

CITY OF TWO RIVERS

**RESOLUTION
AUTHORIZING ACTIONS FOR ABATEMENT OF NUISANCE**

WHEREAS, the City’s Zoning and Building Inspection Departments have identified the property located in the City having as its street address 1816 29th St., Two Rivers, WI 54241 (“the Property”) as being in poor condition due to a fire to the extent that it is a nuisance under the City’s Municipal Code; and

WHEREAS, the City has given notice of the owner of the Property that its condition violates the City’s Municipal Code as required by the City’s Ordinances, and has asked the owner of the Property to abate its condition constitutes a nuisance; and

WHEREAS, the City has further advised the owner of the Property that his failure to abate the condition of the Property shall compel the City to abate the nuisance, and that all costs incurred by the City in doing so and in seeking court authority to do so shall be charged to the owner and against the Property; and

WHEREAS, the City has received no response from the owner, and the location of the owner cannot be determined, but the City has been notified by Erie Insurance that there is an insurance policy applicable to the Property; and

WHEREAS, it is reasonable to anticipate that the City will be required to abate this nuisance, and that the City or its contractors will be required to commence legal action seeking to enter into the Property to determine the extent of damage to and make repairs to the Property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TWO RIVERS, WISCONSIN, HEREBY RESOLVES AS FOLLOWS:

1. The City’s attorney is authorized to commence legal action on behalf of the City against the owner of the Property to (1) abate the nuisance conditions on the Property, seeking the Court’s permission to enter into the Property and perform repairs thereto for that purpose, or, (2) if the Property is in such condition that it is unreasonable to repair it or it is unsafe for human habitation, seek an order pursuant to Wis. Stat. § 66.0413 that the building on the Property be razed, and (3) seeking a money judgment against the owner of the Property for costs and attorney’s fees incurred by the City in that legal action;

2. Pursuant to Section 9-6-9 of the Municipal Code, the costs incurred by the City in that action and in abating the nuisance conditions shall be a special charge against the Property and shall be assessed against the Property accordingly;

Approved this 18th day of July, 2022, by the City Council of the City of Two Rivers.

Councilmember

Gregory E. Buckley
City Manager