



Legislation Details (With Text)

File #: 101063 **Version:** 0
Type: Ordinance **Status:** Passed
File created: 12/21/2010 **In control:** PUBLIC SAFETY COMMITTEE
On agenda: **Final action:** 1/19/2011
Effective date:
Title: An ordinance relating to definitions and procedures for lead poisoning prevention and control.
Sponsors: THE CHAIR
Indexes: LEAD ABATEMENT
Attachments: 1. Hearing Notice List, 2. Notice Published on 2-4-11

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
12/23/2010	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/12/2011	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
1/19/2011	0	COMMON COUNCIL	PASSED	Pass	15:0
1/27/2011	0	MAYOR	SIGNED		
2/4/2011	0	CITY CLERK	PUBLISHED		

101063
ORIGINAL

THE CHAIR

An ordinance relating to definitions and procedures for lead poisoning prevention and control.

66-21-15 am

66-22-3-d-0 am

This ordinance provides that appeals of lead-abatement orders issued by the health department shall be heard by the environmental health board. The ordinance also makes a technical correction to definition of a "lead-based nuisance."

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

Part 1. Section 66-21-15 of the code is amended to read:

66-21. Definitions.

15. LEAD-BASED NUISANCE means any lead-based substance, surface or object which may reasonably contribute to an elevated blood lead level due to lead content, condition or location and which is accessible to children and is declared a public health nuisance as defined in s. 80-1-4 >> 80-1-4 <<.

Part 2. Section 66-22-3-d-0 of the code is amended to read:

66-22. Lead Poisoning Prevention and Control Regulations.

3. ENFORCEMENT.

d. If orders are not complied with by the expiration date, the commissioner may, provided the department has funds available, secure an appropriate court-issued warrant for entry to the premises to abate or remove the nuisance and use the authority delegated under ch. 17 of the charter to summarily abate or remove a nuisance ~~[[and may, after following proper notice and an opportunity for a hearing before the common council,]]~~ >>. The city may<< assess the cost of such action, not to exceed 40% of the assessed market value of the property, as a special charge upon the property.

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: _____

City Attorney's Office

MET

12/3/10

LRB122723-1