

**INSTRUCTION SHEET
ADDITIONS TO MILWAUKEE CITY CHARTER**

SUMMARY

This supplement incorporates changes to the Milwaukee City Charter enacted by the following Common Council file:

211950 A substitute charter ordinance relating to the qualifications for commissioner of public works.

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
Remove <u>old</u> MEMO (Suppl. #190)					
7-01	rc	211950	7/27/2022	i-ii v-vi 39-40	i-ii v-vi 39-40

For subscription, distribution or insertion questions contact the Municipal Research Library, Code Section, (414) 286-2280.

For questions concerning the content of the Milwaukee Code or Ordinances contact the Municipal Research Library, (414) 286-2297.

Abbreviations:

am=amended
cr=created

ra=renumbered and amended
rc=recreated

rn=renumbered
rp=repealed

CITY OFFICIALS

2020 to 2024

Mayor
Cavalier Johnson

Council President
Jose G. Perez

The Common Council
(By Aldermanic District)

1. Ashanti Hamilton
2. VACANT
3. VACANT
4. Robert J. Bauman
5. Nikiya Dodd
6. Milele A. Coggs
7. Khalif Rainey
8. JoCasta Zamarripa

9. Chantia Lewis
10. Michael Murphy
11. Mark A. Borkowski
12. Jose G. Perez
13. Scott Spiker
14. Marina Dimitrijevic
15. Russell W. Stamper, II

City Clerk: Jim Owczarski
Deputy: Dana Zelazny

City Attorney
Tearman Spencer

City Comptroller
Aycha Sawa

City Treasurer
Spencer Coggs

Municipal Judges

Branch 1
Valarie Hill

Branch 2
Derek Mosley

Branch 3
Phil Chavez

FORWARD

The Milwaukee City Charter is a compilation of laws affecting the City of Milwaukee adopted by the Wisconsin Legislature and the Milwaukee Common Council. It contains the original 1874 charter and all amendments to it subsequently adopted. It also contains session laws adopted by the Legislature which affect the city but are not printed in the Wisconsin Statutes.

In 1984, the Charter was printed in its current format of an updatable looseleaf. A number of session laws contained in the previous (1977) edition of the Charter were removed because of actions by the State Legislature either repealing them or incorporating them into the printed Wisconsin Statutes. A list of those removed and where they are located in the statutes is contained in Appendix I.

As changes are made to this Charter by the Common Council, replacement pages will be issued, along with specific instructions regarding pages to be removed or inserted.

Keith Broadnax, Manager
Legislative Reference Bureau
May 2022

The numbering system for the Milwaukee City Charter and Code of Ordinances is patterned on that used for the Wisconsin Statutes (except for the use of dashes in place of parentheses) and is as follows:

Chapter	-	Section	-	Subsection	-	Paragraph	-	Subdivision	-	Subparagraph
70		10		3		a		4		b

If there are questions regarding the numbering system, or the correct method of citation, please contact the Legislative Reference Bureau.

MEMO

If all supplements have been properly inserted, this book contains all actions of the Common Council through May 10, 2022.

Revised 5/10/2022
Suppl. #191

CHAPTER 7
COMMISSIONER OF PUBLIC WORKS

TABLE		
GENERAL		
7-01	Commissioner of public works	
7-02	Salary, full time, oath	
DUTIES		
7-03	Records	
7-04	Duties	
7-05	Powers	
7-065	Board of assessment, secretary	
AUTHORITY		
7-08	Special deputies	
7-09	Charges of misconduct	
7-10	Fire and police alarm systems	
7-12	Authorization to employ help	
CONTRACTS		
7-14	Duties when common council orders public work	
7-15	Advertising and bids	
7-16	Asphalt for streets, not by brand	
7-17	Barriers, requirements in contract, when working on public streets	
7-18	Indemnification requirements in contracts	
7-19	Approval of contracts and bonds	
7-20	No power to contract in excess of appropriation	
7-21	Review of contracts by comptroller	
7-22	Services	
7-23	Work done without intervention of public contract	
7-25	Powers and duties re contracts	
7-26	Payment on contract as work progresses	
7-27	Suspended public work	
7-28	Authority to contract use of patented material	
7-29	Special assessments for royalty on patented article	
OTHER REGULATIONS		
7-30	Abandoned vehicles	
7-31	Vacation of streets and public grounds	
7-32	Third party liens	
7-33	City forester	

7-01. Commissioner of Public Works. 1. In all cities of the first class, whether organized under special charter, or under the general law, there is created the office of commissioner of public works.

2. In selecting the commissioner, a professional engineer license, issued by the state of Wisconsin, may be a preferred qualification.

(HISTORY: Section 7-01-0 (title) am. File #880330, Feb. 14, 1989; eff. May 5, 1989.

7-01-2 rc. File #880330, Feb. 14, 1989; eff. May 5, 1989.

Section 7-01-0 (title) am. File #211950, May 10, 2022; eff. May 14, 2022.

7-01-1 and 7-01-2 rc. File #211950, May 10, 2022; eff. May 14, 2022.)

7-02. Salary; Full Time, Oath. Such commissioner of public works shall receive a salary to be fixed by the common council of such city, and every commissioner appointed under this act shall devote all his time and attention to said office, and shall not during the term of his office be actively engaged in any other business or profession. Such commissioner of public works shall, before entering upon the duties of his office, take and subscribe the oath of office prescribed by the constitution of the state and file the same duly certified by the official administering the same with the clerk of such city.

(HISTORY: Section 7-02 am. Ch. Ord. 173, File #49-2739-b, May 6, 1952.)

7-03. Records. Such commissioner shall keep a record of all his acts and doings, and keep and preserve all contracts, plans, estimates and profiles, which at all times shall be open to the inspection of the common council or any member thereof, or of any committee appointed by said council. He shall report his acts and doings in detail to the common council on or before the 1st day of March in each year, and oftener if required by the common council. *(S. 5, Subch. 5, Ch. 184, L. 1874.)*

7-04. Duties. It shall be the duty of the commissioner of public works to take special charge and superintendence, subject to such ordinances as may be lawfully passed by the common council, of all streets, alleys, highways, sidewalks, crosswalks, bridges, walks, public

7-05 Commissioner of Public Works

grounds, engine houses, and of all other public buildings and grounds belonging to the city or any of the wards of such city, except such public grounds as under the laws of this state or the charter provisions or ordinances of the city are otherwise under the care and supervision of other officers; of all sewers and the work pertaining thereto; and of all public works commenced or undertaken by such city, except as otherwise expressly provided by law. He shall have power to make contracts in the name and behalf of the city in the manner and under the limitations prescribed by the laws of this state or the charter of the city of Milwaukee having reference to the board of public works or the commissioner of public works. He shall perform all the duties prescribed by this charter ordinance, and such duties as are now executed by boards of public works in cities of the first class to which ch. 297 of the laws of [Wisconsin] 1907 shall apply, and such other duties as the common council may from time to time require. It shall be his duty to supervise and control the collection, removal and disposal of garbage in the city, subject to such ordinances and resolutions as the common council may adopt.

(HISTORY: Section 7-04 cr. Ch. Ord. 112, File #70405, Dec. 2, 1940.)

7-05. Powers. The said commissioner of public works shall have the exclusive power to grant permits, subject to such regulations and restrictions as may be prescribed by the ordinances of the city, for the moving of houses, along or across streets, alleys or walks, and to regulate the building of vaults under streets, alleys or sidewalks. No building material or other obstruction of any kind shall be placed on the streets, walks, or other public grounds of the city, without the written permit of said commissioner. He shall have power, subject to such ordinances as may be lawfully passed by the common council, to regulate and control the manner of using streets, alleys or walks, for laying down gas or water pipes and sewers, and to determine the location and depth thereof, and to cause the prompt repair in such time and manner as he shall direct, of streets, alleys and walks, whenever such pipes or sewers may be taken or altered. And in case any corporation or individual shall neglect to repair or restore to its former condition, any street, alley or sidewalk so excavated, taken up or altered, within the time and in the manner directed by said commissioner, the said commissioner shall cause the same to be done at the expense of such corporation or individual. (*S. 20, Ch. 144, L. 1875.*)

7-065. Board of Assessment, Secretary. The commissioner of public works shall be the permanent secretary of the board of assessment, and in this capacity shall be its chief administrative officer and permanent technical advisor. The secretary shall appoint such other employees and technical advisors and experts on valuation of property and damages and benefits of property as may be deemed necessary. All appointments shall be made in accordance with the provisions of ss. 63.18 to 63.52, Wis. Stats., and with the provisions of the Wisconsin Statutes and the charter ordinances applying to the board of city service commissioners of said city. All positions and the compensation thereof shall be established by the common council of said city. Employees, excluding the secretary of the board of assessment, shall be validated into the civil service and shall have the tenure and all the rights, privileges and benefits of civil service employment.

(HISTORY: Section 9-02-2 (currently 7-065) am. Ch. Ord. 436, File #76-757, Oct. 5, 1976.

9-02-2 m. administratively to 7-065 in December, 1984.)

7-08. Special Deputies. The commissioner of public works may from time to time appoint and designate competent persons within the department of public works to act for and in his stead in specified matters, as special deputy commissioners of public works without additional compensation. Such appointments shall be in writing and copies thereof filed with the city clerk and city comptroller setting forth the specific acts each such deputy is authorized to perform in the name of the commissioner. Such authority may be revoked or amended in the same manner. Within the scope of their specified authority, such deputies may perform any and all acts required by law of the commissioner. The commissioner shall be responsible for all acts of such deputies and may require that additional bonds be furnished to assure their faithful performance thereof.

(HISTORY: Section 7-08 cr. Ch. Ord. 225, File #56-1456-a, July 24, 1956.)

7-09. Charges of Misconduct. Whenever any charge of official misconduct or inefficiency shall be preferred against said commissioner of public works, the common council of such city shall hear such charges as soon as practicable after they have been filed with the clerk of such city,