



CITY OF APPLETON

MEMORANDUM

Date: July 23, 2025
To: Community Development Committee
From: Kara Homan, AICP, Director of Community Development
Kurt W. Craanen, Inspections Supervisor
Subject: Authority to Issue Citations - Inspections Supervisor

GENERAL INFORMATION

Update Sections 4-22, 4-24(b) and 12-32(a) of the Municipal Code

PURPOSE OF MUNICIPAL CODE TEXT AMENDMENTS

The intention of this text amendment is to clarify the authority of the Inspections Supervisor to issue citations.

BACKGROUND

The purpose of the proposed text amendments provides clarification of long-standing practices and is recommended to more explicitly state who can issue citations for any violations of Chapter 4 Buildings and Chapter 12 Nuisances.

PROPOSED DRAFT TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended for deletion is identified by ~~strikethrough~~.

Sec. 4-22. Authority to issue citations and prescribe additional rules and regulations.

The Inspection Supervisor shall have the power, as may be necessary in the interest of public safety, health and general welfare, to promulgate rules and regulations to interpret and implement the provisions of this chapter under the supervision of the Board of Building Inspection, including issuing citations. The Inspections Division shall review and suggest changes in this chapter annually for Council action. Rules and regulations adopted under this section shall be approved by the Common Council and, when so approved, a violation thereof shall be subject to §4-24.

Sec. 4-24. Violations generally; penalty.

(b) ***Prosecution of violation.*** If the notice of violation is not complied with promptly, the Inspection Supervisor may issue a citation. Additionally, the Inspection Supervisor may ~~shall~~ request the City Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful use of the building or structure in violation of the provisions of this chapter or of the order or direction made pursuant thereto.

Sec. 12-32. Abatement – generally.

(a) ***Responsibility for enforcement; inspections.*** It shall be the duty of each department head to enforce those provisions of this chapter, including issuing citations that come within the jurisdiction of their respective offices, and each department head shall make or cause to be made periodic inspections and inspections upon complaint to ensure such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer has inspected or caused to be inspected the premises where the nuisance is alleged to exist and has satisfied himself that a nuisance does in fact exist.

RECOMMENDATION

Staff recommends the proposed text amendments to Chapter 4 Buildings and Chapter 12 Nuisances of the Municipal Code, **BE APPROVED** to remove any arguable ambiguity as to who is authorized to issue citations in these areas.