



Legislation Details (With Text)

File #: 141331 **Version:** 0

Type: Ordinance **Status:** Passed

File created: 11/25/2014 **In control:** COMMON COUNCIL

On agenda: **Final action:** 12/16/2014

Effective date:

Title: An ordinance relating to requirements for vacation of an in rem judgment.

Sponsors: ALD. MURPHY

Indexes: IN REM JUDGMENTS

Attachments: 1. Hearing Notice List, 2. Notice Published on 1-9-15

Date	Ver.	Action By	Action	Result	Tally
11/25/2014	0	COMMON COUNCIL	ASSIGNED TO	Fail	
12/4/2014	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/4/2014	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/8/2014	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
12/16/2014	0	COMMON COUNCIL	PASSED	Pass	14:0
12/29/2014	0	MAYOR	SIGNED		
1/9/2015	0	CITY CLERK	PUBLISHED		

141331
ORIGINAL

ALD. MURPHY
An ordinance relating to requirements for vacation of an in rem judgment.

304-50-1-0 am
304-50-2 am

This ordinance amends current code requirements for submitting a written request for vacation of an in rem judgment by requiring that a request submitted by any person other than the former owner of record be consented to by the former owner. The common council may, in its discretion, waive the requirement that the former owner of record consent to the applicant's request if the common council finds that it is in the city's best interest to do so. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 304-50-1-0 and 2 of the code is amended to read:

304-50. Vacation of In Rem Judgment.

1. The former owner of record >>,<< or any person having any interest of record >>with the consent of the former owner of record,<< has submitted a written request to the city

treasurer on a form provided by the city treasurer to have the in rem judgment vacated. No written request to proceed under this section may be submitted for consideration to the common council ~~[[where]]~~ >>if<< any of the following ~~[[are]]~~ >>is<< true:

2. The written request ~~[[must]]~~ >>shall<< identify the property address, the property's tax key number, the name and mailing address of the applicant, and the applicant's interest in the property. >>The written request shall be consented to and signed by the former owner of record if the requester is not the former owner, unless the former owner is deceased or cannot be located following diligent search and inquiry.<< It ~~[[must]]~~ >>shall<< also include a list of all other real property in the city >>in<< which the former owner has an ownership interest. >>The common council may, in its discretion, waive the requirement that the former owner of record consent to the applicant's request if the common council finds that it is in the city's best interest to do so.<<

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: _____

City Attorney's Office

LRB156802-1

Teodros W. Medhin:lp

11/19/2014