



Legislation Details (With Text)

**File #:** 131505      **Version:** 1

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

**File created:** 2/11/2014      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 3/4/2014

**Effective date:**

**Title:** A substitute ordinance relating to vacant building registration regulations.

**Sponsors:** ALD. WADE, ALD. BAUMAN, ALD. BOHL

**Indexes:** BUILDING CODE, BUILDING-REGULATION

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 3-20-14

| Date      | Ver. | Action By                                     | Action                  | Result | Tally |
|-----------|------|-----------------------------------------------|-------------------------|--------|-------|
| 2/11/2014 | 0    | COMMON COUNCIL                                | ASSIGNED TO             |        |       |
| 2/21/2014 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 2/21/2014 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 2/21/2014 | 1    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 2/25/2014 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 3/4/2014  | 1    | COMMON COUNCIL                                | PASSED                  | Pass   | 14:0  |
| 3/7/2014  | 1    | MAYOR                                         | SIGNED                  |        |       |
| 3/20/2014 | 1    | CITY CLERK                                    | PUBLISHED               |        |       |

131505  
SUBSTITUTE 1

ALD. WADE, BAUMAN AND BOHL

A substitute ordinance relating to vacant building registration regulations.

- 200-33-64-d      am
- 200-33-64-e      am
- 200-33-64-g      am
- 200-51.7-4-d      cr
- 200-51.7-5-d      rc
- 200-51.7-6-d      rp
- 200-51.7-7-0      rc

This ordinance:

1. Requires the owner of any vacant building to provide access to the city to conduct an exterior and interior inspection of the building to determine compliance with the city’s vacant building registration regulations.
2. Establishes that any vacant building found in violation of any provision of the vacant building

regulations ordinance at the time of any 6-month inspection shall be subject to a vacant building inspection renewal fee of \$500. Any building continuing to be in violation of such regulations shall be subject to a vacant building inspection renewal fee in increasing increments of \$250 at each renewal to a maximum of \$1,000.

3. Specifies that a property that is undergoing an active renovation or rehabilitation is exempt from the vacant building registration requirement, provided a written plan for such renovation or rehabilitation has been submitted to and approved by the commissioner of neighborhood services.
4. Repeals the requirement that the owner of any building that has become vacant post a sign affixed to the building indicating the name, address and telephone number of the owner, and if applicable, the owner's authorized agent for the service of process.

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

Part 1. Section 200-33-64-d and e of the code is amended to read:

#### **200-33. Fees.**

##### **64. VACANT BUILDING REGISTRATION CERTIFICATE.**

d. Any building in violation of any of the provisions of s. 200-51.7 at the time of ~~[[renewal]]~~ >>any 6-month inspection<< shall be charged a >>vacant building inspection renewal<< fee of \$500.

e. Any building continuing to be in violation of any of the provisions of s. 200-51.7 at the time of ~~[[subsequent renewals]]~~ >>any 6-month inspection<< shall be charged a >>vacant building inspection renewal<< fee in increasing increments of \$250 at each renewal to a maximum of \$1,000.

Part 2. Section 200-33-64-g of the code is amended to read.

g. A fee of \$50 shall be imposed if the department is unable to gain access to the structure for the inspection pursuant to ~~[[s. 200-51.7-5-7]]~~ >>s. 200-51.7-7<< at the scheduled time.

Part 3. Section 200-51.7-4-d of the code is created to read:

#### **200-51.7. Vacant Building Registration.**

##### **4. REGISTRATION REQUIRED.**

d. If, at the time of any 6-month inspection by the city, the building is in violation of any provision of this section, the owner shall pay a vacant building inspection renewal fee as provided in s. 200-33-64.

Part 4. Section 200-51.7-5-d of the code is repealed and recreated to read:

##### **5. EXEMPTIONS.**

d.

d-1. Property that is undergoing an active renovation or rehabilitation, provided a written plan for such renovation or rehabilitation has been submitted to and approved by the commissioner in accordance with subd. 2. The commissioner may revoke his or her approval of an exemption under this paragraph for violation of any condition or provision of application for such approval, for violation of any ordinance, law, lawful order or Wisconsin statute relating to the property, or if in the opinion of the commissioner the continuation of the exemption will be contrary to this section's purpose of safeguarding persons, property and general welfare.

d-2. An owner may request an exemption pursuant to subd. 1 by filing with the commissioner a written application and plan for the subject renovation or rehabilitation on a form furnished for such purpose. All plans submitted for approval shall include:

- d-2-a. The legal description of the lot or parcel of land as obtained from official records.
- d-2-b. The name and address of the owner of the premises.
- d-2-c. The name and address of the person or contractor completing the work.
- d-2-d. A detailed description of the renovation or rehabilitation.
- d-2-e. The projected cost of the renovation or rehabilitation.
- d-2-f. The time frame for completion of the renovation or rehabilitation.

Part 5. Section 200-51.7-6-d of the code is repealed.

Part 6. Section 200-51.7-7-0 of the code is repealed and recreated to read:

**7. MINIMUM REQUIREMENTS FOR VACANT BUILDINGS.** The owner of any vacant building for which registration is required by this section shall provide access to the city to conduct an exterior and interior inspection of the building to determine compliance with this section, following reasonable notice. If any owner of a vacant building does not provide access to the property at the scheduled time, the commissioner may apply for and obtain a special inspection warrant pursuant to s. 66.0119, Wis. Stats. In addition, failure to provide access to the property at the scheduled time shall subject the property owner to the fees specified in s. 200-33-64-g. In addition to any other applicable requirements, vacant buildings shall comply with the following requirements:

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: \_\_\_\_\_

LRB146248-1

Teodros W. Medhin:lp

2/18/2013