



**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: 5/23/21

RE: 8068 N. 107<sup>th</sup> St Milwaukee, WI 53224  
(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 Neighborhood Services  
(Name of City Department)

Amount of the charges \$ 355.60

Charge relative to: Parking vehicle on unimproved surface

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:

1st part: Reason for sending my appeal in late was I was sent the wrong form from the department on the Ord-21-00914 it was a form for filing a claim against the City of Milwaukee. By the time I got the proper info 30 days had passed. The person I'm filing the appeal is from the original ord-21-05683 I contacted and left a voicemail with inspector Knaute regarding my tractor that I use to maintain my property and a wood splitter that I also had on the grass. I specifically asked him if those could be kept on the grass, I never received an answer back. After receiving Ord-21-

[Signature]  
Signature

Jon W. Frost  
Name (please print)

8068 N. 107<sup>th</sup> St (414) 839-4833  
Milwaukee, WI Mailing address and zip code Daytime phone numbers  
53224

JWFInvestments@yahoo.com  
E-Mail Address(s)

00914 I look'd up the definition of a vehicle online and found that Nov. 18, 2010 (WISN.com, News) WI Court of appeals said that a tractor was not a motor vehicle under policy defining the term as a vehicle designed for use on public roads. Therefore if I would've had guidance from Inspector Knaute that he did not want to see the tractor on the grass I would've been sure to park it on my driveway or in my garage. I ask that the charge be rescinded and given forward I will not park it on the grass now that I know.



Department of Neighborhood Services  
Enforcement Section  
841 N. Broadway  
Milwaukee, WI 53202

Inspection Date  
04/30/2020  
ORD-20-05683

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INSPECTION REPORT AND ORDER TO CORRECT CONDITION

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JON WESLEY FROST  
8068 N 107TH ST  
MILWAUKEE WI 53224

**Re: 8068 N 107TH ST**

Taxkey #: 073-9988-000

A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below by date indicated.

**Correct By Date: 05/15/2020**

- 1 ) 295-403.3.b All areas used for the parking of motor vehicles or trailers shall have paved or approved surfaces, as required in s. 252-74.  
252-74.1 PAVEMENT. All parking lots, parking spaces, parking areas and all access roads, drives or lanes leading thereto shall have a surface of concrete, asphalt macadam or tar macadam. Crushed stone, sand, gravel or cinders shall not be used for the surfacing materials.  
YOU ARE THEREFORE ORDERED TO DISCONTINUE PARKING ON UNPAVED OR IMPROPERLY PAVED AREAS.

**Correct By Date: 05/15/2020**

- 2 ) 295-505-4.b-5 Discontinue parking more than one commercial vehicle on the property.

**Correct By Date: 05/15/2020**

- 3 ) 295-505-4.b-7 Discontinue parking vehicles over 10 feet in height on the property.

**Correct By Date: 05/15/2020**

- 4 ) 295-505-4.b-4 Reduce the number of vehicles parked outside to 4 or fewer.

**Correct By Date: 05/15/2020**

- 5 ) 80-48.2 Eliminate rodent harborages by piling wood 1 foot off the ground or remove the wood from the premises.

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**OFFICIAL NOTICE OF VIOLATION**

*The City of Milwaukee - Department of Neighborhood Services*

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Department of Neighborhood Services  
Enforcement Section  
841 N. Broadway  
Milwaukee, WI 53202

April 20, 2021  
Order #: ORD-21-00914

JON WESLEY FROST  
8068 N 107TH ST  
MILWAUKEE, WI 53224

*Call for appeal form 10:26am 5/9/21  
Appeal # 286-2543  
Linda Blum File in Appeal against the fee  
ACOG Appeal Form*

Re: 8068 N 107TH ST

When a property is reinspected and violations remain uncorrected, the Milwaukee Code of Ordinances provides for these reinspection fees:

First reinspection \$177.80  
Second reinspection \$355.60  
All subsequent reinspections \$355.60

There is no charge for the reinspection that shows compliance with all violations.

All reinspections which show noncompliance with the order will be charged at the above rate. These fees will be assessed against the property as a special charge and will appear on the tax bill for this property. On 04/19/2021, we imposed a \$355.60 reinspection fee, which includes a 1.6% training and technology surcharge. Any outstanding fees will automatically be assessed to your 2021 tax bill.

As you can see, the cost of noncompliance with the code can add up quickly. The Department would prefer to see you put the money into correcting the violations and not into paying reinspection fees. Please contact me as soon as the violations have been corrected. If I do not hear from you, we will continue to reinspect until the property has been brought into compliance with the code. Please do not put us in that situation.

If you wish to appeal this charge you must file that appeal within 30 days of the date of this letter. It must be filed with the: Administrative Review and Appeals Board, Office of the City Clerk, Room 205 City Hall, 200 E Wells Street, Milwaukee Wisconsin 53202, 414-286-2221. Please contact them to obtain the proper application form. There is a \$25 fee required when filing this appeal.

Please be advised that if you have filed for bankruptcy, this letter is for informational purposes and is not intended as to be construed as an attempt to collect a debt during the pendency of your bankruptcy as other conditions may apply.

To discuss the violations, please contact the inspector listed below. Please contact your attorney with any legal questions as this office cannot give legal advice

Please call Inspector Ken Kenitz at 414-286-5486 during the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday for information on which violations remain uncorrected or if you have any questions. Violations can also be viewed on our website at [www.milwaukee.gov/lms](http://www.milwaukee.gov/lms).

Discontinue parking on an unapproved surface to avoid additional fees.

Ken Kenitz

Recipients

JON WESLEY FROST, 8068 N 107TH ST, MILWAUKEE WI 53224  
THE CATHERINE BANDLOW REV TRUST, CATHERINE BANDLOW (TRUSTEE), MILWAUKEE WI 53224



OFFICE OF THE CITY CLERK  
Milwaukee, Wisconsin

## INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

*(The above information may be combined in a single document.)*

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

City Clerk  
ATTN: CLAIMS  
200 E. Wells St., Room 205  
Milwaukee, WI 53202-3567

### ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

**893.80** Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

Typed version of my appeal.

1<sup>st</sup> part: The reason for sending in my appeal late was I was sent the wrong form from the phone number on Ord-21-00914, it was a form for filing a claim against the city of Milwaukee. By the time I got the proper info 30 days had passed. The reason for my appeal is from the original Ord-20-05683 I contacted inspector Kenitz regarding my tractor that I use a to maintain my property and a wood splitter that I also had on the grass. I specifically asked him if those could be kept on the grass, I never received an answer back. After receiving Ord-21-00914 I looked up the definition of a vehicle online and found that on Nov. 18,2010 (Wislawjournal.com News) WI court of appeals held that a tractor was not a motor vehicle under policy defining the term as a vehicle designated for use on public roads. Therefore if I would've had guidance I requested from Inspector Kenitz that he did not want me to park those on the grass, I would've made sure to have them on my driveway or in the garage. I ask that the charges be rescinded and going forward I will not park it on the grass now that I know.

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

Date:	5/27/21
Received Of:	Jon Frost
Property at:	8068 N. 107 <sup>th</sup> St.
Received By:	LME
Check # (If Applicable):	9096718204 \$25.00