



Legislation Details (With Text)

**File #:** 140612      **Version:** 3  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/22/2014      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 10/14/2014

**Effective date:**  
**Title:** A substitute ordinance relating to the sale of city-owned real estate.

**Sponsors:** ALD. BAUMAN

**Indexes:** CITY PROPERTY, PROPERTY SALES

**Attachments:** 1. City Attorney Opinion, 2. DCD Letter to Common Council Members, 3. Hearing Notice List 10-7-14, 4. Hearing Notice List 9-16-14, 5. Notice Published on 10-30-14

Date	Ver.	Action By	Action	Result	Tally
7/22/2014	0	COMMON COUNCIL	ASSIGNED TO		
9/5/2014	1	CITY CLERK	DRAFT SUBMITTED		
9/10/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/10/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/10/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/10/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/10/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/16/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
9/22/2014	1	CITY ATTORNEY	NOT RETURNED BY CITY ATTORNEY		
9/30/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
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9/30/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/7/2014	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/7/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
10/14/2014	2	COMMON COUNCIL	SUBSTITUTED	Pass	12:2
10/14/2014	3	COMMON COUNCIL	PASSED	Pass	12:2
10/23/2014	3	MAYOR	RETURNED NOT SIGNED		
10/30/2014	3	CITY CLERK	PUBLISHED		

140612

SUBSTITUTE 3

ALD. BAUMAN

A substitute ordinance relating to the sale of city-owned real estate.

304-49-1-c rn

304-48-1-d rn

304-49-1-c cr

304-49-3 rc

304-49-4.5 cr

This ordinance gives the local council member the opportunity to designate certain City-owned, residential properties in the council member's district for notification by the department of city development before these designated properties are sold or conveyed, and makes such sales or conveyances subject to the local council member's approval. Failing the local alderman's approval, sales and conveyances of these properties may be approved by the full common council.

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

Part 1. Section 304-49-1-c to d of the code is renumbered 304-49-1-d

to e.

Part 2. Section 304-49-1-c of the code is created to read:

### **304-49. Disposal of City Real Estate.**

#### **1. DEFINITIONS.** In this section:

c. “Local council member” means the common council member in whose district a neighborhood property is located.

Part 3. Section 304-49-3 of the code is repealed and recreated to read:

**3. COMMON COUNCIL DIRECTION AFTER REPORTS.** The local council member may designate parcels listed on a neighborhood property report located in the local council member’s aldermanic district to be withheld from disposition as provided in the report, removed from marketing restrictions, and/or set aside for notice of conveyance if the conveyance includes financing provided by the city, the housing authority, the redevelopment authority, or the Neighborhood Improvement Development Corporation. The local council member shall notify the commissioner, in writing timely delivered within 15 calendar days of receipt of the report, of any parcels so designated, and the commissioner shall:

a. Withhold from disposition as provided in the report any parcels so designated by the local council member. The commissioner may dispose of parcels so designated only after common council approval.

b. Remove the restriction to market parcels only to private purchasers for owner-occupancy for parcels so designated by the local council member.

c. Provide notice to the local council member of any proposed neighborhood property conveyance for parcels that include financing provided by the city, the housing authority, the redevelopment authority, or the Neighborhood Improvement Development Corporation if so designated by the local council member, and the terms of the proposed conveyance, as soon as practically possible, but not less than 10 days following execution of the offer to purchase or other purchase and sale agreement by all parties.

Part 4. Section 304-49-4.5 of the code is created to read:

**4.5. LOCAL COUNCIL MEMBER APPROVAL OF NEIGHBORHOOD PROPERTY SALES.** All conveyances of neighborhood property parcels designated as provided in sub. 3-c shall be after and pursuant to approval by the local council member, or failing approval, after and pursuant to common council approval, and the commissioner shall include in marketing materials and other prospective buyer communications that any

conveyance of neighborhood property parcels designated as provided in sub. 3-c is subject to approval by the local council member, or common council approval if the local council member fails to approve the conveyance. The local council member shall act to approve or disapprove of the proposed conveyance within 10 days following receipt of the notification provided pursuant to sub. 3-c. If the local council member does not approve of the proposed conveyance within said 10-day time period, the proposed conveyance may then be submitted to the common council for approval.

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: \_\_\_\_\_

LRB154208-4

Aaron Cadle

10/14/2014