



CITY OF WAUKESHA

Administration

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Committee: Ordinance and Licensing	Date: 6/13/2016
Common Council Item Number: ID#	Date: 6/21/2016
Submitted By: Jennifer Andrews, Community Development Director	City Administrator Approval: Kevin Lahner, City Administrator KL
Finance Department Review: Rich Abbott, Finance Director RA	City Attorney's Office Review: Brian Running, City Attorney BR
Subject: Modify City of Waukesha Municipal Code 25.08 Ordinance Violations, to all the Director of Public Works or their designee to issue citations without limitation for ordinance violations related to public right- of- way.	

Details:

As it is currently written, 25.08 Ordinance Violations, limits the Director of Public Works or their designated individual's authority to issue citations to ch 6.12(2) of our Municipal Code, clearing snow from sidewalks. This limits the enforcement ability of Public Works for other types of permits issued by the Department such as permit for placement of dumpsters in the public right-of-way and requires other departments to take enforcement action for violations outside the purview of their normal inspection scope. A recent example is a dumpster that was placed in the right of way without a permit from Public Works. The Public Works Department identified the violation and contacted the company but when there was no response they had to ask Building Inspection to issue the citation. With this change the Public Works Department could move ahead with issuing citations without the hand off to another department. This would save time and result in quicker correction of the violation.

In addition, it should be noted that several years ago the responsibility for issuing permits for placement of dumpsters in the public right-of-way was transferred from Community Development to the Department of Public Works at which time the ordinance should have been revised to transfer the enforcement ability to the Department of Public Works.

This is a request for a motion directing the City Attorney and Chief Building Inspector to draft a proposed ordinance modification. The attached redline copy is only a demonstration of what the final version could look like. If the O&L committee approves the types of changes proposed the City Attorney will finalize the language changes to the ordinance related specifically to this item and send a final version to the Council for passage.

- Options & Alternatives:**
1. Modify the ordinance to allow the Director of Public Works, or their designee, to issue citations without limitation.
 2. Make no changes to the ordinance which limits the ability of Public Works to issue citations directly causing them to go through other departments to do so. This is the current operation and it is not efficient and causes delays in enforcement.



Financial Remarks:

NA

Executive Recommendation:

Modify 25.08 to allow the Director of Public Works, or their designee, to issue citations without limitation.