

**AN ORDINANCE TO AMEND PROVISIONS  
OF THE FIRE CODE OF THE MUNICIPAL CODE  
OF THE CITY OF WAUKESHA, WISCONSIN**

WHEREAS, the City of Waukesha Fire Code authorizes the Fire Department to assess reinspection fees when the Department conducts a reinspection to determine compliance with an order to correct Fire Code violations and compliance has not been achieved; and

WHEREAS, the Wisconsin Statutes now prohibit charging a fee for a subsequent reinspection that is more than twice the fee for an initial reinspection, *see* Wis. Stat. §66.0104(2)(e)3.; and

WHEREAS, the Fire Code currently authorizes charging more than twice the fee for subsequent reinspections;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF WAUKESHA DO ORDAIN AS FOLLOWS:

SECTION I. Section 21.03(2)(d) of the Municipal Code is hereby amended to read as follows:

**21.03 Fire Inspection and Regulations**

...

**(2) POWERS AND DUTIES...**

...

(d) (Cr. #4-09) Reinspection Fee. To compensate for inspectional and administrative costs, a fee of ~~\$50~~ \$75 may be charged for any reinspection to determine compliance with an order to correct conditions which violate Code provisions under the jurisdiction of the Fire Department, except that no fee shall be charged for the reinspection when compliance is recorded. A fee of \$75 ~~\$150~~ may be charged for ~~a second reinspection, a fee of \$150 for a third reinspection and a fee of \$300 for~~ each subsequent reinspection. Reinspection fees shall be charged against the real estate upon which the reinspections were made, shall be a lien upon the real estate and shall be assessed and collected as a special charge.

SECTION II. This ordinance shall take effect the day after publication.

Passed the \_\_\_\_ day of \_\_\_\_\_, 2019.

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Shawn N. Reilly, Mayor

Attest:

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Gina L. Kozlik, City Clerk