

**INSTRUCTION SHEET
ADDITIONS TO
MILWAUKEE CODE OF ORDINANCES
VOLUME 3**

SUMMARY

This supplement incorporates changes to Volume 3 of the Milwaukee Code of Ordinances enacted by the following Common Council file:

220817 A substitute ordinance relating to the settlement of certain claims.

<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. #338)					
304-7-1 Index	am	220817	10/29/2022	v-vi 43-44 1551-1552	v-vi 43-44 1551-1552

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Abbreviations:

am=amended
cr=created
corr=correction

ra=renumbered and amended
rc=recreated

rn=renumbered
rp=repealed

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Suppl. #339

MEMO

If all supplements have been properly inserted, this book contains all actions of the Common Council through October 11, 2022.

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purchased by the city shall come under the supervision and control of the office of comptroller.

2. COMMON COUNCIL CONTROL. All insurance purchased under the provisions of this section, with the exception of insurance available from the state insurance fund, as provided for in chs. 604 and 605, Wis. Stats., shall be purchased through the central board of purchases on specifications furnished by the office of the city comptroller, and the insurance consultant if necessary, unless the common council authorizes by resolution another procedure for a specific purchase; provided that the following types of purchases of insurance shall be the only types of purchases which shall require authorization by the common council

a. All new coverage, and all new types of coverages.

b. Increased limits of coverage which results in an increase in annual premium of over \$400, or 3 year premium of over \$1,000.

3. RULES AND REGULATIONS. The office of comptroller may adopt such rules and regulations with respect to its authority under this section as it deems appropriate, but such rules and regulations shall not become effective until they have been approved by the committee on judiciary-legislation of the common council and by resolution of the common council, and upon such approval, filed with the city clerk.

4. INSURANCE COUNSELOR. With the approval of the common council, the office of comptroller may retain an insurance consultant, which insurance consultant, however, shall not be in the business of buying or selling insurance. Payment of the fees of such consultant shall be paid out of such funds as the common council may direct.

5. REGISTRY OF INSURANCE. The office of comptroller shall keep a record showing all current insurance coverage for the city of Milwaukee, which records shall be available for public inspection during regular office hours. Such record shall show the name and address of the company providing such coverage, the local agency handling the account, and the amount of coverage provided for under such policy. All insurance policies purchased under this section shall be kept in the office of the comptroller.

6. REPORTING OF COVERAGE. The office of the city comptroller shall annually report to the common council on all current insurance coverage of the city of Milwaukee.

304-6. Investment of City Pooled Funds.

1. DEFINITIONS. In this section:

a. "Local government investment pool" means the fund defined in s. 25.50, Wis. Stats.

b. "Pooled funds" means all unrestricted city funds. Pooled funds shall not include debt service funds, funds in the public debt amortization fund or any restricted funds, but shall include the following:

b-1. General funds that are not immediately needed to pay for obligations of the city.

b-2. Enterprise funds, including funds of the Milwaukee water works or of the sewer maintenance fund.

b-3. Proceeds from revenue anticipation note borrowing.

b-4. School operations, school construction and school extension funds.

c. "Total return" means the capital gains or losses on the portfolio and the net income of the portfolio.

2. INTENT. It is the intent of the city to use debt to enable all available pooled funds, to the maximum extent practicable, to be placed in investments other than the state of Wisconsin local government investment pool, to reduce the impact of liquidity needs on investment options, and to enhance investment performance relative to that available through the local government investment pool and bank deposits.

3. INVESTMENT AUTHORITY. Pursuant to s. 18.01 of the charter, the common council vests the authority to invest pooled funds with the city treasurer, subject to the following conditions.

a. All investments shall be in compliance with the restrictions established by s. 66.0603, Wis. Stats.

b. The city comptroller shall issue debt authorized through the public debt commission and in consultation with the city treasurer concerning the city's cash flow and the need for available funds to pay for obligations of the city.

c. The city treasurer shall provide the city comptroller's office with timely access to all information and systems relating to funds on hand in the city treasury necessary to facilitate the issuance of debt when required to assure adequate cash liquidity.

d. The city comptroller shall submit to the city treasurer the debt costs for the prior year associated with the investment of pooled funds'

304-7 Finance

impact on the city's cash flow and the need for immediately available funds no later than February 15 of each year.

4. INVESTMENTS. Pursuant to s. 66.0603 (2), Wis. Stats., the city treasurer may contract for the investment of funds not immediately needed to pay for obligations of the city with a company authorized to transact business in this state, subject to the following conditions:

a. The financial institution is authorized to exercise trust powers under s. 221.0316 or ch. 223, Wis. Stats., or as delegated under s. 34.01 (1), Wis. Stats.

b. The common council shall review annually the performance of the bank or trust company with which funds are invested.

5. COMMON COUNCIL REVIEW. The common council shall annually review the performance of the city treasurer concerning the investment of pooled funds. The review shall include, but need not be limited to, the following information:

a. Net Income on the portfolio.
b. Total return on the portfolio.
c. A comparison of investment results for pooled funds with the return for the preceding year earned by the local government investment pool.

d. The annual costs associated with issuing debt concerning the city's cash flow and the need for available funds to pay for obligations of the city.

e. Compliance with the restrictions set forth under s. 66.0603, Wis. Stats.

304-7. Claims Against the City.

1. AUTHORITY. In furtherance of the city policy of providing prompt, efficient, fair and equitable evaluation and disposition of claims against it, the city attorney is authorized to investigate and make settlement of claims not in excess of \$5,000, hereafter referred to as small claims; and to investigate and make settlement of claims in excess of \$5,000 for a sum not in excess of \$5,000. The city attorney is further authorized to investigate, negotiate and make settlement of motor vehicle liability claims under s. 345.05, Wis. Stats., not in excess of \$50,000.

2. STANDARDS AND PROCEDURE.

a. Motor vehicle claims and small claims against the city of Milwaukee shall be received by the office of the city clerk and forwarded to the office of the city attorney.

b. Upon receipt of a claim, the office of the city attorney shall review the claim.

c. An investigator shall investigate the claim fully to ascertain all relevant facts bearing upon the claim. All payments in settlement of claims shall be approved by the city attorney.

d. In those cases where the office of the city attorney recommends disallowance, the claimant shall be so informed by the city attorney. In those cases where the office of the city attorney recommends settlement, he shall reach a determination with the claimant as to the reasonable settlement of the claim.

e. The office of the city attorney shall prepare a payment certification incorporating the designated attorney's signed statement of facts warranting payment and forward it to the office of the comptroller. The comptroller shall prepare the necessary payment check to the claimant and forward the same to the city attorney's office which shall obtain from the claimant an executed release before the check is released to the claimant.

f. The office of the city attorney shall submit to the common council semiannual reports as to the settlement of claims during the preceding period, as well as other reports as may be requested by the common council. Copies of the reports shall be made available to other city departments or officials upon request.

3. RIGHT OF REVIEW. Any claimant who feels aggrieved by the disallowance of his claim or is unable to come to agreement with the office of the city attorney as to the settlement of the claim has 21 days in which to communicate with the common council setting forth his grievance. The committee on judiciary-legislation of the common council shall then hold hearings with respect to such grievances and shall report its recommendations to the common council.

304-9. Payment of Bills.

1. FORMS OF BILLS. All bills, except bills for reimbursement of legislative expenses as provided for in s. 304-11, presented to said city for payment shall be made in a manner and on forms as prescribed by the city comptroller.

2. AUDIT OF BILLS BY COMPTROLLER. All bills, except bills for reimbursement of legislative expenses as provided for in s. 304-11, so made out shall be presented to the city comptroller for audit, and he shall examine the same, together with the contract, or law or other authority under which payment of such bill is claimed, and he shall further determine if such claimant is indebted to the city of Milwaukee or any of its agencies, and if so, such indebtedness shall

Index

Peep shows	80-3
Penalties, discharge of	4-31
Pensions	
Employes' retirement system	ch. 36
Firemen's annuity and benefit fund	ch. 34
Military service	20-20
Policemen's annuity and benefit fund	ch. 35
Town of Lake firemen's pension fund	350-153
Performing and visual arts license	81-17.7, 90-37
Permanent improvement fund	304-28
Permit fees	ch. 81
Permit and licensing procedures –nonrenewal, suspension, disqualification, etc.	ch. 85
Pest control	60-67, 77-5, 77-6
Pets (See Animals)	
Photographers	81-93, 84-33
Plans, secure structures-inspection or copying	ch. 311
Planting in the public right-of-way	116-54
Playfields and playgrounds, use regulations	105-20.5 to 105-21
Police	ch. 22, ch. 312
Arrest powers	105-125, 105-127
Assault on	105-133
Assistance by citizens	105-137
Automobile usage	350-135
Auxiliary	312-13
Badge	312-19-1
Certification pay	350-132
Charges against	22-10
Chief	
Appointment	2-04
Duties	312-03
Term	312-01
City officers, police powers	22-07
Clothing allowance	350-92
County-wide authority	22-09
Crime prevention	312-14
Disability	350-163
Duties	105-126, ch. 312
Educational pay	350-137
Escorts	105-59.5
Gifts	312-05
Health commissioner, assistance to	17-09
Holiday pay	350-131
Interpreter/translator pay	350-134
Law enforcement services grants	312-26
Mayoral powers	3-01
Name tag	312-19-3
Neighborhood advisory councils	312-14
Obstructing	104-15
Overtime	350-19
Physical examination	350-165
Police and fire alarm systems	7-10
Political activity	312-11
Records	312-15, 312-17, 312-21
Relief association	20-19
Resisting officer	105-138
Rewards	22-06

Index

Police (continued)

Right of entry 105-124
Uniform 312-19-2, 350-92
Variable shift pay 350-133
Witness fees 22-04

Poll Workers 105-139

Pool tables and establishments (See Entertainment premises, public)

Pornography 106-7, 106-9.5, 106-9.6

Port (see Harbor)

Precious metal dealers 81-99.5, 92-10

Required identification 92-11
Transaction records 92-12, 92-13

Printing contracts 310-21 to 310-27

Private visual presentations 80-3

Property

City property and equipment chs. 1, 304 and 308, 309-10, 310-29
Crimes against ch. 110
Disposal of city real estate property 304-49
Environmental audit, city sale or acquisition of real property 308-22
Environmental testing-remediation fund, city property 304-28.5
Lost property, disposition 105-123
Motor vehicles, sale on streets and public property 81-131.3, 93-26, 101-29
Property recording required 200-33-44.2, 200-33-44.3, 200-51.5
Public lands ch. 10
Residential buildings, foreclosure 200-22.5, 200-33-47
Restoration or mothballing of city property 7-22-5, 304-31.5
Sales on 105-56, 105-57
Vacating in rem judgment 304-50
Vending machines on city property 310-16
Use of ch. 116
Work on ch. 115

Prostitution 106-3, 106-4, 106-34.5, 106-35

Prowling 106-31

Public buildings and facilities, naming of 113-3

Public buildings, smoking prohibited 105-48

Public debt ch. 15, 304-18, 304-65 to 304-71

Public drinking prohibited 106-1.8, 106-2.1

Public entertainment clubs or premises (See Entertainment premises, public)

Public improvements ch. 11

Public lands

Assessments against city 10-07
Boulevards 10-06
Breakwaters 20-05
Care of city land 10-04
Commissioners, board (city plan commission) 320-15
Exchange with United States 10-02, 20-06
Parks 10-03, 10-08, ch. 63, 79-11
Taking for public purpose 10-01

Public passenger vehicles ch. 100

Agent, change 81-101.5, 100-50-5
Definitions 100-3
Driver operating activity 100-61
Driver's license 81-44.7, 100-54
Financial responsibility 100-53
Handicapped-elderly vehicles 81-58.5, 100-51.5-4, 100-61
Horse and surrey livery service 81-60.5, 100-51.5-5, 100-60-2, 100-61
Inspection 100-51