

PROPERTY MAINTENANCE CODE APPEALS BOARD

Property Maintenance Code Appeals Boards
City of Cudahy, c/o Inspection Department
5050 S. Lake Dr.
Cudahy, WI. 53110

NOTICE IS HEREBY GIVEN THAT the undersigned is appealing the NOTICE from or the decision of the code official under section 19.151 Property Maintenance Code.

This application for appeal is based upon a claim that the true intent of the code has been incorrectly interpreted or is adequately satisfied by other means, or that the strict application of any requirement of this code would cause undue hardship.

(1) Property Address:

(Complete Address)

(2) Legal Owner of Property:

Name: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____

(3) Agent Information. The following listed person is allowed as an agent for the property owner and may represent the property owner's interest in the property in the property referenced in this appeal.

Name: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____

Association with the Property Owner: _____

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(4) Legal Property Description:

Tax/Parcel Number: _____

Legal Description: _____

Reason for the Appeal. Please answer the following questions. Attach additional pages if necessary.

(5) Date of Notice/Order from Code Official: _____

(6) Description of Notice/Order being reviewed by the Appeals Board:

(7) I am requesting (check any of the following)

Requesting an alternative to Code Compliance:

If you are requesting an alternative to the Code Compliance, describe the alternative and how the alternative will satisfy the Property Maintenance Code.

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() Requesting a review of the interpretation of the Code/Notice and the Code Official's determination.

If you are requesting a review of the Code/Notice interpretation or the Code Official's determination, please describe your argument or position on the issue.

(8) If the request is approved by the Appeals Board, please explain how the approval will prevent neighborhood deterioration and depreciation of the property values and preserve the aesthetic character of the neighborhood:

(9) Certificate of Application:

I hereby certify that the above application and/or and all attachments thereto are true, correct and complete to the best of my knowledge and belief.

(Date)

(Signature of Owner)

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(This page to be filled out by the Appeals Board Members)

Code Section to Be Appealed _____

Description of Violation _____

Board's Action to Violation _____

District 1 _____ Vote _____
Name

District 2 _____ Vote _____
Name

District 3 _____ Vote _____
Name

District 4 _____ Vote _____
Name

District 5 _____ Vote _____
Name

Results: _____ / _____
Yes No

Board Comments:

19.151 - PROPERTY MAINTENANCE APPEALS BOARD.

(1) Any person affected by a notice, order or decision of a Code Official issued under Chapter 19, Property Maintenance and Building Code, may appeal to the Property Maintenance Code Appeals Board. A written application for appeal shall be based on a claim that the true intent of the Code has been incorrectly interpreted or is adequately satisfied by other means, or that the strict application of any requirement of this Code would cause undue hardship. (Am. #2248)

(2) The Board shall consist of 5 members, one from each aldermanic district, recommended by the Alderman of each district, shall not have been cited for a property maintenance code violation for 2 years prior to their appointment, nor be cited during their appointment (grounds for removal from the Appeals Board). They shall be appointed by the Mayor, and confirmed by a majority vote of the Common Council to serve a 3-year term.

(3) The Board shall serve without compensation, and shall elect a Chairman and Vice Chairman to serve annually from one of its members. A member shall not hear an appeal in which that member has a personal, professional, or financial interest.

(4) The Department of Building Inspections shall provide support and maintain files of the Board.

(5) The Board shall meet monthly or as necessary. All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the Code Officials (2) or any persons whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than 3 Board members.

(6) The Board may modify or reverse the decision of the Code Official by a concurring vote of a majority of the Board members present. The decision of the Board shall be recorded and copies furnished to the appellant. If a municipal citation has been served prior to any determination by the Board then such determination shall be advisory only for consideration by the Court and prosecuting Attorney.

(7) Any petitioner or other person aggrieved by the decision of the Board may seek relief therefrom by having the decision reviewed by the Circuit Court, provided such appeal is made within 3 days of the receipt of the Board's decision. (Am. #2248)

(8) Appeals of notice and orders, other than imminent danger or emergency orders, shall stay the enforcement of the notice and order until the Appeals Board hears the appeal. This provision shall not absolve the owner of the property of liability during the appeals process.

(9) Persons wishing to appear before the Property Maintenance Board of Appeals shall pay a **\$25.00 fee** and complete the application supplied by the City. This fee shall be kept on file with the City Treasurer's Office and kept by the City of Cudahy if the decision of the Code Officer is upheld, and returned to the applicant if the Property Maintenance Code Board of Appeals or Circuit Court overturns the decision of the Code Officer. (Am. #2248)