



## Legislation Text

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**File #: 990688, Version: 2**

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990688  
SUBSTITUTE 2

ALD. D'AMATO

A substitute ordinance relating to the enforcement of the city's historic preservation regulations.

200-52-6-d am  
200-55-5-b am  
308-81-9-i rn  
308-81-9-i-2 cr  
- Analysis -

This ordinance requires that a property for which an owner is seeking either a certificate of code compliance or a certificate of exterior code compliance have no outstanding orders issued pursuant to the city's historic preservation regulations. The ordinance also authorizes the historic preservation commission to hear appeals of orders issued for violation of historic preservation regulations requiring owners to restore their properties to their original condition, to apply for certificates of appropriateness or to comply with the terms of a previously granted certificate of appropriateness.

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

Part 1. Section 200-52-6-d of the code is amended to read:

200-52. Certificate of Code Compliance.

### 6. INSPECTION PROCEDURE.

d. The department shall issue a certificate of code compliance only after it has inspected the dwelling and found that it conforms to the building maintenance code >>and that there are also no outstanding orders issued against it pursuant to s. 308-81.<<

Part 2. Section 200-55-5-b of the code is amended to read:

200-55. Certificate of Exterior Code Compliance.

### 5. INSPECTION PROCEDURE

b. The department shall issue a certificate of exterior code compliance only after it has inspected the dwelling and found that its exterior conditions conform to the building maintenance code >>and that there are also no orders issued against it pursuant to s. 308-81.<<

Part 3. Section 308-81-9-i of the code is renumbered 308-81-9-i-1.

Part 4. Section 308-81-9-i-2 of the code is created to read:

308-81. Historic Preservation Commission.

### 9. REGULATION OF CONSTRUCTION, RECONSTRUCTION, REHABILITATION AND DEMOLITION.

#### i. Enforcement and Penalties.

i-2. The historic preservation commission is authorized to hear appeals of orders issued pursuant to this section that require owners to restore their properties to their original condition, to apply for certificates of appropriateness or to comply with the terms of a previously granted certificate of appropriateness. Appeals shall be by a written request filed with the commission within 20 days of the date of the service of the order. If service of the order is made by mail, any appeal of the order shall be made in writing within 30 days of the date of the order. The commission may reverse or revise, in whole or in part, any order which a 2/3 majority of its members find an unreasonable hardship on a property owner. No hardship created by an owner shall serve as a basis for reversing or revising an order. The commission shall notify the owner of its decision within 15 days.

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: \_\_\_\_\_

99249-4

JRO

10/12/99