



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: 1/21/2020

RE: 322 N. 95TH ST, MILW., WI 53226
(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.

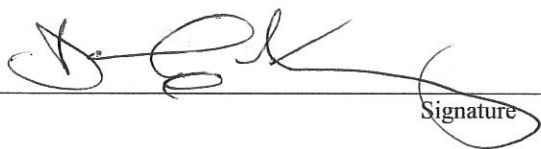
I am appealing the administrative procedure followed by DEPT OF PUBLIC WORKS
(Name of City Department)

Amount of the charges \$ 493.52

Charge relative to: PWCF-19-16323, TALL WEEDS AND GRASS

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:

- CONTRACTORS SHOW^{ED} UP UNANNOUNCED + UNACCOMPANIED W/ NO PAPERWORK (e.g. WORK ORDER / AUTHORIZATION, ESTIMATE OR CONTACT INFO).
- NO DPW REPRESENTATIVES WERE PRESENT; THEREFORE, NO EXPLANATION, DETERMINATION OF WORK TO BE COMPLETED OR INSPECTION, BEFORE, DURING OR AFTER WORK.
- CONTRACTORS DID SUB-PAR WORK AND CREATED A BIGGER MESS THAN CLEANED.
- * • FINE IS TOO HIGH CONSIDERING WORK PERFORMED.
- * • PLEASE SEE ATTACHED FOR MORE IN-DEPTH EXPLANATION.


Signature

DANIEL E. KROEDING

Name (please print)

322 N. 95TH ST, MILW, WI

Mailing address and zip code

53226

(414) 426-7224

Daytime phone number

City of Milwaukee
Administrative Appeals Review Board
City Hall, Rm 205
200 E. Wells Street
Milwaukee, WI 53202

Record ID: PWCF-19-16323
Violation: Tall Grass & Weeds
Notice Date: 8/29/2019
Amount Due: \$493.52

January 21, 2020

322 N. 95th Street
Milwaukee, WI 53226

Dear Sir or Madam,

I, Daniel E. Kroening, the homeowner at 322 N. 95th Street, Milwaukee, WI 53226, am appealing the Milwaukee Division of Public Works ("DPW") decision and fine for the following reasons:

- No date was given as to when action, namely lawn mowing, would take place.
- Homeowner had already begun to correct the violations and was making good progress when contractors appeared unannounced.
- No City of Milwaukee officials, representatives or DPW supervisors showed up to either inspect homeowner's progress on the aforementioned premises, to introduce the contractors or outline what work needed to be performed, by either the contractors, homeowner or both.
- To this date I am uncertain as to my rights as a homeowner as to whether I even had to allow the contractors on my property. I was at home at the time the contractors showed up.
- I was not presented with any sort of paperwork, such as a work order or authorization to begin work, an estimate or quote as to how much the job would cost or a timetable as to how long it take. I was not even given a business card from the contractors or contact information for a DPW representative.
- I explained to the contractors that I had already begun work on the yard, having mowed the north side of the property, the entire front yard, the south side of the property just beyond the beginning of the garage and both "aprons"/medians adjacent to the street. In addition I had pulled all of the tall weeds in the front and in the areas previously described. I was told by the contractors that the entire yard would be mowed, despite my previous work, and they told me, "You'll be charged for it anyway." (I certainly was – see below).
- There were two contractors, a father and son team, and the elder contractor happened to mention that he was taking classes, which made me doubt whether he was certified, how qualified he was /they were and how experienced.
- The contractors brought two larger mulching mowers, which might be fine for a larger commercial space, such as a park or a corporate property; however, they did not bag any grass, which in the small confines of a lot that is less than ¼ of an acre, created quite a mess. At the

conclusion of the job there was grass EVERYWHERE! The contractors had thrown grass all over my house and more importantly both my neighbors' garages (north and south). The grass that stuck to the buildings is still there! Please see the attached pictures.

- The contractors asked me to borrow a hose, which I lent them, although the water pressure to my back yard spigot is not very high. I do not own a power washer. Apparently, neither did the contractors leading me to believe that they were under-equipped and ill prepared. Again, I question their experience.
- Just as there was no City of Milwaukee representative present at the beginning of the job, there was no supervisor present during the job and more importantly at the end of the job to inspect the contractors' work and, in this case, mitigate the damages.
- The biggest reason for this appeal, besides the big mess caused by mulching in close quarters with commercial mowers, is the amount of the fine. As you can see from the attached letter, dated September 27, 2019, I was charged \$493.52. As I explained, the entire property did not need to be mowed and weeded, only about ¼ to 1/3 of the yard. Please let me reiterate that the contractors created a bigger mess than they cleaned. I realize that I have to pay...*something*. I was expecting a bill for approximately \$150 - \$200; I certainly wasn't expecting a bill close to \$500!
- In assisting you to reach a decision, I would ask that you mitigate damages or rectify the damage caused as I will need to borrow or rent a power washer in the spring to correct this problem of grass on the buildings.

Thank you,



Daniel E. Kroening

(414) 426-7224

Record ID: PWCF-19-16323

CITY OF MILWAUKEE

DEPARTMENT OF PUBLIC WORKS OPERATIONS DIVISION ENVIRONMENTAL SERVICES

TALL GRASS/WEED DESTRUCTION NOTICE

Date

09/04/19

To: OWNER OR OCCUPANT OF PREMISES at

322 N 95th St

8:30

On the date of this notice, tall grass/weeds were observed at the location listed. This is in violation of City Ordinance 80.17, which states, in part:

"... no turf grass or weeds of any kind shall be permitted to grow or stand more than 7 inches on any property in the city..." It further states: "It shall be the duty of the owner ... of any leased or occupied premises, and ... any vacant or unoccupied premises within the city to comply..." with this ordinance by cutting or otherwise destroying said tall grass/weeds.

A property failing to cut turf grass/weeds shall be subject to a special charge of \$50 for a first violation, if the violation is not abated **within 72 hours** of this notice. The special charge for each subsequent violation in the same calendar year shall increase by \$50 from the special charge of the previous violation. Failure to mow or abate any condition that remains in violation will result in an additional special charge of \$100, plus mowing costs for the first violation. Special charges for subsequent violation(s) abated by the City in the same calendar year increase to \$150, per occurrence.

This posting is left as a courtesy notice describing the violation and required abatement action. The City of Milwaukee requests that you bring the property into compliance without the need of further action on the part of the City. If you have questions, please call 286-CITY.

Inspector CP Area in Violation Entire

Reinspection date _____ by _____ No / Done by Owner

SS-42 (revised 05/19)



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.

September 27, 2019

DANIEL E KROENING
322 N 95 ST
MILWAUKEE, WI 53226

Record ID: **PWCF-19-16323**
Violation: **Tall Grass and Weeds**
Address: **322 N 95TH ST**
Taxkey: **4090357000**
Notice Date: **08/29/2019**
Amount Due: **\$493.52**

Re: 322 N 95TH ST

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

\$493.52 is now due. Future violations of this ordinance will result in escalating fees.

Pay Online

(Credit /Debit Card or E-Check)

milwaukee.gov/dpwpayment

Enter the Record ID # found on the coupon below.

Pay In Person

(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

Pay by Mail

(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

If not paid within 30 days, an additional \$25 administrative fee will be incurred and added to your next property tax bill. If you fail to pay the full amount of your property tax bill, including the special assessments and charges, your property will be eligible for in rem tax foreclosure action by the City of Milwaukee under Section 75.521, Wisconsin State Statutes, or you may be subject to a personal civil action by the City of Milwaukee under Section 74.53, Wisconsin State Statutes.

To appeal these charges, print the appeal application available online at milwaukee.gov/appealform. You may also request an appeal application by calling (414) 286-CITY(2489). Return the appeal application along with the \$25 appeal filing fee to the Administrative Review Appeals Board, 200 E Wells St, Rm 205, **within 120 days** of the date of this letter.

By law, written notification to property owners/tenants in violation of this ordinance is not required. As a courtesy, a notice was posted on your property (unless that property is a vacant lot) for compliance. To sign up for email notifications of Forestry and Sanitation Services property violations; visit milwaukee.gov/enotify and subscribe to location based service notifications.

If you have any questions regarding these charges, please contact the City of Milwaukee Call Center at (414) 286-CITY (2489). You can search for current charges against your property and pay online at milwaukee.gov/lms.

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 10/28/2019 Receipt # 02690596
Teller ID: icrona2210004

Payment Tendered: 10/25/2019 3:42 PM
4800 LMS Billings
Invoice No.: 5010016323
Transaction Total: \$493.52

4800 LMS Billings
101227 0990
Allocation Total: \$493.52

CK 2097 \$493.52

Spencer Coggs
Milwaukee City Treasurer

Yard Pictures

Steve <tritongmc@aol.com>

Thu 10/17/2019 11:05 AM

To: dan_kroening@hotmail.com <dan_kroening@hotmail.com>



NEIGHBOR'S GARAGE - SOUTH



NEIGHBOR'S GARAGE - SOUTH



NEIGHBOR'S GARAGE - SOUTH



NEIGHOR'S GARAGE - SOUTH

(NOTICE GRASS ON GRAVEL!)



NEIGHBOR'S GARAGE - SOUTH



MY BACK YARD



MY BACK YARD



MY BACK DOOR



NEIGHBOR'S GARAGE - NORTH



NEIGHBOR'S GARAGE - NORTH



NEIGHBOR'S GARAGE - NORTH

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

Date:	1/23/2020
Received Of:	Daniel Kreoning
Property at:	322 N. 95 th St.
Received By:	LME
Check # (If Applicable):	2103 \$25.00