



## Legislation Details (With Text)

**File #:** 141174 **Version:** 2

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

**File created:** 11/5/2014 **In control:** PUBLIC SAFETY COMMITTEE

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

**Effective date:**

**Title:** A substitute ordinance relating to special charges for abatement of tall grasses and weeds and removal of snow and ice from public sidewalks.

**Sponsors:** ALD. HAMILTON, Russell Stamper

**Indexes:** NUISANCES, SPECIAL ASSESSMENTS

**Attachments:** 1. Fiscal Impact Statement.pdf, 2. Hearing Notice List, 3. Notice Published on 1-9-15

Date	Ver.	Action By	Action	Result	Tally
11/5/2014	0	COMMON COUNCIL	ASSIGNED TO		
12/1/2014	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
12/1/2014	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
12/1/2014	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
12/1/2014	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
12/1/2014	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
12/2/2014	1	CITY CLERK	DRAFT SUBMITTED		
12/4/2014	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:1
12/16/2014	1	COMMON COUNCIL	AMENDED	Pass	11:3
12/16/2014	2	COMMON COUNCIL	PASSED	Pass	11:3
12/29/2014	2	MAYOR	SIGNED		
1/9/2015	2	CITY CLERK	PUBLISHED		

### 141174 SUBSTITUTE 2

#### ALD. HAMILTON AND STAMPER

A substitute ordinance relating to special charges for abatement of tall grasses and weeds and removal of snow and ice from public sidewalks.

80-17-6 rc  
116-8-4-0 rc  
116-8-4-a rc  
116-8-4-b am

Currently, a special charge of \$50 is imposed for violations relating to turf grasses or weeds exceeding 7 inches on any property in the city. This ordinance establishes that any person who fails to cut turf grasses or weeds as required shall be subject to a special charge of \$50 for a first violation in a calendar year, if the violation is not abated within 72 hours of initial inspection and photographic verification by the department.

The ordinance also increases the amount of the special charge for any second and each subsequent violation in the same calendar year by \$50 from the amount of the special charge imposed for the previous violation, not to exceed \$300 for 6 or more violations in the same calendar year, and establishes that the special charge shall be assessed upon initial inspection and photographic verification by the department.

In addition, this ordinance increases from \$25 to \$50 the special charges for violations relating to the clearing of snow, ice and mud from sidewalks. Special charges for failure to shovel or otherwise abate any condition that remains in violation increase from \$45 to \$75, and special charges for subsequent failure to comply in the same calendar year increases from \$90 to \$100.

This ordinance shall be effective January 20, 2015.

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

Part 1. Section 80-17-6 of the code is repealed and recreated to read:

**80-17. Hay Fever Weeds, etc.**

**6. CHARGES AND COSTS.** a. Any person who fails to cut turf grasses or weeds as required in sub. 2 shall be subject to a special charge of \$50 for a first violation in a calendar year, if the violation is not abated within 72 hours of initial inspection and photographic verification by the department.

b. The amount of the special charge for any second and each subsequent violation in the same calendar year shall increase by \$50 from the amount of the special charge imposed for the previous violation, not to exceed \$300 for 6 or more violations in the same calendar year, and shall be assessed upon initial inspection and photographic verification by the department.

c. There shall be an additional special charge of \$100 for failure to mow or otherwise abate any condition that remains in violation of this section. Upon a subsequent failure to comply with this section in the same calendar year, the person shall be subject to a special charge of \$150.

d. Any costs incurred by the city in abatement or remediation shall constitute additional special charges.

e. Special charges made under this subsection shall be due and payable 30 days after billing or, if not paid within that time, become a lien on the subject property as provided in s.66.0627, Wis. Stats. The lien shall take effect as of the date of delinquency and shall include an administrative charge of \$25. The lien shall automatically be extended upon the current or next tax roll as a delinquent tax against the property, and all proceedings in relation to the collection, return and sale of the property for delinquent real estate taxes shall apply to such charge.

Part 2. Section 116-8-4-0 and a of the code is repealed and recreated to read:

**116-8. Sidewalks to be Kept Clean.**

**4. CHARGES AND COSTS.** a. If a person is found to be in violation of the requirements of this section, the person shall be subject to a special charge of \$50. There shall be an additional special charge of \$75 for failure to clear or otherwise abate any condition that remains in violation of this

section. Upon a subsequent failure to comply with this section in the same calendar year, the person shall be subject to a special charge of \$100. Any costs incurred by the city in abatement or remediation shall constitute additional special charges.

Part 3. Section 116-8-4-b of the code is amended to read:

b. Special charges made under this subsection shall be due and payable 30 days after billing or, if not paid within that time become a lien on the subject property as provided in s. 66.0627, Wis. Stats. The lien shall take effect as of the date of delinquency and shall include an administrative charge of \$10. The lien shall automatically be extended upon the current or next tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of the property for delinquent real estate taxes shall apply to such charge. ~~[[The charge shall not be payable in installments.]]~~

Part 4. This ordinance shall be effective January 20, 2015.

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: \_\_\_\_\_

LRB152881-3

Jim Carroll

12/16/14