



**DEPARTMENT OF BUILDING INSPECTIONS &
NEIGHBORHOOD SERVICES**

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March 31, 2010

Honorable Mayor Dan Devine & Common Council Members
City of West Allis, Wisconsin

RE: City Staff Strategic Planning Committee – Landlord and Neighborhood Quality Issues -
Final Report

Dear Mayor Devine & Common Council Members:

In 2007 Mayor Bell convened Citizens Strategic Planning Committee meetings to discuss numerous City issues. One citizen's group discussed neighborhood quality of life issues and listed numerous suggestions for follow-up regarding absentee landlords and other neighborhood quality of life issues.

Through 2008 and 2009 numerous staff members from the Police Department, Fire Department, Health Department, Development/Housing Department, City Attorney's Office and Building Inspections met to discuss and recommend implementation of group ideas based upon the citizen's group issues and comments.

Numerous recommendations have been implemented over the past two years while other ideas were researched and discussed. The City staff group has now concluded its meetings on this matter and I provide the following report with further recommendations for your consideration.

1. **Graffiti.** The citizens group reported they were alarmed by the amount of graffiti in the City. In 2008 and ongoing since the Police Department implemented proactive procedures to identify and remove graffiti. Proactive procedures included placing cameras in troubled areas; organizing groups to remove graffiti; purchasing a warm water power washer and hiring a part-time retired police officer to remove graffiti on a weekly routine; and enlisting private sector assistance with graffiti removal materials routine (excepting winter).

- Specifically, Ordinance No.2008-0022, adopted on May 20, 2008 enacted requirements for graffiti removal.

2. **Neighborhood Block Watch.** the citizens group expressed a need for neighborhood involvement in crime prevention. The Neighborhood Watch Program provides that involvement. Concerted efforts were made by the Police Department to increase the number of Neighborhood Watch Groups. This program enlists the active participation of citizens in cooperation with law enforcement to reduce crime in our community.
 - The objectives of the program are to encourage neighbors to get to know each other and work together in a program of mutual assistance; train neighbors to recognize and report suspicious activities; implement crime prevention techniques such as home security; provide information on Operation Identification; and organize block watch meetings. The program also offers presentations on personal safety, vehicle protection, home security, child abuse, drug/alcohol abuse, crime in schools, child safety, tips for seniors (scams, con games), and nuisance abatement.
 - A report from the police department in November of 2009 indicated the Program went from 450 to 800 groups during the 2009 summer recruitment initiative and the City was about 82% covered by neighborhood watch groups.

3. **Review of Refuse Problems for 1 and 2 Family Use Properties.** The citizen group reported blighting issues with refuse pickup and container storage in residential neighborhoods, especially where visible in alley neighborhoods. The Public Works Department reports it services approximately 21,000 residential living units comprised of single family, duplex and three family structures. The Health Department oversees refuse storage issues for other than 1-3 family use properties.
 - The Public Works Department reviewed Ordinances and Procedures for follow-up on non-compliant overt residential storage issues. The Department enacted more progressive action and faster follow-up to "Refuse Violation Notices", including municipal citations and charges for nuisance storage against violating property owners.
 - The Building Inspection Department, through its inspection practices of residential properties, reviewed the property maintenance code requirements and increased notices to property owners regarding improper refuse storage and improper container storage issues.
 - It was determined that "City approved" heavy-duty cart containers prove the best and most orderly residential storage solution. In early 2009 there were 11, 185 carts in service and an anticipated 300 – 500 carts estimated to be added without an incentive program. In early 2009, the City Public Works Department instituted a pro-active program to offer City carts at cost or a reduced cost supplemented by the City. A report of October 1, 2009 indicated the incentive program generated 2,188 cart sales with final sales near 2250 to 2300. This additional number represents about 66% of residential properties being serviced by these carts. (**See further recommendations sections 8 & 9.**)
 - Staff reviewed City practices in place to notify new residents of our City of rules regarding refuse storage, recycling and pick-up requirements. The City distributes this information by the City Newsletter. Public works distributes this information upon request. This information is also available, when requested, in a new resident information packet available in the Mayor's Office. It was determined there is no proactive procedure in place to notify new residents other than their reading the newsletter or asking for the information. (**See further recommendation in section 10.**)

4. **Inspection of Non-Owner Occupied Residences.** The citizen's group suggested inspection of non-owner occupied residences. The staff group reviewed the issue, including the number of complaints received and the current follow-up procedures.
 - Records indicate that there are 29,499 total residential living units in the City. Excluding owner occupied single-family and condo units, there would be +/- 11,500 non-owner occupied residential units for inspection. Atkinson estimated an inspection program would take three years for two inspectors/1 clerical at a cost of \$600,000. Inspection programs for Beloit, La Crosse and Cudahy were reviewed.
 - The review group determined the cost was too great to implement, at approximately \$53/unit. Also, the fee would be supported by many apartment property owners that properly maintain their properties. The group foresaw probable problems with landlords and political opposition. Further, Atkinson reported inspectors concur that current inspection practices (written complaint with follow-up) is efficient.
5. **Rent Abatement.** The staff group reviewed the subject of Rent Abatement to assist renter's problems with landlords. Such a program would allow withholding of rent while disputes are resolved.
 - The group reviewed similar ordinances for the City of Milwaukee and City of Madison. After research, the group did not recommend further discussion because of cost to have an appeal process, including: hearings, hearing examiners; stenographers; additional inspector to investigate complaints, and; managing an escrow account of tenant deposits for distribution to landlords.
6. **Nuisance Abandoned Dwellings.** The citizen group expressed concerns with abandoned neighbor properties and slow enforcement action. With the numerous issues of foreclosures and properties in various states of abandonment during the foreclosure process, the staff group recommended a pro-active management strategy.
 - Ordinance No. 2008-0030 approved on August 5, 2008, allows the City to mow tall grass/weeds, shovel snow from adjacent public sidewalks and/or to abate property maintenance code issues after a 10-day posting of a subject property. If no property owner contacts the City, the City proceeds to correct the abandonment issues immediately by contract with private contractors. Private contractor cost to abate is charged to the property owner or as a special assessment against the property.
7. **Issues Regarding Property Ownership Information.** The citizens group expressed concern that follow-up enforcement action by the City on violators was too slow. The staff group determined all departments have issues finding owners of properties for follow-up code issues. Police Department, Sanitation Division, Building Inspection Department, Fire Department and Health Department personnel all require owner contact information to efficiently process their numerous code issues.
 - Currently, owner contact information is received from the listing of owner information on the City of West Allis tax mailing information. This information database is derived from the County Recorders Office of recorded property deeds. This listed information is for sending tax bills and may include P.O. Box addresses and ownership such as incorporation, LLC, trust, estate, d/b/a or other. Also, many property owners live outside of the county, in another state, or, in some cases, out of the country. Many property listings include management companies without specific name information. This recorded information, without specific name and contact information causes a

problem for City staff needing to contact property owners or even to take to court for ordinance violations.

- The staff group reviewed the City of Milwaukee deed/sale of property registration system. The system requires, for a fee, the recording of an additional information form with the City each time a property is sold or if information changes during ownership. Atkinson reported the program would cost approximately \$70,000/year to support one person with a charge of \$80 - \$100 per deed change. The staff group rejected this program because of long-term staffing costs to continue to support the administration of a database and follow-up for "bad actors that don't register".
- The staff group reviewed licensing of non-owner occupied properties with a fee and no inspection. The fee would be determined by the number of residential units. The staff group rejected the idea because a fee based on number of units is disproportional to large building landlords. Also, licensing infers further regulations, which the group discounted and dismissed.
- The staff group recommended a yearly registration of each property owner where the property owner does not occupy the premises, to include non-residential properties. (**See further recommendations Section 11.**)

The staff group recommends the following for further follow-up by the City Council.

8. **Refuse Cart Sales.** The staff group recommends the sale of "City approved" heavy duty carts again in the near future.
 - City carts provide for orderly and slightly residential refuse storage, especially in residential neighborhoods serviced by alley access. The carts hold large amounts of refuse materials and are durable, long lasting and generally maintenance free.
 - Metal or plastic, privately purchased containers generally become unsightly quickly and are often found with missing lids and over-filled.
9. **Require Duplex Properties to Have City Approved Carts.** The staff group recommends duplex property owners be required to purchase and use City carts.
 - Building Inspection personnel have observed a large number of two-family properties with absentee owners violating refuse container requirements. An assumption can be made that these property owners and their renters do not have the standards required by Ordinance.
 - The general goal is to have all residential 1 and 2 family properties serviced by City approved carts. This recommendation moves the City towards that goal.
10. **Provide Recycle Bag Boxes to New City Residents.** The staff group recommends providing a box of recycle bags to new residents, along with refuse/recycle information packets.
 - The cost of a box is reported to be \$1.50 to \$2.00/box by Mike Pertmer in 2009.
 - Boxes could be included with Public Works and Mayor's Office Information Packets.
 - Neighborhood Block Watch Groups could deliver information packets with a box to new residents in their neighborhood.
 - Early distribution to new residents promotes compliance with City Ordinances.

11. **Require Yearly Registration of Contact Information for Non-Owner Occupied Properties.** The staff group recommends a yearly registration of residential property owner contact information where the owner does not reside on the property. Also, the group recommended similar registration of non-residential properties.

- A database of contact information will provide immediate access for all City enforcement personnel to contact property owners.
- If mail contact is required, that accurate information will be found in the database.
- If contact is required for issuance of municipal citations or Summons to court, that information will be found in the database.
- Staff recommends fee discounts for residential use property owners attending the Police Department Landlord Program. There could be other discounts.
- Atkinson suggested an initial fee of \$75 to \$100/year to support the staffing for two years to create a database and manage the information for +/- 4800 non-resident property owners. After the two-year period, the fee can be reduced substantially because the base has been built.

In conclusion, this report is the culmination of two-plus years of staff committee work. I believe the citizen concerns listed in 2007 have been addressed where possible. Sections 8 through 11 still require implementation if the Council approves. I would expect the Public Works Department will follow-up on items 8, 9 and 10. Atkinson will follow-up on item 11.

Please feel free to contact me if you have further questions on this matter.

Respectfully submitted,



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cc: City Staff Strategic Planning Committee