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Gen. Ord. No. 51 - 11 - 12. By Alderperson Kittelson. November 21, 2011.

AN ORDINANCE amending the City of Sheboygan Municipal Code so as to create Section 26-45 relating to the provision of a local operator for certain properties.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 26-45 of the Sheboygan Municipal Code entitled "Local Operators" is hereby created to read as follows:

"Sec. 26-45 Local Operators.

- (a) All owners of vacant land and of residential or commercial buildings within the City of Sheboygan who reside outside of Sheboygan County, Wisconsin, or who, in the case of entities, have a principal place of business outside of Sheboygan County, Wisconsin, or in the case of a condominium association, have a condominium-resident agent with a domicile outside of Sheboygan County, Wisconsin, shall have a local operator with a physical address and domicile within Sheboygan County, Wisconsin with authority to accept notice of violations or enforcement of this chapter and provide written notice of said local operator to the building inspection department.
- (b) The following are exempt from having to file the notice required under this section:
 - (1) Owners of owner-occupied one and two-family buildings where the ownership is recorded with the Sheboygan County register of deeds.
 - (2) Owners of owner-occupied residential-condominium units where the ownership is recorded with the Sheboygan County register of deeds.
 - (3) Owners of convents, monasteries, parish rectories, parsonages and similar facilities where the ownership is recorded with the Sheboygan County register of deeds.
 - (4) Owners of hospitals and residential facilities licensed by the City of Sheboygan or the State of Wisconsin where the ownership is recorded with the Sheboygan County register of deeds.
 - (5) Government-owned property where the ownership is recorded with the Sheboygan County register of deeds.

- (6) Owners of newly-constructed residential and commercial buildings where the ownership is recorded with the Sheboygan County register of deeds until actual occupancy of any such building or any unit in any such building commences.
- (7) Owners of vacant land, residential buildings, and commercial buildings and owners of condominium units, owned for less than 15 days prior to sale or other transfer of the buildings or units to new owners. However, anyone acquiring from such owner shall file an notice pursuant to this section unless otherwise exempt under this subsection.
- (8) Condominium associations responsible for 2-unit residential buildings.
- (c) The building inspection department shall provide local operator notification forms.
- (d) All owners required by this section to have a local operator shall file a local operator notification form providing the legal name, physical address within Sheboygan County, date of birth, and telephone number of the local operator.
- (e) If any information listed on a previously filed local operator notification form changes, the required filer shall, within 15 days of the change in information, file a new form with the building inspection department. Any application filed later than that 15-day period shall result in a late filing fee of \$100.00.
- (f) Any owner, former owner, or condominium association failing to comply with this section or providing false, misleading or fraudulent information on any form required under this section shall forfeit not less than \$100 nor more than \$500, together with the cost of the action, and in default of payment thereof may be imprisoned in an appropriate county facility as allowed by law. Each day of violation is a separate offense.

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

PPB
approve

Jean Kittelson

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 5th day of December, 2011.

Dated December 8 2011. Susan Richards City Clerk

Approved December 8 2011. AJL, Mayor

Proceedings Published December 12, 2011.
Ordinances Published December 12, 2011.
Certified December 12, 2011 to Atty.; Ord. Book; Code Book; Clerk of Courts; Police Dept.; MSB; DPW