

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

From the Interim Director, Department of Parks, Recreation, and Culture, requesting authorization to amend Section 47.031(6)(b) of the Milwaukee County Code of General Ordinances by striking specific fees charged for permits that limit access to Lincoln Memorial Drive in order to conform with the 2018 Adopted Budget, by recommending adoption of the following:

AN AMENDED RESOLUTION/ORDINANCE

WHEREAS, the Department of Parks, Recreation, and Culture (DPRC) provides an updated list of fees in every annual budget; and

WHEREAS, the Milwaukee County Board of Supervisors (County Board) deliberate and approve the fees proposed to raise revenue for each department; and

WHEREAS, the Committee on Parks, Energy, and Environment (PE&E), at its meeting of March 13, 2018, recommended adoption of File No. 18-194 (vote 4-0); and

WHEREAS, the County Board, at its meeting of March 22, 2018, referred File No. 18-184 back to the Committee on PE&E (vote 18-0); and

WHEREAS, the Committee on PE&E, at its meeting of June 12, 2018, recommended adoption of File No. 18-194 as amended (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors amends Section 47.031(6)(b) of the Milwaukee County Code of General Ordinances by adopting the following:

AN ORDINANCE

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

SECTION 1. Section 47.031(6)(b) of the General Ordinances of Milwaukee County, is hereby amended as follows:

47.031. - Lincoln Memorial Drive; games, amusements, athletic and fundraising events.

(1) Accessibility. No games, amusements, athletic or fundraising events shall be conducted in such a manner as to eliminate access to Lincoln Memorial Drive from Kenwood Boulevard or Michigan Avenue, and the Lincoln Memorial Bridge, nor shall any such events be conducted in such a manner as to eliminate access to any facility served by North Lincoln Memorial Drive between Michigan Avenue and Kenwood Boulevard, except as provided otherwise in this section.

- 47 (2) *Time restrictions.* Any such event which would require the limiting of access to
48 the road portion of North Lincoln Memorial Drive must be held between the hours
49 of 8:30 a.m. and 10:00 a.m. on the date of the event.
50
- 51 (3) *Coordination of events.* Any such event shall be conducted only in a designated
52 location which will act as a staging or coordinating area. The department of
53 parks, recreation and culture shall station a designated park employee at such
54 location whose duty shall be to assure compliance with the permit issued
55 pursuant to subsection (6).
56
- 57 (4) *Limited permits issued.* No more than one (1) event per weekend nor more than
58 two (2) per calendar week of the events described within the title of the section
59 shall be scheduled that affect traffic on North Lincoln Memorial Drive.
60
- 61 (5) *Waivers.* Notwithstanding any provisions of subsections (1) to (4) inclusive, any
62 event sponsor may petition the county board, through the committee on parks,
63 energy and environment, for a waiver to conduct an event along Lincoln
64 Memorial Drive which does not conform to one (1) or more conditions or
65 restrictions recited in subsections (1) to (4) inclusive, and if a recommendation by
66 the committee is approved by the county board, it shall apply in lieu thereof. The
67 director of parks, recreation and culture shall have the same authority to grant or
68 deny waivers of conditions or restrictions within subsections (1) to (4) inclusive,
69 and an event sponsor need not apply to the county board during such times as
70 the county board is not available to act on such a request in a timely manner.
71
- 72 (6) *Application.*
- 73 (a) Parties or organizations seeking to stage an event of the kind described in
74 the title of this section, which affect the traffic on North Lincoln Memorial
75 Drive, shall make application for a permit for such event with the director
76 of parks, recreation and culture and, in connection with the filing of such
77 application and the payment of the fee described in subsection (b), shall
78 provide maps of the course and area to be used, certificates of insurance
79 that may be required by the department, and a list of any special needs
80 required for the event. Such application and attached documentation shall
81 be submitted to the department a minimum of sixty (60) days prior to the
82 date requested for the event, and such permit and application must be
83 approved by the department, the City of Milwaukee police department and
84 the City of Milwaukee department of public works a minimum of thirty (30)
85 days prior to the requested date of such event.
86

87 (b) The fee for a special event of the kind described above, involving limiting
88 the access to North Lincoln Memorial Drive, shall be paid at the time of
89 application, ~~and shall be two hundred dollars (\$200.00) for events where~~
90 ~~the anticipated number of participants does not exceed five thousand~~
91 ~~(5,000), and five hundred dollars (\$500.00) for events for which the~~
92 ~~anticipated number of participants exceeds five thousand (5,000). Any~~
93 ~~changes to fees for special events, involving limiting the access to North~~
94 ~~Lincoln Memorial Drive, shall be approved by the county board. Current~~
95 ~~fees will be published in the adopted county budget each year.~~ The
96 applicant shall certify as to the anticipated number of participants involved.
97 ~~Such fees shall be used by the department exclusively for the purpose of~~
98 ~~cleaning of the adjacent parks and parklands where the event was held.~~
99

100 (c) In the event that the organizers or sponsors of any such event deviate
101 from the plan submitted in the application or from the route course
102 submitted, without the prior approval of the City of Milwaukee and the
103 county, such organizers or sponsors and such event thereafter shall be
104 denied a permit for any events on Lincoln Memorial Drive for the following
105 calendar year.
106

107 (7) *Written notice to the facilities.* The department of parks, recreation and culture
108 shall provide written notice, within a reasonable period of time prior to closing or
109 limitation of access on Lincoln Memorial Drive due to such events, to
110 organizations and facilities that may be affected thereby. Without limitation by
111 reason of enumeration, the following facilities and organizations shall receive
112 such notice: Charter Captains, Milwaukee Yacht Club, McKinley Tennis Club,
113 Milwaukee Community Sailing Center, Great Lakes Sports Fishermen and
114 McKinley Marina.
115

116 **SECTION 2.** The provisions of this ordinance shall be effective upon passage and
117 publication.
118

119
120 kae
121 06/12/18
122 S:\Committees\2018\Jun\PE&E\Resolutions\18-194 LMD ordinance change.docx