

**INSTRUCTION SHEET  
ADDITIONS TO  
MILWAUKEE CODE OF ORDINANCES  
VOLUME 1**

**SUMMARY**

This supplement incorporates changes to Volume 1 of the Milwaukee Code of Ordinances enacted by the following Common Council files:

160245      An ordinance relating to the suspension, nonrenewal and revocation of cigarette and tobacco licenses.

160247      An ordinance relating to ambulance conveyance rates and ancillary charges.

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
<b>Remove <u>old</u> MEMO (Suppl. #352)</b>				v-vi	v-vi
75-15-14-c-1	am	160247	7/23/2016	195-196	195-196
75-15-14-c-2	am	160247	7/23/2016	"	"
75-15-14-c-3	am	160247	7/23/2016	"	"
84-43-11	rn to 84-43-12	160245	7/23/2016	305-308	305-308
84-43-11	cr	160245	7/23/2016	"	"
Ch. 84 (hist.)				311-312	311-312

For subscription, distribution or insertion questions contact the Legislative Reference Bureau, Code Section, (414) 286-3905.

For questions concerning the content of the Milwaukee Code or Ordinances contact the Legislative Reference Bureau, Research Section, (414) 286-2297.

Abbreviations:

am=amended  
cr=created

ra=renumbered and amended  
rc=recreated

rn=renumbered  
rp=repealed

Revised 7/6/2016  
Suppl. #353



## **MEMO**

If all supplements have been properly inserted, this book contains all actions of the Common Council through July 6, 2016.

Revised 7/6/2016  
Suppl. #353



a. Seek reimbursement from those requesting service from the Milwaukee emergency medical services system or any third-party payer, and provide the most economical service in accordance with accepted medical practice. The city will not be responsible for collection or payment of any charge for services rendered by reason of its having dispatched the service relative to this section, with the exception of services provided to those individuals pursuant to sub. 18.

b. Not pursue beyond a reasonable limit compensation for conveyance where a conveyed party has demonstrated an inability to pay the service charge.

c. Charge an ambulance rate, which is approved by the common council. The approval of the ambulance rate may be taken in conjunction with the common council's approval of the ambulance service plan, in accordance with the ambulance rate provisions of sub. 14.

d. Charge fees for equipment and procedures other than the rates established under par. c. The fees shall be determined by the commissioner of health and approved by the common council. The commissioner shall review the fees on an annual basis, with any necessary adjustments being submitted to the common council for approval in conjunction with approval of the ambulance rate under par. c.

**13. SERVICE AREAS.** a. Criteria. In establishing and re-establishing the number and geographical boundaries of the service areas, the common council shall endeavor to provide effective ambulance service within the Milwaukee emergency medical services system. The common council shall take into consideration all the information obtained through the certification process, including the service capacities of each prospective provider and the previous performances, if any, of each certified provider.

b. Assignment of Service Areas.

b-1. Service Plan Development. Following common council certification of one or more providers from the private sector as certified providers, the fire department shall propose a service plan and transmit it to the board which shall develop a proposed service plan to be utilized during the next service period. In developing the service plan, the fire department and board shall take into consideration all the information obtained

through the certification process, including the service capacities of each certified provider and the previous performances, if any, by each certified provider. The plan shall include the number of service areas, the geographical size and boundaries of each service area, and a designation of a certified provider for assignment to each service area. The number of service areas shall be determined by the best interests of the Milwaukee emergency medical services system. The geographical size and boundaries of each service area shall be determined by the service capabilities and past performance of each certified provider to be assigned to a service area. Each certified provider designated for service area assignment shall, within 15 days of announcement by the board of its proposed service plan, file a written response of its acceptance or objection to the plan. Each certified provider accepting the plan shall also file with the board a properly executed agreement. The board shall thereafter submit the plan to the committee for its review and recommendation to the common council. Upon approval by the common council of any service plan for the next scheduled service period, the plan shall be implemented by the Milwaukee emergency medical services system for that period, subject to subd. 2.

b-2. Duration. Service plans shall be approved by the common council annually commencing on January 1, 2008. Notwithstanding such approval, the board shall recommend modifications of the size of the service areas and assignments of certified providers to service areas during the pendency of any service period, and the common council, with the recommendation of the board, shall modify any service plan during the pendency of any service period, if it is determined that one or more certified providers are not meeting the requirements of the agreement. The board shall also review the service plan and geographical size and boundaries of each service area on an annual basis, to determine if the certified providers are complying with requirements of the agreement and if service area adjustments are necessary. The board shall provide the common council with the board's reasons for recommending or not recommending any changes in the service plan or service areas subsequent to the board's annual review.

## 75-15-14 Miscellaneous Health Provisions

c. Revocation of Service Area. In addition to any revocation under the agreement or sub. 19, the board shall revoke the assignment of any service area for any certified provider no longer certified.

**14. DETERMINING RATES BILLED BY PRIVATE SECTOR PROVIDERS.** a. The commissioner of health annually shall review and report to the common council by April 1 with respect to the ambulance conveyance rate established under par. c and recommend, if appropriate, an adjustment in the conveyance rate.

b. Upon request, the legislative reference bureau shall provide the commissioner with information from health-related cost indexes, including the medical care component of the Milwaukee consumer price index issued by the U.S. bureau of labor statistics.

c. The rate charged for conveyance shall be as follows:

c-1. For patients who are residents of the city of Milwaukee, for basic life support, \$632 and, for basic life support-emergency, \$632. When patients require treatment without transport, a \$150 basic life support non-transport fee shall apply.

c-2. For patients who are not residents of the city of Milwaukee, for basic life support, \$732 and, for basic life support-emergency, \$732. When patients require treatment without transport, a \$214 basic life support non-transport fee shall apply.

c-3. In addition to the charges provided in subds. 1 and 2, a charge of \$19.21 per mile shall be assessed for mileage for the distance traveled with the patient in the ambulance from the point of patient origin to destination.

d. In those instances where a certified provider has a contract with any insurer or health maintenance organization with respect to establishment of fees for ambulance services for persons insured through the organization, the fees established in the contract shall take precedence over those in par. c and sub. 15, and the certified provider shall charge only those fees established in the contract.

**15. BASIC LIFE SUPPORT ANCILLARY CHARGES BILLED BY PRIVATE SECTOR PROVIDERS.** Pursuant to sub. 12-d, certified providers are authorized to charge the following basic life support ancillary charges:

- a. Airway.
- a-1. Oropharyngeal: \$2.81.
- a-2. Nasopharyngeal: \$11.13.
- b. Bag mask ventilator, adult or pediatric: \$55.67.
- c. Bandaging.
- c-1. Trauma dressing: \$6.63.
- c-2. Kling 4": \$2.84.
- c-3. 5/9" dressing: \$0.68.
- d. Blanket: \$12.92.
- e. Burn sheet: \$13.37.
- f. Cervical collar: \$38.13.
- g. Cold pack: \$2.55.
- h. Combi-tube/intubation charge: \$94.19.
- i. Defibrillation supplies: \$123.17.
- j. Electrodes: \$3.37.
- k. Gloves: \$2.69.
- L. Head immobilizer: \$22.37.
- m. Hot pack: \$2.97.
- n. KED strap: \$33.63.
- o. Laryngoscope blades: \$10.68.
- p. Linens: \$8.25.
- q. OB kit with silver swaddler: \$33.09.
- r. Oxygen and supplies: \$108.68.
- s. Personal protective equipment.
- s-1. Gown: \$6.63.
- s-2. Goggles: \$13.37.
- t. Prosplints.
- t-1. Full arm, large: \$33.98.
- t-2. Full arm, small: \$32.85.
- t-3. Combo: \$45.44.
- t-4. Full leg, large: \$71.31.
- t-5. Full leg, small: \$61.29.
- t-6. Wrist and forearm: \$20.46.
- u. Pocket mask: \$29.24.
- v. Resuscitation bag and mask: \$55.67.
- w. Splints.
- w-1. 12": \$5.07.
- w-2. 18": \$7.54.
- w-3. 24": \$10.12.
- x. Sterile saline or water: \$5.03.
- y. Suction.
- y-1. Canister: \$8.44.
- y-2. Suction tip: \$3.93.
- y-3. Tubing: \$4.38.
- z. Drug charges. Drugs allowed by the state of Wisconsin emergency medical technician basic scope of practice and approved by the Milwaukee county council on emergency medical services, shall be charged at the same rates established under sub. 17.

**10. RECORDS TO BE KEPT.** Every retailer licensed under this section shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. The records shall be preserved on the licensed premises for 2 years in a manner to ensure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

**11. SUSPENSION, NONRENEWAL AND REVOCATION.** The city adopts s.134.65 (6), (7) and (8), Wis. Stats.

**12. PENALTIES.** a. Any person violating this section shall be fined not less than \$25 nor more than \$100 for the first offense or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law; and for a second or subsequent offense not less than \$25 nor more than \$200 or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law.

b. If upon conviction of a 2nd or subsequent violation, the person violating this section is found personally guilty of a failure to exercise due care to prevent the violation, the person shall be fined not less than \$25 nor more than \$300 or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law. Conviction under this paragraph shall result in immediate termination of the license of the person convicted of being personally guilty of failure to exercise due care and the person shall not be entitled to another license under this section for a period of 5 years after conviction, nor shall the person in that period act as the servant or agent of a person licensed under this section in the performance of acts authorized by the license.

**84-45. Filling Stations. 1. PURPOSE.** In order to protect the health, safety and general welfare of the community and environment and prevent potential harm and nuisance that could result from the location and operation of filling stations, the common council enacts the following regulations.

**2. DEFINITION.** In this section, "filling station" (gas station) means a place, building, pump or device maintained and used on private premises for the purpose of dispensing to the public gasoline or other fuels for use in motor vehicles of any kind.

**3. LICENSE REQUIRED.** a. No person, firm or corporation shall operate a filling station unless the person, firm or corporation possesses a valid license issued pursuant to this section. See s. 81-51.6 for the required fee.

b. An additional weighing and measuring license fee specified in ch. 81 shall be paid for each pump or device used to establish charges for gasoline or other fuels.

**3.5. SECURITY CAMERA REQUIRED.** All filling stations open to customers on a 24-hour basis shall:

a. Install, maintain in proper working order and operate during all hours the store is open to customers a security camera which can produce reproducible digital color images.

b. The camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face, either entering, exiting or at the cash register. Hanging displays shall not obstruct views of the individual's face.

c. If a time-lapse digital video camera is operated, recorded images shall not be recorded at a slower speed than 24 hours.

d. Recorded digital image files shall be kept for a minimum of 72 hours.

**4. APPLICATION.** License application forms shall be obtained from the city clerk and require the information specified in s. 85-12.

**5. PLAN OF OPERATION.** An application for a filling station license shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk. The plan of operation shall include:

a. The planned hours of operation for the premises.

b. The number of customers expected on a daily basis at the premises.

c. The legal occupancy limit of the premises.

d. The number of off-street parking spaces available at the premises.

e. Plans the applicant has to provide security for the premises.

f. Plans the applicant has to ensure the orderly appearance and operation of the premises with respect to litter and noise.

g. Any other licenses held by the applicant or attached to the premises.

h. A description of any provisions made for clean-up of the premises.

## 84-45-6 Miscellaneous Licenses

i. A site plan showing:  
i-1. The locations of all entrances and exits. This shall include a description of how customers will enter and leave the premises.

i-2. The locations and dimensions of any off-street parking and loading areas for customers.

j. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

**6. CHANGES TO BE REPORTED.** a. Application. A licensee shall notify the city clerk whenever there is a change in any information that is reported on the application form or renewal application form. The licensee shall make this notification in writing within 10 days after the change occurs.

b. Plan of Operation. If, after the license has been issued, the licensee wishes to deviate from the plan of operation that was submitted with the original application, the licensee shall file a written request with the city clerk which states the nature of the change. No change shall take place until the request is approved through issuance of a new license.

**7. LICENSE FEE.** See ch. 81 for the required license fee.

**8. AGE QUALIFICATION.** No license shall be issued to any person or any agent of a corporation or limited liability corporation who is not 18 years of age or older.

**9. DISQUALIFICATION.** Whenever any application is denied, or a license is revoked, surrendered or not renewed, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

**10. INVESTIGATION.** Each application for a new license shall be referred to the chief of police, the commissioner of neighborhood services and the commissioner of health in accordance with s. 85-21-2. All applicants for filling station licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

**11. OBJECTION.** An objection to issuance of a license shall be based on the factors set forth in s. 85-2.7-4. If the local common council member, chief of police or commissioner recommends against an application, no license shall be issued unless the applicant requests, in writing, an appeal before

the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the common council member, chief or commissioner. An appeal shall be forwarded by the city clerk to the licensing committee for its recommendation as to whether a permit should be granted. The procedure for considering an appeal shall be as provided in s. 85-2.7.

**12. ISSUANCE.** See s. 85-12.5 for provisions relating to the issuance of a license.

**13. POSTING.** Each license shall be posted in a conspicuous place on the premises.

**14. TRANSFER.** See s. 85-19 for provisions relating to the transfer of a license and the change of licensee names.

**15. RENEWAL.** Application for renewal of a license shall be made to the city clerk in accordance with the provisions of s. 85-26. The city clerk shall refer the application to the chief of police. If the applicant still meets the licensing qualifications, the license shall be issued unless a written objection has been filed under s. 85-3. If there is objection to renewal of the license, the procedure for considering the renewal application shall be as specified in ss. 85-3 to 85-5.

**16. REVOCATION OR SUSPENSION OF LICENSE.** Any license issued under this section may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Notice and hearing on the revocation shall be conducted in accordance with s. 85-3.

**17. ENFORCEMENT, PENALTY.**

a. A person who violates any provision of this section or fails to comply with an order of the commissioner that was issued under this section or otherwise issued concerning the operation of a filling station shall be liable upon conviction to a Class J penalty under s. 61-16. Each day of a continued violation is a separate offense.

b. Citations may be issued for any violation of this section with or without prior order or notice. The stipulation, forfeiture and court procedure set forth in s. 50-25 shall apply.

**84-49. Distribution of Newspapers, Publications, etc. in City Hall Complex.**

1. PERMIT REQUIRED. No person, group, organization or other association may distribute newspapers, newsletters, magazines or other publications, which are published daily, weekly, biweekly, monthly or on other similar regular schedules, in the city hall complex, except in leased retail space, without obtaining a permit as required in this section. The city shall furnish rental boxes for such purpose. This section does not apply to a person, group, organization or association which has obtained a newspaper vending box special privilege permit under s. 115-33.5.

2. APPLICATION. Any person desiring to distribute said materials shall file an application with the city clerk's office on a form supplied by the city clerk. The application shall contain the following information:

a. The name, address and business telephone number of the applicant.

b. The name, address and business telephone number of the person who will be responsible for the proper maintenance of the publications.

c. Such other reasonable and pertinent information as the city clerk may require.

3. ISSUANCE. a. The city clerk shall issue a permit and assign a rental box to the applicant, if the requirements of this section have been complied with, upon the payment of a fee as specified in s. 81-102.2.

b. Each applicant shall be limited to 2 rental boxes per each publication for distribution.

3.5. TRANSFER OF PERMIT OR CHANGE OF NAME. See s. 85-19 for provisions relating to the transfer of permits and change of permittee names.

4. CHANGES TO BE REPORTED. Each permittee shall advise the city clerk in writing within 5 days of any change regarding any information supplied on the application form, including discontinuance of use of a rental box, a change of address, telephone number, or business location of the permittee.

5. REGULATIONS. Any permittee issued a permit under this section shall ensure that the rental box is kept in a neat and orderly manner at all times and that publications are kept up-to-date. The city clerk may issue guidelines for the enforcement of this section. Any publications not maintained in accordance with this subsection, or placed in the city hall complex in violation of this section, may be removed by the city clerk.

6. REVOCATION OR SUSPENSION OF PERMIT. Any permit issued under this section may be suspended or revoked for cause by the common council after notice to the permit holder and a hearing. Notice and hearing on the revocation shall be conducted in accordance with s. 85-3. 7.

7. PENALTY. Any person violating this section shall, upon conviction, forfeit not less than \$50 nor more than \$250, and in default of payment shall be imprisoned not more than 10 days or until such forfeiture costs are paid.

**84-- Miscellaneous Licenses**

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Miscellaneous Licenses 84--(HISTORY)

84-7-16	rc	031497	2/16/2004	2/21/2004
84-7-16	rc	131559	5/13/2014	7/1/2014
84-7-17	cr	131559	5/13/2014	7/1/2014
84-7-18	cr	131559	5/13/2014	7/1/2014
84-7-19	cr	131559	5/13/2014	7/1/2014
84-10-3	cr	131559	5/13/2014	7/1/2014
84-10-4	cr	131559	5/13/2014	7/1/2014
84-10-4-a	am	951346	1/23/96	2/9/96
84-10-4-a	am	980963	12/18/98	1/1/99
84-10-5	cr	131559	5/13/2014	7/1/2014
84-10-6	cr	131559	5/13/2014	7/1/2014
84-10-7	cr	131559	5/13/2014	7/1/2014
84-10-8	cr	131559	5/13/2014	7/1/2014
84-10-9	cr	131559	5/13/2014	7/1/2014
84-10-10	cr	131559	5/13/2014	7/1/2014
84-10-11	cr	131559	5/13/2014	7/1/2014
84-10-12	cr	131559	5/13/2014	7/1/2014
84-10-13	cr	131559	5/13/2014	7/1/2014
84-10-14	cr	131559	5/13/2014	7/1/2014
84-10-15	cr	131559	5/13/2014	7/1/2014
84-20-2	rc	131559	5/13/2014	7/1/2014
84-20-3	rc	131559	5/13/2014	7/1/2014
84-20-3-d	rp	121521	4/30/2013	5/17/2013
84-20-4	rc	131559	5/13/2014	7/1/2014
84-20-4-b	am	110624	4/11/2012	4/28/2012
84-20-5	rc	131559	5/13/2014	7/1/2014
84-20-5.1	cr	131559	5/13/2014	7/1/2014
84-20-5.2	cr	131559	5/13/2014	7/1/2014
84-20-5.3	cr	131559	5/13/2014	7/1/2014
84-20-5.4	cr	131559	5/13/2014	7/1/2014
84-20-5.5	cr	131559	5/13/2014	7/1/2014
84-20-5.6	cr	131559	5/13/2014	7/1/2014
84-20-5.7	cr	131559	5/13/2014	7/1/2014
84-20-5.8	cr	131559	5/13/2014	7/1/2014
84-20-5.9	cr	131559	5/13/2014	7/1/2014
84-20-6	rn to 84-20-7	131559	5/13/2014	7/1/2014
84-20-6	cr	131559	5/13/2014	7/1/2014
84-20-6-b	am	041442	2/22/2005	3/11/2005
84-20-7	rn to 84-20-8	131559	5/13/2014	7/1/2014
84-20-8	am	891785	1/16/90	2/3/90
84-20-8	rn to 84-20-9	131559	5/13/2014	7/1/2014
84-20-9	rp	131559	5/13/2014	7/1/2014
84-33	rc	091371	5/25/2010	6/12/2010
84-33	rp	150078	6/2/2015	6/19/2015
84-33-2-0	am	131559	5/13/2014	7/1/2014
84-33-4	am	951346	1/23/96	2/9/96
84-33-4	am	980963	12/18/98	1/1/99
84-33-4	rc	131559	5/13/2014	7/1/2014
84-33-5	rc	131559	5/13/2014	7/1/2014
84-33-5-0	am	121521	4/30/2013	5/17/2013
84-33-5-c	rp	941797	6/6/95	6/23/95
84-33-5-c	am	130708	10/15/2013	11/1/2013
84-33-6	rc	131559	5/13/2014	7/1/2014
84-33-7	am	951346	1/23/96	2/9/96
84-33-7	am	980963	12/18/98	1/1/99
84-33-7	rc	131559	5/13/2014	7/1/2014
84-33-10	rc	131502	5/13/2014	5/9/2014

## 84--(HISTORY) Miscellaneous Licenses

84-34	rp	091371	5/25/2010	6/12/2010
84-34-3	rp	021691	3/25/2003	4/11/2003
84-33-7	rc	110991	4/11/2012	4/28/2012
84-33-8	rc	131559	5/13/2014	7/1/2014
84-33-9	rc	131559	5/13/2014	7/1/2014
84-33-10	rc	131559	5/13/2014	7/1/2014
84-33-11	rc	131559	5/13/2014	7/1/2014
84-33-12	rc	111624	4/11/2012	4/28/2012
84-33-12	rc	131559	5/13/2014	7/1/2014
84-33-13	rc	131559	5/13/2014	7/1/2014
84-33-14	rc	131559	5/13/2014	7/1/2014
84-33-15	rc	131559	5/13/2014	7/1/2014
84-33-16	rc	131559	5/13/2014	7/1/2014
84-33-17	rc	131559	5/13/2014	7/1/2014
84-40	rc	020963	2/11/2003	2/15/2003
84-40	rp	091371	5/25/2010	6/12/2010
84-40-2-b	am	070109	5/8/2007	5/25/2007
84-40-5-a	am	070109	5/8/2007	5/25/2007
84-40-12-b	rc	080009	5/20/2008	6/7/2008
84-40-12-c	rp	080009	5/20/2008	6/7/2008
84-40-12-c	rp	080189	7/1/2008	7/19/2008
84-40-12-d	rn to 84-40-12-c	080009	5/20/2008	6/7/2008
84-40-12-d	rp	080189	7/1/2008	7/19/2008
84-40-12-e	rn to 84-40-12-d	080009	5/20/2008	6/7/2008
84-40-12.5	cr	080189	7/1/2008	7/19/2008
84-40-13-c	rc	080009	5/20/2008	6/7/2008
84-40-13-d	rp	080009	5/20/2008	6/7/2008
84-40-13-e	rp	080009	5/20/2008	6/7/2008
84-40-13-f	rp	080009	5/20/2008	6/7/2008
84-40-14	rc	080009	5/20/2008	6/7/2008
84-40-14-f-5	am	040631	9/21/2004	10/8/2004
84-40-15	am	041379	2/22/2005	3/11/2005
84-41	rp	091371	5/25/2010	6/12/2010
84-43	rc	961523	2/11/97	2/28/97
84-43-2	am	871998	1/26/88	2/13/88
84-43-3	am	890828	9/1989	10/7/89
84-43-3	am	020238	6/4/2002	6/24/2002
84-43-3	rc	131559	5/13/2014	7/1/2014
84-43-3.5	cr	111624	4/11/2012	4/28/2012
84-43-3.5	rc	120349	7/24/2012	8/10/2012
84-43-3.5	rn to 84-43-9	131559	5/13/2014	7/1/2014
84-43-3.7	cr	120397	7/24/2012	8/10/2012
84-43-3.7	rn to 84-43-10	131559	5/13/2014	7/1/2014
84-43-4	am	120397	7/24/2012	8/10/2012
84-43-4	rn to 84-43-11	131559	5/13/2014	7/1/2014
84-43-4	cr	131559	5/13/2014	7/1/2014
84-43-4-b	cr	120397	7/24/2012	8/10/2012
84-43-5	cr	131559	5/13/2014	7/1/2014
84-43-6	cr	131559	5/13/2014	7/1/2014
84-43-8	cr	131559	5/13/2014	7/1/2014
84-43-4	cr	131559	5/13/2014	7/1/2014
84-43-11	rn to 84-43-12	160245	7/6/2016	7/23/2016
84-43-11	cr	160245	7/6/2016	7/23/2016
84-45	rc	931861	4/26/94	5/13/94
84-45	rc	960167	7/30/96	8/16/96
84-45-2	rc	131559	5/13/2014	1/1/2015
84-45-2-a	rc	980963	12/18/98	1/1/99