

..Number  
140873  
..Version  
PROPOSED SUBSTITUTE A  
..Reference

..Sponsor  
THE CHAIR

..Title  
A substitute ordinance relating to a periodic property inspection program to monitor properties for compliance with the zoning code and with any variance, special use or plan of operation approved by the board of zoning appeals.

..Sections  
295-309-2           am  
295-309-4           rn  
295-309-4-a-0       cr  
295-309-4-b        cr  
295-309-6           am

..Analysis  
This ordinance authorizes the commissioner of neighborhood services to establish a periodic property inspection program to monitor properties to confirm that the activities and uses of the properties are in compliance with the zoning code and with any variance, special use or plan of operation approved by the board of zoning appeals.

..Body  
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-309-2 of the code is amended to read:

**295-309. Enforcement. 2. PERMIT REVOCATION.** Any permit issued by the commissioner of ~~[[city development]]~~ >>neighborhood services<< under the terms of this chapter may be revoked by the commissioner of neighborhood services whenever any of the conditions under which the permit was issued are not complied with.

Part 2. Section 295-309-4 of the code is renumbered 295-309-4-a.

Part 3. Section 205-309-4-a-0 of the code is created:

a. Correction of Violation.

Part 4. Section 295-309-4-b of the code is created to read:

b. Periodic Property Inspection Program. b-1. The commissioner of neighborhood services may establish a periodic property inspection program to monitor properties to confirm that activities and uses of the properties are in

compliance with the zoning code and with any variance, special use or plan of operation approved by the board of zoning appeals.

b-2. Inspection intervals shall be determined by the commissioner of neighborhood services based on the nature of the business or operation and its potential for negative impacts upon the health, safety and welfare of the public and the impacts on the quality of life within the immediate neighborhood and surrounding community. The commissioner of neighborhood services reserves the right to increase inspection intervals at a property in the case of documented non-compliance.

Part 5. Section 295-309-6 of the code is amended to read:

6. PENALTIES. Any person, firm or corporation that owns, controls or manages any premises on which there shall be placed or there exists anything in violation of this chapter, assists in the commission of any violation of this chapter, builds contrary to the plans or specifications submitted to and approved by the commissioner >>of neighborhood services<< or omits, neglects or refuses to do any act required by this chapter shall be subject to revocation of such person's permit, certificate of occupancy or previous approval as provided in s. 200-31 and to injunction as provided in s. 200-19-3. In addition, such person shall be subject to penalties as provided in s. 200-19-1 and 2 or a code enforcement fee as provided in s. 200-33-8.8 assessed against the subject property, which may be collected and assessed as a special charge.

..LRB  
APPROVED AS TO FORM

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Legislative Reference Bureau  
Date: \_\_\_\_\_  
..Attorney  
IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney  
Date: \_\_\_\_\_  
..Requestor  
DOA – Budget and Management Division  
..Drafter  
LRB155307-2  
Teodros W. Medhin:lp  
10/16/2014