



Legislation Details (With Text)

File #: 221021 **Version:** 0
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File created: 11/1/2022 **In control:** COMMON COUNCIL
On agenda: **Final action:** 11/22/2022
Effective date:
Title: An ordinance relating to lead hazard reinspection fee collection and appeal process.
Sponsors: ALD. PEREZ
Indexes: FEES, LEAD ABATEMENT
Attachments: 1. Notice published 12-12-22

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|------------------------------------|-------------------------|--------|-------|
| 11/1/2022 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 11/11/2022 | 0 | PUBLIC SAFETY AND HEALTH COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 5:0 |
| 11/22/2022 | 0 | COMMON COUNCIL | PASSED | Pass | 12:0 |
| 12/2/2022 | 0 | MAYOR | SIGNED | | |
| 12/12/2022 | 0 | CITY CLERK | PUBLISHED | | |

Number
221021
ORIGINAL

ALD. PEREZ

An ordinance relating to lead hazard reinspection fee collection and appeal process.

66-22-4-d am

66-22-14-a am

66-22-14-b-0 am

This ordinance clarifies the method of imposing the lead hazard reinspection fee as a special charge collectible against the property and clarifies the appeal process for the lead hazard reinspection fee.

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

Part 1. Section 66-22-4-d of the code is amended to read:

66-22. Lead Poisoning Prevention and Control Regulations.

66-22-4. INSPECTION AND ORDER FOR LEAD HAZARD REDUCTION ACTIVITIES.

d. An additional fee in the amount specified in s.60-53 may be charged for any lead hazard reinspection necessary to determine compliance with an order issued under par. c-2 unless compliance with such order is found. >>A reinspection fee shall be charged against the real estate upon which the reinspection was made, shall upon delinquency be a lien upon the real estate, and

shall be assessed and collected as a special charge for payment and settlement as provided in ch. 19 of the city charter. The department shall provide written notice of the reinspection fee to the owner. The notice shall state that the owner may appeal the reinspection fee under sub. 14 and shall specify how such appeal may be made.<<

Part 2. Section 66-22-14-a and b-0 of the code is amended to read:

14. APPEALS.

a. A person who seeks to appeal an order >> , reinspection fee,<< or permit decision of the department under this subchapter, other than an order under sub. 4-c-2, shall file a written appeal with the commissioner within 5 working days after the person has received written notice of the order >> , reinspection fee,<< or decision to be appealed. The appeal shall state with specificity the reason that the appellant believes the order >> , reinspection fee,<< or decision was issued in error.

b. At the time of filing a written appeal under this subsection, the person affected by the order >> , reinspection fee,<< or permit decision may request and shall be granted a hearing on the matter before the commissioner. Within 10 days of receipt of the written appeal and request for hearing, the commissioner shall set a time and place for a hearing and shall give the applicant written notice thereof. The hearing before the commissioner shall be conducted in the following manner:

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: _____

LRB177663-1
Kathleen Brengosz
October 17, 2022

