

PUBLIC SAFETY & WELFARE COMMITTEE
SPECIAL
- MINUTES -
Monday, September 21, 2009

The special meeting of the Public Safety & Welfare Committee was held on Monday, September 21, 2009 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 6:34 pm. The following members were present: Chairman Jesse Downing, Alderman Donald Ruef, Kathy Carpenter, and Michael J. Orth. Alderman Casey arrived during discussion of item #3. Staff members in attendance were Kevin Risch & Chief John Thomsen.

It was moved by Alderman Orth, seconded by Alderman Carpenter, to approve the minutes of the meeting held on Monday, August 31, 2009. Motion passed 4-0.

1. Request for a Trial for the Removal of No Parking, Standing or Stopping Signs on 85th Street between 26th Avenue West to Parking Lot Exit & Replacement with No Parking, 7:30 am to 4:30 pm on School Days. Also, there is a Request for a Trial for Stop control on 89th Street at 30th Avenue. *(Districts 9, 13, & 14)*
Public Hearing: Mr. Dick Aiello, Tremper Principal, was present and spoke.
Alderman/Staff: Kevin recommended that the No Parking, 7:30 am to 4:30 pm on School Days be approve for a 90 day trial and to deny the request for the Stop Control.
It was moved by Alderman Orth, seconded by Alderman Carpenter, to approve a 90 day trial for the no parking and deny the stop control. Motion passed 4-0.

2. Aldermanic Request for a Trial for the Placement of Stop Signs on 111th Avenue and on 61st Street making it a 4-Way Stop. *(District 17)*
Public Hearing: Aldermna Bogdala, 17th District, was present and asked the committee for their support and approve a 90 day trial
Alderman/Staff: Recommended that to keep intersection as it is.
It was moved by Alderman Orth, seconded by Alderman Carpenter, to approve a 90 day trial. Motion passed 4-0.

3. Proposed Resolution to Amend the City of Kenosha Capital Improvement Program for 2009 by creating line FI-09-007 "Tone Alert System" in the amount of \$100,000 and reducing line FI—6-001 "Self-Contained Breathing Apparatus" in the amount of \$100,000 for a net change of \$0.
It was moved by Alderman Ruef, seconded by Alderman Orth, to approve. Motion passed 5-0.

ADJOURNMENT - *There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:55 pm.*

ORDINANCE NO. _____

BY: ALDERMAN PATRICK JULIANA

TO CREATE SECTION 7.129 C.4. OF THE CODE OF GENERAL ORDINANCES; TO RENUMBER SECTIONS 7.129 E., F. AND G. AS 7.129 F., G. AND H.; AND, TO CREATE SECTION 7.129 E. REGARDING SEMICAB PARKING PERMITS

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 7.129 C.4. of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby created as follows:

4. Any semicab owned by a property owner for which the property owner has obtained a permit pursuant to the permitting procedure in Subsection E. below.

Section Two: Sections 7.129 E., F. and G. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Sections 7.129 F., G. and H.

Section Three: Section 7.129 E. of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby created as follows:

E. Semicab Parking Permit. One (1) semicab used for a commercial purpose may be parked on the exterior of any residential property in excess of one (1) hour upon obtaining a permit approved by the Common Council. A permit is limited to the property and semicab identified in the application.

1. Application. A City authorized application form shall be fully completed, properly executed and filed with the City Clerk/Treasurer. The application form shall include:

- a. Name, address and phone number of applicant.
- b. Photograph of the property and proposed parking location.
- c. Any other information as is reasonably necessary to effectuate the purposes of this Ordinance.

2. Fee. At the time of initial application, applicant shall pay to the City Clerk/Treasurer a one (1) time processing fee of One Hundred (\$100.00) Dollars.

3. Permitting Conditions. The Common Council may grant a Semicab Parking Permit if all of the following conditions exist:

- a. The semicab shall be parked off a public street, highway, alley, thoroughfare or right-of-way.

- b. The semicab parking shall not occur between the street and the front wall of the building or an imaginary line extended parallel to such front wall.
- c. The semicab shall not be parked on a vacant lot.
- d. The semicab shall be parked on a parking surface paved with concrete or asphalt.

4. **Issuance.** Permits hereunder may be granted by the Common Council following an investigation and report by the Department of Neighborhood Services and Inspections to the Committee on Public Safety and Welfare, and following a recommendation of the Committee on Public Safety and Welfare to the Common Council.

5. **Notice To Alderperson.** Notice of all permit applications shall be sent to the Alderperson of the District wherein the permit will be located.

Section Four: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT,
Assistant City Attorney

ORDINANCE NO. _____

BY: ALDERMAN PATRICK JULIANA
ALDERMAN ANTHONY NUDO

TO CREATE SECTION 7.129 C.4. OF THE CODE OF GENERAL ORDINANCES; TO RENUMBER SECTIONS 7.129 E., F. AND G. AS 7.129 F., G. AND H.; AND, TO CREATE SECTION 7.129 E. REGARDING SEMICAB PARKING PERMITS

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 7.129 C.4. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

4. Any semicab owned by a property owner for which the property owner has obtained a permit pursuant to the permitting procedure in Subsection E. below.

Section Two: Sections 7.129 E., F. and G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Sections 7.129 F., G. and H.

Section Three: Section 7.129 E. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

E. Semicab Parking Permit. One (1) semicab used for a commercial purpose may be parked on the exterior of any residential property in excess of one (1) hour upon obtaining a permit approved by the Common Council. A permit is limited to the property and semicab identified in the application.

1. Application. A City authorized application form shall be fully completed, properly executed and filed with the City Clerk/Treasurer. The application form shall include:

- a. Name, address and phone number of applicant.
- b. Photograph of the property and proposed parking location.
- c. Any other information as is reasonably necessary to effectuate the purposes of this Ordinance.

2. Fee. At the time of initial application, applicant shall pay to the City Clerk/Treasurer a one (1) time processing fee of One Hundred (\$100.00) Dollars.

3. Permitting Conditions. The Common Council may grant a Semicab Parking Permit if all of the

following conditions exist:

- a. The semicab shall be parked off a public street, highway, alley, thoroughfare or right-of-way.
- b. The semicab parking shall not occur between the street and the front wall of the building or an imaginary line extended parallel to such front wall.
- c. The semicab shall not be parked on a vacant lot.
- d. The semicab shall be parked on a parking surface paved with concrete or asphalt.

4. Issuance. Permits hereunder may be granted by the Common Council following an investigation and report by the Department of Neighborhood Services and Inspections to the Committee on Public Safety and Welfare, and following a recommendation of the Committee on Public Safety and Welfare to the Common Council.

5. Notice To Alderperson. Notice of all permit applications shall be sent to the Alderperson of the District wherein the permit will be located.

Section Four: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT,
Assistant City Attorney



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Administrative Supervisor
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

C-1

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

Municipal Building • 625 - 52nd Street • RM 305 • Kenosha, WI 53140
Telephone (262) 653-4050 • Fax (262) 653-4056

DATE: September 14, 2009
TO: Public Safety and Welfare Committee
FROM: Kevin Risch, P.E., Deputy Director of Engineering KKR 9-4-09
SUBJECT: Previous Trial for Stop Control for SB 107th Avenue at 69th Street which is a "T" Intersection (District 17)

This request has been on a trial as indicated with no complaints or problems reported.

Staff recommends approval for stop control on the above intersection.

The following ordinance change is required:

Amend Section 7.12(c) Stop Streets by adding: All vehicles traveling southbound on 107th Avenue shall stop before entering the intersection with 69th Street.

KKR:dt

cc: Alderman David Bogdala-w/a
Ronald L. Bursek, Director of Public Works- w/a
Michael M. Lemens, Director of Engineering/City Engineer - w/a
File - w/a



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Operations Coordinator
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Joseph Badura
Superintendent

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

625 - 52nd Street • Kenosha, WI 53140

DATE: January 12, 2009

TO: Public Safety and Welfare Committee

FROM: Kevin Risch, P.E., Civil Engineer KKR 1-7-09

SUBJECT: Request for Trial for Stop Control for SB 107th Avenue at 69th Street which is a "T" Intersection

Alderman David Bogdala is requesting intersection control at the above intersection due to concerns for the safety of motorist as they turn onto 69th Street. There is landscaping features and a horizontal curve to the west of this intersection which prevents a driver to see vehicles as they travel eastbound towards this intersection (see attached photo).

Staff recommends approval of a trial for SB 107th Avenue at 69th Street.

KKR:kk

cc: Alderman David Bogdala—w/a
Ronald L. Bursek, Director of Public Works— w/a
Michael M. Lemens, Director of Engineering/City Engineer – w/a
File – w/a





Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Administrative Supervisor
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

C-2

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

Municipal Building • 625 - 52nd Street • RM 305 • Kenosha, WI 53140
Telephone (262) 653-4050 • Fax (262) 653-4056

DATE: September 14, 2009

TO: Public Safety and Welfare Committee

FROM: Kevin Risch, P.E., Deputy Director of Engineering KKR 9-4-09

SUBJECT: Previous Trial for Stop Control for WB 65th Street at 96th Avenue in the White Caps Subdivision (District 17)

This request has been on a trial as indicated with no complaints or problems reported.

Staff recommends approval for stop control on the above intersection.

The following ordinance change is required:

Amend Section 7.12(c) Stop Streets by adding: All vehicles traveling westbound on 65th Street shall stop before entering the intersection with 96th Avenue.

KKR:dt

cc: Alderman David Bogdala-w/a
Ronald L. Bursek, Director of Public Works- w/a
Michael M. Lemens, Director of Engineering/City Engineer - w/a
File - w/a



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Operations Coordinator
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Joseph Badura
Superintendent

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

625 - 52nd Street • Kenosha, WI 53140

DATE: January 12, 2009
TO: Public Safety and Welfare Committee
FROM: Kevin Risch, P.E., Civil Engineer KKR 1-9-09
SUBJECT: Request for Trial for Stop Control for WB 65th Street at 96th Avenue in White Caps Subdivision

Alderman David Bogdala is requesting intersection control at the above intersection due to concerns for the safety of motorist as they turn onto 96th Avenue. There is both a fence and a horizontal curve to the south of this intersection which prevents a driver to see vehicles as they come around the curved roadway (see attached photos).

Staff recommends approval of a trial for WB 65th Street at 96th Avenue.

KKR:kkp

cc: Alderman David Bogdala—w/a
Ronald L. Bursek, Director of Public Works— w/a
Michael M. Lemens, Director of Engineering/City Engineer – w/a
File – w/a





Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Administrative Supervisor
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

C-3

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

Municipal Building • 625 - 52nd Street • RM 305 • Kenosha, WI 53140
Telephone (262) 653-4050 • Fax (262) 653-4056

DATE: September 14, 2009

TO: Public Safety and Welfare Committee

FROM: Kevin Risch, P.E., Deputy Director of Engineering KKR 9-14-09

SUBJECT: Previous Trial for Stop Control for WB 67th Street at 111th Avenue (District 17)

This request has been on a trial as indicated with no complaints or problems reported.

Staff recommends approval for stop control on the above intersection.

The following ordinance change is required:

Amend Section 7.12(c) Stop Streets by adding: All vehicles traveling westbound on 67th Street shall stop before entering the intersection with 111th Avenue.

KKR:dt

cc: Alderman David Bogdala-w/a
Ronald L. Bursek, Director of Public Works- w/a
Michael M. Lemens, Director of Engineering/City Engineer - w/a
File - w/a



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Operations Coordinator
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Joseph Badura
Superintendent

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

625 - 52nd Street • Kenosha, WI 53140

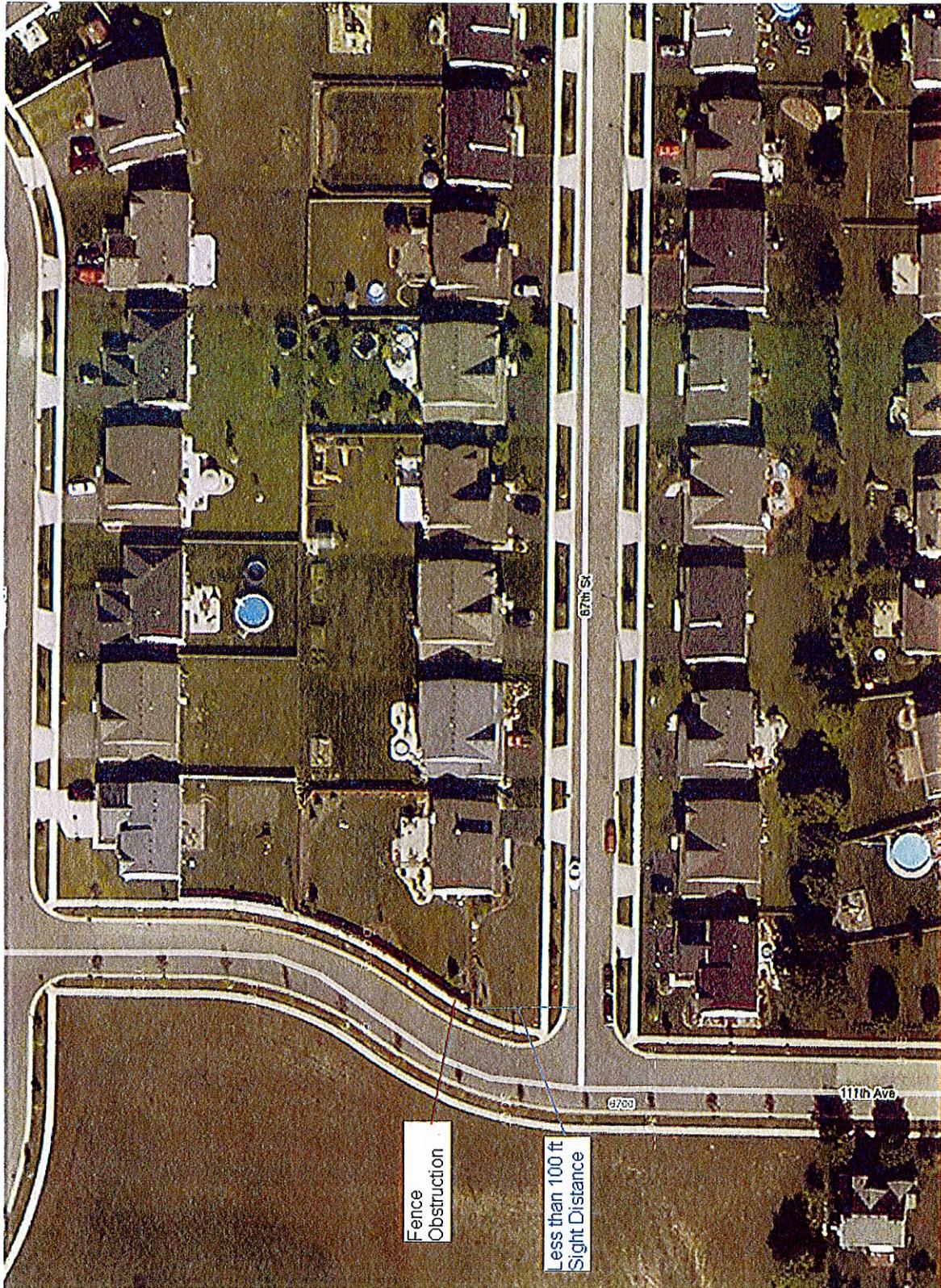
DATE: January 12, 2009
TO: Public Safety and Welfare Committee
FROM: Kevin Risch, P.E., Civil Engineer KKR 1-7-09
SUBJECT: Request for Trial for Stop Control for WB 67th Street at 111th Avenue

Alderman David Bogdala is requesting intersection control at the above intersection due to concerns for the safety of motorist as they turn onto 111th Avenue. There is both a fence and a horizontal curve to the north of this intersection which prevents a driver to see vehicles as they come around the curved roadway (see attached photos).

Staff recommends approval of a trial for WB 67th Street at 111th Avenue.

KKR:kk

cc: Alderman David Bogdala—w/a
Ronald L. Bursek, Director of Public Works— w/a
Michael M. Lemens, Director of Engineering/City Engineer – w/a
File – w/a



Fence
Obstruction

Less than 100 ft
Sight Distance



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Administrative Supervisor
Janice D. Schroeder

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

C-4

DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: September 14, 2009
To: Public Safety and Welfare Committee
From: Kevin Risch, Deputy Director of Engineering KKR 9-14-09
Subject: Previous Trial to Remove 30 Min Parking, 8am-6pm, Mon-Sun, North side of 45th Street from Sheridan Rd to the West Line of 806-45th Street (District 2)

The requests has been on a trial as indicated with no complaints or problems reported.

Staff recommends approval for the removal of the 30 Min Parking, 8am-6pm, North side of 45th Street from Sheridan Rd to the West Line of 806-45th Street .

The following resolution is suggested:

Be it resolved by Kenosha Common Council that the north side of 45th Street from Sheridan Road to the West Line of 806-45th Street has removed the 30 Min Parking, 8am-6pm, Mon-Sun Restriction.

KKR:dt

cc Kenosha Plumbing, 4421 Sheridan Rd - w/a
Alderman Donald Moldenhauer – w/a
Ronald Bursek, Director of of Public Works -w/a
Michael Lemens, Director of Engineering/City Engineer – w/a
File – w/a



DEPARTMENT OF PUBLIC WORKS

Ronald L. Bursek, P.E., Director

Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Administrative Supervisor
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Street Division
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Waste Division
Rocky Bednar
Field Supervisor

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

Date: February 23, 2009
To: Public Safety and Welfare Committee
From: Kevin Risch, Deputy Director of Engineering KRR 2-18-09
Subject: Request to Remove 30 Min Parking, 8am-6pm, Mon-Sun, North side of 45th Street from Sheridan Rd to the West Line of 806-45th Street.
(District 2)

A citizen request has been made to remove to 30 Min Parking, Restriction 8am-6pm, Mon-Sun on the North side of 45th Street from Sheridan Rd to 806-45th Street.

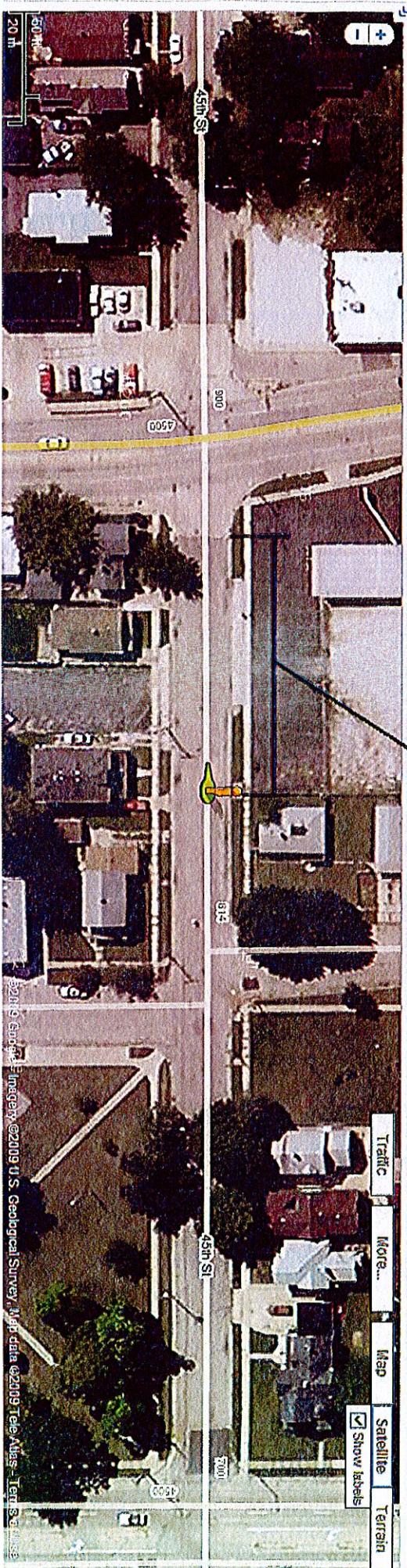
Staff has reviewed the request which borders Kenosha Plumbing with no objection.

Staff recommends a 90 day Trial to remove 30 Min Parking as noted.

KR: dt

cc Kenosha Plumbing, 4421 Sheridan Rd – w/a
Alderman Donald Moldenhauer – w/a
Ronald Bursek, Director of Public Works – w/a
Michael Lemens, Director of Engineering – w/a
Randy LeClaire - w/a
File – w/a

C-A



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C-5a



DEPARTMENT OF
NEIGHBORHOOD SERVICES
AND
INSPECTIONS

JAMES M. SCHULTZ
Director

Building Inspection • Property Maintenance • Zoning Enforcement

TO: Keith G. Bosman, Mayor
Members of the City of Kenosha Common Council
Members of the City of Kenosha Public Safety and Welfare Committee

FROM: Nick Torcivia, Supervisor, Building Inspections *NT*
Department of Neighborhood Services and Inspections

SUBJECT: Summary of Proposed Ordinance Changes, Chapter 9 the Building Code, and Chapter 33, Land-disturbing Erosion and Sediment Control Ordinance

DATE: August 25, 2009

The proposed changes to the General Code of Ordinances affecting the Building Code (Chapter 9), and the Land-disturbing Erosion and Sediment Control Ordinance (Chapter 33), are requested for the following reasons:

Chapter 9 - Building Code

918(E)(1)(a) - Clarifies that safety rules and regulations governing swimming pools, spas, hot tubs, etc., are also applicable to portable or inflatable pools which meet the 24" depth specification.

9.20(A) - Removes the allowance for a homeowner to install electrical wiring (after passing an electrical exam) in the single-family home in which he or she abides. The change is requested primarily due to:

- ✓ Safety and potential fire issues due to many incorrect and sometimes dangerously installed electrical wiring.
- ✓ Passing the open-book test does not necessarily insure that the applicant has real practical code knowledge of wiring or installation methods. Inspectors have made multiple inspections on relatively simple projects, sometimes ordering removal or re-wiring of an entire electrical installation due to safety, fire, and electrical code violations. The inspector will then require that the owner hire a qualified electrician to reinstall or correct the violations as they are more than the owner can reasonably address. The proposed change does not affect the homeowner's ability to perform routine maintenance or repairs for which no permit is required; and, is also consistent with previous changes over the years relative to plumbing and HVAC installations, which now require licensed, professional trades-persons.

9.20(C), (D), (E), (F), (G) - Renumbered accordingly to accommodate changes and additions to Chapter 9.

9.21(A) - Clarifies that gas line installation may be performed not only by a Wisconsin Master Plumber or contractor in possession of a Wisconsin HVAC qualifier license, or City of Kenosha HVAC contractor license, but also by a qualified agency as defined by NFPA(54)(1)(4). This clarification wording is consistent with the State of Wisconsin building and mechanical codes.

9.21(G) - The prohibition of exterior incinerators and/or boilers used for heating or supplemental heating of buildings within City limits is proposed based on the following justifications:

- ✓ Basic design encourages a slow, cooler fire which maximizes the amount of heat transferred from the fire which creates more smoke and air pollutants than a normal fireplace. Most do not contain mechanical scrubbers or filters to limit air pollution.
- ✓ Imminent fire and safety hazard given the close proximity to homes within City limits. The basic wood boiler recommended safe distance to neighbors being 300-500 feet, is more applicable to a rural setting rather than an urban setting.
- ✓ There would be no way to monitor what is burned in them (garbage or waste other than wood).

Chapter 33 - Land-disturbing Erosion and Sediment Control Ordinance

33.10(H) - This proposed change to the current ordinance addresses the ongoing issue of soil stockpiles. The requirement would allow soil stock piles to be maintained on site under the following conditions:

- ✓ Stockpiles shall only be allowed after review of plans and proper permitting; and, shall be located only as approved on the plan.
- ✓ Stockpiles cannot be located near a public street or alley. Any change from the approved location shall require re-submittal of plans and proper approval.
- ✓ All stockpiles shall be removed from site or graded to meet the approved drainage plan for the site prior to the expiration of the permit, or prior to occupancy of any building or project on the site - whichever occurs first.

These requirements will allow the City to maintain control of any soil stockpiles, and insure the removal or displacement of them in a timely manner by means of permit restrictions and escrows before they become unsightly or cause disruption of approval drainage plans and drainage patterns.

ORDINANCE NO. _____

BY: THE MAYOR

TO REPEAL AND RECREATE SECTION 9.18 E.1.a. OF THE CODE OF GENERAL ORDINANCES REGARDING SWIMMING POOL REQUIREMENTS; TO REPEAL AND RECREATE SECTION 9.20 A. REGARDING CERTIFICATION FOR PERSONS PERFORMING ELECTRICAL WORK; TO REPEAL SECTION 9.20 B.; TO RENUMBER SECTIONS 9.20 C., D., E., F. and G. AS SECTIONS 9.20 B., C., D., E. and F; TO REPEAL AND RECREATE SECTION 9.21 A. REGARDING HVAC QUALIFICATIONS; TO CREATE SECTION G. REGARDING PROHIBITED INSTALLATIONS OF EXTERIOR INCINERATORS OR BOILERS; TO AMEND SECTION 33.07 BY ADDING THE DEFINITION OF THE TERM "SOIL STOCKPILE" THERETO; TO RENUMBER SECTIONS 33.10 G., H., I. AND J. AS SECTIONS 33.10 I., J., K., AND L.; TO RENUMBER SECTION 33.10 F. AS SECTION 33.10 G.; TO CREATE SECTION 33.10 F. REGARDING EXTENSIONS OF TIME TO COMPLETE WORK REGARDING EROSION CONTROL; AND, TO CREATE SECTION 33.10 H. REGARDING SOIL STOCKPILES

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 9.18 E.1.a. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is repealed and recreated as follows:

a. Every swimming pool, spa or hot tub which has a water depth of two (2') feet or more shall be completely surrounded by a fence or wall at least forty-eight (48") inches in height and not more than six (6') feet in height; the six (6') foot height limitation notwithstanding, no fence may be less than forty-eight (48") inches in height above adjoining grade, in addition to the pool wall of an above ground pool. This requirement also applies to inflatable or portable pools which meet the specifications as described herein.

Section Two: Section 9.20 A. of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is repealed and recreated as follows:

A. Qualifications. No Person, except as provided in Subsections B. and C., herein, shall install electrical wiring and equipment within the City, or apply for a Permit to perform such work, without first obtaining certifications as required by Chapter 101.87, Wisconsin Statutes, and conforming with all

applicable State laws, rules and regulations.

Section Three: Section 9.20 B. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed.

Section Four: Sections 9.20 C., D., E., F., and G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Sections 9.20 B., C., D., E., and F.

Section Five: Section 9.21 A. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is repealed and recreated as follows:

A. Qualification. No Person shall install or modify permanent heating, ventilating or air conditioning equipment without first obtaining a Wisconsin HVAC Qualifier Credential, and/or being in possession of a City of Kenosha HVAC Contractor License. This licensing requirement shall not apply to employees of State regulated utilities.

Any Person installing or Altering gas lines shall possess a valid State of Wisconsin Master Plumber License, State of Wisconsin HVAC Qualifier Certificate, City of Kenosha HVAC Contractor License, or be a Qualified Agency as defined in NFPA 54 1.4

Section Six: Section 9.21 G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

G. Prohibited Installations. Exterior incinerators or boilers used for the heating of, or to supplement the heating of, any building or buildings within the City limits are hereby prohibited.

Section Seven: Section 33.07 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby amended by adding the following definition thereto:

Soil Stockpile means an artificially created accumulation of earth that materially affects water flow across the soil surface in a manner that is inconsistent with the permanent drainage plan.

Section Eight: Sections 33.10 G., H., I. and J. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Sections 33.10 I., J., K. and L.

Section Nine: Section 33.10 F. of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby renumbered as Section 33.10 G.

Section Ten: Section 33.10 F. of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby created as follows:

F. Extensions of Time To Complete Work. Any applicant who obtains a permit and fails to complete the work in the time specified in Subsection 33.10 E., may apply to the Code Official for a time extension not to exceed one (1) year. Extensions may be granted if the work commenced has proceeded in a professional and workmanlike manner which exhibits reasonably progress. Extended permits shall not impose new conditions unless required by this Ordinance, or any other State or local law, rule or regulation. Upon a violation of Subsection 33.10 E., no new work may commence without the issuance of an approved extension or a new permit.

Section Eleven: Section 33.10 H. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

H. Soil Stockpiles.

1. Review and Approval Required. Soil stockpiles are permitted only when reviewed and approved as part of an Erosion Control Permit for site mass grading or new building construction, or other approved land-disturbing activities.

2. Location. Soil stockpiles shall not be located in close proximity to any public street or alley, and in all cases shall be located as indicated on the approved plan. Requested changes of location shall require a revised plan and approval of the Code Official.

3. Removal. All soil stockpiles shall be removed from the site or graded to meet the approved drainage plan at the time the permit expires, or at the time a Temporary Occupancy Permit is issued to any project connected with that particular site, whichever occurs sooner.

Section Twelve: This Ordinance shall become effective upon

passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney

ORDINANCE NO. _____

REDLINE VERSION

BY: THE MAYOR

TO REPEAL AND RECREATE SECTION 9.18 E.1.a. OF THE CODE OF GENERAL ORDINANCES REGARDING SWIMMING POOL REQUIREMENTS; TO REPEAL AND RECREATE SECTION 9.20 A. REGARDING CERTIFICATION FOR PERSONS PERFORMING ELECTRICAL WORK; TO REPEAL SECTION 9.20 B.; TO RENUMBER SECTIONS 9.20 C., D., E., F. and G. AS SECTIONS 9.20 B., C., D., E. and F; TO REPEAL AND RECREATE SECTION 9.21 A. REGARDING HVAC QUALIFICATIONS; TO CREATE SECTION G. REGARDING PROHIBITED INSTALLATIONS OF EXTERIOR INCINERATORS OR BOILERS; TO AMEND SECTION 33.07 BY ADDING THE DEFINITION OF THE TERM "SOIL STOCKPILE" THERETO; TO RENUMBER SECTIONS 33.10 G., H., I. AND J. AS SECTIONS 33.10 I., J., K., AND L.; TO RENUMBER SECTION 33.10 F. AS SECTION 33.10 G.; TO CREATE SECTION 33.10 F. REGARDING EXTENSIONS OF TIME TO COMPLETE WORK REGARDING EROSION CONTROL; AND, TO CREATE SECTION 33.10 H. REGARDING SOIL STOCKPILES

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 9.18 E.1.a. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is repealed and recreated as follows:

a. Every swimming pool, spa or hot tub which has a water depth of two (2') feet or more shall be completely surrounded by a fence or wall at least forty-eight (48") inches in height and not more than six (6') feet in height; the six (6') foot height limitation notwithstanding, no fence may be ~~nor~~ less than forty-eight (48") inches in height above adjoining grade, in addition to the pool wall of an above ground pool. This requirement also applies to inflatable or portable pools which meet the specifications as described herein.

Section Two: Section 9.20 A. of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is repealed and recreated as follows:

A. Qualifications. No Person, except as provided in Subsections B., and C., ~~and D.~~ herein, shall install electrical wiring and equipment within the City, or apply for a Permit to perform such work, ~~for which the performance of a licensed contractor is applicable~~, without first obtaining certifications as

required by Chapter 101.87, Wisconsin Statutes, and conforming with all applicable State laws, rules and regulations.

Section Three: Section 9.20 B. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby repealed.

Section Four: Sections 9.20 C., D., E., F., and G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Sections 9.20 B., C., D., E., and F.

Section Five: Section 9.21 A. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is repealed and recreated as follows:

A. Qualification. No Person shall install or modify permanent heating, ventilating or air conditioning equipment without first obtaining a Wisconsin HVAC Qualifier Credential, and/or being in possession of a City of Kenosha HVAC Contractor License. This licensing requirement shall not apply to employees of State regulated utilities.

Any Person installing or Altering gas lines shall possess a valid State of Wisconsin Master Plumber License, State of Wisconsin HVAC Qualifier Certificate, City of Kenosha HVAC Contractor License, or be a Qualified Agency as defined in NFPA 54 1.4.

Section Six: Section 9.21 G. of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

G. Prohibited Installations. Exterior incinerators or boilers used for the heating of, or to supplement the heating of, any building or buildings within the City limits are hereby prohibited,

Section Seven: Section 33.07 of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby amended by adding the following definition thereto:

Soil Stockpile mean an artificially created accumulation of earth that materially affects water flow across the soil surface in a manner that is inconsistent with the permanent drainage plan.

Section Eight: Sections 33.10 G., H., I. and J. of the Code of General Ordinances for the City of Kenosha, Wisconsin, are hereby renumbered as Sections 33.10 I., J., K. and L.

Section Nine: Section 33.10 F. of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby renumbered as Section 33.10 G.

Section Ten: Section 33.10 F. of the Code of General Ordinances

for the City of Kenosha, Wisconsin, is hereby created as follows:

F. Extensions of Time To Complete Work. Any applicant who obtains a permit and fails to complete the work in the time specified in Subsection 33.10 E., may apply to the Code Official for a time extension not to exceed one (1) year. Extensions may be granted if the work commenced has proceeded in a professional and workmanlike manner which exhibits reasonably progress. Extended permits shall not impose new conditions unless required by this Ordinance, or any other State or local law, rule or regulation. Upon a violation of Subsection 33.10 E., no new work may commence without the issuance of an approved extension or a new permit.

Section Eleven: Section 33.10 H. of the Code of General

Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:

H. Soil Stockpiles.

1. Review and Approval Required. Soil stockpiles are permitted only when reviewed and approved as part of an Erosion Control Permit for site mass grading or new building construction, or other approved land-disturbing activities.

2. Location. Soil stockpiles shall not be located in close proximity to any public street or alley, and in all cases shall be located as indicated on the approved plan. Requested changes of location shall require a revised plan and approval of the Code Official.

3. Removal. All soil stockpiles shall be removed from the site or graded to meet the approved drainage plan at the time the permit expires, or at the time a Temporary Occupancy Permit is issued to any project connected with that particular site, whichever occurs sooner.

Section Twelve: This Ordinance shall become effective upon

passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney

ORDINANCE NO. _____

BY: ALDERPERSON G. JOHN RUFFOLO

TO REPEAL AND RECREATE SECTION 33.15 OF THE CODE OF GENERAL ORDINANCES, ENTITLED "APPEALS"

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 33.15 of the Code of General Ordinances for the City

of Kenosha, Wisconsin, is repealed and recreated as follows:

33.15 APPEALS

A. Stormwater Utility Committee. The Stormwater Utility Committee, with respect to this Code:

- 1. Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Code Official in administering this Code.
- 2. May authorize variances from the provisions of this Code which are not contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this Code will result in unnecessary hardship.
- 3. Shall use the rules, procedures, duties and powers authorized by Wisconsin Statutes in hearing and deciding appeals and authorizing variances.

B. Appeals. Appeals or requests for variances to the Stormwater Utility Committee must be made in writing by any aggrieved person or by any officer, department, Authority, Board or Commission of the City affected by a decision of the Code Official, and must be filed with the City Clerk/Treasurer, along with the filing fee, and if an appeal, within thirty (30) days of the decision.

C. Filing Fee. There shall be a One Hundred (\$100.00) Dollar fee to accompany the filing of an appeal or request for a variance.

Section Two: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:
Published:

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney

REDLINE VERSION

ORDINANCE NO. _____

BY: ALDERPERSON G. JOHN RUFFOLO

TO REPEAL AND RECREATE SECTION 33.15 OF THE CODE OF GENERAL ORDINANCES, ENTITLED "APPEALS"

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 33.15 of the Code of General Ordinances for the City

of Kenosha, Wisconsin, is repealed and recreated as follows:

33.15 APPEALS

A. Stormwater Utility Committee on Public Works. The Stormwater Utility Committee on Public Works, with respect to this Code:

1. Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Code Official in administering this Code.
2. May authorize variances from the provisions of this Code which are not contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this Code will result in unnecessary hardship.
3. Shall use the rules, procedures, duties and powers authorized by Wisconsin Statutes in hearing and deciding appeals and authorizing variances.

B. Appeals. Appeals or requests for variances to the Stormwater Utility Committee on Public Works may must be made in writing by any aggrieved person or by any officer, department, Authority, Board or Commission of the City affected by a decision of the Code Official, and must be filed with the City Clerk/Treasurer, along with the filing fee, and if an appeal, within thirty (30) days of the decision.

C. Appeal Filing Fee. There shall be a One Hundred (\$100.00) Dollar fee to accompany the filing of an appeal or request for a variance.

Section Two: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN,
City Attorney