

Ordinance 70A

This ordinance is to supersede any and all other ordinances in this regard.

The Town Board of the Town of Jefferson, Jefferson County, Wisconsin, does ordain as follows:

ABANDONED OR JUNKED VEHICLES AND APPLIANCES

- I. **STATE STATUTE ADOPTED.** Section 342.40, Wis. Stats., is hereby adopted by reference and incorporated herein. A vehicle shall be deemed abandoned under such section after the expiration of forty-eight (48) hours. The Constable or his designee is authorized to enforce this section.
- II. **STORAGE ON PRIVATE PROPERTY.** No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, unattached parts of the foregoing, appliances, or personal property not designed for outdoor use shall be stored unenclosed outside a building upon private property within the Town for a period exceeding (10) days, unless the property is stored in connection with an authorized business enterprise located in a properly zoned area and maintained in such a manner as to not constitute a public nuisance.
- III. **DEFINITIONS.** The following words and phrases have the meanings indicated:
 - (A.) **"DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED APPLIANCE"** -means any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured. The fact that such appliance may be susceptible to repair shall not constitute a defense to any action brought under this section.
 - (B.) **"DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED MOTOR VEHICLES"**, -means truck bodies, tractors, trailers, motor vehicles, recreational vehicles, mobile homes, truck bodies, tractors, farm machinery or trailers in such a state of physical mechanical disrepair as to be incapable of propulsion upon the public streets or highways or which is otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects. Non-self-propelled vehicles must be in safe and legal condition for operation on public streets or highways.
 - (C.) **"MOTOR VEHICLE"**. -shall be defined as set forth in Section 340.01(35) Wis. Stats.
 - (D.) **"PERSONAL PROPERTY NOT DESIGNED FOR OUTDOOR USE"** -shall include, without limitation by enumeration, cardboard boxes and furniture designed for indoor use.
 - (E.) **"UNLICENSED MOTOR VEHICLES, TRUCK BODIES,**

TRACTORS, OR TRAILERS", -means motor vehicles, truck bodies, tractors, recreational vehicles, mobile homes or trailers required by law to bear a license plate but which do not bear lawful current license plates.

IV. EXCEPTIONS.

- A. Motor vehicles registered under Sections 341.265, 341.266, and 341.268 Wis. Stats., and related parts cars, if such vehicles and parts cars are stored out of public view pursuant to Ordinance No. _____. Seasonal use vehicles, such as snowmobiles, motorcycles, mopeds and non-motorized campers, are excepted here-from if operable and properly licensed.
- B. Abrogation and greater restrictions: It is not intended by this section to repeal, abrogate or amend any other section of the Town Code. However, where this section imposes greater restrictions, the provision of this section shall govern.

V. ENFORCEMENT.

- A. The Constable shall give notice by certified mail, return receipt requested, to the occupant and the owner of any premise where property is stored in violation of this section. If the property is not removed or properly stored within seven (7) days, the Constable may issue a citation to the occupant of the premises upon which the property is stored.
- B. If such property is not removed or properly stored within twenty (20) days after expiration of the time for removal or storage given in the notice, the Constable may cause the property to be removed and impounded. Disposal shall be in the same manner as provided by Section 342.40 Wis. Stats., for abandoned vehicles. If the cost of removal and impoundment are not paid by the tenant or owner or through sale of the property, any balance due shall be placed on the next tax roll as a special charge against the real estate from which the property was removed.

VI. PENALTY. Any person who fails to remove or store property as ordered shall be subject to a forfeiture of \$25.00 plus costs. Each day a violation exists shall constitute a separate offense.

VII. EFFECTIVE DATE. This ordinance shall take effect from and after its passage and publication, as provided by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of Jefferson, Jefferson County, Wisconsin, on the _____ day of _____, 1996.

Harold Bockman
Chairman

Reuben Schroedl
Supervisor

ATTEST:

Dorothy A. Vogel
Clerk

Richard Schmidt
Supervisor