
FOR IMMEDIATE RELEASE



FOR INFORMATION CALL

February 2, 2012

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Vacant building preservation ordinance would OK corrective city actions

***Measure approved at committee Tuesday; goes to full Common Council
next week***

A proposed ordinance recommended for approval Tuesday (January 31) by the **Zoning, Neighborhoods and Development Committee** would authorize the city to take corrective actions at vacant buildings to ensure they are preserved in cases where owners are not complying with city maintenance and security requirements.

Alderman Robert J. Bauman, the primary sponsor of the proposed ordinance, said if approved the measure will allow the city to enter residential buildings to perform such tasks as turning off water, draining heating systems, and correcting maintenance conditions (such as a major roof leak) to prevent serious damage to significant properties. He said the issue is timely because many property owners have walked away and lenders have refused to foreclose, resulting in a “state of limbo” where no one is responsible.

“Freeze damage to a heating system in a large house that is otherwise in good shape can create a situation where it may be too expensive to rehabilitate the property, resulting in demolition and the loss of an otherwise valuable and viable property,” he said.

Currently, the city building code requires that, with certain exceptions, the owner of any building that becomes vacant shall, within 30 days after the building becomes vacant, file a registration certificate with the Department of Neighborhood Services and pay the associated registration fee. The code also prescribes lot maintenance standards, exterior and interior building maintenance standards, and building security standards for vacant buildings registered with the city.

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Vacant Buildings/ADD ONE

Penalties for failure to register or failure to secure and maintain a vacant building are also provided.

Alderman Michael J. Murphy, a co-sponsor of the ordinance, said the measure will help Milwaukee avoid the “tragic and sometimes large scale deterioration” of housing stock across city neighborhoods. “In some large U.S. cities, officials are ignoring abandoned and vacant properties and hoping they are secure and being kept up, which they often find isn’t the case,” he said.

“With this ordinance, we are being proactive to make absolutely certain that vacant buildings are in fact secure, and that they are being properly maintained,” Alderman Murphy said.

The proposed ordinance authorizes the commissioner of the Department of Neighborhood Services (DNS) to – on a case-by-case basis and under certain **conditions** approved by Common Council resolution – have inspectors enter a vacant building to “take all actions necessary to ensure the building is compliant with the city’s maintenance and security requirements.”

Those conditions are:

- The property owner or entity functioning as a trustee of the owner has failed to secure and maintain the property as required by the vacant building registration ordinance.
- The lack of proper securing or maintenance of the property by the owner or trustee is resulting in the permissive waste of the property.
- The property is of substantial and extraordinary historic, architectural or commercial value to the surrounding neighborhood and to the city as a whole.

Under the ordinance, the city would hold off on taking any corrective actions until at least 30 days after DNS provides the property owner or trustee a written notice indicating that the Common Council has adopted the prerequisite resolution. The owner or trustee would then have 30 days to bring the property into compliance or DNS will order the corrective action/s and charge the costs to the property, and a detailed description of all non-compliant conditions on the property will be kept on file at DNS.

The ordinance would charge costs associated with corrective action/s taken (to ensure a vacant building is compliant with the city’s maintenance and security standards) as a lien upon the property and may be assessed and collected as a special charge.

The Common Council is expected to take up the ordinance when it meets at 9 a.m. on Tuesday, February 7, 2012 at City Hall, 200 E. Wells St.