



## Legislation Details (With Text)

**File #:** 021706 **Version:** 2

**Type:** Ordinance **Status:** Passed

**File created:** 3/4/2003 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 4/15/2003

**Effective date:**

**Title:** A substitute ordinance establishing a moratorium on enforcement of the façade critical examination ordinance.

**Sponsors:** ALD. HENNINGSEN

**Indexes:** BUILDING CODE, BUILDING INSPECTION

**Attachments:** 1. City Attorney's Opinion.PDF

Date	Ver.	Action By	Action	Result	Tally
3/4/2003	0	COMMON COUNCIL	ASSIGNED TO		
3/7/2003	1	CITY CLERK	DRAFT SUBMITTED		
4/1/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/1/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/8/2003	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
4/15/2003	2	COMMON COUNCIL	PASSED	Pass	13:2
4/15/2003	2	CITY CLERK	DRAFT SUBMITTED		
4/16/2003	2	MAYOR	SIGNED		
4/24/2003	2	CITY CLERK	PUBLISHED		
5/15/2003	2	MAYOR	SIGNED		

021706

SUBSTITUTE 2

010409

ALD. HENNINGSEN

A substitute ordinance establishing a moratorium on enforcement of the façade critical examination ordinance.

275-32-13-g-1 am

275-32-13-g-2 am

275-32-13-g-3 am

This ordinance extends, by 17 months each, the deadlines for compliance with the façade critical examination inspection report requirements for buildings that are at least 15 years old and have 5 or more stories, in effect establishing a 17-month moratorium on enforcement of the façade critical examination requirements.

Whereas, Section 275-32-13 of the Milwaukee Code of Ordinances requires periodic critical examinations of the facades of all buildings which are at least 15 years old and have 5 or more stories; and

Whereas, Under this subsection, building owners are required to have the first façade inspection completed by July 1, 2003, July 1, 2004 or July 1, 2005, depending on the age of the building; and

Whereas, These regulations make no distinctions among affected buildings based on façade construction methods and materials, even though establishing different standards and requirements for different types of buildings may be appropriate; and

Whereas, On March 4, 2003, an ordinance (File Number 021660) to make various revisions to the façade critical examination ordinance was introduced to the Common Council at the request of the Department of Neighborhood Services; and

Whereas, It is anticipated that this ordinance would create distinctions among various type of buildings based on façade construction methods and materials, and would also establish different compliance deadlines and inspection frequencies for the different categories of buildings; and

Whereas, It is further anticipated that this ordinance would adjust, to later dates, the compliance schedule for the first round of inspections for all buildings, regardless of age or construction type; and

Whereas, The Common Council finds that, during this time when the Department of Neighborhood Services is developing revisions to the façade critical examination regulations, and the Common Council is reviewing those changes, it would be inappropriate for the City to continue to enforce the current deadlines for completion of façade critical examinations; and

Whereas, The Common Council further finds that it would be most appropriate to simply change the deadlines for compliance with the façade critical examination requirements to the deadlines that are anticipated for the proposed ordinance, which are 17 months later than the current deadlines; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 275-32-13-g-1 to 3 of the code is amended to read:

**275-32. Exterior Structure.**

**13. FAÇADE CRITICAL EXAMINATION.**

**g. Examination Schedule.**

g-1. Buildings constructed prior to 1920 by ~~[[July 1, 2003]]~~ >>December 1, 2004<< and every 5 years thereafter, if determined to be in a safe condition.

g-2. Buildings constructed between 1920 and 1950 by ~~[[July 1, 2004]]~~ >>December 1, 2005<< and every 5 years thereafter, if determined to be in a safe condition.

g-3. Buildings constructed after ~~[[1951]]~~ >>1950<< and 15 years old or greater by ~~[[July 1, 2005]]~~ >>December 1, 2006<< and every 5 years thereafter, if determined to be in a safe condition.

APPROVED AS TO FORM

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Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE

IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date: \_\_\_\_\_

LRB03103-3

JDO

4/14/03