

Chapter 263

VEHICLES, ABANDONED AND JUNKED

[HISTORY: Adopted by the Town Board of the Town of Scott 1-13-1994 by Ord. No. 1-1994. Amendments noted where applicable.]

§ 263-1. Purpose.

The purpose of this chapter is to provide for the public welfare, health, and safety of persons in the Town of Scott, 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.

§ 263-2. Definitions.

As herein used the following terms shall be construed to have the following meanings:

DISASSEMBLED — A motor vehicle from which parts have been removed. Parts of a motor vehicle, i.e., body, frame, doors, etc.

INOPERABLE

- A. In its present condition, the motor vehicle cannot be safely driven upon a roadway under normal conditions.
- B. One that will not pass the minimum safety standards of a Wisconsin motor vehicle check.

JUNKED

- A. A motor vehicle that is no longer being used or is no longer usable.
- B. A motor vehicle that is possibly being retained as a source of parts for another motor vehicle.

LICENSED — A motor vehicle currently registered with the Wisconsin Department of Transportation, Division of Motor Vehicles.

LIMIT — One unlicensed motor vehicle is exempted from the provisions of this chapter.

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 vehicle" shall be vehicles that are currently being used as farm equipment.

OPERABLE — A motor vehicle that is used by the owner or a person designated by the owner on a regular basis.

WRECKED — A motor vehicle that has been involved in an accident and is not usable as a result of that accident or one that cannot be safely operated under normal conditions as a result of

that accident.

§ 263-3. Open storage on private property.

- A. It shall be unlawful to store or otherwise leave a disassembled or inoperable or unlicensed or junked or wrecked motor vehicle on private property unless it is adequately screened from public view or cannot be seen.
- B. Subsection A shall not prohibit the keeping of such vehicles when the same are located in garages or like structures out of public view.

§ 263-4. Abandonment on public property. ¹

No person shall abandon a motor vehicle on any public property. If such vehicle is left (unlicensed or licensed) for 48 hours, it shall be presumed to be abandoned.

§ 263-5. Automobile sales or repair.

If used in connection with an active automobile sales and/or service establishment as authorized in Chapter 280, Zoning, of this Code, inoperable vehicles may be kept for repair, but in no event shall they be permitted in public view for a period in excess of 30 days.

§ 263-6. Junkyards or salvage yards.

This chapter shall not apply to the keeping of disassembled or inoperable or unlicensed or junked and/or wrecked motor vehicles pursuant to the operation of a junkyard and/or salvage yard duly licensed for such purpose under Chapter 280, Zoning, of this Code or Wisconsin state statute.

§ 263-7. Notice to landowner or vehicle owner. ²

When the Town Board shall find any vehicle placed or stored in violation of this chapter, a written notification shall be delivered or mailed by certified mail to the owner of the property upon which such motor vehicle is found stating that if the vehicle is not removed within the time limit specified by the Town Board, legal action will be taken to dispose of the vehicle, and any unpaid charges shall be entered on the tax roll as a special charge against the property.

§ 263-8. Removal by Town. ³

After one citation the Town Board shall cause the vehicle to be removed to a junkyard and/or salvage yard and stored for a period of 20 days, after which the vehicle may be disposed of by the operator of the junkyard and/or salvage yard, except that during said twenty-day period the owner of the vehicle may claim the same and, prior to repossession of said vehicle, shall be required to pay the operator of the junkyard and/or salvage yard a reasonable fee for handling and storage. Said vehicle may not be returned to the place from which it had been removed by

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the Town Board.

§ 263-9. Enforcement.

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

§ 263-10. Exemptions. ⁴

Any vehicle involved in potential litigation shall be exempt from this chapter for up to 30 days after the court, attorney, or insurance company releases the same with proof from the court, attorney or insurance company.

§ 263-11. Violations and penalties. ⁵

Any person, firm, or corporation or any officer of any corporation who or which shall violate or cause to be violated any provision of this chapter shall, upon conviction thereof, be fined not less than \$50 nor more than \$200 for each day said violation continues after the notice of removal has been delivered.

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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