



Legislation Details (With Text)

**File #:** 101307      **Version:** 1

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

**File created:** 2/8/2011      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 4/12/2011

**Effective date:**

**Title:** A substitute ordinance relating to owner-occupancy requirements for city sales of habitable neighborhood property.

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

**Indexes:** CITY PROPERTY, PROPERTY SALES

**Attachments:** 1. Memo from Department of City Development, 2. Supplemental Documentation, 3. Neighborhood Properties in Inventory as of 2-23-11, 4. Hearing Notice List, 5. Notice Published on 4-28-11

Date	Ver.	Action By	Action	Result	Tally
4/4/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/4/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/5/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/6/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
4/6/2011	1	CITY CLERK	Sponsor added		
4/12/2011	1	COMMON COUNCIL	PASSED	Pass	13:0
4/21/2011	1	MAYOR	SIGNED		
4/28/2011	1	CITY CLERK	PUBLISHED		

101307  
SUBSTITUTE 1  
090162

..Sponsor  
ALD. MURPHY, ALD. BAUMAN AND ALD. WADE

A substitute ordinance relating to owner-occupancy requirements for city sales of habitable neighborhood property.

- 304-49-2-b-1 am
- 304-49-3 am
- 304-49-4-b am

Current code provisions require that the sale of habitable neighborhood property by the city be restricted to private purchasers for owner-occupancy. This ordinance removes this restriction for specific properties by the direction of the common council member in whose district the property is located.

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

Part 1. Section 304-49-2-b-1 of the code is amended to read:

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

**2. NEIGHBORHOOD PROPERTY.**

b-1. Habitable Property. This property is habitable in its current condition or can be rendered habitable with reasonable effort and funds proportionate to the assessed value of the property. The property shall be marketed to private purchasers for owner-occupancy >>unless otherwise directed by the common council member in whose district the property is located <<. If rehabilitation or restoration is required, the property shall not be sold until the commissioner of neighborhood services has approved a rehabilitation or restoration plan for the property and the commissioner of city development has determined that the prospective purchaser has the skills and financial resources to successfully carry out the plan.

Part 2. Section 304-49-3 of the code is amended to read:

**3. COMMON COUNCIL DIRECTION AFTER REPORTS.** Any member of the common council may, within 15 calendar days after receipt of a report, direct the commissioner to withhold from disposition any parcel listed on the report that is located in his or her aldermanic district. >>The council member may also direct the commissioner to remove the restriction to market the property only to private purchasers for owner-occupancy.<< Such directives shall be in writing and timely delivered to the commissioner. In the event of timely designation, the commissioner may only sell or dispose of the designated parcel after common council approval.

Part 3. Section 304-49-4-b of the code is amended to read:

**4. CITY SALES OF NEIGHBORHOOD PROPERTY.**

b. If the department chooses to solicit bids for a neighborhood property, the department shall, at the direction of the common council member in whose district the property is located, prepare a notice which may be mailed by the common council member to each resident and property owner of the circular area having a radius of 500 feet, centered on the property which is to be sold, informing residents and property owners that the city is soliciting offers to purchase the property. The bid solicitation notice shall state that if the resident or property owner is interested in purchasing the property, the resident or property owner should submit an offer to purchase by 10:00 a.m. on the 30th day after the date of notice. If the 30th day falls on a weekend or holiday, the deadline for submitting an offer shall be the next business day. A bid submitted by a resident or property owner within the 500-foot radius who intends to occupy as an owner shall be given first consideration with respect to the purchase of a property. Any person submitting a bid for an improved parcel of neighborhood property that is classified as habitable property shall be able to demonstrate that the person will satisfy the owner-occupancy requirement >>, unless this requirement has been removed through direction of the council member,<< and also that the person will submit a restoration plan and demonstrate skills and financial resources to carry out the plan.

APPROVED AS TO FORM

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: \_\_\_\_\_

LRB125297-2

Rich Watt

3/30/11