

ORDINANCE NO. 2548

AN ORDINANCE TO REPEAL AND RECREATE SECTION 6-163(d)(5) OF THE CITY OF CUDAHY MUNICIPAL CODE TO REVISE THE TIME PERIOD FOR PROPERTY OWNERS TO PERFORM REQUIRED MAINTENANCE

WHEREAS, lawns that are not properly maintained can cause the deterioration of properties, which can spread to surrounding properties resulting in the depreciation of property values; and

WHEREAS, the City of Cudahy Municipal Code requires lawn areas to be maintained, grass to not exceed six inches in height, and noxious weeds to be destroyed; and

WHEREAS, when a property owner fails to maintain the lawn areas as provided in the City of Cudahy Municipal Code, the City Code grants the City the ability to enter the property and perform the required maintenance; and

WHEREAS, the City of Cudahy Municipal Code currently requires the City to provide notice to the property owner at least three (3) business days prior to completing the required maintenance; and

WHEREAS, the Director of Public Works & Water recommended that this time period be reduced from three (3) business days, to seventy-two (72) hours to reduce the time a property is not in compliance with the City of Cudahy Municipal Code, and to better fit with DPW employee schedules; and

WHEREAS, the City of Cudahy Common Council finds that decreasing the notice period for the City of Cudahy to complete maintenance on non-compliant properties will be a benefit to the health, general welfare, and safety of the City of Cudahy by reducing the number of non-compliant properties which can cause the deterioration of properties and depreciation of property values.

NOW, THEREFORE, the Common Council of City of Cudahy, Milwaukee County, Wisconsin, does hereby ordain as follows:

SECTION 1. Chapter 6 of the City of Cudahy Municipal Code entitled "Buildings and Construction," Article V entitled "Housing and Property Maintenance Code", Section 6-163 entitled "Responsibility of Owners Relating to the Maintenance of Non-dwelling Structures, Fences and Premises" Subsection (d) entitled "Lawn Areas," Subsection (5) is hereby repealed and re-created as follows:

(5) If the property owner fails or refuses to maintain lawn areas as provided in this subsection, the code official, or their designated agent, is authorized to perform the required maintenance after providing written notice to the property owner and/or posting notice on the property at least seventy-two (72) hours prior to performing the maintenance. Information and direction contained in the notice shall follow the format contained in subsections 6-156(3)a.—c. of this code.

SECTION 2. SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portion thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect upon passage and publication as provided by law.

PASSED AND ADOPTED by the Common Council of the City of Cudahy, Milwaukee County, Wisconsin, this _____ day of _____, 20____.

CITY OF CUDAHY

Thomas Pavlic, Mayor

Attest:

Kelly Sobieski, Director of Office Services, City Clerk/Treasurer

ADOPTED _____
APPROVED _____
PUBLISHED _____