



Legislation Text

File #: 32160, Version: 1

Fiscal Note

No appropriation is required.

Title

Renumbering Section 34.907(1)(d) to Section 45.07(8) and renumbering Sections 34.907(1)(e) and (f) to (d) and (e) of the Madison General Ordinances to eliminate the requirement that landlords are to furnish fire education to new lessees.

Body

DRAFTER'S ANALYSIS: Section 34.907(1)(d) requires landlords to provide fire education materials to new lessees. Senate bill 179, which is awaiting Governor's signature, creates new Wis. Stat. § 66.0104(2)(d), prohibiting a city from enacting an ordinance requiring a landlord to communicate any information to a tenant that is not required by state or federal law. Fire education materials are not required by state or federal law. Sec. 34.907(1)(d) is, therefore, unenforceable.

The Seventy-Seven Square Miles ordinance under Section 45.07, MGO, is a repository for ordinances that are void or are unenforceable.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (d) entitled "Fire Safety Education Required" of Subsection (1) entitled "Smoke Alarms" of Section 34.907 entitled "Fire Alarm and Detection Systems" of the Madison General Ordinances is hereby renumbered to Section 45.07(8).
2. Subdivisions (e) and (f) of Subsection (1) entitled "Smoke Alarms" of Section 34.907 entitled "Fire Alarm and Detection Systems" of the Madison General Ordinances are renumbered to Subdivisions (d) and (e), respectively.

EDITOR'S NOTE:

Sec. 34.907(1)(d) currently reads:

"(d) Fire Safety Education Required. Upon each new lease and at least once every twelve (12) months for every continuing tenant, the owner shall provide tenants with fire safety educational materials as prescribed by the Chief. The Chief shall prepare the text and make the text available for distribution by the owner."