

December 27, 2000

To The Honorable Common Council
of the City of Milwaukee
Room 205, City Hall

Re: **Communication from Terrance Harris**
C.I. File No. 00-L-156

Dear Council Members:

We return the enclosed document, which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant Terrance Harris, 1405 West Congress Street, Milwaukee, Wisconsin 53209 alleges that on or about October 20, 2000 his 1980 Oldsmobile 98 and 1982 Ford Ranger Pickup were illegally removed from his property and sold and subsequently destroyed. Mr. Harris claims \$10,177.99 as damages.

The Department of Neighborhood Services investigation reveals that both of the vehicles were identified as nuisance vehicles and removed pursuant to sec. 80-49, Milw. Code of Ordinances. An initial inspection on September 20, 2000 showed the 1982 Ford Ranger was inoperable, unlicensed, had fire damage, broken windows, and was not moved for thirty (30) consecutive days. An initial inspection of the 1980 Oldsmobile 98 indicated it was missing windows, inoperable, had a flat tire, was unlicensed, and had not been moved for thirty (30) days. This inspection qualified both vehicles as nuisances. Nuisance vehicle orders

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were mailed on September 21, 2000, to the listed property owners at 1405 West Congress Street, Beatrice Lemmon, Jr. and Leonard Harris. Upon contact from the property owner an extension was granted until October 9, 2000 to repair or remove the vehicles. A reinspection on October 9, 2000 indicated the vehicles were not repaired or removed. The vehicles were towed to Miller Compressing on October 20, 2000 and subsequently destroyed.

The property owners, Beatrice Lemmon, Jr. and Leonard Harris have been billed but have not yet paid nuisance vehicle parking enforcement and Department of Neighborhood Services costs totaling \$448.46.

The City afforded Mr. Harris ample opportunity to correct the nuisance vehicle violation. The City followed appropriate procedures in this matter and as such it cannot be held liable. Accordingly we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

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