



Legislation Text

File #: 181759, Version: 2

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: _____

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Aaron Cadle

July 9, 2019