



Legislation Details (With Text)

**File #:** 18125      **Version:** 1      **Name:** Inspection fees  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/13/2010      **In control:** BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD  
**On agenda:** 4/20/2010      **Final action:** 6/1/2010  
**Enactment date:** 6/11/2010      **Enactment #:** ORD-10-00058

**Title:** Creating Sections 7.56, 10.41, 17.13, 18.01(3), 18.01(4), 19.08(1)(c), 19.08(1)(d), 22.05(6) and (7), 23.57, 24.13, 28.12(13)(f), 29.15(5) and (6), creating Sec. 30.01(13) and renumbering current Sec. 30.01(13) to Sec. 30.01(14), creating Secs. 31.04(4)(c), 37.12(7) and renumbering current Secs. 37.12(7) and (8) to Secs. 37.12(8) and (9) of the Madison General Ordinances to allow the Director of the Building Inspection Division to assess fees for compliance inspections.

**Sponsors:** Tim Bruer

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/1/2010	1	COMMON COUNCIL		
5/18/2010	1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/20/2010	1	COMMON COUNCIL	Referred	Pass
4/13/2010	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The Ordinance provides another tool to help ensure inspection-related compliance. No significant fiscal impact is anticipated.

**Title**

Creating Sections 7.56, 10.41, 17.13, 18.01(3), 18.01(4), 19.08(1)(c), 19.08(1)(d), 22.05(6) and (7), 23.57, 24.13, 28.12(13)(f), 29.15(5) and (6), creating Sec. 30.01(13) and renumbering current Sec. 30.01(13) to Sec. 30.01(14), creating Secs. 31.04(4)(c), 37.12(7) and renumbering current Secs. 37.12(7) and (8) to Secs. 37.12(8) and (9) of the Madison General Ordinances to allow the Director of the Building Inspection Division to assess fees for compliance inspections.

**Body**

DRAFTER'S ANALYSIS: This ordinance allows the Director of the Building Inspection Division to assess compliance inspection fees when a person fails or neglects to comply with a lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of Chapters 7, 10, 17, 18, 19, 22, 23, 24, 28, 29, 30, 31 and 37.

\*\*\*\*\*

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

1. Section 7.56 entitled "Compliance Inspection Fees" of the Madison General Ordinances is created to read as follows:

**"7.56 COMPLIANCE INSPECTION FEES.**

- (1) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed

fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order.

- (2) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City Comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

2. Section 10.41 entitled “Compliance Inspection Fees” of the Madison General Ordinances is created to read as follows:

**“10.41 COMPLIANCE INSPECTION FEES.**

- (1) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order.
- (2) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

3. Section 17.13, entitled “Compliance Inspection Fees” of the Madison General Ordinances is created to read as follows:

**“17.13 COMPLIANCE INSPECTION FEES.**

- (1) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
- (2) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

4. Subsections (3) and (4) of Section 18.01 entitled “Administration and Enforcement” of the Madison General Ordinances are created to read as follows:

- “(3) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
  - (4) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”
5. Subdivisions (c) and (d) of Subsection (1) entitled “Administration” of Section 19.08 entitled

“Electrical Inspection” of the Madison General Ordinances are created to read as follows:

- “(c) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
- (d) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

6. Subsections (6) and (7) of Section 22.05 entitled “Enforcement Authority” of the Madison General Ordinances are created to read as follows:

- “(6) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
- (7) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

7. Section 23.57 entitled “Compliance Inspection Fees” of the Madison General Ordinances is created to read as follows:

**“23.57 COMPLIANCE INSPECTION FEES.**

- (1) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order.
- (2) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

8. Section 24.13 entitled “Compliance Inspection Fees” of the Madison General Ordinances is created to read as follows:

**“24.13 COMPLIANCE INSPECTION FEES.**

- (1) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order.
- (2) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax

roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

9. Subdivision (f) entitled “Compliance Inspection Fees” of Subsection (13) entitled “Fees” of Section 28.12 entitled “Administration and Enforcement” of the Madison General Ordinances is created to read as follows:

“(f) Compliance Inspection Fees.

1. Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
2. The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

10. Subsections (5) and (6) of Section 29.15 entitled “Powers and Duties of the Director of the Building Inspection Division” of the Madison General Ordinances are created to read as follows:

“(5) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.

(6) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

11. New Subsection (13) entitled “Compliance Inspection Fees” of Section 30.01 entitled “Administration” of the Madison General Ordinances is created to read as follows:

“(13) Compliance Inspection Fees.

- (a) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order. A thirty-five dollar (\$35) charge may be assessed when an inspector fails to gain entry to carry out a compliance inspection.
- (b) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”

12. Current Subsection (13) entitled “Penalty” of Section 30.01 entitled “Administration” of the Madison General Ordinances is renumbered to Subsection (14).

13. Subdivision (c) entitled “Compliance Inspection Fees” of Subsection (4) entitled “Enforcement” of Section 31.04 entitled “Administration, Enforcement and Construction Requirements” of the Madison General Ordinances is created to read as follows:

“(c) Compliance Inspection Fees.

1. Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order.
2. The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”
14. New Subsection (7) entitled “Compliance Inspection Fees” of Section 37.12 entitled “Administration,” of the Madison General Ordinances is created to read as follows:  
“(7) Compliance Inspection Fees.
  - (a) Any person who shall fail or neglect to comply with any lawful order of the Director of the Building Inspection Division issued pursuant to the provisions of this chapter may be assessed fifty dollars (\$50) per compliance inspection, as defined in Sec. 27.03(2), MGO, that does not result in compliance with the order.
  - (b) The Department of Planning and Community and Economic Development shall keep an accurate account of all unpaid inspection fees incurred for compliance inspection services rendered and report the same to the City comptroller, who shall annually prepare a statement of these special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. § 66.0627.”
15. Current Subsection (7) entitled “Penalties” of Section 37.12 entitled “Administration,” of the Madison General Ordinances is renumbered to Subsection (8).