deeds in the county or counties which such city is located and when so filed such survey and plat shall be the prima facie evidence of the facts therein set forth, and after the lapse of one year such a survey and plat shall be conclusive evidence of such facts. Any citizen may, by appropriate legal procedure, test the correctness of said survey and plat. The time such action is pending shall be excluded from the above limitation of time. Subsequent extensions of the boundaries of such cities may be surveyed and such surveys filed in the manner above provided and may be tested in the same manner and with like effect as a survey and plat of the original boundaries. (S. 925-21b Stats., 1907.)

1-03. Alteration of Common Council Districts. The city of Milwaukee elects to adopt s. 62.08, Wis. Stats., with respect to alteration of common council districts.

(HISTORY: Section 1-03 am. Ch. Ord. 199, File #54-416-a, June 1, 1954; formerly s. 1-06.

1-03 rc. Ch. Ord. 420, File #75-65, May 27, 1975.

1-03-1 & 4 am. Ch. Ord. 564, File #86-802, Feb. 3, 1987; eff. Apr. 20, 1987.

1-03 rc. File #901267, Mar. 5, 1991; eff. May 21, 1991.)

1-04. Election of Common Council Members.

1. The common council of the city of Milwaukee shall consist of one alderman elected from each ward, as the wards of said city may from time to time be constituted. Effective April 19, 1988, a male member of the common council shall be designated an "alderman" and a female member of the common council shall be designated an "alderwoman."

2. Each alderman shall be elected for a term of 4 years at the regular city election in 1932 and every 4 years thereafter.

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3. In event of the passage of any ordinance redistricting, readjusting, renumbering or changing the boundaries of wards, aldermen shall be elected from the wards so constituted at the regular quadrennial city election next following the time when such ordinance shall have taken effect. Nor in event of such redistricting, readjusting, renumbering or changing shall this charter ordinance be construed to shorten the term of any alderman theretofore elected or to prohibit any such alderman from continuing to be a member of the common council until the term for which he was elected expires.

(HISTORY: Section 1-04 cr. Ch. Ord. 38, File #45337, Oct. 6, 1930.

1-04-1 am. Ch. Ord. 562, File #85-132-a, Oct. 14, 1986; eff. Dec. 29, 1986.)

1-05. Redistricting. 1. During the period between the effective date of any ordinance redistricting the wards of the city of Milwaukee and the time when aldermen shall have been elected and qualified for the wards provided for by such ordinance, the old ward lines shall be considered continued in effect for the purpose of determining who is a local alderman or a ward alderman within the meaning of any charter or other law or provision requiring or providing for the signature or approval or any other action on the part of a local or ward alderman, it being the intention hereof that during such period the rights, duties and obligation of the existing aldermen shall not be affected or changed by such ordinance, but that such aldermen shall continue to have and exercise the same rights, duties and obligations with respect to the wards for which they were respectively elected as though such redistricting had not become effective.

2. Except as above provided, however, nothing herein contained shall be considered to limit the effect of any such ward redistricting ordinance.

(HISTORY: Section 1-05 cr. Ch. Ord. 39, File #46016, Jan. 26, 1931.)

1-06. Attendance at Meetings; Election in Annexed Areas. 1. ATTENDANCE AT MEETINGS. Aldermen shall receive an annual salary which shall be paid as are the salaries of other city officers. For nonattendance at a regularly called standing committee meeting or of a special council committee meeting, a fine

of \$2.50 shall be imposed upon any absent member. For nonattendance at a regular council meeting a fine of \$5 will be imposed. The council may remit such fine upon the presentation of satisfactory excuses. Fines shall be deducted from such salaries.

2. ELECTION IN ANNEXED AREAS. Whenever any area is consolidated with or annexed to the city of Milwaukee and the common council has determined that the area is large enough to warrant having an alderman, an election to fill the office shall be held in accordance with the provisions of state statutes.

(HISTORY: Section 1-06 am. Ch. Ord. 528, File #83-1483, Jan. 4, 1984.)

1-07. Effect of Revision on General Charter Law. The revision of the general charter law by this act shall not affect the application of any provisions of the general charter heretofore adopted by any city of the first class under special charter, but such provisions shall as to such cities retain the same force and application as they had before the enactment of this act. *(S. 315, Ch. 242, L. 1921.)*

1-08. Exemption from Levy and Sale. All property, real and personal, now or at any time hereafter belonging to said city, shall be exempt from levy and sale under or by virtue of any execution; provided, that any such property, real or personal, shall be subject to levy and sale by virtue of any execution issued on a judgment for the purchase money thereof. Nor shall any real or personal property of any inhabitant of said city, or of any individual or corporation, be levied on and sold by virtue of any execution issued to satisfy or collect any debt, obligation or contract of said city. *(S. 9, Subch. 20, Ch. 184, L. 1874; S. 22, Ch. Ord. 323, File #62-2554-d, Oct. 21, 1966.)*

1-09. City Property. All property, real, personal, or mixed belonging to the city of Milwaukee is hereby vested in the corporation created by this act (Ch. 184, L. 1874). This act shall take effect and be in force from and after its passage and publication. *(S. 10, Subch. 20, Ch. 184, L. 1874; S. 21, Ch. Ord. 323, File #62-2554-d, Oct. 21, 1966.)*