

CHAPTER 12

ORDINANCE REGULATING THE PARKING OR STORING OF JUNKED MOTOR VEHICLES, MOTOR VEHICLE ACCESSORIES, FARM MACHINERY AND IMPLEMENTS IN THE TOWN OF ELDORADO

The Town Board of the Town of Eldorado, Fond du Lac County, Wisconsin, does ordain as follows:

SECTION I.

(1) Definitions.

For the purpose of this Ordinance, the following definitions shall be applicable.

(a) Motor Vehicle. Any self-propelled land vehicle which can be used for towing or transporting people or materials, including but not limited to automobiles, trucks, buses, motorized campers, motorcycles, motor scooters, tractors, snowmobiles, etc.

(b) Motor Vehicle Accessories. Any part or parts of any motor vehicle.

(c) Farm Machinery and Implements. Any self-propelled land vehicle, tool, instrument, appliance or utensil which can be used or adapted to facilitate farming, including but not limited to tractors, wagons, carts, drays, sleighs, plows, drags, binders, corn binders, mowers, springtooth harrows, disc harrows, seeders, hay loaders, corn planters, harnesses, etc.

(d) Open. Open shall mean any motor vehicles, motor vehicle accessories, farm machinery or farm implements not stored within an enclosed building.

(e) Owner. Owner shall include any individual, firm, partnership or corporation.

(f) Private Property. Any real property not owned by the Federal government, State, County, City School Board or other public subdivision.

(g) Removal. Removal shall mean that physical relocation of a motor vehicle, motor vehicle accessories, farm machinery or farm implements to an authorized location.

SECTION II. No disassembled, dismantled, partially dismantled, junked, wrecked or non-operable or unlicensed motor vehicle, motor vehicle accessories, farm machinery or farm implements shall be stored or allowed to remain in the open upon private property

within the Town of Eldorado for a period of more than 48 hours unless it is in connection with an automotive or farm implement sales or repair business enterprise located within a properly zoned area.

SECTION III. Whenever the Town Constable shall find any such motor vehicle, motor vehicle accessories, farm machinery or farm implements placed or stored in the open upon private property in the Town of Eldorado, he shall notify in writing, personally or by certified mail return receipt, the owner of such property and/or owner of such motor vehicle, motor vehicle accessories, farm machinery or farm implements, upon which such motor vehicle, motor vehicle accessories, farm machinery or farm implements is placed or stored of the intention of the Town of Eldorado to remove such motor vehicle, motor vehicle accessories, farm machinery or farm implements. If any such motor vehicle, motor vehicle accessories, farm machinery or farm implements are not removed within ten (10) days after such notice, the Town Constable shall cause such motor vehicle, motor vehicle accessories, farm machinery or farm implements to be removed, the cost of such removal to be charged to the property from which it was removed, and such charges to be entered upon the tax roll as a special assessment. Upon removal the motor vehicle, motor vehicle accessories, farm machinery or farm implements shall be stored in a junk or salvage yard or other suitable place for thirty (30) days and notice shall be given to the owner, if readily ascertainable, and the Sheriff of Fond du Lac County in accordance with §342.40(3), Wis. Stats. At the end of such time such motor vehicle, motor vehicle accessories, farm machinery or farm implements shall be disposed of in accordance with §342.40(3), Wis. Stats., unless claimed by the owner. If such motor vehicle, motor vehicle accessories, farm machinery or farm implements are claimed by the owner, then all reasonable charges for handling the storage shall be paid by the owner.

SECTION IV. Any person, firm, partnership or corporation violating any of the provisions hereof shall upon conviction be subject to a fine of not less than \$25.00 nor more than \$100.00 for each offense, together with the costs of such prosecution, and in default of payment of said fine shall be imprisoned in the County Jail for a period not exceeding thirty (30) days. Each day that such motor vehicle, motor vehicle accessories, farm machinery, or farm implements shall be stored contrary to the provisions hereof shall constitute a separate and distinct offense.

SECTION V. This Ordinance shall take effect and be in full force from and after its passage and posting.

Passed and approved: February 14, 1984.

Orville Batterman
Orville Batterman, Town Chairman

ATTEST:

Janelle Simon
Janelle Simon, Town Clerk