



City of West Allis

Legislation Text

File #: O-2010-0034, **Version:** 1

An Ordinance to Create Subsection 18.03(1)(e) of the West Allis Revised Municipal Code Relating to Refuse Collection Areas and Nuisance and Subsection 18.04(8) of the West Allis Revised Municipal Code Relating to Providing a Remedy Therefore.

The Common Council of the City of West Allis do ordain as follows:

PART I. Subsection 18.03(1)(e) of the Revised Municipal Code of the City of West Allis is hereby created to read:

18.03 PUBLIC NUISANCES.

* * *

(1) Nuisances Affecting Health, Welfare, and Enjoyment of Property.

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(e) Any use of property that constitutes a violation of Subsection 7.05(7) of the West Allis Revised Municipal Code if the owner and/or occupant of the property creates, suffers, or allows such violation on more than one occasion during a calendar year.

PART II. Subsection 18.04(8) of the Revised Municipal Code of the City of West Allis is hereby created to read:

18.04 ABATEMENT OF PUBLIC NUISANCES.

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(8) Abatement of Refuse Ordinance Violations.

(a) If any owner or occupant is convicted of a violation of Subsection 7.05(7) of the West Allis Revised Municipal Code on two or more occasions, with dates of violations within one calendar year, the owner of the property shall be required to submit to the Plan Commission a plan for adequate storage of refuse containers

together with landscaping and screening therefore.

(b) A plan under Section 18.04(8)(a) of the West Allis Revised Municipal Code shall be subject to site review by the Plan Commission under the provisions of Subsection 12.13(3)(b)1 of the West Allis Revised Municipal Code and the fees required by Subsection 12.13(6) of the West Allis Revised Municipal Code shall be paid by the owner.

(c) After Plan Commission approval, the owner shall have sixty (60) days to provide the approved storage, landscaping and screening, the provisions of Subsection 12.13(7)(c) of the West Allis Revised Municipal Code notwithstanding.

(d) Any owner who fails or refuses to make application, pay the fee, or complete the required storage, landscaping, and/or screening as required herein shall be subject to a forfeiture of not more than one thousand dollars (\$1,000.00) and not less than two thousand dollars (\$2,000.00), together with the costs of prosecution. Each and every day of a violation shall constitute a separate offense. In addition to seeking said forfeiture, the City Attorney may also seek a court order pursuant to Subsection 18.04(5) of the West Allis Revised Municipal Code to require the owner to comply.

PART III. All ordinances or parts of ordinance contravening the provisions of this ordinance are hereby repealed.

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-Create Subsecs 18.03(1)(e) & 18.04(8)-Refuse