

Lee, Chris

From: Owczarski, Jim
Sent: Friday, February 27, 2026 1:11 PM
To: Lee, Chris
Subject: Fw: CCFN 251635 - Legal and Enforceable

Another!

Jim

From: Carson, Alexander R. <acarso@milwaukee.gov>
Sent: Friday, February 27, 2026 9:14 AM
To: Owczarski, Jim <jowcza@milwaukee.gov>
Cc: Newton, Saul <SNewton@milwaukee.gov>; Caples, Michelle <mcaples@milwaukee.gov>
Subject: CCFN 251635 - Legal and Enforceable

Good morning Jim,

Pursuant to your request, I have reviewed CCFN 251635, the ordinance proposing a 3-year waiver of permit fees for installation of fire suppression systems in existing, non-conforming properties.

I could find no prohibition on such a fee waiver in the statutes. Since the permit fees are established by the Council via ordinance, it follows that they could waive certain fees via legislative action. I located a prior CAO opinion regarding the waiver of certain very specific types of fees and our office similarly opined that the Council had authority to waive fees, as long as such waiver was not arbitrary.

Here, the waiver would apply to a specific, identified instance (existing non-conforming, 3 or more unit residential properties) and the purpose is health and safety, i.e. encourage fire suppression retrofits.

I believe the ordinance is legal and enforceable.

Thank you,

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