

**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:

- 180571 A substitute ordinance establishing a pedestrian mall to be known as the "Westlawn Pedestrian Mall" in certain outlets in the subdivision known as Westlawn West, in a portion of Lot 1 of CSM 8895, in the eastern 14 feet of the vacated public service drive north of Lot 1 of CSM 8895, and in certain right-of-way areas in the subdivision known as Westlawn East, in the 2nd Aldermanic District.
- 180869 A substitute ordinance relating to surveys of water supply cross-connections.

<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. #382)				v-vi	v-vi
97-12-6-b	rc	180869	11/2/2018	457-458	457-458
97-12-9.5	cr	180869	11/2/2018	"	"
Ch. 97 (hist.)				"	"
Ch. 113 Table				701-702	701-702
113-23	cr	180571	11/2/2018	709-712	709-712
Ch. 113 (hist.)				713-714	713-714

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 ra=renumbered and amended rn=renumbered
cr=created rc=recreated rp=repealed

Revised 10/16/2018
Suppl. #383

MEMO

If all supplements have been properly inserted, this book contains all actions of the Common Council through October 16, 2018.

Revised 10/16/2018
Suppl. #383

a. Conducting a survey of each residential premises a minimum of once every 20 years, on a schedule matching meter replacement. For normal kitchen and bathroom fixtures on residential premises, public education materials may be provided in lieu of surveys of those fixtures, as long as those materials are provided to the customer not less than every 3 years and with every cross-connection survey.

b. Conducting a survey of each commercial premises and each public authority a minimum of once every 2 years, subject to the following exceptions:

b-1. For a commercial premises with a risk of cross-connection similar to or less than a residential premises, the survey schedule may be the same as described in par. a.

b-2. For a multi-family residential or condominium premises, except a premises heated by a boiler, the survey shall be conducted a minimum of once every 5 years.

c. Maintaining results of all surveys until corrections and follow-up surveys have been made.

d. Maintaining a complete description of the methods, devices and assemblies which will be used to protect the potable water supply. These methods, devices and assemblies shall be consistent with the provisions of s. SPS 382.41, Wis. Adm. Code.

e. Providing for the discontinuance of water service, after reasonable notice, to any premises where an unprotected cross-connection exists or where a survey could not be conducted due to denial of access. See sub. 9 for additional information.

f. Submitting to the Wisconsin department of natural resources an annual report including a total number of service connections by category and the number of surveys completed in each category for that year.

7. INSPECTIONS. In addition to surveys conducted as part of the ongoing survey program described in sub. 6, a representative of the water works shall have the power and authority at all reasonable times, for any proper purpose, to examine any property served by a connection to the public water supply system. If entry is refused, the representative may obtain a special inspection warrant under s. 66.0119, Wis. Stats. A copy of any testing conducted on any testable backflow preventer shall be provided to the water works. Upon request by a representative of the water works, the owner, his

or her agent, lessee or occupant of any property so served shall furnish to the inspection agency any additional pertinent information regarding the piping system or systems on the property if the information is known to the owner, agent, lessee or occupant.

8. REINSPECTIONS. Any person who shall fail or neglect to comply with any lawful order issued by the superintendent of water works or the superintendent's designee pursuant to this section, may be assessed a reinspection fee pursuant to s. 200-33-48.

9. DISCONTINUANCE OF SERVICE.

a. The water works shall discontinue water service to any property wherein any connection in violation of this section exists or where a survey could not be conducted due to denial of access, and take any other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service may be discontinued only after reasonable notice and opportunity for a hearing pursuant to s. 320-11, except as provided in par. b. Water service to the property shall not be restored until the cross-connection has been eliminated in compliance with this section or access for a survey has been provided.

b. If it is determined by the water works that a cross-connection or an emergency causes imminent danger to the public health, safety or welfare and required immediate action, service may be immediately discontinued or ordered disconnected. The person aggrieved shall receive notice of the disconnection and shall have the right to appeal pursuant to s. 320-11.

9.5. DELEGATION OF AUTHORITY. The water works may delegate the inspection, survey, and enforcement authority and duties established in this section to the department of neighborhood services pursuant to a memorandum of understanding.

10. PENALTY. Any person who violates or fails to comply with this section shall be subject to a forfeiture of not less than \$150 nor more than \$5,000, together with the cost of prosecution, and in default of payment shall be imprisoned in the house of correction or in the Milwaukee county jail until such fine and costs are paid, such imprisonment not to exceed 90 days. Each day of violation shall constitute a separate offense.

97--Water Supply

**LEGISLATIVE HISTORY
CHAPTER 97**

Abbreviations:

am = amended

cr = created

ra = renumbered and amended

rc = repealed and recreated

rn = renumbered

rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
97-1	am	960621	7/30/96	8/16/96
97-1	am	980963	12/18/98	1/1/99
97-2	am	960621	7/30/96	8/16/96
97-2	am	980963	12/18/98	1/1/99
97-4.5	am	951346	1/23/96	2/9/96
97-8-1	am	960621	7/30/96	8/16/96
97-9*	cr	86-677	7/29/86	8/16/86
97-9*	cr	872597	6/7/88	6/24/88
97-9*	rn to 97-10	880524	7/26/88	8/13/88
97-10-1-b	am	881930	3/7/89	3/25/89
97-12	cr	031241	10/11/2004	10/28/2004
97-12-1	am	111247	10/14/2014	10/31/2014
97-12-2	am	111247	10/14/2014	10/31/2014
97-12-4-a	am	111247	10/14/2014	10/31/2014
97-12-4-c	am	111247	10/14/2014	10/31/2014
97-12-4-d	am	111247	10/14/2014	10/31/2014
97-12-4-g	am	111247	10/14/2014	10/31/2014
97-12-4-h	am	111247	10/14/2014	10/31/2014
97-12-5-b	am	111233	1/18/2012	2/4/2012
97-12-5-c	am	111233	1/18/2012	2/4/2012
97-12-6	rc	111247	10/14/2014	10/31/2014
97-12-6-a	am	111233	1/18/2012	2/4/2012
97-12-6-b	rc	180869	10/16/2018	11/2/2018
97-12-6-b-2	am	111233	1/18/2012	2/4/2012
97-12-7	am	111247	10/14/2014	10/31/2014
97-12-9-a	am	111247	10/14/2014	10/31/2014
97-12-9.5	cr	180869	10/16/2018	11/2/2018

* Section 97-9 was created effective 8/16/86; in 1988, a new section of chapter 97 was created, effective 6/24/88, and inadvertently assigned the same section number (section 97-9).

Subsequently a revisor's bill was passed, effective 8/13/88, renumbering the new text created effective 6/24/88 to section 97-10.

**CHAPTER 113
ARRANGEMENT OF CITY STREETS**

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113-1. Uniform Numbering System. 1. BASE LINES. There is established a uniform numbering system of numbering all houses and buildings fronting on all streets, avenues and highways in the city of Milwaukee. In establishing said system, N. First Street, the Milwaukee River and S. First Street and S. Chase Avenue shall constitute the north and south base line and the Milwaukee River to the Menomonee Canal and the section line in W. Canal Street from the South Menomonee Canal to the west city limits shall constitute the east and west base line.

2. HOUSE NUMBERING. Numbers on all houses and buildings running east and west or north and south from said base lines shall be extended each way, upon the basis of one number for each 15 feet of property frontage, wherever possible, starting at the base line with the number 100 and continuing with consecutive hundreds at each intersection, wherever possible. All even numbers shall be placed upon houses and buildings on the north and east side of said streets, avenues and

highways and all odd numbers upon houses and buildings on the south and west side of said streets, avenues and highways.

3. DEFINITION OF STREET. For the purpose of interpretation, application and enforcement of this section and s. 113-2, the term street shall include any private street or way open to public use.

4. STREET NAMES. Before house numbers can be assigned to houses or buildings fronting on private rights-of-way, a street name must be established by the common council. This name shall conform to the existing street names in the area, wherever possible. The owners of the street must supply the city with a legal description of the private street to be named and must place street name signs in a conspicuous place adjacent to the roadway to properly identify the approved street name.

5. PRIVATE ROAD SIGNS. The owner must place street name signs in a conspicuous place adjacent to the roadway to properly identify the approved street name. This sign shall be on brown background with white reflective letters or internally illuminated. It shall be double-faced, a 9 inch blank, with 4 inch letters and shall include the phrase "private road" in 2 inch letters in parenthesis.

113-2. Assigning of House Numbers. 1. BY CITY ENGINEER. The city engineer shall make the necessary survey and assign to each house and building located on any street, avenue or highway in the city, its respective number under the uniform system provided for in s. 113-1. House number assignments shall not use honorary street names. When the city engineer shall have completed the survey and assigned to each house and building so located its respective number or numbers, the owner, occupant or agent shall place or cause to be placed upon each house or building controlled by him or her the number or numbers assigned by the city engineer under the uniform system provided for in s. 113-1. Such number or numbers shall be placed within 15 days after the city engineer has assigned the proper numbers. The cost of any number or numbers on any new house, building or structure erected shall be

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borne entirely by the owner or occupant of any house or building, the numbers in all instances to comply with the standard set forth in s. 113-1.

2. MAINTAINING OLD NUMBERS. It shall be the duty of the owner, occupant or agent of any house or building, to which a new number is assigned as provided in this chapter, to maintain the old number now upon said house or building, together with the new number for a period of 6 months after the said city engineer has assigned the new number or numbers to the premises, after at which time the old number or numbers shall be removed, and thereafter it shall be unlawful to maintain any number other than the new number, as designated by the city engineer.

3. SUFFIXES. Where only one number is available for any house or building, the owner, occupant or agent of the house or building who shall desire distinctive numbers for the upper and lower portion of the house or building, or for any house or building, fronting on any street, the owner, occupant or agent shall use the suffixes A, B, C, etc. as may be required. These suffixes shall only be used if the required number or numbers are not available.

4. IMPROPER NUMBERS. It shall be unlawful for any person to alter any number or retain any improper number, other than the one given by virtue of s. 113-1 and this section.

5. SIZE AND LOCATION OF NUMBERS. All numbers placed on houses and buildings in accordance with s. 113-1 and this section shall not be less than 3 inches, including background, in height and shall be distinctly legible and shall be posted in a conspicuous place on the front of each house or building, and at the rear or side of properties that abut or are adjacent to alleys, so as to be easily seen and read from such public ways. In no event shall the number proper, where a background is used, be less than 2 inches in height.

6. INFORMATION. It shall be the duty of the city engineer to inform any party applying therefor, the number or numbers

belonging or embraced within the limits of said lot or property, as provided in s. 113-1.

7. NEW BUILDINGS. No building permit shall be issued for any house, building or structure until the city engineer or person designated by the city engineer has assigned an official number for the premises. Whenever any new house, building or structure shall be erected in the city, in order to preserve the continuity and uniformity of numbers of the houses, buildings and structures, it shall be the duty of the owner or his or her agent, to procure the correct number or numbers, as designated by the city engineer, for the property and the owner or agent shall immediately fasten the number or numbers so assigned upon the house, building or structure in a conspicuous place at the entrance of the house, building or structure; and display the designated number at the rear of side of properties that abut or are adjacent to alleys.

8. DUTY OF POLICEMEN. It shall be the duty of all policemen of the city to report violations of s. 113-1 and this section, inclusive.

9. VIOLATIONS. Any owner, occupant or agent of any house or building failing or refusing to comply with s. 113-1 and this section, inclusive, shall, upon conviction thereof be punished by a fine of not less than \$25 nor more than \$50 and costs of prosecution for each such neglect and refusal, and in default of payment of such fine and costs, by imprisonment in the house of correction of Milwaukee county for not exceeding 2 days.

113-3. Naming of Public Buildings, Facilities and Streets.

1. POLICY. To preserve the city's heritage and protect the public safety and convenience, existing names of public buildings, facilities and streets may be changed only in exceptional cases and only when compelling reasons for change are evident. In the naming of new public buildings and facilities, in the assignment of honorary street names and in the exceptional cases of renamings of public buildings, facilities and streets, priority shall be

northwesterly line of North Young Street; thence northeasterly, along said extension of North Young Street, to its point of intersection with the east line of North Broadway; thence northerly, along said east line, to the point of intersection of said east line and the south line of East Menomonee Street; thence westerly, to the point of commencement. A map of the pedestrian mall area described in this subsection is on file with the city clerk

113-20. Erie Street Plaza Pedestrian Mall.

1. CREATED. In accordance with s. 66.0905, Wis. Stats., a pedestrian mall is established in an area previously used for vehicular thoroughfare in East Erie Street adjacent to the harbor entrance. The designated area shall be limited to pedestrian users and to emergency, public works maintenance and utility transportation vehicles.

2. AREA AND LOCATIONS. The area and locations included in the pedestrian mall established under this section are specifically described as follows: That part of East Erie Street in the Northwest 1/4 of Section 33, Township 7 North, Range 22 East described as follows: Commencing at the southeast corner of Lot 3 of Certified Survey Map No. 7370; thence South 33°19'02" East, along the southeasterly extension of the easterly line of Lot 3 aforesaid, 21.67 feet to a point lying 20.00 feet southeasterly of, as measured normal to, the southerly line of Lot 3, said point being the point of beginning of the land to be described; thence South 34°16'47" West, parallel to said southerly line, 110.57 feet to a point in the westerly line of said Certified Survey Map, said westerly line also being the established dock line of the east bank of the Milwaukee River; thence South 33°18'29" East, along said westerly line and said established dock line, 11.45 feet to a point; thence South 67°20'57" East, along said westerly line and said established dock line, 47.50 feet to a point in the southerly line of said Certified Survey Map; thence North 85°48'29" East, along said southerly line, 86.59 feet to a point in the southeasterly extension of the easterly line of Lot 3; thence North 33°19'02" West, along said southeasterly extension, 135.09 feet to the point of beginning. Said area contains 8,420 square feet or 0.1933 acres of land.

3. MAP ON FILE. A map of the pedestrian mall area described in sub. 2 is on file with the city clerk.

113-21. North 4th Street Pedestrian Mall.

1. CREATED. In accordance with Section 66.0905, Wisconsin Statutes, a pedestrian mall is established in an area previously used for vehicular thoroughfare in North 4th Street from West Highland Avenue to West Juneau Avenue. The designated area shall be limited to pedestrian and bicycle-friendly users and to emergency, maintenance, utility and mass transit related vehicles.

2. AREA AND LOCATIONS. The area and locations included in the pedestrian mall established under this section are specifically described as follows: All of North 4th Street, as presently laid out, in the Northeast 1/4 of Section 29, Township 7 North, Range 22 East, lying between the north line of West Highland Avenue extended and a line drawn from the present northeast corner of Lot 1 in Block 43 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision in said 1/4 Section, and the northwest corner of Parcel 1 of Certified Survey Map No. 5020.

3. MAP ON FILE. A map of the pedestrian mall area described in sub. 2 is on file with the city clerk.

113-22. Arena Connector Pedestrian Mall.

1. CREATED. In accordance with Sections 66.0905 and 62.71, Wisconsin Statutes, a pedestrian mall is established in an area previously used for vehicular thoroughfare in the east-west alley and a portion of the north-south alley in the block bounded by West Highland Avenue, West Juneau Avenue, North Old World Third Street and the North 4th Street Pedestrian Mall. The designated area shall be limited to pedestrian and to emergency, maintenance and utility related vehicles.

2. AREA AND LOCATIONS. The area and locations included in the pedestrian mall established under this section are specifically described as follows: The east-west 20-foot wide alley and a portion of the north-south 20-foot wide alley as platted in Block 42 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision, in the Northeast 1/4 of Section 29, Township 7 North, Range 22 East, described as follows: Commencing at the northeast corner of Lot 9 in said Block 42; thence Westerly, along the north line of Lot 9, to the northwest corner of Lot 9; thence Southerly, along the west line of Lot 9, to

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a point in the south line of the north 8.00 feet of Lot 9; thence Westerly, along the westerly extension of said south line, to a point in the east line of Certified Survey Map No. 8878, thence Northerly, along said east line, to a point in the westerly extension of the north line of the south 8.00 feet of Lot 5 in said Block 42; thence Easterly, along said westerly extension, to a point in the west line of Lot 5; thence Southerly, along the west line of Lot 5 and Lot 8 in said Block 42, to the southwest corner of Lot 8; thence Easterly, along the south line of Lot 8 to the southeast corner of Lot 8; thence Southerly to the point of commencement.

3. MAP ON FILE. A map of the pedestrian mall area described in sub. 2 is on file with the city clerk.

113-23. Westlawn Pedestrian Mall. 1. CREATED; AREA; LOCATIONS. In accordance with Wisconsin Statute Section 66.0905, a pedestrian mall is established in the following areas: Outlots 1 and 2 of Block 1, Outlot 1 of Block 3, Outlot 1 of Block 4, Outlots 1 and 2 of Block 5, all in the subdivision known as Westlawn West recorded in the Milwaukee County Register of Deeds Office on December 18, 2017 as Document No. 10735796, as corrected by an Affidavit of Correction recorded June 14, 2018 as Register of Deeds Document No. 10782017; and also that part of Lot 1 of Certified Survey Map 8895, which certified survey map was recorded in the Milwaukee County Register of Deeds Office on March 3, 2017 as Document No. 10653887, that is 14-foot wide and 127.924 feet long and that abuts Outlot 2 of Block 1 of Westlawn West; and also the eastern 14 feet of the vacated public service drive north of Lot 1 of CSM 8895; and also the following areas that were dedicated to the City of Milwaukee for pedestrian way purposes in, and by means of the subdivision plat known as Westlawn East, the pedestrian way area that abuts Lot 3 in Block 8 of Westlawn East, the pedestrian way area that is between Lot 1 and Lot 2 in Block 4 of Westlawn East, and the pedestrian way area that is between Lot 5 and Lot 6 in Block 4 of Westlawn East. The designated areas shall be limited to pedestrian and bicycle-friendly users and to emergency, maintenance, utility and mass transit related vehicles.

2. MAP ON FILE. A map of the pedestrian mall area described in sub. 1 shall be on file with the city clerk.

113-30. Official Map Established. Under and pursuant to the provisions of s. 62.23(6), Wis. Stats., the city of Milwaukee hereby establishes the procedure for the creation, amendment and alteration of an official map.

113-31. Procedures. 1. DUTIES OF CITY ENGINEER. The official map shall be prepared by the city engineer as an atlas of quarter section maps drawn at a scale of 200 feet to the inch on materials from which reproductions can be made. The map shall include all of the existing streets, alleys, parkways, highways and expressways, whether under the jurisdiction of the city, the county or the state of Wisconsin. Expressways and state highways shall be shown by exterior boundaries of such rights-of-way, but in all other streets, highways and parkways owned by the city of Milwaukee or Milwaukee county, platted measurements shall be used wherever available. Street names or designations shall be used if such names or designations have been established. In addition to the above duties, other duties of the city engineer which relate to changes in the official map are contained in s. 113-32-1.

2. DUTIES OF THE CITY PLAN COMMISSION. All maps when completed by the city engineer shall be forwarded to the city plan commission for further action. Pursuant to the applicable provisions of s. 62.23(6), Wis. Stats., the city plan commission shall recommend approval or disapproval of such maps and shall forward a report thereon to the common council for further processing and shall recommend to the common council the necessity for a public hearing thereon. The plan commission may have hearings if it so desires.

3. DUTIES OF THE COMMON COUNCIL. Upon the receipt of the maps from the city plan commission, the common council shall make an official file thereof related to a specific ordinance number which shall cover all official map proceedings to be known as the official map, and after introduction, such file shall be referred to a committee of the common council. Upon receiving the recommendation of the committee, the common council may adopt or refuse to adopt such maps as the official map of the city, or in the alternative, may refer the matter back to the committee and to the city plan commission for further proceedings before taking final action thereon. Such official map is deemed to be final and conclusive with respect to the location and width of streets, alleys, parkways, highways and expressways.

4. DUTIES OF THE CITY CLERK. Upon adoption of the official map by the common council, the city clerk shall cause to be recorded in the office of the register of deeds a certificate showing that the city has established such official map. The city clerk shall also forward certified copies of the official map and the resolution or ordinance adopting the same, to the commissioner of neighborhood services, the city plan commission and the city engineer.

113-32. Procedure for Changes to Official Map.

1. DUTIES OF THE CITY ENGINEER. The official map may also be changed or added to so as to establish the exterior lines of planned new streets, alleys, parkways, highways and expressways, whether under the jurisdiction of the city, county or the state of Wisconsin, or to widen, narrow, extend or close existing streets, alleys, parkways and expressways. Whenever any change or addition is proposed for any portion of the official map heretofore adopted by the common council, it shall be the duty of the city engineer to set forth such proposed amendment as a change in the applicable quarter section page of such official map, delineating and identifying the change or addition or amendment proposed to be made as on the original page. He shall forward such quarter section page or pages to the common council. The common council shall refer the matter to the city plan commission for its report thereon, and, at the same time, the common council shall refer the matter to a committee of the common council.

2. DUTIES OF THE CITY PLAN COMMISSION. Pursuant to the provisions of s. 62.23(6), Wis. Stats., the city plan commission shall study such proposed change or addition and shall make a report thereon to the common council. Copy of such report shall be forwarded to the committee of the common council to which the matter was referred. The plan commission shall also make recommendation to the common council and to the committee as to the necessity for a public hearing where it is that type of matter for which a hearing is not necessarily required as stated in s. 113-34-3. If the city plan commission shall not make its report within 60 days of the date the matter was referred to it by the common council, it shall forfeit the right to further suspend action.

3. DUTIES OF THE COMMON COUNCIL. The committee of the common council to which the matter was referred, upon receiving a copy of the report from the city plan commission shall, if required by law, hold a public hearing thereon. Notice of the public hearing shall be published as a class 2 notice under the provisions of ch. 985, Wis. Stats. After such public hearing, if required, and upon receiving the recommendation of the committee and also the report of the city plan commission, the common council may adopt or refuse to adopt such change or addition or may refer the matter back to the committee and the city plan commission for further proceedings before taking final action thereon. Such additions or changes, when adopted, shall become a part of the official map of the municipality and shall be deemed to be final and conclusive with respect to the location and width of the streets, alleys, parkways, highways and expressways shown thereon.

4. DUTIES OF THE CITY CLERK. Upon adoption of any change or addition to the official map by the common council, the city clerk shall cause to be recorded in the office of the register of deeds a certificate showing that the city has made such addition or change to such official map. The city clerk shall also forward certified copies of such changes or additions to the official map, and the resolution or ordinance adopting the same, to the commissioner of building inspection, the city plan commission and the city engineer.

113-33. Preserving Integrity of Official Map.

1. DUTIES OF THE COMMISSIONER OF NEIGHBORHOOD SERVICES. The commissioner of neighborhood services shall be the official custodian of the official map and he shall be charged with the duty of preserving the integrity of such official map, subject to and in accordance with the provisions of s. 62.23(6)(d), Wis. Stats. All applications for building permits within the bed of any streets, alleys, parkways, highways and expressways shall be denied within 30 days from the date of such application. The commissioner of neighborhood services shall receive all appeals to the zoning board of appeals, and it shall be his duty to bring such appeals to the attention of the zoning board of appeals at the next regular meeting of such board.

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2. DUTIES OF THE ZONING BOARD OF APPEALS. The zoning board of appeals, upon any such appeal, shall fix a time and place for the hearing of said appeal in the same manner as that established for other appeals within said board's jurisdiction; said hearing to be held not more than 40 days after such application is filed. The board may in its discretion or upon motion of the appellant or city attorney adjourn such matter. If the land within such mapped street, alley, parkway, highway or expressway is not yielding a fair return, the zoning board of appeals shall have power in a specific case, by the vote of a majority of its members, to grant a permit for a building in such street, alley, parkway, highway or expressway, which will as little as practicable increase the cost of opening such street, alley, parkway, highway or expressway, or tend to cause a change of such official map; and such board may impose reasonable requirements as a condition of granting such permit, which requirements shall be designated to promote the health, convenience, safety or general welfare of the community. Such board shall refuse a permit where the applicant will not be substantially damaged by placing his building outside the mapped street, alley, parkway, highway or expressway. Before taking any action authorized in this subsection, the board of appeals shall hold a hearing at which parties in interest and others shall have an opportunity to be heard. At least 15 days before the hearing, notice of the time and place of the hearing shall be published as a class 1 notice, under ch. 985, Wis. Stats. Any such decision shall be subject to review by certiorari by a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of a board of appeals upon zoning regulations.

113-34. Other Provisions of Official Map.

1. ALL NEW STRUCTURES TO BE SHOWN ON MAP. No public sewer or other municipal street utility or improvement shall be constructed in any street, highway or parkway until such street, highway or parkway is duly placed on the official map. No permit for the erection of any building shall be issued unless a street, highway or parkway giving access to such proposed structure has been duly placed on the official map. Where the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and where the

circumstances of the case do not require the structure to be related to existing or proposed streets, highways or parkways, the applicant for such a permit may appeal from the decision of the commissioner of neighborhood services to the board of zoning appeals, and the same provisions are applied to such appeals and to such board as are provided in cases of appeals on zoning regulations. The board may in passing on such appeal make any reasonable exception, and issue the permit subject to conditions that will protect any future street, highway or parkway layout. Any such decision shall be subject to review by certiorari issued by a court of record in the same manner and pursuant to the same provisions as in appeals from the decision of such board upon zoning regulations.

2. PLANS NOT OFFICIAL. The placing of any street, alley, parkway or highway or expressway on the official map shall not in and of itself constitute or be deemed to constitute the opening or establishment of any street, alley, parkway, highway or expressway, or the taking or acceptance of any land for such purposes.

3. STREET CHANGES TO BE SHOWN. The locating, widening or closing, or the approval of the locating, widening or closing of streets, alleys, parkways, highways or expressways under provisions of law other than this section shall be deemed to be a change or addition to the official map and shall be subject to the provisions of ss. 113-30 to 113-34, except that changes or additions made by a subdivision plat approved by the city under ch. 236, Wis. Stats., shall not require the public hearing specified in this subsection if the changes or additions do not affect any land outside the platted area.

4. CITY OF MILWAUKEE ONLY. The city shall not include in the official map any highways, parkways or expressways maintained and operated by the county of Milwaukee without the approval of the county board of supervisors.

5. LAND RESERVED FOR STREET PURPOSES. Lands which have been reserved for street purposes, or which have been set aside by any grantor in any deed or other grant, shall not be separately shown on such map and shall not be identified as such, and the inclusion of any such lands within the bed of any street, alley, parkway, highway or expressway shown on such official map shall not be deemed to be an acceptance thereof by the city.

Arrangement of City Streets 113—(HISTORY)

LEGISLATIVE HISTORY
CHAPTER 113

Abbreviations:

am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 113	rn from ch. 3	881465	11/18/88	12/9/88
113-2-1	am	050197	6/14/2005	7/1/2005
113-2-1	am	060402	7/31/2006	8/12/2006
113-2-1	am	061552	4/17/2007	5/4/2007
113-2-3	am	061552	4/17/2007	5/4/2007
113-2-7	am	061552	4/17/2007	5/4/2007
113-2-9	am	061552	4/17/2007	5/4/2007
113-3	cr	930842	10/19/93	11/5/93
113-3	*	060656	9/26/2006	10/13/2006
*noncodified amendment				
113-3-1	am	050197	6/14/2005	7/1/2005
113-3-2	rn to 113-2-a	140518	11/5/2014	11/22/2014
113-3-2-b	cr	140518	11/5/2014	11/22/2014
113-3-4-0	am	050197	6/14/2005	7/1/2005
113-3-4-a-0	am	050197	6/14/2005	7/1/2005
113-3-4-a-1	am	050197	6/14/2005	7/1/2005
113-3-4-a-2	am	050197	6/14/2005	7/1/2005
113-3-4-a-5	am	050197	6/14/2005	7/1/2005
113-3-4-a-7	rp	050197	6/14/2005	7/1/2005
113-3-4-b	rc	050197	6/14/2005	7/1/2005
113-3-4-b	am	030400	7/26/2005	8/12/2005
113-3-4-b	am	060402	7/31/2006	8/12/2006
113-3-4-b	am	071361	3/18/2008	4/5/2008
113-3-4-c	am	050197	6/14/2005	7/1/2005
113-3-4-d-0	am	050197	6/14/2005	7/1/2005
113-3-4-d	rn to 113-3-4-e	060402	7/31/2006	8/12/2006
113-3-4-d	cr	060402	7/31/2006	8/12/2006
113-3-4-d-2	rc	050197	6/14/2005	7/1/2005
113-3-4-e	am	050197	6/14/2005	7/1/2005
113-3-4-e	rn to 113-3-4-f	060402	7/31/2006	8/12/2006
113-3-4-e-2	am	060402	7/31/2006	8/12/2006
113-3-4-e-5	cr	071361	3/18/2008	4/5/2008
113-3-4-e-6	cr	071361	3/18/2008	4/5/2008
113-3-4-f	rc	060402	7/31/2006	8/12/2006
113-3-5-0	am	050197	6/14/2005	7/1/2005
113-3-5-b	am	060402	7/31/2006	8/12/2006
113-3-5-d	am	050197	6/14/2005	7/1/2005
113-3-6-0	am	050197	6/14/2005	7/1/2005
113-3-6-i	am	050197	6/14/2005	7/1/2005
113-3-7-0	am	060402	7/31/2006	8/12/2006
113-3-7-a	am	060402	7/31/2006	8/12/2006
113-3-7-b	am	060402	7/31/2006	8/12/2006
113-3-7-c	cr	060402	7/31/2006	8/12/2006
113-3-8	cr	050197	6/14/2005	7/1/2005
113-3-8	am	060402	7/31/2006	8/12/2006
113-3-9	cr	060402	7/31/2006	8/12/2006
113-12-1	rc	040009	5/25/2004	6/12/2004
113-17	rc	910203	10/15/91	12/13/91
113-17-1	am	001458	2/27/2001	3/16/2001
113-17-3-a	rp	921875	4/8/93	4/28/93

113—(HISTORY) Arrangement of City Streets

113-17-3-b	rp	921875	4/8/93	4/28/93
113-17-3-c	rp	920637	10/13/92	10/30/92
113-17-3-c	rn to 113-17-3-a	921875	4/8/93	4/28/93
113-17-3-d	rp	920637	10/13/92	10/30/92
113-17-3-d	rn to 113-17-3-b	921875	4/8/93	4/28/93
113-17-3-e	rp	920637	10/13/92	10/30/92
113-17-3-e	rn to 113-17-3-c	921875	4/8/93	4/28/93
113-17-3-f	rn to 113-17-3-c	920637	10/13/92	10/30/92
113-17-3-f	rn to 113-17-3-d	921875	4/8/93	4/28/93
113-17-3-g	rn to 113-17-3-d	920637	10/13/92	10/30/92
113-17-3-g	rn to 113-17-3-e	921875	4/8/93	4/28/93
113-17-3-h	rn to 113-17-3-e	920637	10/13/92	10/30/92
113-17-3-h	rn to 113-17-3-f	921875	4/8/93	4/28/93
113-17-3-i	rn to 113-17-3-f	920637	10/13/92	10/30/92
113-17-3-i	rn to 113-17-3-g	921875	4/8/93	4/28/93
113-17-3-j	rn to 113-17-3-g	920637	10/13/92	10/30/92
113-17-3-k	rn to 113-17-3-h	920637	10/13/92	10/30/92
113-17-3-L	rn to 113-17-3-i	920637	10/13/92 1	0/30/92
113-18-1	am	001458	2/27/2001	3/16/2001
113-19	cr	891266	1/16/90	2/3/90
113-19-1	am	001458	2/27/2001	3/16/2001
113-20	cr	100262	11/23/2010	12/11/2010
113-21	cr	151444	4/15/2016	5/4/2016
113-22	cr	171429	2/6/2018	2/23/2018
113-23	cr	180571	10/16/2018	11/2/2018
113-31-4	am	951346	1/23/96	2/9/96
113-31-4	am	980963	12/18/98	1/1/99
113-33-1	am	951346	1/23/96	2/9/96
113-33-1	am	980963	12/18/98	1/1/99
113-34-1	am	980963	12/18/98	1/1/99

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