File #: 25496, **Version:** 2

Fiscal Note

No appropriation is required.

Title

SUBSTITUTE Amending Section 27.04(2)(k)4. of the Madison General Ordinances to require monthly notification only if an e-mail address has been provided, it removes the requirement that the Police and Fire Department notify landlords of calls.

Body

DRAFTER'S ANALYSIS: This ordinance changes the notification process to monthly and only requires landlord notification by the Building Department if the landlord has provided an e-mail address to the City. This ordinance also removes the requirement that the Police and Fire Departments inform the landlord of all police, fire and ambulance calls to the location. Much of this information is protected under various state statutes and requiring that the information be provided to landlords would deter victims and individuals from reporting crimes or fires to the Police and Fire Departments. Under the Health Information Portability and Accountability Act (HIPAA) the information obtained by the Fire Department is considered protected health information and can only be released as permitted by law and should not be uniformly distributed to landlords.
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The Common Council of the City of Madison do hereby ordain as follows:

Paragraph 4. of Subdivision (k) of Subsection (2) of Section 27.04 entitled "Minimum Standards for Basic Equipment, Lighting, Ventilation, Heating, and Electrical Service" of the Madison General Ordinances is amended to read as follows:

"4.   If the property owner has provided an e-mail address under subdivision 2., ~~T~~the City of Madison, through ~~its Police Department, Fire Department, and~~ the Building Inspection Division, shall by use of the ~~data collected~~ e-mail address provided, communicate ~~promptly~~ monthly with a property owner and make the property owner aware of any ~~police calls to the property, fire~~ or ambulance ~~calls to the property,~~ and/or ~~b~~Building ~~i~~Inspection orders."