



Legislation Text

File #: 051015, **Version:** 0

051015
ORIGINAL

ALD. BAUMAN, DUDZIK, DONOVAN, BOHL, ZIELINSKI, MURPHY, PUENTE AND HINES

An ordinance relating to chronic nuisance premises owner's failure to comply with abatement orders.

80-10-3-b-4 cr

80-10-7 rn

80-10-7-b cr

When a premises owner has been notified that a nuisance exists at their property and has been billed on 3 or more separate dates within a 2-year time period for the costs of enforcement, the premises owner may be subject to forfeiture for failure to abate nuisance activities.

Upon personal notification or by first class mail, the premises owner shall have 30 days to abate the nuisance or be subject to a forfeiture of not less than \$1000 nor more than \$5000.

Whereas, A small number of premises owners fail to comply with chronic nuisance abatement orders issued by the Chief of Police; and

Whereas, The Milwaukee Police Department expends resources by repeatedly billing premises owners for service calls in addition to the original chronic nuisance abatement notice; and

Whereas, The Milwaukee Police Department finds it is appropriate to issue a citation for failure to abate nuisance activities to premises owners billed on 3 or more separate dates for the cost of enforcement; now, therefore, be it

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

Part 1. Section 80-10-3-b-4 of the code is created to read:

80-10. Chronic Nuisance Premises.

3. PROCEDURE.

b-4. Whenever a premises owner has been billed, on 3 or more separate dates for the costs of enforcement pursuant to sub. 4, the chief of police shall notify the premises owner that he or she may be issued a citation of not less than \$1,000 nor more than \$5,000, 30 days after the third bill has been issued for failure to abate nuisance activities.

Part 2. Section 80-10-7 of the code is renumbered 80-10-7-a.

Part 3. Section 80-10-7-b of the code is created to read:

80-10. Chronic Nuisance Premises.

7. PENALTIES.

b. Whenever a premises owner has been notified that a nuisance exists at their property and has been billed on 3 or more separate dates within a 2-year time period for the costs of enforcement, pursuant to sub. 4, the chief of police may designate the premises as a chronic nuisance property. Upon personal notification or by first class mail, the premises owner shall have 30 days to abate the nuisance or be subject to a forfeiture of not less than \$1,000 nor more than \$5,000 for failure to abate the nuisance activity. Upon default of payment, the premises owner shall be imprisoned in the county jail or house of correction for a period of not less than 40 days nor more than 90 days.

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:_____

Department of Neighborhood Services

LRB05246-1

AEH

11/9/2005