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1.0 PURPOSE:

To describe the procedures to be followed when a City department contemplates utilizing the services of the City Attorney's Office to enforce a City ordinance.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all boards, commissions and departments in the City organization.

3.0 POLICY:

It is the policy of the City to enforce all ordinances after all administrative procedures and remedies have been exhausted. It is the policy of the City Attorney's Office to serve as an advisor and counselor to all departments in matters pertaining to the enforcement of ordinances. It is the policy of the City to take those legal steps necessary for the fair, uniform and impartial enforcement of all laws enacted by the City government.

4.0 REFERENCES:

Sections 62.09(12) and 66.01, Wisconsin Statutes.
Section 2.15, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

5.1.1 The City Attorney's Office shall work closely with every department in the enforcement of the City Code of Ordinances.

5.2 GENERAL POLICIES

5.2.1 When any department, except for departments given citation authority, contemplates legal action in the enforcement of the City Code, the City Attorney's Office shall be consulted as early as possible in the process.

5.2.2 When a department requests the drafting of a summons and complaint, the department shall provide the City Attorney's Office with complete, clear, concise, pertinent and factual information.

5.2.3 The City Attorney's Office shall be provided with detailed information regarding the factual circumstances surrounding every enforcement action. Essential information shall include a specific reference to the code section alleged to be violated, factual information such as the "when, where, what and who" questions associated with each alleged violation, and a written statement relating to the administrative steps taken within the department to obtain compliance with the City Code. Copies of all administrative orders issued shall be provided.