



Legislation Details (With Text)

File #: 181759 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 2/26/2019 **In control:** PUBLIC SAFETY AND HEALTH COMMITTEE

On agenda: **Final action:** 7/9/2019

Effective date:

Title: A substitute ordinance relating to tenants, landlords and lead-poisoning nuisances in rented domiciles.

Sponsors: COMMON COUNCIL

Indexes: LEAD POISONING, NUISANCES, RENTAL HOUSING

Attachments: 1. Atty Heiner Giese email, 2. Proof of Publication

Date	Ver.	Action By	Action	Result	Tally
2/26/2019	0	COMMON COUNCIL	ASSIGNED TO		
6/4/2019	1	CITY CLERK	DRAFT SUBMITTED		
6/6/2019	0	PUBLIC SAFETY AND HEALTH COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
7/9/2019	2	COMMON COUNCIL	SUBSTITUTED	Pass	14:0
7/9/2019	2	COMMON COUNCIL	PASSED	Pass	14:0
7/19/2019	2	MAYOR	SIGNED		
7/25/2019	2	CITY CLERK	PUBLISHED		

181759
SUBSTITUTE 2

ALD. PEREZ, LEWIS, COGGS, DODD, STAMPER, RAINEY, HAMILTON, JOHNSON, BAUMAN, MURPHY, KOVAC, ZIELINSKI, BORKOWSKI AND DONOVAN

A substitute ordinance relating to tenants, landlords and lead-poisoning nuisances in rented domiciles.

- 66-22-3 rn
- 66-22-3 cr
- 66-22-4 rn
- 66-22-5 rn
- 66-22-6 rn
- 66-22-7 rn
- 66-22-8 rn
- 66-22-9 rn
- 66-22-10 rn
- 66-22-11 rn
- 66-22-12 rn
- 66-22-13 rn
- 66-22-14 rn

This ordinance provides that no landlord can constructively evict a tenant for seeking city services to

address lead-poisoning nuisances in rented domiciles, or cooperating with the city to investigate or abate lead-poisoning nuisances.

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

Part. 1: Section 66-22-3 to 14 of the code is renumbered 66-22-4 to 15.

Part. 2: Section 66-22-3 of the code is created to read:

66-22. Lead Poisoning Prevention and Control Regulations.

3. EVICTION OR RETALIATION PROHIBITED. a. No landlord shall terminate a tenancy or give notice preventing the automatic renewal of a lease, or constructively evict a tenant who is in compliance with the terms and conditions of a lease of tenancy by any means including the termination or substantial reduction of heat, water or electricity to the dwelling unit, in retaliation against a tenant because the tenant has, within the prior 12 months:

a-1. Sought advice or services to guard household members from exposure to suspected or known lead-based nuisances in a rented domicile.

a-2. Cooperated with city representatives investigating possible lead-based nuisances or abating lead-based nuisances in a rented domicile.

a-3. Arranged the abatement of known lead-based nuisances in a rented domicile.

b. Any person who violates this subchapter shall be liable upon conviction to a Class J penalty under s. 61-16. Each and every act of violation shall constitute a separate offense.

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 #173705 - 3
Aaron Cadle
July 9, 2019