

VILLAGE OF OXFORD
Marquette County, Wisconsin

Resolution No. 2019-2

**RESOLUTION AUTHORIZING ORDER
TO RAZE AND REMOVE BUILDING**

WHEREAS, Section 66.0413 of the Wisconsin Statutes authorizes a village to issue an order requiring a property owner to raze and remove a building that has been determined, by the municipality, to be so “old, dilapidated or out of repair and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation”;

WHEREAS, the Village of Oxford (“Village”) has previously inspected that certain property owned by Terry Berndt commonly known as 115 West Ormsby Street in the Village of Oxford, Wisconsin and has reviewed the report of the Village building inspector concerning the condition of the property;

WHEREAS, based upon the Village inspector’s report, the Village has determined that the building located upon such property has become so old, dilapidated or out of repair and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation that it is necessary to seek the razing and removal of said building;

WHEREAS, the Village has contacted the property owner on several occasions and held meetings at which the property owner was present, regarding the condition of this building and the property owner has failed to take appropriate steps to address the poor condition of the building;

WHEREAS, the property is currently assessed by the Village assessor in the amount of \$9,300 for the land, and \$16,900 for the building, bringing the total assessed value to an amount of \$26,200;

WHEREAS, the Village building inspector’s report made a conservative estimate that the cost of the repairs to the building would exceed \$50,000, which exceeds the statutory presumption amount of \$12,981.87, representing 50% of the value of the property, thereby making repairs presumptively unreasonable;

WHEREAS, such determination was made by dividing the ratio of the assessed value to the recommended value as last published by the Wisconsin Department of Revenue for the Village, and therefore the Village has further determined that the cost of repairs to the building would be unreasonable as calculated pursuant to Section 66.0413(1)(c) of the Wisconsin Statutes;

WHEREAS, the Village Board has determined it has no alternative but to proceed with seeking an order for the razing and removal of the building and the clean-up of the property due to the fact that the property is so old, dilapidated or out of repair and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation;

THEREFORE, BE IT RESOLVED by the Village Board of Trustees of the Village of Oxford as follows;

1. That an Order shall be issued by the Village providing for the razing and removal of the building and the clean-up of property owned by Terry Berndt located at 115 W. Ormsby Street, in the Village of Oxford, Wisconsin, based upon the finding that the building located upon the property is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or use and that it is unreasonable to repair the structure on the property. This Order shall specify that the razing and removal of the building occur within 60 days from the date of the service of the Order on the owner.
2. That the Village Attorney is authorized to proceed with the issuance of an Order from the Village to all owners of record and to proceed with all proceedings as deemed necessary, including Court proceedings, to enforce the Order of the Village for the razing and removal of the structures and debris from the property pursuant to the provisions of Section 66.0413 of the Wisconsin Statutes.

Dated this 7th day of August, 2019.

Erwin Meyer, Village President

I hereby certify that the foregoing resolution was duly adopted by the Village of Oxford at a legal meeting on the 7th day of August, 2019.

Shannon McMullin, Village Clerk-Treasurer