Legislation Details (With Text)

File #:	15912	**Version:**	1	**Name:**	2009 City Attorneys Reviser's Ordinance
Type:	Ordinance			**Status:**	Passed
File created:	9/4/2009			**In control:**	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)
On agenda:	10/20/2009			**Final action:**	10/20/2009
Enactment date:	11/6/2009			**Enactment #:**	ORD-09-00147

Title: Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2009 City Attorney Reviser's Ordinance.

Sponsors: Common Council By Request

Indexes:

Code sections:

Attachments: 1. 4612CA.rev.ord.pdf

Date	Ver.	Action By	Action	Result
10/20/2009	1	COMMON COUNCIL	Adopt	Pass
10/6/2009	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/15/2009	1	COMMON COUNCIL	Referred	
9/4/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2009 City Attorney Reviser's Ordinance.

Body

DRAFTER'S ANALYSIS: This is the annual City Attorney's Reviser's ordinance, correcting certain parts of the Madison General Ordinances (MGO), the City's code of ordinances. The proposed changes are as follows:

1. Sec. 1.08(3)(b), MGO is amended to correct outdated references to the Wisconsin Administrative Code.
2. Sec. 3.02(1), MGO, is amended to update obscure and outdated references to alders.
3. In accord with change 2, this directive provides the City Attorney authority to update throughout the MGO's all references to alderman and aldermen.
4. Sec. 3.14(9)(b), MGO, is corrected to eliminate the reference to an obsolete commission.
5. Sec. 7.01(1)(a), MGO, is amended to clarify members' terms of service on the Pest Management Advisory Committee.
6. Sec. 10.101, MGO is amended to correctly state the name of the Tree Subcommittee.
7. Sec. 11.08, MGO, is amended to correct outdated references to the Administrative Code.
8. Sec. 12.895, MGO, is amended to correct outdated references to Transit and Parking Commission.
9. Sec. 13.03(2), MGO, is amended to include the purchase of services as intended.
10. Sec. 16.23(5)(f)3., MGO, is amended to eliminate a reference to a non-existent commission.
11. Sec. 16.23(6), MGO, is amended to eliminate a reference to an obscure commission.

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12. Sec. 23.05(7)(a), MGO, referenced exceptions to the Smoking Prohibited in Certain Areas. This ordinance eliminates those expired exceptions.
13. Sec. 25.02(5)(n), MGO, by its terms, was repealed in 1996 but still is in the MGO's. It is now completely repealed.
14. Sec. 25.09(3)(b)2., MGO, is amended to correct an outdated reference to the MGO's.
15. Sec. 25.09(10), MGO, is amended to uniformly revise "premise."
16. Sec. 28.12(9)(e), MGO, is amended to clarify, per state law, that the concurring vote of the Zoning Board of Appeals only requires a simple majority.
17. Sec. 32.04(4)(e)3., MGO, is amended to correct outdated references to the Wisconsin Statutes.
18. Sec. 33.16(3), MGO, is amended to eliminate a reference to an obscure commission.
19. Sec. 33.18, MGO, had a sunset provision of 2003. This ordinance repeals this section.
20. Sec. 33.31, MGO, is amended to clarify the Sustainable Design and Energy Committee includes three alternate members and its members serve three-year terms.
21. Sec. 33.32(1)(a), MGO, is amended to clarify that Sunset Village has representation on the Joint West Campus Area Committee.
22. Sec. 38.10(1)(f), MGO, is amended to correct a typographical error.
23. Sec. 39.02(9)(c), MGO: Sub. i. was added to 39.02(9)(a)2. to make it clear that contracts with the US Government are exempt from the City's Affirmative Action contract requirements. Sub. i. should also have been added to the list of exempt contracts in 39.02(9)(c), to make it clear that the US government is exempt from providing workforce utilization statistics or notifications of job postings under a city contract. This amendment makes that change.
24. Sec. 39.03(8)(n), MGO, is amended to clarify that one member of the Equal Opportunities Commission Employment Subcommittee is a member of the EOC and that members are not required to be City of Madison residents.

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

1. Subdivision (b) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations For Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" is amended to read as follows:

"(b) For violation of provisions of Chapter 6 (Fire Department and Fire Regulations), Chapter 7 (Public Health), Chapter 22 (Consumer Protection and Weights and Measures), Chapter 27 (Minimum Housing and Property Maintenance Code), Chapter 28 (Zoning Code), Chapter 31 (Sign Code), Section 33.24 (Urban Design Commission ordinance), and Chapter 34 (Fire Prevention Code) of the Madison General Ordinances not enumerated in Subdivision (a) above: one hundred dollars ($100) for the first violation, two hundred dollars ($200) for the second violation and two hundred fifty dollars ($250) for the third and all subsequent violations within any twelve (12) month period. For violations of provisions of Chapter 37 (Erosion and Stormwater Runoff Control) not enumerated in Subdivision (a) above, the deposit amount shall be one hundred dollars ($100) for the first violation at the site, two hundred and fifty dollars ($250) for the second violation at the site, and five hundred dollars ($500) for the third and subsequent violation at the site. For violations of the provisions of Section 11.08, Madison General Ordinances, Wis. Admin. Code, ~~Chapter MVD5~~Trans 305, the Revised Uniform State Traffic Deposit Schedule shall apply where applicable and in the event no deposit amount is listed for the offense, one hundred dollars ($100) shall be the deposit amount."

2. Subsection (1) entitled "Policy and Purpose" of Section 3.02 entitled "Continuity of Government" of the Madison General Ordinances is amended to read as follows:

"(1) Policy and Purpose. Because of the existing possibility of an attack upon the United States of unprecedented size and destructiveness, including the inevitable hazard of radioactive contamination, and in order, in the event of such an attack, to assure the continuation of effective, legally constituted leadership, authority and responsibilities in the offices of the government of the City of Madison, it is necessary to provide for emergency interim officers who can exercise the powers and discharge the duties of the Mayor, ~~aldermen~~alders, supervisors, and department heads in the event that the incumbents are killed, missing, disabled, or for some other cause unable to perform the duties and functions of their offices during and immediately after an enemy attack."

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3. The City Attorney is directed to make corresponding changes to other City ordinances to reflect the changes eliminating alderman or aldermen and changing the language to alder or alders or alderperson or alderpersons.

4. Subdivision (b) entitled "Traffic Engineering Duties of the City Traffic Engineer and Parking Manager" of Subsection (9) entitled "Traffic Engineering Division" of Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is amended to read as follows:

"(b) Traffic Engineering Duties of the City Traffic Engineer and Parking Manager. In addition to the duties described in Chapter 12, the City Traffic Engineer and Parking Manager shall have supervision of all personnel engaged in traffic planning and design, street marking and traffic sign construction, alteration and repair, as well as installation, maintenance and operation of traffic signals, the police and fire alarm system, the street lighting systems and those engaged in the installation, repair and maintenance of the radio communications systems and warning sirens and other such activities. The City Traffic Engineer and Parking Manager or designee ~~shall be an advisory member without vote of the City-County Telecommunications Commission and~~ is the appointed City Highway Safety Coordinator as prescribed by the rules of the State of Wisconsin Office for Highway Safety."

5. Subdivision (a) entitled "Pest Management Advisory Committee" of Subsection (1) entitled "Creation" of Section 7.01 entitled "Board of Health for Madison and Dane County" of the Madison General Ordinances is amended to read as follows:

"(a) Pest Management Advisory Committee. The Pest Management Advisory Committee is a subcommittee of the Board of Health for Madison and Dane County. It consists of six experts who review annual pesticide use reports, assess compliance with the policy and recommend changes in pest management as needed. The experts are recommended by the Public Health Department and appointed by the Mayor's office. Each member is confirmed by the Common Council and will serve a seven-year term Terms shall be staggered among the members so that only two members' terms will expire in one (1) year. This committee will be staffed by the Public Health Department."

6. The title of the "Tree Committee" is renamed to the "Tree Subcommittee" and all references in the MGO's shall be modified to reflect this new name.

7. Section 11.08 entitled "Adoption By Reference: State Code" of the Madison General Ordinances is amended to read as follows:

"**11.08 ADOPTION BY REFERENCE: STATE CODE.** The following is adopted by reference and made a part hereof, as if fully set forth herein:

(1) Wisconsin Administrative Code, ~~Chapter MVD5~~Trans 305, Standards for Motor Vehicle Equipment.

(2) A copy of the applicable codes shall be kept at all times and available for inspection, during reasonable hours, in the offices of the City Clerk and the City Transportation Department.

(3) Penalty for Violation of ~~MVD5~~Trans 305. Unless otherwise provided by statute, any person violating the provisions of the Wisconsin Administrative Code, ~~MVD5~~Trans 305, shall be required to forfeit not less than $10 nor more than $200."

8. Subsection 12.895 entitled "City Routes For Common Motor Carriers of Passengers" of the Madison General Ordinances is amended to read as follows:

"**12.895 CITY ROUTES FOR COMMON MOTOR CARRIERS OF PASSENGERS.**

The ~~Transportation~~Transit and Parking Commission established pursuant to Sec. 3.14 of these ordinances shall determine routes to be used by any intercity common motor carrier of passengers under the provisions of Wis. Stat. § 194.33, and no person, firm or corporation shall operate or cause to be operated any intercity common motor carrier of passengers, with the exception of charter buses, on any street in the City of Madison except upon those streets duly authorized for such use pursuant to this ordinance. Appeals of route decisions may be taken to the Common Council pursuant to Sec. 3.14 (5)(f) of these ordinances."

9. Subsection (2) entitled "In Charge of New Construction and Installations" of Section 13.03 entitled "Duties of General Manager" of the Madison General Ordinances is amended to read as follows:

"(2) In Charge of New Construction and Installations. The General Manager shall supervise the installation of all new equipment, the construction of all new wells, reservoirs, treatment facilities, and pumping stations and have charge of all improvements to the Water Utility plant, including the installation, repair

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and reconstruction of all mains and service connections. The General Manager shall have supervision of work of this nature and, shall purchase services, materials and supplies for such work pursuant to City ordinances, including Sec. 4.26, MGO."

10. Paragraph 3. of Subdivision (f) entitled "Comprehensive Development Plan Procedure" of Subsection (5) entitled "Comprehensive Development Plan Procedure" of Section 16.23 entitled "Land Subdivision Regulations" of the Madison General Ordinances is amended to read as follows:

"3. The CDP and exhibits shall be reviewed by the Department of Planning and Community and Economic Development, other City agencies as determined by the Director of Planning and Community and Economic Development, and Board of Education for conformity with the provisions of the ordinances and for the possible effect of the proposed division on any plans as set forth in the master plan, official map or neighborhood unit development studies, and comment concerning matters within their jurisdiction. Their recommendations in respect thereto shall be transmitted to the secretary of the Plan Commission not later than forty-five (45) days from the date the map is received by the reviewing departments. The Department of Planning and Community and Economic Development ~~shall~~may also refer the CDP and exhibits to the ~~Dane County~~Capitol Area Regional Planning Commission staff for review and comment when the CDP is located outside the City limits."

11. Subsection (6) entitled "Detailed Procedure for Dividing Land Within the Extraterritorial Plat Approval Jurisdiction of the City" of Section 16.23 entitled "Land Subdivision Regulations" of the Madison General Ordinances is amended by amending or adding therein the following:

"(6) Detailed Procedure for Dividing Land Within the Extraterritorial Plat Approval Jurisdiction of the City. In all cases the time period within which action is required shall not commence until the Town Board, ~~the~~ Dane County ~~Regional Planning Commission~~ and the City of Madison have received all maps, drawings and related data necessary for plat approval including a complete application, title report, and fees."

12. Subdivision (a) of Subsection (7) entitled "Exceptions" of Section 23.05 entitled "Smoking Prohibited in Certain Areas" of the Madison General Ordinances is hereby repealed and Sec. 23.05(7)(b) through (f) are hereby renumbered to Sec. 23.05(7)(a) through (e), respectively.

13. Subdivision (n) of Subsection (5) entitled "Exceptions" of Section 25.02 entitled "Possession Of Short-Barreled Handguns Prohibited" of the Madison General Ordinances is hereby repealed.

14. Paragraph 2. of Subdivision (b) of Subsection (3) entitled "Procedure" of Section 25.09 entitled "Chronic Nuisance Premises" of the Madison General Ordinances is amended to read as follows:

"2. Sec. 968.075, Wis. Stats., broadly defines "domestic abuse". Therefore, in reaching a determination that a Premises is a Chronic Nuisance Premises, activities that are "domestic abuse" incidents pursuant to sec. 968.075, Stats., shall not be included as Nuisance Activities unless the incidents have been reviewed by the Chief of Police and the Office of the City Attorney and a determination is made that, based upon the specific facts of each incident, the activities should be deemed Nuisance Activities under Subsection (2)(~~c~~d). In determining whether to include such activities, the Chief of Police and Office of the City Attorney shall consider the strong public policy in favor of domestic victims reporting alleged abuses, and this ordinance shall not operate to discourage such reports and shall comply with the domestic violence provisions contained in the Equal Opportunities Ordinance under Sections 39.03 (4)(d)3 and 5."

15. Subsection (10) entitled "When Nuisance is Deemed Abated" of Section 25.09 entitled "Chronic Nuisance Premises" of the Madison General Ordinances is amended to read as follows:

"(10) When Nuisance Is Deemed Abated. The public nuisance created by a Chronic Nuisance Premises shall be deemed abated when no Enforcement Action to address Nuisance Activities occurs for a period of six (6) consecutive months from the date stated on the notice declaring the ~~p~~Premises a Chronic Nuisance Premises and/or there are no building inspection cases generated for a period of six (6) consecutive months from the date stated on the notice declaring the Premises~~.~~ a Chronic Nuisance Premises."

16. Subdivision (e) entitled "Order of the Zoning Board of Appeals" of Subsection (9) entitled "Variances" of Section 28.12 entitled "Administration and Enforcement" of the Madison General Ordinances is amended to read as follows:

"(e) Order of the Zoning Board of Appeals. The concurring vote of ~~four (4) members~~ a majority of the

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Zoning Board of Appeals shall be necessary to grant a variance. No order of the Zoning Board of Appeals granting an area exception or variance shall be valid for a period longer than one (1) year from the date of such order unless a building permit is obtained within such period, and the erection or alteration of a building is started, or the use is commenced within such period. Where the plans have not been altered from those approved by the Zoning Board of Appeals, and the variance has expired, the Zoning Administrator may, after consultation with the Alderperson of the District, approve an extension up to twenty-four (24) months from the expiration date."

17. Paragraph 3. of Subdivision (e) entitled "Procedure" of Subsection (4) entitled "Schedule of Rent Impairing Violations" of Section 32.04 entitled "Rent Abatement" of the Madison General Ordinances is amended to read:

3. Conduct of Hearing. The Rent Abatement Hearing Examiner shall conduct the hearing on the request for authorization for rent abatement, shall administer oaths to all witnesses and may issue subpoenas upon request of the parties. So far as practicable the rules of evidence in ~~Sec. 227.08 of the Wisconsin Statutes~~ Wis. Stat. § 227.45 shall be followed. The landlord and the tenant may be represented by counsel or other representative, may call and examine witnesses and cross-examine witnesses of the other party. All proceedings and testimony shall be recorded on tape. If a review is sought of the Hearing Examiner's decision, a written transcript shall be prepared at no cost to the parties, provided however that a reasonable fee may be charged for copies. For all other purposes, a copy of the tape recordings shall be supplied to anyone requesting the same at the requester's expense. If either party requests a stenographic recording and transcription, the Rent Abatement Oversight Committee shall make the necessary arrangements, but the expense shall be borne by the requesting party. In the hearing, the tenant(s) shall have the burden of proving to a reasonable certainty by the greater weight of the credible evidence, i.e. by the preponderance of the evidence, that the landlord failed to correct (a) rent impairing violation(s) by the due date in an order of the Building Inspection Division. It is the landlord's burden to show by the preponderance of the evidence that any rent impairing violations were negligently or willfully caused by the tenant or the tenant's guests or that the tenant's refusal to allow entry prevented the landlord from making the corrections in a timely manner. Thereafter, the tenant has the burden to show that any such refusal was reasonable under the circumstances. Either party may present additional evidence on the nature, extent and seriousness of violations, the length of time conditions existed and the extent to which the tenant was deprived of the full use of the rented premises, to assist in determining the percent of abatement which should be allowed."

18. Subsection (3) entitled "Terms" of Section 33.16 entitled "Community Services Committee" of the Madison General Ordinances is amended to read as follows:

"(3) Terms. When the Committee is first constituted, the respective appointments shall be as follows: Three (3) citizen members shall be appointed for terms of three (3) years; and two (2) citizen members shall be appointed for terms of two (2) years; and two (2) citizen members shall be appointed for terms of one (1) year except that such terms shall expire on October 1 of the year of expiration of said terms. Thereafter, all members shall be appointed for terms of three (3) years, except that the term of aldermanic members of the Committee shall expire with the expiration of their terms as aldermen. ~~Upon the dissolution of the Human Service Commission, Human Service Commission members shall be given the first opportunity to fill seats on the Community Services Committee and/or the Social Service Commission but his or her term shall expire on October 1 of the year that his or her Human Service Commission term would have expired.~~"

19. Section 33.18 entitled "Joint City-County Section 8 Rental Housing Provider Advisory Committee" of the Madison General Ordinances is hereby repealed.

20. Section 33.31 entitled "Sustainable Design and Energy Committee" of the Madison General Ordinances is amended to read as follows:

"33.31 SUSTAINABLE DESIGN AND ENERGY COMMITTEE. The Sustainable Design and Energy Committee takes a leadership role in the promotion of sustainable energy by promoting both energy efficiency and renewable energy for the City of Madison facilities and the community. The committee consists of fifteen (15) members ~~serving two-year terms~~ plus three alternates: two Common Council members, a Board of Public Works member, and nine various expert members and three at-large

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members. Members are appointed by the Mayor and approved by the Common Council."

21. Subdivision (a) of Subsection (1) entitled "Joint West Campus Area Committee" of Section 33.32 entitled "Joint Campus Area Committees" of the Madison General Ordinances is amended to read as follows:

"(a) There is hereby created a Joint West Campus Area Committee. The Committee will consist of 23 members: four ex-officio alders representing districts 5, 10, 11 and 13; a mayoral representative; a representative from the following associations: Greenbush, Vilas, Dudgeon-Monroe, Sunset Village, and Regent; a member of the Plan Commission; and a member of a transportation-related committee. The UW-Madison will be represented by a Special Assistant to the Chancellor, a representative from Facilities and Planning, UW Transportation Committee, Division of Housing, School of Medicine, School of Engineering, UW Hospital, School of Nursing and an ASM representative. The Village of Shorewood Hills will be represented by its village administrator, its Village Board president and one additional member selected by the Village Board."

22. Subdivision (f) entitled "Unused Licenses" of Subsection (1) of Section 38.10 entitled "Revocation, Suspension or Nonrenewal of License" is amended to read as follows:

"(f) Unused Licenses. Notwithstanding Sec. 38.10, MGO, the City may refuse to renew a license authorized under this Chapter ~~and~~that has not been issued, a license whose usage has been discontinued for at least fifteen (15) days or where the licensee does not own or lease a premises from which business may be conducted, pursuant to the procedures in Wis. Stat. § 125.12. Prior to the time for renewal of the license, the City Clerk on behalf of the Alcohol License Review Committee shall notify the licensee in writing of the City's intention not to renew the license and the Alcohol License Review Committee shall provide the licensee with the opportunity for a hearing. The notice shall state the reasons for the intended action. The Alcohol License Review Committee shall be authorized to issue the notice under this subsection. The hearing shall be conducted as provided in Wis. Stat. § 125.12(2)(b), and judicial review shall be as provided in Wis. Stat. § 125.12(2)(d). The hearing shall be held before the Alcohol License Review Committee and the Committee shall make a report and recommendation as provided in Wis. Stat. § 125.12(2)(b)3, and the Common Council shall follow the procedure specified under that subdivision in making its determination."

23. Subdivision (c) of Subsection (9) entitled "Contract Compliance Provisions" of Section 39.02 entitled "Affirmative Action Ordinance" of the Madison General Ordinances is amended by amending or adding therein the following:

"(c) Every contract to which the City of Madison is a party, except those exempted by Sec. 39.02(9)(a)2.a., b., d., e., f., g., h., i. shall contain the following language:

The contractor agrees that, within thirty (30) days after the effective date of this agreement, the contractor will provide to the City of Madison Division of Affirmative Action certain workforce utilization statistics, using a form to be furnished by the City. If the contract is still in effect, or if the City enters into a new agreement with the contractor, within one year after the date on which the form was required to be provided, the contractor will provide updated workforce information using a second form, also to be furnished by the City. The second form will be submitted to the City Division of Affirmative Action no later than one year after the date on which the first form was required to be provided.

The contractor further agrees that, for at least twelve (12) months after the effective date of this contract, it will notify the City of Madison Division of Affirmative Action of each of its job openings at facilities in Dane County for which applicants not already employees of the contractor are to be considered. The notice will include a job description, classification, qualifications, and application procedures and deadlines. The contractor agrees to interview and consider candidates referred by the Division of Affirmative Action if the candidate meets the minimum qualification standards established by the contractor, and if the referral is timely. A referral is timely if it is received by the contractor on or before the date stated in the notice."

24. Subdivision (n) entitled "Equal Opportunities Commission Employment Subcommittee" of Subsection (8) entitled "Employment Practices" of Section 39.03 entitled "Equal Opportunities Ordinance" of the Madison General Ordinances is amended to read as follows:

"(n) Equal Opportunities Commission Employment Subcommittee. The EOC Employment Committee shall consist of 15 maximum voting members including one member of the Equal Opportunities Commission.

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Additional persons may participate as non-voting members. Membership of the Employment Committee is open to a City of Madison company, business or non-profit designee and to individual representatives. Members may be non-residents of the City of Madison."

EDITOR'S NOTE:

1. Sec. 23.05(7)(a) currently reads as follows:

"(a) A smoking room in a restaurant which is separately ventilated from each and every other area of the restaurant.

1. The restaurant must provide the Madison Public Health Department and the Building Inspection Department with plans of the ventilation system and a certification from a certified HVAC engineer that the system meets the requirements specified in the State Building Code and Wisconsin Administrative Code ch. Comm 64. The plans will be reviewed by the Madison Public Health Department and Madison Building Inspection Department. The smoking room must be completely separated from the rest of the restaurant by solid walls of rigid construction that run from floor to ceiling with a separate entrance that has a solid door that effectively closes. This door is to remain closed at all times except when patrons or employees enter or leave the room.
2. This subsection is applicable only to separately ventilated rooms in existence as of the effective date of this ordinance. Any restaurant which has made a good-faith effort, as evidenced by plans and specifications and work performed, to provide a separately ventilated smoking room and that room does not currently meet the standards specified in the State Building Code and Wisconsin Administrative Code ch. Comm 64, will have thirty (30) days after this ordinance is adopted to bring the existing ventilation system into compliance with the requirements of this subsection. It will be the Public Health Department's determination, based upon the work performed and plans and specifications, whether a good faith effort was made to provide a separately ventilated smoking room for purposes of this subsection.
3. After the effective date of this ordinance no separately ventilated rooms may be created. This exception is repealed on January 2, 2006.
4. Plan Review Fee. At the time a restaurant submits ventilation plans to the Madison Public Health Department for review, the restaurant shall submit a $75.00 (seventy-five dollar) plan review fee payable to the City of Madison Treasurer."

2. Section 25.02(5)(n) currently reads as follows:

"(n) Any short-barrelled handgun displayed, purchased or sold at the Wisconsin Sport and Military Arms Show at the Ramada Inn (the former Holiday Inn Southeast) on September 15 and 16, 1995, and January 5 through 7, 1996 and March 15 through 17, 1996 only, as long as:

1. The prohibited handgun is transported directly to the show no earlier than twenty-four (24) hours before each show as indicated by the dates listed above;
2. The prohibited handgun is stored on the Ramada Inn premises at all times until it is transported directly out of the city; and
3. The prohibited handgun is transported directly out of the city no later than twenty-four (24) hours after each show.

This Subdivision (n) shall be repealed on March 18, 1996, without further action by the Council."

3. Section 33.18 currently reads as follows:

"**33.18 JOINT CITY-COUNTY SECTION 8 RENTAL HOUSING PROVIDER ADVISORY COMMITTEE.**

(1) Declaration of Purpose. Equal opportunities in housing and improving the availability and quality of affordable rental housing throughout our community are matters of legitimate concern to the City of Madison. It is therefore a proper function of the City government to facilitate and coordinate the efforts of elected officials, housing advocates, landlords, city-county housing authorities and public-minded citizens to find viable ways to increase access to affordable rental housing opportunities and to enhance diversity of neighborhoods and communities consistent with the needs of the diverse population in Madison and Dane County.

(2) Organization. There is hereby created a Joint City-County Section 8 Rental Housing Provider Advisory Committee for the City of Madison."

(3) Membership. The City-County Section 8 Rental Housing Provider Advisory Committee shall be

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a nine (9) member body consisting of the following members:

For the City: one (1) member of the Common Council; two (2) members who are landlords; i.e., owners or operators of real property within the City of Madison; one (1) member who is a landlord of real property within the City of Madison and a member of the Apartment Association of South Central Wisconsin; and one (1) member who is a provider of Section 8 housing located in the City of Madison.

These members shall be appointed by the Mayor, subject to approval by the Common Council.

For the County: two (2) members who are owners or operators to represent rental housing providers in Dane County outside of Madison; one (1) member who is a rental housing provider who is a member of the Apartment Association of South Central Wisconsin; and one (1) member who is a provider of Section 8 housing in Dane County outside the City of Madison.

These members shall be appointed by the County as specified in the Dane County resolution/ordinance establishing the Joint City-County Section 8 Rental Housing Provider Advisory Committee.

(4) Terms. The Common Council member shall be appointed for a one (1) year term ending on April 30. Citizen members shall be appointed for terms ending on April 30, 2002.

(5) Powers and Duties. The Committee shall have the following powers and duties:

(a) The Committee shall compile data and evaluate Section 8 program usage in Dane County outside the City of Madison and request such information relating to Section 8 usage within the City of Madison from appropriate City staff, officials, agencies, boards and committees.

(b) The Committee shall identify barriers to rental housing provider participation.

(c) The Committee shall have the overall responsibility to establish a marketing plan with specific goals and timetables for increasing landlord Section 8 awareness and Section 8 participation within the first three months of creation.

(d) The Committee shall provide monthly reports to the Community Development Authority, Equal Opportunities Committee Housing Committee, the City of Madison Housing Committee, the Dane County Housing Authority, the Dane County Office of Equal Opportunity and the Dane County Community Development Block Grant Committee. At minimum, these reports will outline monthly marketing efforts, landlord training, staff activities, and include detailed monthly data regarding new landlord participation, number of current and new units, and number of low-income households served.

(e) Twice annually the Committee shall provide reports to the Mayor, Common Council and the Community Development Authority, outlining priorities, activities and accomplishments, and making specific recommendations regarding removing barriers to landlord participation in the Section 8 program.

(6) The Committee shall be staffed by the secretary of the Community Development Authority working in conjunction with Dane County designated staff.

(7) Sunset. The Joint City-County Rental Housing Provider Advisory Committee shall sunset on January 31, 2003 unless prior to that time the City and the County by appropriate action extend its operation."

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