



Legislation Details (With Text)

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Effective date:

Title: An ordinance relating to the posting of signs for boarded unsafe or vacant noncompliant buildings, structures and premises.

Sponsors: ALD. BAUMAN

Indexes: BUILDING CODE, NUISANCES

Attachments: 1. Fiscal note.pdf, 2. Publication on January 12, 2005.PDF

Date	Ver.	Action By	Action	Result	Tally
11/23/2004	0	COMMON COUNCIL	ASSIGNED TO		
12/3/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/14/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
12/21/2004	0	COMMON COUNCIL	PASSED	Pass	15:0
12/23/2004	0	MAYOR	SIGNED		
1/12/2005	0	CITY CLERK	PUBLISHED		

041044
ORIGINAL

ALD. BAUMAN

An ordinance relating to the posting of signs for boarded unsafe or vacant noncompliant buildings, structures and premises.

218-9-1-a rc

218-9-3 rc

218-9-8-0 rn

218-9-8-b cr

This ordinance provides that for boarded unsafe or vacant buildings, structures and premises for which code violations have existed for at least 6 months after the orders to make the buildings, structures and premises code compliant have been served upon the owners, regardless of whether the buildings, structures and premises were ordered closed or secured by the commissioner of neighborhood services, the commissioner may post signs which indicate the addresses of the buildings, structures and premises, the fact that the buildings, structures and premises have outstanding code violations and have been boarded for at least 6 months, the names, addresses and telephone numbers of the owners, and any available information on related court dates. Currently, the

commissioner may only post signs if boarded unsafe or vacant noncompliant buildings have been ordered closed or secured by the commissioner.

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

Part 1. Section 218-9-1-a of the code is repealed and recreated to read:

218-9. Unsafe or Vacant Noncompliant Buildings, Structures and Premises.

1. NUISANCE DECLARATION.

a. Requirements for Declaration. a-1. The commissioner may declare a building, structure or premises a nuisance and order the owner to make the building, structure or premises safe and code compliant or have it razed and removed whenever all of the following are true:

1-a. The building, structure or premises is found to be in violation of this code.

1-b. The building, structure or premises is unsafe and has been ordered closed, pursuant to s. 200-11, is vacant and has been ordered secured pursuant to s. 275-32-7 or s. 218-4, or is neglected as evident by the need for garbage, weed or other nuisance abatements.

1-c. The conditions described in subpars. a and b exist at least 6 months after the order to close or secure the building, structure or premises has been served upon the owner.

a-2. Regardless of whether the building, structure or premises was ordered closed or secured by the commissioner as specified in par. a-1-b, the commissioner may declare a boarded building, structure or premises a nuisance and order the owner to make the building, structure or premises code compliant or suffer having it posted with a sign as specified in sub. 3-b whenever the building, structure or premises is found to be in violation of this code and the condition exists at least 6 months after the order to make the building, structure or premises code compliant has been served upon the owner.

Part 2. Section 218-9-3 of the code is repealed and recreated to read:

3. RAZING OR SIGN-POSTING BY COMMISSIONER.

a. If the owner fails to comply with the commissioner's order issued pursuant to sub. 1-a-1 to make the building, structure or premises safe and code compliant or have it razed and removed within the time specified, the commissioner may do either or both of the following:

a-1. Contract for the razing and removal of the building, structure or premises and the restoration of the site to a dust-free and erosion-free condition.

a-2. Post a sign which indicates the address of the building, structure or premises, the fact that the building, structure or premises has outstanding code violations and has been boarded-up for at least 6 months, the name, address and telephone number of the owner, and any available information on related court dates, as specified in sub. 4. The same information shall also be published in one or more daily newspapers, as specified in sub. 5.

b. If the owner fails to comply with the commissioner's order issued pursuant to sub. 1-a-2 to make

the building, structure or premises code compliant within the time specified, the commissioner may post a sign as specified in par. a-2.

Part 3. Section 218-9-8-0 of the code is renumbered 218-9-8-a.

Part 4. Section 218-9-8-b of the code is created to read:

8. APPEALS.

b. Appeal of the action of the commissioner pursuant to either sub. 3-a-2 or 3-b shall be submitted to the standards and appeals commission as provided in s. 200-17, within 30 days from the date of the order to post a sign is served upon the owner.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB04251-1

RGP

10/18/04