



Take notice that the City of Ashland Committee of the Whole will meet immediately following the adjournment of the City Council Meeting in the City Hall Council Chambers, 601 Main Street W. Ashland, WI, to consider and act upon the following agenda.

To attend the meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/500263957> Access Code: 500-263-957

Or dial in using your phone. United States (Toll Free): 1-877-309-2073

Please contact the Clerk's office if you require accommodations to attend the meeting.

Tuesday, July 14, 2026 Ashland Committee of the Whole Meeting Agenda

1. **Roll Call**
2. **Approval of Agenda**
3. **Council President's Report**
4. **Items for Discussion and Possible Action**
 - A. **Revised Draft Vacant Property Ordinance and Associated Revision to the City's Comprehensive Fee Schedule (*Planning & Development*)**
5. **Adjournment**

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SUBJECT: Revised Draft Vacant Property Ordinance and Associated Revision to the City's Comprehensive Fee Schedule (*Planning & Development*)

RECOMMENDATION: Advance to Council for formal approval

DEPARTMENT OF ORIGIN: Administration

CLEARANCES: City Administrator
Planning and Development Director
City Attorney

EXHIBITS: 1. Vacant Property Ordinance - Redlined to view changes

COMPLIANCE WITH STRATEGIC PLAN: The 2025 Strategic Plan includes a Housing section. Within the Housing section of the Strategic Plan is a goal that the City will continue to enforce its property maintenance, building codes, and zoning ordinances to protect and maintain the character of the community. The proposed Vacant Property Ordinance will provide additional regulations that govern the registration and maintenance/inspections of vacant properties. The intent of the Vacant Housing Ordinance is to reduce and prevent neighborhood blight, to ameliorate conditions that threaten the health, safety, and welfare of the public, to promote neighborhood stability and residential owner occupancy by preserving the condition and appearance of properties, and to maintain property values and assessments. Staff is of the opinion that the goals of the Vacant Housing Ordinance are consistent with the goals of other City ordinances and the Strategic Plan.

SUMMARY STATEMENT:

City staff have worked on a draft Vacant Property Ordinance for several months and further refined the draft ordinance for the City Attorney's office to review. In consultation with the City Attorney's office, staff have made revisions to the draft. The ordinance requires owners to register their vacant properties and maintain them. It provides for inspections of vacant

properties and penalties for failure to comply with the ordinance. There are also registration fees that would increase each year up to a maximum amount for properties remaining vacant over multiple years.

Staff requests that the Committee of the Whole review the proposed ordinance draft and provide input and to forward the draft ordinance to the Council for final action.

If approved, staff will also request an ordinance to amend Chapter 165 Comprehensive Fee Schedule to reflect registration fees:

VACANT PROPERTY REGISTRATION FEES:

Initial Registration Fee (Year 1)	\$150.00
Second Registration Fee (Year 2)	\$300.00
Third Registration Fee (Year 3)	\$600.00
Fourth and Subsequent Registration Fees (Years 4 onward)	\$750.00

850 (2025-XXXX) VACANT ~~AND FORECLOSED~~ PROPERTIES **PROPERTY REGISTRATION**

ARTICLE I. -- VACANT PROPERTY REGISTRATION PROGRAM

850.01 Sec. 1-1. -- ~~Purpose~~ ~~Vacant property~~ ~~Property R~~ ~~regulated.~~

The purpose of this article is to establish a vacant property registration program and to regulate the maintenance of vacant properties by parties asserting a collateral or other legal or equitable interest in the property. This article is intended to reduce and prevent neighborhood blight, to ameliorate conditions that threaten the health, safety and welfare of the public, to promote neighborhood stability and residential owner occupancy by preserving the condition and appearance of properties, and to maintain property values and assessments.

850.02 Sec. 1-2. -- Definitions.

- (a) *"Agent"* means a person, firm or other entity that is responsible to a bank, lender, other financial institution or individual, for securing, maintaining, foreclosing upon or selling any property as the result of loan default or mortgage foreclosure proceedings whether or not the proceedings are judicial or initiated as the result of a power of sale clause in the mortgage document. In this section, agent does not include a servicing company. Except, however, an attorney shall not be deemed to be an agent if that attorney is retained solely to represent a bank, lender or other financial institution in connection with a foreclosure proceeding in a court of competent jurisdiction.
- (b) *"Financial institution"* means any individual, firm, corporation or entity other than a lender or duly constituted bank that asserts a collateral interest in residential real property as the result of an assignment, sale or transfer of a mortgage or similar instrument.
- (c) *"Foreclosure"* means the judicial process prescribed by Wis. Stats. ch. 846 and the process for non-judicial sale authorized by a power of sale clause in a mortgage document.
- (d) *"Occupied property"* or *"occupied premises"* refers to premises upon which any persons over one year of age, including an owner or operator, lives, sleeps, cooks, or otherwise maintains actual possessions.
- (e) *"Owner"* means any person, agent, operator, or entity having a legal or equitable interest in the premises, or recorded in the official records of the state, county or municipality as holding title to the premises; or otherwise having control of the premises, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person, if ordered to take possession of real premises by a court.
- (f) *"Property"* means any unimproved or improved real property or portion thereof, situated in the city and includes the buildings or structures located on the property regardless of condition.
- (g) *"Secured"* means a building that has a permanent door or window in each appropriate building opening that is secured to prevent unauthorized entry and has all its door and window components, including frames, jambs, rails, stiles, muntins, mullions, panels, sashes, lights and panes intact and unbroken.

Commented [KP1]: Is this for vacant properties or only vacant, foreclosed properties? The language throughout seems to be referring only to vacant, foreclosed properties. The ordinances I reviewed from other cities addressed all vacant properties whether there was a foreclosure or not. Also, will there be any exemptions from this registration program? The ordinances I reviewed had exemptions for situations such as: property that is vacant as result of natural disaster, property undergoing an active renovation, property owned by governmental bodies and the housing authority, abandoned residential property pending foreclosure, property that is actively offered for sale, lease or rent for 6 mo from listing, property that is primary residence of active duty armed forces member, property that is used as vacation home, property that is part of estate sale that is in probate and not subject to bankruptcy

Commented [SW2R1]: Change to Vacant only Property Registration. We would want exemptions as you mentioned above but I am wondering about remodeling since we do not want a situation where an owner says they are doing a remodel which then gets dragged out for several years.

- (h) "Servicing company" means an individual, firm or entity that, as a regular part of its business, provides services to the owner or holder of one or more mortgage liens which services may include collection of payments, creation and administration of escrow and insurance accounts, assessment of late-payment charges, managing loss mitigation, and securing and managing foreclosed properties on behalf of the holder of a mortgage lien or the holder's attorney or agent.
- (i) "Unsecured" means any building that does not meet the definition of secured.
- (j) "Vacant" means entire abandonment or non-occupancy for any purpose other than residential uses. Vacant shall also include buildings that lack habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business has ceased operation within.

850.03 Sec. 1-3. Vacant Property Registration.

- (a) The owner (or the owner's agent or trustee) of vacant property whether vacant and secure or, vacant and unsecured shall register with the City no later than the earliest of:
 - (1) Ninety days after the premises become vacant; or
 - (2) Thirty days after being notified by an enforcement officer of the requirement to register; or
 - (3) Thirty days after a bank, lender, or other financial institution shall, directly or through an agent or servicing company, initiate foreclosure proceedings by filing a summons and complaint in Ashland County Circuit Court upon residential real property.
- (b) The owner (or the owner's agent or trustee) of the vacant property The bank, lender, other financial institution or its responsible agent or servicing company, shall submit a registration fee as pursuant to the City's fee schedule and register the property in the name of the lien holder with the community services department on a form prescribed by the City administrator or his designee that includes, but is not limited to:
 - (1) A description of the premises, e.g., square footage, number of stories, age of buildings, and most recent or current use of buildings.
 - (2) A statement of physical inspection of the premises including one or more photographs of the property accurately portraying current condition of the exterior premises.
 - (3) The name and addresses of all known lien holders and or parties with a legal or equitable ownership interest such as bank, lender, or financial institution including address(es), phone number(s), and/or email address(es).
 - (4) The name of the agent designated to act on the behalf of the owner to accept legal processes and notices and to authorize repairs as required including address(es), phone number(s), and/or email address(es).

Commented [KP3]: This definition is awkward. Is this addressing residential and commercial? A frequent definition I saw in ordinances I reviewed was "a building which lacks habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business or construction operation or residential occupancy is at a level or at least 95 percent vacant. Also, does the property need to be occupied for a certain amount of time for it to no longer be considered vacant. For example, one ordinance had language that occupancy of less than 90 consecutive days will not be considered to remove a property from vacancy status."

Commented [KP4]: Again, is this only in foreclosure situations? If so, the language is ok. If not, it needs to be reworded.

Commented [SW5R4]: I would think we would want it for any property that falls under the definition of "Vacant Property."

- (5) If applicable, the date that foreclosure proceedings were commenced and the docket number of the foreclosure action, a description of the external condition of the property and accessory structures on the property.
- (6) Information identifying the location of the property, the last known owner or owners of the property, last known contact information for owners including address(es), phone number(s), and/or email address(es).
- (c) The owner of the vacant premises shall be responsible for the annual payment of a nonrefundable registration fee. The registration shall be renewed each year that the property is vacant accompanied by a nonrefundable renewal registration fee. The registration fee will be listed on the City's Comprehensive Fee Schedule. If a vacant premise is owned by the city or its instrumentalities, it shall not be subject to the requirements of this article.
- (d) Any new owner shall register or re-register the vacant premises with the City within 30 days of any transfer of an ownership interest in vacant premises. The new owner will comply with any approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the City.
- (e) Registration does not exonerate the owner from compliance with all applicable codes and ordinances, including this article; nor does it preclude any of the actions the City is authorized to take pursuant to this article or otherwise under the Municipal Code.
- (f) Exemptions: The following are exempt from the provisions of this article:
- (1) Property owned by the City or its instrumentalities.
- (2) Property that is actively offered for sale, lease or rent for the first six months from the date of listing the property for sale, lease or rent.
- (3) Property that is part of an estate that is currently in probate and not subject to bankruptcy proceedings.
- (4) A single family home or owner-occupied 2-family dwelling residential property that has been used as a residence by the owner for a period of at least 3 consecutive months within the previous 9 months and the owner intends to resume residing at the property.

Commented [KP6]: Does the City want this to be annual or every 6 months? Many of the ordinances I reviewed was every 6 months.

Commented [SW7R6]: Annual

Commented [KP8]: Does the City want an increased fee for each year that there is a renewal for the premises?

Commented [SW9R8]: Increase each year. Start at \$150.00 double each year up to \$750.00

850.04 Sec. 1-4. Minimum Requirements for Vacant Property.

- (a) Inspections.
- (1) Initial Inspection. The owner (or the owner's agent or trustee) of vacant property shall provide access to the City to conduct an exterior and interior inspection of the property to determine compliance with this section and applicable building codes, laws and regulations, following reasonable notice. If any owner (or the owner's agent or trustee) of vacant property does not provide access to the property for an inspection at the scheduled time, the City may apply for a special inspection warrant.

(2) Periodic inspections. ~~A re-inspection of the vacant property by the City shall occur. Any bank, lender or financial institution, or its agent or servicing company, shall perform a re-inspection of vacant premises at least once every 90 days following the initial inspection until such time as the property is no longer vacant or is sold at a sheriff's sale or is otherwise lawfully conveyed to a new owner. One or more photographs shall be taken at each re-inspection and shall be dated, preserved, and shared with the city.~~

(3) If the vacant property is found to be in violation of this section or other applicable ordinances, codes, laws or regulations, the City shall issue a written notice of the violation and provide thirty (30) days for the violations of this section to be corrected. For violations of other applicable ordinances, codes, laws, or regulations the City shall issue a written notice of the violation and provide time as provided for in those Sections for the violation to be corrected.

Commented [KP10]: Does the City want to perform this inspection by the City inspector or wants the owner to get its own inspection and share with the City? Most of the ordinances I reviewed from other cities had the City inspector doing the inspection. If that occurs, will need a section of allowing the City inspector access to the building. Also, does the City want an initial inspection prior to issuing the registration? If there are building code violations or other property maintenance issues prior to the issuance of the registration, does the City want to require those to be fixed prior to issuing the registration?

Commented [SW11R10]: City Inspector

(b) *Exterior and interior maintenance.*

- (1) It is prohibited to accumulate or permit the accumulation of junk, trash, debris, boxes, lumber, scrap metal or any other materials that may produce any health, fire or safety hazard, or provide harborage for rodents or other animals.
- (2) Every foundation, roof, floor, wall, stair, ceiling or other structural support shall be safe and capable of supporting the loads associated with normal usage and shall be kept in sound condition and repair.
- (3) Any plumbing fixtures, including those used for operation of sprinklering systems, shall be _____ maintained with no leaking pipes, and all pipes for water shall either be completely _____ drained or heated to resist being frozen.
- (4) Every exterior exit door or opening large enough for a person to penetrate shall be secured with a lock, or with a locking mechanism deemed equivalent or better by the building inspector. Every exit door shall be capable of being opened from the inside easily and without the use of a key or special knowledge.
- (5) A working fire department lockbox (Knoxbox) key shall be provided and maintained for buildings that otherwise would require a Knoxbox.
- (6) An existing alarm system shall remain operational for buildings with sprinkler systems.
- (7) Exterior and interior stairs shall have treads, platforms, risers and railings that are sound, securely fastened and have no rotting, loose or deteriorating supports.
- (8) Every owner shall be responsible for the extermination of insects, rodents and other vermin in or about the premises.
- (9) Any opening on a building shall be closed and sealed to prevent damage from weather or nature.

(10) Boarding of vacant properties as a method for permanent security or closing of openings is prohibited. Temporary boarding including but not limited to boarding of windows and doors for emergency purposes shall be allowed for no more than 30 days.

850.05 Penalties

Any property owner or entity functioning as an agent or trustee of an owner failing to comply with any provisions of this section shall be subject to the following penalties:

- (1) The penalty for violating any provision set forth in this article shall be a forfeiture of not less than \$100.00 nor more than \$1,000.00 together with the costs of prosecution.
- (2) In addition to any other remedies herein or at law and/or equity, the City may seek injunctive relief to enjoin and/or abate such violation and/or its continuance.
- (3) In addition to any other penalty imposed under this section, failure to pay any City fees for registration or property maintenance shall be charged as a lien against the real estate and may be assessed and collected as a special charge.