



IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN 30 DAYS OF ASSESSED CHARGES.

Checks should be made payable to: City of Milwaukee and a copy of the bill should be included with your appeal

IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

IF THE CHARGES HAVE ALREADY APPEARED ON YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

PLEASE READ CAREFULLY:

This Board may only determine if the City Department followed proper administrative procedures. It cannot hear appeals as to whether a Building Order is valid or not (those must be appealed to the Standards and Appeals Commission).

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
(414) 286-2231

DATE: 8/14/24

RE: 5230 W Nash St, Milwaukee, WI 53216
(Address of property in question)

Under ch. 68. Wis. Stats.. s. 320-11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the administrative procedure followed by DNS
(Name of City Department)

Amount of the charges \$ 322.57

Charge relative to: Garbage and litter Nuisance (Record ID GBG-24-01678)

I feel the City's procedure was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received:

I was wrongfully charged for service pick up of one couch on my vacant property and such charge directly violates the provision of Solid Waste regulations Section 79-6.5(3)(b-1) under Bulky waste.

I spoke to Brittany on 8/12/24 and requested for a copy of the alleged litter and nuisance on my property.

Per my request, Ms. Brittany Hull forwarded the attached picture of a single couch representing the before and after picture of the

violatio A single full couch as depicted in the attached picture imeasures just under 1 cubic yard at 0.666 cubic yar.

"Bulky waste not exceeding one cubic yard -----shall be collected without charge".

It is my hope that Solid Waste Regulations enforcers are aware of these provisions and are willing to discharge their duties to city residents without unduly circumventing the 1 or engaging in unnecessary harrassment. A reversal of this fee is warranted and solicited.

Kubeso
Signature

Ade Esuoso
Name (please print)

COPY

400 N Broadway #501 , Milwaukee, WI 53202
Mailing address and zip code

414 324 8324
Daytime phone number

ARAD form 9/19/2013

Email address: Jyvo@aol.com

b. When partial payments of the combined city services user bill are made, the property owner may direct in writing how the partial payment is to be applied to the combined bill. If there is no written direction, the partial payment shall be applied to the water charges first. Any portion of the partial payment remaining after the water charges are paid for shall be applied to the metropolitan sewerage district charges, the local sewerage charges, the storm water management charges, the solid waste charge, the extra garbage cart charge and the snow and ice removal cost recovery charge, in that order; and then late charges for the solid waste charge, the snow and ice removal cost recovery charge and the extra garbage cart charge. Any overpayment of the combined bill shall be applied to the water charge on the account for the property.

6. **SAVING CLAUSE.** It is the intent of the common council that the provisions of this section relating to a solid waste charge, and the application of revenue from this charge are separable. If any provision or part of this section be held unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of any other provisions or part of the section which other provisions and parts shall remain in full force and effect.

7. **APEAL PROCEDURE.**

a. Whenever any solid waste charge is imposed in accordance with this section, and the person required to pay such charge feels aggrieved as a result of the imposition or collection of such charge, such person shall pay such charge when the same shall become due, but shall pay it "under protest." Within 20 days following such payment, such person may file with the commissioner of public works a complaint to the effect that such person is aggrieved by the imposition and collection of such solid waste charge, his or her specific reasons for objection and the amount of the overcharge complained of.

b. If, upon review by the commissioner of public works, it is determined that all or any part of any solid waste charge paid under protest is not just or reasonable, the commissioner shall institute necessary procedures for a refund. If any person feels aggrieved by the determination of the commissioner, the person may file a complaint with the administrative review appeals board, pursuant to s. 320-11.

79-6.5. Special Collection Charges. As provided herein, certain wastes shall be collected by the department without charge, while others may be refused, or may be collected at a charge established by the commissioner, or as specified under sub. 3-c. Such charges shall be reasonable

and based upon the disposal charges and cost of labor, equipment and overhead.

1. **DOMESTIC WASTE** shall be collected without charge unless otherwise provided in this section.

2. **DOMESTIC WASTE, OFFENSIVE OR HARMFUL.** Liquid, manure and other offensive or harmful waste as specified in s. 79-2-6. Such waste depending on its nature and quantity may be collected without charge, refused or collected for a charge in accordance with this chapter and the rules of the commissioner.

3. **DOMESTIC TREE AND BULKY WASTE.** a. Domestic tree waste, limited to quantity and origin as specified in this chapter and the rules of the commissioner, shall be collected without charge.

b-1. Bulky waste, not exceeding one cubic yard and origin as specified in this chapter and the rules of the commissioner, shall be collected without charge.

b-2. Bulky waste, exceeding 6 cubic yards, limited to quantity or origin, as specified in this chapter and the rules of the commissioner, shall not be removed by the department.

c-1. The commissioner may have bulky waste exceeding one cubic yard but not exceeding 6 cubic yards removed. The costs of this action shall be collected from the owner of the property at which the bulky waste is deposited, subject to the bulky collection charge established under s. 81-15.5. Bulky waste exceeding one cubic yard shall be tagged by the commissioner with a notice to the property owner to remove the waste within 3 days or be subject to the charge. The bulky waste collection charge shall be due and payable 30 days after billing. If any owner fails, omits, neglects or refuses to pay any charge imposed under s. 81-15.5 for bulky waste collection, pursuant to s. 66.0627, Wis. Stats., the charge may be assessed against the subject property. The lien shall take effect as of the date of the delinquency. The lien shall automatically be extended upon the current or next tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of the property for delinquent real estate taxes shall apply to such charge. The charge shall not be payable in installments.

c-2. Paragraph b-2 and subdivision 1 do not apply to bulky waste collected annually during the clean and green collection period for the property as established by the commissioner.

4. **COMMERCIAL WASTE** may be collected only after a service charge has been deposited with the department based on charges established by the commissioner.



11 Jul 2024

Jul 11, 2024 at 12:01:04 PM

Receipt of ARBA Fee

Date:	8/14/24
Received Of:	Ade Eduoso
Property at:	5230 W. Nash St.
Received By:	LME
Check # (If Applicable):	1533
Amount:	\$25.00

CITY OF MILWAUKEE
2024 AUG 14 A 10:51
CITY CLERK'S OFFICE