

CHAPTER 63

REGULATION OF STORAGE OF UNLICENSED MOTOR VEHICLES

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Whereas, the Town of Wilson wishes to control the placement of unlicensed, disassembled, junked, and wrecked motor vehicles within the Town limits;

Now, therefore, the Town Board of the Town of Wilson does hereby ordain Chapter 63 of the Code of General Ordinances of the Town of Wilson as follows:

Section 1. 63.01 Purpose. The purpose of this ordinance is to provide for the public welfare, health, and safety of persons in the Town of Wilson, recognizing the hazard and 'attractive nuisance' of having standing about certain motor vehicles, and for the protection of property rights, and to enhance and otherwise beautify the landscaping within the township, and otherwise to promote public interest.

63.02 Definition. As herein used the following terms shall be construed to mean...

- **Motor Vehicle.** All motor vehicles for which the Wisconsin Statutes require a license when used upon public roadways within the State. Specifically excluded from the term "motor vehicles: shall be vehicles that are used as farm equipment.
- **Disassembled.** A motor vehicle from which parts have been removed. Parts of a motor vehicle, i.e. body, frame, doors, etc.
- **Inoperable.** In its present condition, it cannot be safely driven upon a roadway under normal conditions. One that will not pass the minimum safety standards of a Wisconsin Motor Vehicle Check.
- **Operable.** A motor vehicle that is used by the owner or a person designated by the owner on a regular basis.
- **Junked.** A motor vehicle that is no longer being used or is no longer useable. A motor vehicle that is possibly being retained as a source of parts for another vehicle.
- **Wrecked.** A motor vehicle that has been involved in an accident and is not useable as a result of an accident. One that cannot be safely operated under normal conditions as a result of an accident.
- **Licensed.** Currently registered with the Wisconsin Motor Vehicle Department.

63.03 Open Storage Prohibited. It shall be unlawful to store or otherwise leave a disassembled, inoperable, junked, or wrecked motor vehicle on public or private property within the Town of Wilson, unless such vehicle is stored within an enclosure which adequately screens the same from public view.

63.04 Highway Abandonment. It shall be unlawful to abandon a motor vehicle on any highway within the Town of Wilson. For the purpose of this section, "highway" shall be defined as any public way and thoroughfare, including the entire width between the boundary lines of every way open to use of the public as a matter of right for purposes of vehicular travel. If any motor vehicle is left on a highway for five (5) days, it shall be presumed abandoned.

63.05 Automobile Sales. If an individual is actively attempting to sell an unlicensed or inoperable vehicle, as evidenced by a "for sale" sign or other prominent marketing indicator, he or she may allow one (1) such unlicensed or inoperable vehicle to be placed on his or her own private property, within public view, as long as said vehicle is removed from public view within thirty (30) days of its initial placement on the property. If an individual wishes to attempt to sell an unlicensed or inoperable vehicle for more than thirty (30) days, a permit must be issued by the Town Board for such purpose.

63.06 Junk or Salvage Yards. The herein shall not apply to the keeping of disassembled or inoperable or unlicensed or junked or wrecked motor vehicles pursuant to the operation of a junk or salvage yard duly licensed for such purpose under Wisconsin Statutes.

63.07 Notice to the Landowner or Vehicle Owner. When the Town Constable or Town Board shall find any vehicle placed or stored in violation of the herein ordinance, a written notification shall be delivered or mailed by certified mail to the owner of the property upon which such vehicle is found stating if the vehicle is not removed within ten (10) days, the Town shall be entitled to file suit in Sheboygan County Circuit Court, either for forfeiture penalties as set forth below, or in the alternative, for a court order requiring the owner of the vehicle (or the owner of the property on which the vehicle is allowed to remain) to remove the vehicle.

63.08 Violations. No person shall interfere in any manner with the enforcement of this Ordinance. Each motor vehicle stored or allowed to remain on property in violation of this Ordinance shall constitute a separate offense.

63.09 Penalty. Any person, firm or corporation of any officer of any corporation, who shall violate or cause to be violated any provision of this Ordinance, shall upon conviction thereof, be fined not less than Fifty (\$50.00) nor more than Two Hundred Dollars (\$200.00) for each day said violation continues after the notice of removal has been delivered.

Section 2. Effective Date. The herein Ordinance shall take effect upon enactment and publication.

Enacted this 1st day of October, 2001
Town of Wilson by Kenneth F. Sonntag, Chairman

This is to certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Wilson on the 1st day of October 2001. Catherine Conrad, Clerk
Published in the Sheboygan Press, October 15, 2001.