



Legislation Text

File #: 211667, Version: 1

211667
SUBSTITUTE 1

ALD. SPIKER, HAMILTON

A substitute ordinance relating to changing the name of the administrative review appeals board.

81-1.5 am
320-11-0 am
320-11-3-a am
320-11-7 am

This ordinance changes the name of the administrative review appeals board to the administrative review board of appeals.

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

Part 1. Section 81-1.5 is amended to read:

81-1.5. ~~[[Administrative Review Appeals Board]]>>Administrative Review Board of Appeals<<.~~

A fee of \$25 is required to file an appeal with the ~~[[administrative review appeals board]]>> administrative review board of appeals<<. Fees shall not be refunded once an appeal is filed unless it has been determined by a city department that the appeal is not necessary based upon the action, for which the appeal was filed, was undertaken by that department in error. (See s. 320-11).~~

Part 2. Section 320-11-0 is amended to read:

320-11. ~~[[Administrative Review Appeals Board]]>>Administrative Review Board of Appeals <<.~~

Part 3. Section 320-11-3-a is amended to read:

3. BOARD CREATED. a. There is created an ~~[[administrative review appeals board]]>> administrative review board of appeals<< consisting of 5 members which shall have the duty and responsibility of hearing appeals from initial administrative determinations or decisions of officers, employees, agents, agencies, committees, boards and commissions of the city filed in accordance with s. 68.10, Wis. Stats., and making a final determination thereon. In conducting administrative review hearings and making final decisions the board shall be governed by ss. 68.11 and 68.12, Wis. Stats. The board shall consist of a duly licensed attorney member of the State Bar of Wisconsin having practiced law within the state for not less than 7 years, to be appointed by the city attorney, one member of the common council, to be appointed by the president of the common council, and 3 citizens, one to be appointed by the president of the common council and 2 to be appointed by the mayor. The members of the board shall be subject to confirmation by the common council. The members of the board shall hold office for a 2-year term. The members of the board shall elect one member of the board to serve as chair. The city attorney shall appoint one alternate citizen member who shall act with full power~~

only when another member of the board is absent, refuses or is unable to serve because of interest in the subject matter of the appeal. A member shall serve until his or her successor has qualified. Members shall receive no compensation for their services as board members unless expressly provided for by ordinance or resolution.

Part 4. Section 320-11-7 is amended to read:

7. LOCATION. The office of the ~~[[administrative review appeals board]]~~>>administrative review board of appeals<< shall be in the office of the city clerk, room 205, City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202. The city clerk shall be custodian of all files, records and proceedings of the board and shall provide stenographic service, stationery, postage and such other needs as the board requires. Petitions, notices and all other communications to the board relating to the administrative procedures provided for in this section shall be addressed to the board and mailed or delivered to the board's office. Hearings and meetings of the board shall be held in the city hall at a place designated by the city clerk. Notice of hearings or meetings shall be posted as required by law.

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: _____

LRB 177241-2
Aaron Cadle
February 15, 2022