

Lee, Chris

From: Owczarski, Jim
Sent: Monday, April 20, 2026 3:20 PM
To: Broadnax, Keith; Brengosz, Kathleen
Cc: Zelazny, Dana; Lee, Chris
Subject: Fw: Ordinance 252103--Legal and Enforceability Review

OK, let's get this motion ready. Obviously a simple.

I am informed that the sponsor will offer it.

Chris -- How stands the board?

Jim

From: Helsel, Tyler <tyhels@milwaukee.gov>
Sent: Monday, April 20, 2026 3:18 PM
To: Owczarski, Jim <jowcza@milwaukee.gov>
Cc: Adamson, Nathaniel <naadam@milwaukee.gov>; Wilson, Julie <jwilson@milwaukee.gov>; Goyke, Evan <egoyke@milwaukee.gov>; Caples, Michelle <mcaples@milwaukee.gov>
Subject: RE: Ordinance 252103--Legal and Enforceability Review

Thanks for your patience. For tomorrow:

e. The fee for posting a placard [[pursuant to]] >>under<< s. 200-11-6 >>or emergency order under 200-12.5<< upon any commercial building not containing residential units shall be \$360. (was \$180 in last draft)

We opine that this change makes this ordinance legal and enforceable.

Thanks Jim.

Tyler M. Helsel | Assistant City Attorney | City Attorney's Office
200 E Wells Street, Room 800 | Milwaukee, WI 53202
Phone: 414.286.3359 | Email: tyhels@milwaukee.gov

From: Owczarski, Jim <jowcza@milwaukee.gov>
Sent: Monday, April 20, 2026 3:06 PM
To: Helsel, Tyler <tyhels@milwaukee.gov>
Cc: Adamson, Nathaniel <naadam@milwaukee.gov>; Wilson, Julie <jwilson@milwaukee.gov>; Goyke, Evan <egoyke@milwaukee.gov>; Caples, Michelle <mcaples@milwaukee.gov>
Subject: Re: Ordinance 252103--Legal and Enforceability Review

Sorry to push, but may I have clarity on this one?

Thanks,

Jim

From: Owczarski, Jim <jowcza@milwaukee.gov>
Sent: Monday, April 20, 2026 11:55 AM
To: Helsel, Tyler <tyhels@milwaukee.gov>
Cc: Adamson, Nathaniel <naadam@milwaukee.gov>; Wilson, Julie <jwilson@milwaukee.gov>
Subject: Re: Ordinance 252103--Legal and Enforceability Review

Good Morning,

Thank you for this, but I must inquire: does your office, therefore, opine that this ordinance may be legal but is not enforceable?

This determination would return the file to committee for further review.

Jim

From: Helsel, Tyler <tyhels@milwaukee.gov>
Sent: Monday, April 20, 2026 9:50 AM
To: Owczarski, Jim <jowcza@milwaukee.gov>
Cc: Adamson, Nathaniel <naadam@milwaukee.gov>; Wilson, Julie <jwilson@milwaukee.gov>
Subject: Ordinance 252103--Legal and Enforceability Review

Good morning Jim,

We have had an opportunity to review this language. Our concern relates to 200-43.5-e, which is the placard and emergency order fee related to commercial buildings. This fee is lower (by half) than a 4 or more residential units. Our opinion is that commercial buildings under (e) should be the same as 4 or residential units (i.e. \$360.00) or commercial buildings should be based on square footage. We believe the language is legal but due to the concern outlined herein, there is an enforceability concern.

Thanks,

Tyler M. Helsel | Assistant City Attorney | City Attorney's Office
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Phone: 414.286.3359 | Email: tyhels@milwaukee.gov