



**IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN THE DEADLINE REFERENCED BY THE BILL.**

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: November 13, 2019

**RE: 200 E Plainfield Ave., Milwaukee, WI 53207**

(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 Department of Public Works, Sanitation and Forestry Services  
(Name of City Department)

**Amount of the charges \$ 324.56**  
**Charge relative to: Tall grass and weeds**

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:

Please see attached appeal letter (2 pages)

2019 NY 13 P 2:5b  
N.Y. STATE BAR  
MILWAUKEE

May Schult  
Signature

**Signature**

Wayne Schubert

Name (please print)

200 E Plainfield Ave. 53207

414-333-4076

hamfield Ave. 55207 \_\_\_\_\_

Daytime phone number

Re: Department of Public Works, Sanitation and Forestry Services  
Appeal for Record # PWCF-19-07434 Tax Key # 5810253110  
Wayne Schubert, Property at 200 E. Plainfield Ave.

Page 1 of 2

Please consider this information in support of my appeal: For most of 2019 I have been in treatment for a medical condition that requires intense therapy at an outside facility in the Chicago area. As a result, I have been away from my home on 200 E. Plainfield Ave in Milwaukee for extended periods of time, often for weeks on each occasion.

Throughout this period of time I had significant difficulty with my mail delivery. I alleged to the U.S. Post Office that my mail was lost, diverted and perhaps even destroyed. I eventually filed a complaint in March 2019, and ever since that complaint was filed my home has been the target of a number of what I would allege to be "retaliatory" complaints.

My son was housesitting for a time while I was gone. I additionally allege that a male friend of the female mail carrier in the neighborhood deliberately damaged my property and also my son's car because he found out my son is a part of the LBGT community.

During one of my absences a notification letter informing me of a "tall grass and weeds" violation. The date of the letter was May 29, 2019. (Record # PWCF-19-07434 Tax Key # 5810253110.) This letter was not in the held mail at the post office, neither was it delivered to my home. Upon my return to my home, the letter was eventually handed to me by my neighbor nearly a month after it was mailed. It had been found lying in the fence between our two houses.

I immediately called the city to follow up and left a message on the voicemail of the person I was transferred to. I stated that I would immediately hire someone to mow the lawn and trim any weeds. (As it turns out, the so-called weeds were wild flowers that come up along my house every year, not weeds.) On the message I stated that I was returning for treatment and the person I hired would take care of the mowing.

In July I received a letter another letter from the Department of Public Works, Sanitation and Forestry Services, indicating that I had been fined and that work had been done to mow. This situation apparently happened because no follow up had been made to the voice mail message I left that I had hired someone to mow, and they also cut down all the wildflowers along the fence and house much to my disappointment.

I called and ended up speaking with Jason Cram at the Forestry Services area. Between us, we concluded that another complaint had been called in and because they did not know I hired someone to mow, they proceeded with the contracted work. I explained the situation with the postal worker and Mr. Cram indicated he could only tell me that the complaints were indeed called in by someone at the post office. Furthermore, he suggested I talk with another person in the City of Milwaukee, Beatrice Kelly, because my home had also been reported as vacant apparently by the same postal worker.

Re: Department of Public Works, Sanitation and Forestry Services  
Appeal for Record # PWCF-19-07434 Tax Key # 5810253110  
Wayne Schubert, Property at 200 E. Plainfield Ave.

Page 2 of 2

My next call was to the office of Alderman Witkowski. Through his efforts we were able to unravel the entire situation and reverse the claim of a "vacant house." Please note that I have since filed a formal complaint to the Postmaster of the Milwaukee U.S. Post Office. I have also sought the assistance of an attorney to pursue damages in this situation.

My appeal to the City of Milwaukee is founded upon the belief that the entire situation occurred because of both my illness, and that I have allegedly been targeted unfairly because of a situation that was completely out of my control. I further state that upon finally receiving the original notification, I properly called and left a message explaining my situation and the corrective action I was going to take. It is my contention that the City of Milwaukee acted without even speaking to me about the situation after I had made the initial communication. I also believe there should be some consideration given to the fact that I was allegedly being targeted in an effort at retaliation for a postal complaint.

Please give my appeal the consideration it deserves. Thank you.

Sincerely,



Wayne Schubert



Department of Public Works - Operations Division  
Zeidler Municipal Building - 841 N Broadway  
Room 620  
Milwaukee, WI 53202  
Telephone 414-286-CITY (2489)

WAYNE H SCHUBERT & BARBARA  
200 E PLAINFIELD AVE  
MILWAUKEE, WI 53207

Record #: PWCF-19-07434  
Taxkey #: 5810253110  
Property Violation Address: 200 E PLAINFIELD AV  
Notice Date: 5/29/2019

**Your property has been found to be in violation City ordinance  
(Sec. 80.17), grass and weeds 7" or more in height**

**You have 5 days of the Notice Date to correct this condition**

**This may be the ONLY mailed notice you will receive for  
violations of this ordinance during the calendar year**

There will be no charges for the first violation, in this calendar year, if corrected within 5 days. Failure to correct within 5 days will incur \$150 in special charges plus the cost for correction by a City contractor. A second violation in this calendar year incurs a \$100 special charge, regardless of owner correction. Special charges increase in \$50 increments up to \$300 for each additional violation. An additional escalating special charge and contractor costs will be charged for failure to correct.

(Sec. 80.17.6) Charges and Costs: a. Any person who fails to cut turf grasses or weeds as required shall be subject to a special charge of \$50 for a first violation in a calendar year, if the violation is not abated... b. The amount of the special charge for any second and each subsequent violation in the same calendar year shall increase by \$50 from the amount of the special charge imposed for the previous violation, not to exceed \$300 for 6 or more violations in the same calendar year. c. There shall be an additional special charge of \$100 for failure to mow or otherwise abate any condition that remains in violation of this section. Upon a subsequent failure to comply with this section in the same calendar year, the person shall be subject to a special charge of \$150. d. Any costs incurred by the city in abatement or remediation shall constitute additional special charges. Costs of correction and special charges will be billed to the property owner and if not paid become a lien on the subject property...

To sign up for email notifications visit [milwaukee.gov/enotify](http://milwaukee.gov/enotify). Once you create an account, go to Subscriptions Location Based Subscriptions and enter the address(es) for notification. Then check the category labeled Forestry and Sanitation violations.

Recipients:

WAYNE H SCHUBERT & BARBARA, 200 E PLAINFIELD AVE, MILWAUKEE, WI 53207

05/29/2019

[MyReports.eplans/production/MILWAUKEE/WeedViolationByDatePost.cfc](http://MyReports.eplans/production/MILWAUKEE/WeedViolationByDatePost.cfc)

Department of Public Works - Operations Division  
Zeidler Municipal Building - 841 N. Broadway, Room 620 - Milwaukee, WI 53202  
TELEPHONE: 414-286-CITY (2489)

Make check payable to the City of Milwaukee. Check payments must be payable in U.S. dollars and be drawn on a U.S. bank. Payment receipt is only valid after check payment clears all banks.  
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.

HERT & BARBARA  
D AVE  
53207

Record ID: PWCF-19-07434  
Violation: Tall Grass and Weeds  
Address: 200 E PLAINFIELD AV  
Taxkey: 5810253110  
Notice Date: 07/15/2019  
Amount Due: 324.56

been found in violation of City of Milwaukee Ordinance No. 80-17, states that no weeds of any kind shall grow or stand more than 7 inches on any property in the city.

**e. Future violations of this ordinance will result in escalating fees.**

	<b>Pay In Person</b>	<b>Pay by Mail</b>
or E-Check) payment # found on	(Cash or Check only) Present coupon below with payment during normal working hours: OFFICE OF THE CITY TREASURER AT CITY HALL 200 E WELLS ST	(Check or Money Order only) Send coupon below with check or money order to: OFFICE OF THE CITY TREASURER 200 E WELLS ST MILWAUKEE, WI 53202

0 days, an additional \$25 administrative fee will be incurred and added to your next property tax bill. If full amount of your property tax bill, including the special assessments and charges, your property will be subject to a foreclosure action by the City of Milwaukee under Section 75.521, Wisconsin State Statutes, or you may file a personal civil action by the City of Milwaukee under Section 74.53, Wisconsin State Statutes.

Targets, print the appeal application available online at [milwaukee.gov/appealform](http://milwaukee.gov/appealform). You may also file an appeal application by calling (414) 286-CITY(2489). Return the appeal application along with the \$25 appeal fee to the Office of the City Treasurer, 200 E Wells St, Rm 205, **within 120 days** of the date of this letter.

ification to property owners/tenants in violation of this ordinance is not required. As a courtesy, a notice will be sent to the property owner/tenant (unless that property is a vacant lot) for compliance. To sign up for email notifications of property violations; visit [milwaukee.gov/enotify](http://milwaukee.gov/enotify) and subscribe to location based service.

estions regarding these charges, please contact the City of Milwaukee Call Center at (414) 286-CITY or search for current charges against your property and pay online at [milwaukee.gov/lms](http://milwaukee.gov/lms).

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Please detach and return with payment for City of Milwaukee DPW Tall Grass and Weeds Charge  
A \$25 administrative fee will be added if not paid by: 08/14/2019

WAYNE H SCHUBERT & BARBARA  
200 E PLAINFIELD AVE  
MILWAUKEE, WI 53207

Record ID PWCF-19-07434

**City of Milwaukee** Amount Due \$324.56

**Office of the City of Treasurer**  
PO Box 514062  
Milwaukee, WI 53203-3462

In person payments can be made at:  
**Office of the City of the Treasurer**  
City Hall, Room 103  
200 E Wells Street  
Milwaukee, WI 53203

000000019000000032456000033456050100074343

## Receipt of A.R.A.B. Appeal Fee

Date:	11/13/19
Received Of:	Wayne Schubert
Property at:	200 E Plainfield Ave
Received By:	CL
Check # (If Applicable):	3169
Amount Received	\$25

CITY OF MILWAUKEE  
2019 NOV 13 P 2:5b  
CITY CLERK'S OFFICE