

Melendez, Yadira

From: Randall, Brian C. <brandall@amundsendavislaw.com>
Sent: Tuesday, July 14, 2026 9:51 AM
To: Cooney, Jim; Melendez, Yadira
Subject: RE: Nuisance Property Designation for Miramar Theatre
Attachments: Miramar Abatement Plan .pdf

You don't often get email from brandall@amundsendavislaw.com. [Learn why this is important](#)
Making sure that the attachment carried through for the eBook as well. Thanks Jim and Yadira!

Brian Randall
Amundsen Davis LLC
BRandall@AmundsenDavisLaw.com
Direct 414.225.1484

From: Cooney, Jim <Jim.Cooney@milwaukee.gov>
Sent: Tuesday, July 14, 2026 8:59 AM
To: Aaron Ohlsson <aaronohlsson@gmail.com>; Popp, Parker <ppopp@milwaukee.gov>
Cc: Aaron Ohlsson <aaron@themiramartheatre.com>; Brower, Alex <Alex.Brower@milwaukee.gov>; Thiel, Robert <rthiel@milwaukee.gov>; Plumley, Molly <mpluml@milwaukee.gov>; License <LICENSE@milwaukee.gov>; Lopez, Faviola <Faviola.Martin@milwaukee.gov>; paresha.sara@gmail.com; Randall, Brian C. <brandall@amundsendavislaw.com>; Melendez, Yadira <Yadira.Melendez@milwaukee.gov>
Subject: RE: Nuisance Property Designation for Miramar Theatre

[EXTERNAL]

Yadira,

Could you add this to e-book for the Miramar? It's scheduled at 9:40 am on July 17.

Thank you

Jim Cooney, CPM
License Division Manager
City Clerk-License Division
200 E Wells St #105
414-286-2238
www.milwaukee.gov/license
[Take our Survey!](#)



From: Aaron Ohlsson <aaronohlsson@gmail.com>
Sent: Monday, July 13, 2026 5:31 PM
To: Popp, Parker <ppopp@milwaukee.gov>

Cc: Aaron Ohlsson <aaron@themiramartheatre.com>; Brower, Alex <Alex.Brower@milwaukee.gov>; Thiel, Robert <rthiel@milwaukee.gov>; Plumley, Molly <mpluml@milwaukee.gov>; Cooney, Jim <Jim.Cooney@milwaukee.gov>; License <LICENSE@milwaukee.gov>; Lopez, Faviola <Faviola.Martin@milwaukee.gov>; paresha.sara@gmail.com; Randall, Brian C. <brandall@amundsendavislaw.com>
Subject: Re: Nuisance Property Designation for Miramar Theatre

You don't often get email from aaronohlsson@gmail.com. [Learn why this is important](#)

Hello Officer Popp,

Thank you for the opportunity to submit this written abatement plan in response to the Notice of Nuisance Premises dated June 15, 2026. We take the safety of our patrons, neighbors, staff, and surrounding community very seriously and remain committed to working collaboratively with the Milwaukee Police Department to continually improve our operations.

Before outlining our abatement measures, I would like to address two factual issues contained in the notice.

First, the notice states that Miramar security pepper sprayed a patron. After conducting an internal review and speaking with every member of our security team who worked that evening, I have found no evidence that any Miramar employee or contracted security staff deployed pepper spray. Pepper spray and similar defensive weapons have never been authorized or permitted for Miramar security personnel. We respectfully dispute the characterization that Miramar security pepper sprayed a patron, as it is inconsistent with our policies, training, and the information available to us. We believe another patron pepper sprayed the individual during the altercation.

Second, the notice states that .45 caliber shell casings were recovered in close proximity to the business following reports of shots fired. After speaking with responding Milwaukee Police officers following the incident, I was informed that the shell casings were located around the corner from the Miramar and my security believed they were associated with a vehicle that had driven by the area, rather than from incident originating from the Miramar or its patrons. While we understand this information may not have been available when the notice was prepared, we believe it is important that the Department consider this additional context when evaluating the circumstances surrounding the incident.

We recently held a community meeting with Alderman Alex Brower, neighboring residents, and other community stakeholders regarding our Tuesday R&B events. The abatement measures outlined in this plan reflect the commitments we made during that meeting, many of which have already been implemented.

We appreciate the opportunity to work collaboratively with the Milwaukee Police Department and remain committed to being a responsible member of the community. Should you have any questions or recommendations regarding this plan, please do not hesitate to contact me.

Thank you

--

Aaron Ohlsson

P: [262-408-7533](tel:262-408-7533)

E: Aaron@themiramartheatre.com

Owner/Talent Buyer

The Miramar Theatre

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www.themiramartheatre.com

Brew City Boat Series - www.mikeboat.com/brewcityboatseries

On Wed, Jul 8, 2026 at 9:31 AM Popp, Parker <ppopp@milwaukee.gov> wrote:

Mr. OHLSSON,

The abatement plan is due on July 17th, however if you complete it earlier than that you can let me know and we can schedule a meeting whenever. The next 7 days (excluding Sat/Sun) are pretty open for me so I'm flexible on the time.

Thanks,

P.O. Parker POPP

Milwaukee Police Department

District One

(414) 935-7630

Day Shift (8a - 4p)

Community Prosecution Unit

From: Aaron Ohlsson <aaron@themiramartheatre.com>

Sent: Wednesday, July 8, 2026 9:15 AM

To: Popp, Parker <ppopp@milwaukee.gov>

Cc: Brower, Alex <Alex.Brower@milwaukee.gov>; Thiel, Robert <rthiel@milwaukee.gov>; Plumley, Molly <mpluml@milwaukee.gov>; Cooney, Jim <Jim.Cooney@milwaukee.gov>; License <LICENSE@milwaukee.gov>; Lopez, Faviola <Faviola.Martin@milwaukee.gov>; paresha.sara@gmail.com <paresha.sara@gmail.com>; Randall, Brian C. <brandall@amundsendavislaw.com>; Aaron Ohlsson <aaronohlsson@gmail.com>

Subject: Re: Nuisance Property Designation for Miramar Theatre

Good morning, Officer Popp,

Unfortunately, my liquor license renewal meeting is scheduled for that day. Is there any chance we could meet before July 17? The last thing I want is for the Milwaukee Police Department to have concerns about the renewal of my license.

I also spoke with several officers last night, including Officer Owens, Officer Hernandez, and Officer Thompson. They were all surprised by the ruling and spoke highly of protocols and our ongoing commitment to the safety of our patrons and the surrounding neighborhood.

I would really appreciate the opportunity to meet with you, discuss any concerns, and work together toward a positive resolution before the hearing.

Thank you for your time and consideration. I look forward to hearing from you.

Best,
Aaron

--

Aaron Ohlsson
P: 262-408-7533
E: Aaron@themiramartheatre.com

Owner/Talent Buyer
The Miramar Theatre

www.themiramartheatre.com
Brew City Boat Series - www.mkeboat.com/brewcityboatseries

On Wed, Jul 8, 2026 at 9:03 AM Popp, Parker <ppopp@milwaukee.gov> wrote:

Mr. OHLSSON,

I have attached a signed copy of the Nuisance letter as well as the Nuisance packet that I send everyone.

And as far as the meeting goes, why don't we schedule it for the 17th of July at 1:00 p.m. (if you're free of course)? That way we can go over your abatement plan and I can answer any and all the questions you have regarding the designation and what the process looks like going forward.

Let me know if that works for you.

Respectfully,

P.O. Parker POPP
Milwaukee Police Department
District One
(414) 935-7630
Day Shift (8a - 4p)
Community Prosecution Unit

From: Aaron Ohlsson <aaron@themiramartheatre.com>
Sent: Tuesday, July 7, 2026 2:58 PM
To: Popp, Parker <ppopp@milwaukee.gov>
Cc: Brower, Alex <Alex.Brower@milwaukee.gov>; Thiel, Robert <rthiel@milwaukee.gov>; Plumley, Molly <mpluml@milwaukee.gov>; Cooney, Jim <Jim.Cooney@milwaukee.gov>; License <LICENSE@milwaukee.gov>; Lopez, Faviola <Faviola.Martin@milwaukee.gov>; paresha.sara@gmail.com <paresha.sara@gmail.com>; Randall, Brian C. <brandall@amundsendavislaw.com>; Aaron Ohlsson <aaronohlsson@gmail.com>

Subject: Re: Nuisance Property Designation for Miramar Theatre

You don't often get email from aaron@themiramartheatre.com. [Learn why this is important](#)

Hello Officer Popp,

Thank you for your response. If you could please send a copy in this email thread, I would appreciate it.

I would also appreciate the opportunity to meet with you to discuss this further. What time works best for your schedule? I am available any afternoon this week and am happy to work around your availability.

Thank you, and I look forward to hearing from you.

On Mon, Jul 6, 2026 at 8:12 AM Popp, Parker <ppopp@milwaukee.gov> wrote:

Good Morning,

Normally, I go off of when the recipient of the Nuisance letter receives it, so I am absolutely open to having the 10 day window reopened/extended. Also I go off of 10 business days, so realistically I won't be expecting any abatement plan from Miramar until the 17th of July. Do you need a copy of it emailed to you, or do you have it already?

If you are interested, I would be more than willing to meet with you beforehand to discuss any plans and answer any questions that you may have. I can meet any time this week, Wednesday-Friday.

Respectfully,

P.O. Parker POPP
Milwaukee Police Department
District One
(414) 935-7630
Day Shift (8a - 4p)
Community Prosecution Unit

From: Aaron Ohlsson <aaron@themiramartheatre.com>

Sent: Thursday, July 2, 2026 10:05 PM

To: Brower, Alex <Alex.Brower@milwaukee.gov>

Cc: Thiel, Robert <rthiel@milwaukee.gov>; Popp, Parker <ppopp@milwaukee.gov>; Plumley, Molly <mpluml@milwaukee.gov>; Cooney, Jim <Jim.Cooney@milwaukee.gov>; License <LICENSE@milwaukee.gov>; Lopez, Faviola <Faviola.Martin@milwaukee.gov>; paresha.sara@gmail.com <paresha.sara@gmail.com>; Randall, Brian C. <brandall@amundsendavislaw.com>

Subject: Re: Nuisance Property Designation for Miramar Theatre

You don't often get email from aaron@themiramartheatre.com. [Learn why this is important](#)

Good evening, Captain Theil,

Thank you for your time and consideration.

I wanted to let you know that I have included my legal counsel, Brian Randall, on this email so that he is aware of the situation and can assist as needed throughout this process.

As Alderman Brower mentioned, I did not receive or sign for the certified letter, so I was unfortunately unaware of the 10-day response and appeal deadline. I respectfully request the opportunity to reopen that window so we can file our appeal and address this matter through the proper process.

Throughout my time over the past 15 years operating the Miramar Theatre, I have made it a priority to maintain an open line of communication with the Milwaukee Police Department. I have been in regular contact with officers during our events and have always been responsive whenever Officer Plumley or Officer Perez reached out on behalf of our neighborhood liaison. In the past, when concerns have been brought to my attention, we have worked collaboratively to resolve them quickly and effectively.

Because of that ongoing relationship, I am very surprised by this designation. In fact, many of the officers I have spoken with especially on Tuesday evenings have complimented our security team and the protocols we have implemented. My goal has always been to work collaboratively with the Milwaukee Police Department and the City to ensure the Miramar Theatre operates safely and responsibly.

We remain committed to being a good neighbor and welcome the opportunity to discuss the safety protocols we currently have in place, as well as any additional measures you believe would be appropriate. I appreciate the opportunity to meet and discuss how we can continue improving and addressing any concerns.

I look forward to hearing from you and, if possible, hope we can schedule a meeting at your convenience.

Thank you again for your time and consideration.

Respectfully,

Aaron Ohlsson
Owner & Agent, Miramar Theatre

On Thu, Jul 2, 2026 at 6:24 PM Brower, Alex <Alex.Brower@milwaukee.gov> wrote:

Good afternoon, Captain Theil,

I wanted to reach out here and see some options.

One of our licensed businesses, Miramar Theatre, was designated a Nuisance Property by the attached letter dated 6/15/26

I talked to the agent, Aaron Ohlsson, cc'ed here, and he said he did not receive a copy - he's not been able to sign for the certified letter.

I'd like to see if he can set up a meeting with you, since he has missed the 10-day window to respond to you letter or appeal. I'm wondering if this window can be opened back up.

Thank you so much for considering - we want to give this business every opportunity to correct the situation.

In Solidarity,

Alex Brower | He/Him/His
Alderman, 3rd Aldermanic District
Office: (414) 286-3765 | Email: Alex.Brower@milwaukee.gov

City of Milwaukee Common Council
[200 E. Wells Street, Room 205](#)
[Milwaukee, WI 53202](#)

Sign up for Third District E-Notify Here: <https://city.milwaukee.gov/News-Events/enotify>
Request City Services online via [Click for Action](#)
Follow Alderman Alex on Facebook: <https://www.facebook.com/people/Alderman-Alex-Brower/61575562300603/>

Follow Alderman Alex on Instagram: <https://www.instagram.com/aldermanalexbrower/>

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Aaron Ohlsson

P: [262-408-7533](tel:262-408-7533)

E: Aaron@themiramartheatre.com

Owner/Talent Buyer

The Miramar Theatre

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Aaron Ohlsson

P: [262-408-7533](tel:262-408-7533)

E: Aaron@themiramartheatre.com

Owner/Talent Buyer

The Miramar Theatre

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Brew City Boat Series - www.mkeboat.com/brewcityboatseries



Milwaukee Police Department
Police Administration Building
749 West State Street
Milwaukee, Wisconsin 53233
<http://www.milwaukee.gov/police>

Jeffrey B. Norman
Chief of Police

(414) 933-4444

06/15/2026

Aaron OHLSSON
1680 N Franklin Pl.
Milwaukee, WI 53202

ARO Management LLC
2844 N Oakland Av
Milwaukee, WI, 53211

Re: Notice of Nuisance Premises

Dear Aaron OHLSSON / ARO Management LLC:

This letter is notice to you that the Milwaukee Chief of Police, by the chief's designee, the district commander, has determined that the premises located at 2844 N Oakland Av ("the premises") is a nuisance pursuant to Milwaukee Code of Ordinances ("MCO") § 80-10, Chronic Nuisance Premises. As an individual or entity that is licensed or subject to a license in the operation of a business upon the premises, you are a responsible party for abating the nuisance activities occurring at the premises.

The Milwaukee Police Department has responded to the following described nuisance activities at the premises on the corresponding dates, which qualify the premises as a nuisance:

1. On Wednesday, June 3rd, 2026 at approximately 1:36 a.m., Milwaukee Police Department received a call of a shots fired at 2844 N Oakland Av. The caller stated that there was a huge fight outside of the business, about 10-15 people. A witness stated that she heard loud popping sounds coming from in front of Miramar. .45 caliber casings were recovered in close proximity of the business. This call is a violation of 80-10-c-1-L
2. On Wednesday, June 3rd at approximately 1:48 a.m., Milwaukee Police officers were flagged down by a victim of a battery at the address of 2844 N Oakland Av. The victim stated that she was pepper sprayed by security at the location. Security stated that they are not authorized to carry pepper spray. The caller eventually left the scene to seek medical treatment. This call is a violation of 80-10-c-1-k.

As a consequence, you may be subject to a collections action for the cost of future enforcement for any of the nuisance activities listed in MCO § 80-10-2-c that occur at the premises.

You are directed to respond to my office within 10 days of receipt of this notice with an acceptable, written course of action that you will undertake to abate the nuisance activities occurring at the premises, or file an appeal. You may appeal this nuisance determination to the Administrative Review Appeals Board. Any appeal must be in writing and a processing fee will be charged. Please contact the Office of the City Clerk at (414) 286-2231 for additional information.

If you elect to provide a written course of action, I shall evaluate it to determine if it is a reasonable attempt at abating the nuisance activity.

Prior to responding with a written course of action, it is highly recommended that you obtain records relating to police responses regarding the premises. You may obtain these records from the Computer Aided Dispatch System (CADS) at the Open Records Section of the Milwaukee Police Department (District Three Station, 2333 North 49th Street, Second Floor) between 8:00 AM and 3:45 PM. There is a cost of 25 cents per page for these records.

Once you are able to determine the type of nuisance activity occurring at the premises, please review the following examples of nuisance abatement measures that you may include in your written course of action to abate the nuisance activity. These suggestions are not exclusive, may not apply to the particular premises, and you may propose other nuisance abatement measures that would be appropriate under your particular circumstances.

- Exchange names and telephone numbers with the owners and operators of neighboring premises.
- Participate in a local block watch, neighborhood association, and business association.
- Attend the monthly crime prevention meetings conducted by the local Milwaukee Police District Community Liaison Officer who can be contacted at (414) 935-7630.
- Monitor the property for evidence of drug activity. This may include observation of clear corner cuts of baggies strewn about, excessive quantities of plastic sandwich baggies found in odd places, presence of numerous weight scales or communication devices and drug paraphernalia such as unusual pipes, empty cigar wrappers, burned hollow tubes, etc.
- Install "No Loitering" signs in the front and rear of the exterior of the premises. This signage permits police to cite loitering individuals in the yard and sidewalk area.
- Install "No Trespassing" signs in the front and rear of the exterior of the premises. This signage permits police to cite trespassers in commercial properties.
- Participate in the E-Notify system for email updates regarding the premises.
- Regularly file open records requests for Milwaukee Police Department Computer Aided Dispatch System (CADS) reports regarding the property.
- Institute a standing complaint with the local Milwaukee Police district station that will allow the police department to remove any individuals loitering on the property.
- Draft and serve a no trespassing order against identified nuisance persons and provide the local police district station a copy of the served order.

- Install and maintain a digital security surveillance system.
- Employ security personnel.
- Enroll in Respect 21 or MARTS program (contact CLO for more information)

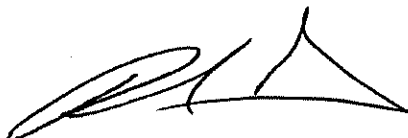
If you propose a course of action which is rejected by me or fail to timely respond to this request, and a subsequent nuisance activity occurs on or after 13 days after receipt of this notice, you will be subject a collections action for the cost of any police services and enforcement.

Once you have been billed for the costs of police services and enforcement for three or more separate nuisance activities within one year of the date of this notice of nuisance premises, the premises may be designated a chronic nuisance, pursuant to MCO § 80-10-6, and each and every subsequent incident of nuisance activity at the premises may be deemed a separate violation and result in a citation being issued to you for failure to abate the nuisance activity. Each citation would subject you to a forfeiture of not less than \$1,000.00 or more than \$5,000.00. Upon default of payment of a chronic nuisance citation you would be subject to imprisonment in the county jail or house of correction for a period of not less than 40 days or more than 90 days for each violation.

Please contact P.O. POPP at (414) 935-7360 with any questions, and I look forward to hearing from you.

Best regards,

JEFFREY B. NORMAN
CHIEF OF POLICE



CAPTAIN ROBERT THIEL
DISTRICT COMMANDER

Attachment: Notice of Nuisance Premises
CC: Department of Neighborhood Service, Lake Tower 1st Floor – Pete Laritson
City Hall Common Council
Building owner

v. 9/19



LARRESA TAYLOR
ALDERWOMAN, 9TH DISTRICT

COMMITTEE ASSIGNMENTS

MEMBER

- Public Safety and Health Committee
- Public Works Committee

July 14, 2026

Tirrell Jackson
10211 W. Sharon Lane #7
Milwaukee, WI 53225

Dear Mr. Jackson,

We would like to extend our heartfelt thanks for your generous volunteerism during MKE Granville Kids Fun Day & Bike Giveaway. This event grew out of the need to provide positive resources and activities for our children. The MKE Kid Fun Day & Bike giveaway is an impactful way to uplift children and families and to show their value to the community. Your support has played a key role in helping us provide a sense of community and a day of fun.

Due to your generosity of time 160+ youth and families were able to attend the event. We were able to supply 68 kids with bicycles and bike safety training. This impact would not have been possible without you.

We look forward to continuing the work to build community with your organization as a valuable sponsor for future MKE Kid Fun Day events.

Sincerely,

Larresa Taylor
Alderwoman, 9th District
City of Milwaukee
Larresa.Taylor@milwaukee.gov
July 14, 2026

. Chronic Nuisance Premises.

1. FINDINGS.

- a. The common council finds that any premises, including a manufactured home community, that has generated 3 or more responses from the police department for nuisance activities has received more than the level of general and adequate police service and has placed an undue and inappropriate burden on the taxpayers of the city. The common council further finds that premises owners, and other parties conducting business activities upon the premises, that chronically fail to control the use of their property substantially interfere with the comfortable enjoyment of life, health and safety of the community. The common council therefore directs the chief of police, the commissioner of neighborhood services and the city attorney, as provided in this section, to charge the owners of such premises the costs associated with abating the violations at premises at which nuisance activities chronically occur.

2. DEFINITIONS.

- a. For the purposes of this section: a. "Chief of police" means the chief of the police department or the chief's designee. The chief's designee includes, but is not limited to, a commanding officer signing a notice under sub. 3-a-1 or 2 or any other specifically named designee in any notice under this section.
- b. "Manufactured home community" means any plot or plots of ground upon which 3 or more manufactured homes that are occupied or dwelling or sleeping purposes are located.
- c. c-1. "Nuisance activity" means any of the following activities, behaviors or conduct whenever engaged in by persons associated with a premises:
 - c-1-a. An act of harassment as defined in s.947.013, Wis. Stats.
 - c-1-b. Disorderly conduct as defined in s.106-1 of the code or s. 947.01, Wis. Stats.
 - c-1-c. Cruelty to animals or any other violation of s. 78-31.
 - c-1-d. Indecent exposure as defined in s. 106-5 of the code or s. 944.20(1)(b), Wis. Stats.

- c-1-e. Keeping a place of prostitution as defined in s. 106-3 of the code or s. 944.34, Wis.Stats., or leasing a building for the purposes of prostitution as defined in s.106-4 of the code.
- c-1-f. Littering of premises as defined in s.79-12.
- c-1-g. Theft as defined in s. 110-16 of the code or s. 943.20, Wis. Stats.
- c-1-h. Arson as defined in s. 943.02, Wis. Stats.
- c-1-i. Possession, manufacture or delivery of a controlled substance or related offenses as defined in ch. 961, Wis. Stats.
- c-1-j. Gambling as defined in ss. 107-1 and 2 of the code or s. 945.02, Wis. Stats.
- c-1-k. Crimes against life and bodily security as enumerated in ss. 940.01 to 940.32, Wis. Stats., except as provided in subd. 2.
- c-1-L. Crimes involving illegal possession or use of firearms as defined in ch. 941 and s. 948.60, Wis. Stats.
- c-1-m. Keeping a prohibited dangerous animal as defined in s. 78-25.
- c-1-n. Trespass to land as defined in s. 943.13, Wis. Stats., or criminal trespass to dwelling as defined in s. 943.14, Wis. Stats.
- c-1-o. Any act of aiding and abetting, as defined in s. 50-18 or s. 939.05, Wis. Stats., of any of the activities, behaviors or conduct enumerated in subpars. a to L.
- c-1-p. Any conspiracy to commit, as defined in s. 939.31, Wis. Stats., or attempt to commit, as defined in s. 939.32, Wis. Stats., any of the activities, behaviors or conduct enumerated in subpars. a to n.
- c-1-q. Discharge of a firearm as defined in s. 105-35.
- c-1-r. The production or creation of excessive noise as defined in s. 80-63.
- c-1-s. Loitering as defined in s. 106-31.
- c-1-t. Public drinking as defined in s. 106-1.8.

- c-1-u. The sale, offering for sale, bartering or giving away of any intoxicating liquors or fermented malt beverages without a license as provided in s. 90-3-1 of the code or s. 125.04(1), Wis. Stats.
- c-1-v. The operation of a convenience store in violation of any provision of s. 68-55.
- c-1-w. The possession of counterfeit items as defined by s. 132.02, Wis. Stats.
- c-1-x. Selling or giving away tobacco products to persons under the age of 18 as defined in s. 106-30-2.
- c-1-y. The possession, possession with intent to sell or deliver, or delivery of drug paraphernalia as defined in s. 106-36.
- c-1-z. Owning, keeping, having or harboring any bird or animal that causes a disturbance of the peace as defined in s. 78-29.
- c-1-aa. Misuse of emergency telephone numbers as defined in s. 105-77.
- c-1-bb. Illegal sale, discharge and use of fireworks as defined in s. 105-47-1.
- c-1-cc. Loitering-illegal drug activity as defined in s. 106-35.6.
- c-1-dd. Truancy and contributing to truancy as defined in ss. 106-23.1 and 106-23.3.
- c-1-ee. Underage alcohol activities, as defined in s. 90-18.
- c-1-ff. Adult contributing, allowing, providing alcohol to underage persons activities, as defined in. s. 90-18.
- c-1-gg. Robbery as enumerated in s. 943.32, Wis. Stats.
- c-1-hh. Receiving or concealing stolen property as enumerated in s. 943.34, Wis. Stats.
- c-1-ii. The sale of cigarettes in a form other than as a package or container on which a stamp is affixed under s. 139.32(1), Wis. Stats., as provided in s. 106-30-3-c.
- c-1-jj. The possession, sale or use of synthetic marijuana, as provided in s. 105-50.
- c-1-kk. Operating or carrying on the business of being a secondhand dealer without having first obtained a secondhand dealer's license, as provided in s. 92-2-2.

c-1-LL. Motor vehicle repair, service or maintenance on any lot used wholly or in part for residential purposes as defined in s. 295-503-3-b.

c-1-mm. On-street motor vehicle repair as defined in s. 105-66.

c-1-nn. Excessive false alarms, as defined in s. 105-75-15-a. c-2. "Nuisance activity" does not include activities, behaviors or conduct that results in a call for assistance made by the owner or occupant requesting law enforcement services related to any of the following:

c-2-a. "Domestic abuse," as defined in s. 813.12(1)(am), Wis. Stats.

c-2-b. "Sexual assault," as described in ss. 940.225, 948.02, and 948.025, Wis. Stats.

c-2-c. "Stalking," as described in s. 940.32, Wis. Stats.

d. "Other responsible party" means any individual or entity other than the owner of the premises that is licensed or subject to license in the operation of a business upon the premises.

e. "Person associated with a premises" means the premises owner, operator, manager, resident, occupant, guest, visitor, patron or employee or agent of any of these persons.

3. PROCEDURE.

a. Notices.

a-1. Whenever the chief of police determines that the police department has responded to 3 or more nuisance activities that have occurred at a premises during a 30-day period or that the police department has responded to 2 or more nuisances of the types defined in sub. 2-c-1-e, i to L that have occurred at a premises within one year, the chief of police may notify the premises owner or other responsible party in writing that the premises is a nuisance. For purposes of this section, each separate and distinct incident shall constitute a nuisance activity, and 2 or more separate and distinct incidents occurring on the same day shall be counted separately. This notice shall contain:

a-1-a. The street address or legal description sufficient for identification of the premises.

- a-1-b. A description of the nuisance activities that have occurred at the premises.
- a-1-c. A statement indicating that the cost of future enforcement may be assessed as a special charge against the premises, or referred for collection, and that the owner or other responsible party may be cited under sub. 6.
- a-1-d. Examples of nuisance abatement measures.
- a-1-e. A statement that the premises owner or other responsible party shall within 10 days either respond to the chief of police with an acceptable, written course of action to abate the nuisance activities at the premises or file an appeal pursuant to sub. 5-a.
- a-2. Whenever the chief of police determines that modification of an accepted written course of action is necessary to abate nuisance activities at the premises, the chief of police shall notify the premises owner or other responsible party in writing that the written course of action must be modified. This notice shall contain:
 - a-2-a. The street address or legal description sufficient for identification of the premises.
 - a-2-b. A description of the nuisance activities that have occurred at the premises that require modification of the accepted written course of action.
 - a-2-c. A copy of the previously-accepted written course of action.
 - a-2-d. A statement indicating that the cost of future enforcement may be assessed as a special charge against the premises, or referred for collection, and that the owner or other responsible party may be cited under sub. 6.
 - a-2-e. A statement that the premises owner or other responsible party shall within 10 days, respond to the chief of police with an acceptable, modified written course of action to abate the nuisance activities at the premises.
- b. A notice under par. a shall be deemed to be properly delivered if sent either by first class mail to the premises owner's or other responsible party's last known address or if delivered in person to the premises owner or other responsible party. If the premises owner or other responsible party cannot be located, the notice shall be deemed to be properly delivered if a copy of it is left at the premises owner's or other responsible party's usual place of abode or regular business in the presence of some competent member of the family at least 14 years of age or a competent adult currently residing or

conducting business there and who shall be informed of the contents of the notice. If a current address cannot be located, it shall be deemed sufficient if a copy of the notice is sent by first class mail to the last known address of the owner or other responsible party as identified by the records of the commissioner of assessments, to the appropriate licensing authority or the commissioner of neighborhood services.

- c. Upon receipt of the nuisance premises notice or a demand for modification notice, the premises owner or other responsible party shall respond within 10 days to the chief of police with a written course of action or modified written course of action outlining the abatement actions the premises owner or other responsible party will take in response to the notice. Upon review of the written course of action or modified written course of action, the chief shall accept or reject the proposed course of action.c-1. If the proposed course of action is accepted, the chief shall inform the owner or other responsible party of the same and permit the owner or other responsible party 45 days to implement the accepted course of action. If the premises owner or other responsible party has implemented the accepted written course of action within 45 days, no further action by the department may be taken except that if nuisance activity continues, the chief may request the premises owner or other responsible party to modify the accepted written course of action.

c-2. If the premises owner or other responsible party fails to respond, proposes a course of action that is rejected by the chief of police, or fails to implement an accepted written course of action, the chief shall notify the premises owner or other responsible party that the cost of future enforcement may be assessed as a special charge against the premises, or referred for collection, and that the owner or other responsible party may be cited under sub. 6.

- d. The chief of police may calculate the cost of police services and refer the cost to the commissioner of neighborhood services or the city attorney for subsequent nuisance activities occurring at the premises within one year of the date of a notice under par. a provided such nuisance activity occurs under one of the following circumstances:

d-1. 13 days after notice was given pursuant to sub. 3-a if the premises owner or other responsible party fails to respond, or proposes a course of action that is rejected by the chief of police.

d-2. 45 days after a proposed course of action was accepted by the chief of police and the premises owner or other responsible party failed to properly implement the accepted course of action.

d-3. After the administrative review appeals board affirms the nuisance premises determination as provided in s. 320-11 if an appeal is timely filed pursuant to sub. 5-a.

e. The chief of police shall notify the premises owner or other responsible party of the decision to refer the cost of police services by copy of the chief's cost referral letter to the commissioner of neighborhood services or, alternatively, the chief of police shall notify the responsible party of the decision to refer the cost of police services by copy of the chief's referral letter to the city attorney for collection and to the appropriate licensing authority. Delivery of this notice shall be made as set forth in sub. 3-b. The cost referral letter shall contain:

e-1. The street address or legal description sufficient for identification of the premises.

e-2. A statement that the chief of police has referred the cost of enforcement to the commissioner or to the city attorney and to the appropriate licensing authority, with a concise description of the nuisance activities and the relevant sections of the code.

e-3. A notice of the premises owner's or other responsible party's right to appeal pursuant to sub. 5-b.

e-4. A statement that each subsequent incident of nuisance activity may be deemed a separate violation.

e-5. A statement that whenever a premises owner or other responsible party has been billed, on 3 or more separate dates, for the costs of enforcement within one year, he or she may be issued a citation of not less than \$1,000 nor more than \$5,000 after notification by the chief of police that the premises is a chronic nuisance due to the premises owner's or other responsible party's failure to abate the nuisance activities.

4. COST RECOVERY.

a. Upon receipt of a cost referral letter from the chief of police pursuant to sub. 3-d, the commissioner of neighborhood services shall charge any premises owner found to be in violation of this section the costs of enforcement, including administrative costs, in full or in part. All costs so charged are a lien upon such premises and may be assessed and

collected as a special charge. The commissioner shall establish a reasonable charge for the costs of administration and enforcement of this section.

- b. Upon receipt of a cost referral letter from the chief of police pursuant to sub. 3-d, the city attorney shall initiate a collections action against any other responsible party found to be in violation of this section for the costs of enforcement, including administrative costs, in full or in part. The city attorney shall establish a reasonable charge for the costs of administration and enforcement of this section.

5. APPEAL.

- a. Appeal of a determination that a premises is a nuisance under sub. 3-a-1 shall be submitted to the administrative review appeals board as provided in s. 320-11 within 10 days from the date of the notice.
- b. Appeal of the subsequent cost referral by the chief of police pursuant to sub. 3-d shall be submitted to the administrative review appeals board as provided in s. 320-11 within 30 days from the date of the cost referral letter.

6. CHRONIC NUISANCE PREMISES.

- a. Whenever a premises owner or other responsible party has been notified that a nuisance exists at his or her premises and has been billed for 3 or more separate nuisance activities within a one-year time period for the costs of enforcement, the chief of police may designate the premises as a chronic nuisance premises. Delivery of this notice shall be made as set forth in sub. 3-b. The chronic nuisance premises letter shall contain:
 - a-1. The street address or legal description sufficient for identification of the premises.
 - a-2. A statement that the premises owner or other responsible party has been billed, for 3 or more separate nuisance activities, for the costs of enforcement within a one-year time period, along with a concise description of the nuisance activities, bills and relevant sections of the code.

a-3. A statement that any subsequent incident of nuisance activity shall be subject to a forfeiture of not less than \$1,000 nor more than \$5,000 for failure to abate the nuisance activity.

a-4. A statement that each subsequent incident of nuisance activity may be deemed a separate violation.

b. Any person failing to abate nuisance activities after receiving notice under par. a shall be subject to a forfeiture of not less than \$1,000 nor more than \$5,000 for failure to abate the nuisance activity. Upon default of payment, the premises owner shall be imprisoned in the county jail or house of correction for a period of not less than 40 days nor more than 90 days.

7. EVICTION OR RETALIATION PROHIBITED.

a. It shall be unlawful for a landlord to terminate the lease agreement or periodic tenancy of any tenant or otherwise retaliate against any tenant because that tenant complained to the chief of police about nuisance activities on the landlord's premises. It shall be presumed that any attempt to increase charges, reduce services, or to otherwise harass or retaliate against the tenant during the 12-month period following receipt of the complaint by the chief of police constitutes unlawful retaliation under this subsection. This presumption shall be rebutted by the preponderance of evidence that the actions taken by the landlord were based upon good cause. "Good cause" as used in this subsection means that a landlord must show good cause for his or her actions, other than one related to or caused by the operation of this section. Notwithstanding the foregoing, a tenant's lease agreement or periodic tenancy may be terminated for a failure to pay rent; committing nuisance activity as defined in sub. 2-c-1-a to hh; for the commission of waste upon the premises; violating the terms and conditions of the lease agreement or periodic tenancy or as otherwise provided in ch. 709, Wis. Stats., and ch. ATPC 134, Wis. Adm. Code. A landlord's failure to renew a lease agreement or periodic tenancy upon expiration of such lease agreement or periodic tenancy shall not be deemed a violation of this subsection.

b. Any person violating par. a shall be subject to a forfeiture of not less than \$100 nor more than \$2000 for each violation and in default of payment thereof, be imprisoned in

the county jail or house of correction for a period of not less than 4 days nor more than 80 days.

8. SUBSEQUENT NOTICE OF NUISANCE ACTIVITY.

Nothing in this section shall prevent or prohibit the chief of police from issuing or reissuing a notice under sub. 3-a-1 regarding subsequent nuisance activity at a premises.