

Update on Property Nuisance

In November of 2016 the Common Council made significant changes to areas of the municipal Code involving public nuisance issues and abatement relating to properties. The enforcement of the Public Nuisance and Abatement Ordinance can be as simple as a notification or communication with the property owner. If the property owner complies within the required timeline, the issue is resolved. However, there are some property nuisance abatement issues that can become complex, lengthy and involved. Occasionally multiple City and County Departments may be required to jointly work together to accomplish the goal of making the properties code compliant. Over the last two years the City has addressed 114 property nuisance cases. Twelve of these properties in the last two years that have had building code, health code, and public nuisance violations. In these cases, the Community Development Director, Building Inspector and Berlin Police Department have worked in conjunction with the County Health Department to abate the property nuisance issues. A couple of such recent cases include the properties at 107 W. Huron, 130 W. Berlin, and 151 N. Wisconsin Street.

107 W. Huron Street was a vacant property that had been neglected for several years. The property was taken to sheriff sale in 2017, but did not have any bidders. The City looked into the cost of razing the building or repairing it, but was fortunate to find a buyer for the property in April of 2018. The City worked with the current owner and the bank involved with the property to find a solution. The new owner owns an asbestos removal company, which helped reduce the costs for him to clean up the property. This past summer the owner worked very hard to make the roof sound and secure. He also removed all the excess items in the building. He continues to work on the interior during the winter.



In 2015, a structural fire occurred at 130 W. Berlin Street. Following the fire, the building inspector worked with the owners on a plan to repair the house; however, the property owners were not compliant after repeated communication efforts by the City. The Common Council then made the decision to move forward with a raze or repair order in January of 2018. The City progressed with the legal action and was able to come to an agreement with the property owners in November of 2018. The agreement required the property owners to acquire a permit to raze the property and have the property fully secured by November 2018. The agreement also included that the property will be razed by June 30th, 2019.

In December of 2017, the City notified the property owner at 151 N. Wisconsin of the code violations that were visible from the exterior. The property owner pulled a building permit in January of 2018 for the repairs. After six months, no progress was made on the exterior and the City requested an interior inspection of the home. As a result of the inspection, staff recommended a raze or repair order on the property. In November of 2018, Council moved forward with the raze or repair order and on January 15th, the Common Council provided the property owner a list of items required to be fixed prior to the February Council meeting. At the February Council meeting, Council will again review the homeowner's progress on the property and determine any future course of action that needs to be taken.

The public nuisance and abatement ordinance is in place to have a positive impact on the appearance of our community. The nuisance abatement and raze or repair order process can be time consuming in some cases, but ultimately is showing effectiveness in reaching the goal of abating property nuisances in the community.