



Legislation Details (With Text)

**File #:** 22641      **Version:** 1      **Name:** Municipality  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/26/2011      **In control:** AFFIRMATIVE ACTION COMMISSION  
**On agenda:** 10/18/2011      **Final action:** 10/18/2011  
**Enactment date:** 10/28/2011      **Enactment #:** ORD-11-00137  
**Title:** Amending Section 39.02(9)(a)2.g. of the Madison General Ordinances to clarify the meaning of "municipality" for purposes of the exception to affirmative action contracting requirements.  
**Sponsors:** Joseph R. Clausius

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/18/2011	1	COMMON COUNCIL	Adopt	Pass
10/4/2011	1	AFFIRMATIVE ACTION COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/12/2011	1	AFFIRMATIVE ACTION COMMISSION		
6/7/2011	1	COMMON COUNCIL	Referred	
5/26/2011	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No appropriation is required.

**Title**

Amending Section 39.02(9)(a)2.g. of the Madison General Ordinances to clarify the meaning of "municipality" for purposes of the exception to affirmative action contracting requirements.

**Body**

DRAFTER'S ANALYSIS: Section 39.02(9)(a)2. creates exceptions to the City's affirmative action requirement for contractors, including the requirement to submit an Affirmative Action Plan to the City's Department of Civil Rights for approval prior to release of payment.

One of the exceptions to this requirement is for "contracts with other municipalities." The word "municipality" is not currently defined. This amendment would adopt the meaning of "municipality" found in Wis. Stat. § 66.0301(1)(a), which is a list of governmental units considered to be municipalities for purposes of Intergovernmental Cooperation. (This statute also includes the state and state agencies, but these will not be considered municipalities under this ordinance amendment.) By including a reference to this statute, it will be very clear whether a local governmental unit is considered a "municipality" for purposes of the City's Affirmative Action contracting policies.

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The Common Council of the City of Madison do hereby ordain as follows:

Subparagraph g. of Paragraph 2. entitled "Contract" of Subdivision (a) entitled "Definitions" of Subsection (9) entitled "Contract Compliance Provisions" of Section 39.02 entitled "Affirmative Action Ordinance" of the Madison General Ordinances is amended to read as follows:

"g. Contracts with other municipalities. For purposes of this exemption, "municipality" shall mean any unit of government listed in Wis. Stat. § 66.0301(1)(a) (2009-10) other than the state or a department or agency thereof."