

ORDINANCE NO. 40

An Ordinance Pertaining to Junked Vehicles and Appliances on Private Property

The Village Board of the Village of Marquette, Green Lake County, Wisconsin, duly assembled at its regular monthly meeting on 13th day of May, 1996, does ordain as follows:

JUNKED VEHICLES AND APPLIANCES ON PRIVATE PROPERTY.

- a. **Storage of Automobiles Restricted.** No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, vehicle parts or tires, or appliances shall be stored upon private residential property or unenclosed within a building upon nonresidential property within the Village of Marquette for a period exceeding thirty (30) days unless it is in connection with an authorized business enterprise and maintained in such a manner as to not constitute a public nuisance.
- b. **Definitions.**
1. The term "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers" as used in this Section is defined as follows: motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion, being operated 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.
 2. The term "unlicensed-motor vehicles, truck bodies, tractors or trailers" as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.
 3. The term "motor vehicle" as defined in Sec. 340.01(35), Wis. Stats.
 4. The term "inoperable appliance" is defined as any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured.
- c. **Exceptions.**
1. This Section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and manner, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in compliance with the Ordinances of the Village. Also excepted are motor vehicles registered pursuant to Sections 341.265 and 341.266, Wis. Stats. In other situations the Village Board may issue temporary permits permitting an extension of not to exceed an additional thirty (30) days' time to comply with this Section where exceptional facts and circumstances warrant such extension.
 2. The provisions of this Section shall not apply to auto salvage yards and/or junk

yards that are duly licensed under the ordinance provisions of the Village pertaining to such operations.

Enforcement.

1. Whenever the Village shall find any vehicles, vehicle parts or tires, or other property or appliances, as described herein, placed or stored in the open upon private property within the Village, they shall notify the owner of said property on which said vehicles or appliance is stored of the violation of this Section. If said vehicles, part thereof or appliance is not removed within five (5) days, the Village may cause to be issued a complaint to the property owner or tenant of the property upon which said vehicle or appliance is stored.
2. If such vehicle or appliance is not removed within five (5) days after issuance of a complaint, the Village may cause the vehicle or appliance to be removed, impounded or enjoined. Any cost incurred in the removal or impoundment of said vehicle or appliance shall be recovered from the owner. However, if the owner of the real estate cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll among other remedies that the Village may pursue.

- e. **Penalty.** Any person who shall violate any provision of this ordinance, upon conviction, shall forfeit up to \$500.00 together with the cost of prosecution, impoundment, removal and all other costs incurred by the Village. Each violation and each day a violation continues or occurs shall constitute a separate offense. Each motor vehicle or appliance involved shall constitute a separate offense.

ROLL CALL: Ayes 3 Nays 0 Absent 0 Abstained 0

APPROVED this 13th day of May, 1996.

VILLAGE OF MARQUETTE

John L Ouellette
JOHN OUELLETTE, President

ATTEST:

Betty Whirry
BETTY WHIRRY,
Clerk-Village of Marquette

APPROVED AS TO FORM:

DANIEL D. SONDALLE, Attorney