



## Legislation Details (With Text)

**File #:** 25224      **Version:** 1      **Name:** Appeals  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/30/2012      **In control:** BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD  
**On agenda:** 4/10/2012      **Final action:** 4/10/2012  
**Enactment date:** 4/20/2012      **Enactment #:** ORD-12-00042  
**Title:** Amending Sec. 29.18(3)(a)2., Sec. 34.01(10) and Sec. 40.13 of the Madison General Ordinances to revise the appeal time to the Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals.  
**Sponsors:** Lauren Chare, Paul E. Skidmore, Michael E. Verveer

**Indexes:****Code sections:****Attachments:**

Date	Ver.	Action By	Action	Result
4/10/2012	1	COMMON COUNCIL	Adopt	Pass
3/20/2012	1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/7/2012	1	COMMON COUNCIL	Referred	Pass
1/30/2012	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No appropriation is required.

**Title**

Amending Sec. 29.18(3)(a)2., Sec. 34.01(10) and Sec. 40.13 of the Madison General Ordinances to revise the appeal time to the Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals.

**Body**

DRAFTER'S ANALYSIS: This ordinance increases the appeal time from 15 days to 30 days for appeals to the Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals.

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

1. Paragraph 2. of Subdivision (a) entitled "Appeals" of Subsection (3) entitled "Duties" of Section 29.18 entitled "Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals" of the Madison General Ordinances is amended to read as follows:

"2. All applications for appeal shall be in writing and shall be received by the Director of the Building Inspection Division no later than fifteen thirty (1530) days after the date of the Official Notice of code violations or of the written decision of either the Director of the Building Inspection Division or the Fire Chief."

2. Subsection (10) entitled "Appeals" of Section 34.01 entitled "General Provisions" of the Madison General Ordinances is amended to read as follows:

"(10) Appeals. Whenever the Chief shall disapprove an application or refuse to grant a permit, approval or certificate applied for or revoke a permit, approval or certificate, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the person affected may appeal from the decision of the Chief to the Board within fifteen thirty (1530) days from the date of the decision

appealed and upon payment of fifty dollars (\$50) payable to the City of Madison. The Board may, by majority vote, uphold, overrule or modify the action of the Chief.”

3. Section 40.13 entitled “Appeals” of the Madison General Ordinances is amended to read as follows:

“40.13 APPEALS. The owner of conveyance subject to this chapter or any other person directly affected by a decision of the Chief under this subsection may appeal such decision to the Board of Building Code, Fire Code, Conveyance Code, and Licensing Appeals, as provided in ~~Madison General Ordinance § Sec. 29.18, MGO~~. Such appeal must be commenced by filing a written notice of appeal with the City Clerk and upon payment of fifty dollars (\$50) payable to the City of Madison within ~~fifteen~~ thirty (~~15~~30) days of the Chief’s decision to be appealed. The Board may, by majority vote, uphold, overrule or modify the action of the Chief. Nothing in this section shall limit an owner’s authority under the Wis. Admin. Code § Comm 18.1009(2) to challenge a local order as unreasonable and in conflict with the rules of the Department of Commerce.”