

**TOWN OF ST. CROIX FALLS**  
**Junked Vehicles and Appliances on Private Property**  
**ORDINANCE NO. 12-03**

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**A. Storage of Automobiles Restricted.** No disassembled, inoperable, unlicensed, multiple junked or wrecked vehicles, truck bodies, vehicle parts or tires, or appliances shall be stored or left upon private residential property or unenclosed within a building upon non-residential property within the Town of St. Croix Falls for a period exceeding ten (10) days unless it is in connection with an authorized business enterprise maintained in such a manner as to not constitute a public nuisance.

**B. Definitions**

(1) “Disassembled, inoperable, multiple junked or wrecked vehicles, truck bodies” as used in this ordinance is defined as follows: motor vehicles and truck bodies, in such state of physical or mechanical ruin as to be incapable of propulsion, being operated on 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) “Unlicensed-motor vehicles and truck bodies” as used in this ordinance is defined as follows: motor vehicles or truck bodies which do not bear lawful or current license plates.

(3) Motor vehicle is defined in Sec. 340.01(35), Wis Stats.

(4) “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.

(5) “Enforcing official” is defined as the person or persons designated to enforce this ordinance and such person or persons shall be determined by resolution of the Town Board of the Town of St. Croix Falls. Such enforcing officer may be from but not limited to: any town board member, town zoning administrator, town ordinance enforcing officer, sheriff or any deputy of the sheriff’s department, police officer of any municipality under contract with the Town of St. Croix Falls, or any enforcing officer of the Wisconsin Department of Natural Resources.

**C. Exceptions.** This ordinance shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business operated in a lawful place and in a non-nuisance manner, in a storage place or depository maintained in a lawful place and manner. Also excepted are motor vehicles registered

pursuant to Sections 341.265 and 341.266 Wis Stats, and tires used for necessary farm applications. In other situations the Town Board may issue temporary permits permitting an extension not to exceed an additional thirty (30) days time to comply with this Ordinance where exceptional facts and circumstances warrant.

#### **D. Enforcement**

(1) Whenever the enforcing official shall find any vehicles, vehicle parts or tires, or appliances in violation of this ordinance, he shall notify the owner of the property where the violation occurs. If said vehicles, part thereof, or appliance is not removed within five (5) days, the enforcing official shall issue a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored. A citation shall be issued for every unlawful vehicle, vehicle part or tire, or appliance, with each day being a new offence.

(2) If such vehicle is not removed within thirty (30) days after issuance of a citation, the enforcing official shall cause the vehicle, vehicle part or tire, or appliance to be removed and impounded, and it shall thereafter be disposed of as prescribed in Section E. and F. of this ordinance by the enforcing official, Sheriff or his duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle, vehicle parts or tires, or appliance can not be readily found or does not pay within thirty (30) days of being invoiced for such cost, the cost of such removal shall be charged to the property from which it is removed as a special charge on the tax roll.

**E. Removal and Storage Reclaimer.** Any vehicle, vehicle parts or tires, or appliances that are removed by the Town as provided in Section D.2 shall be immediately disposed of at the owner's expense, unless Wisconsin Statutes or other law dictates the need to hold the vehicle, vehicle parts, or appliance for a designated length of time. If the Town must hold any vehicle, vehicle parts or tires, or appliances, the cost of storage shall be charged to the property owner under procedures outlined in Section D.2. The owner may reclaim the vehicle, vehicle parts or tires, during this time provided all citations and charges are paid and proof of ownership is presented.

**F. Notice to Owner or Secured Party.** Before removing any vehicle, vehicle parts or tires, or appliances the property owner and owner of the vehicle, vehicle part or tires, or appliances, if known, shall be notified via certified mail. The mailing will notify the property owner of the procedure for both removal and charges for removing the vehicles, vehicle parts or tires, or appliances, and reclamation process, if applicable. Removal of the vehicles, vehicle parts or tires, or appliances, may occur at any time after certified mail notice has been received or returned to the Town and thirty days from the issuance of a citation have occurred.

**G. Penalty.** Any person violating this ordinance shall be issued a citation in the amount provided by the Town Schedule of Fees and Penalties. Every vehicle, vehicle part or tire, or appliance shall be its on offence, with every day the vehicle, vehicle part or tire, or appliance is in violation being a new offence as well.

This ordinance is effective upon publication or posting. The town clerk shall properly publish this ordinance as required under Wisconsin Statutes 60.80.

Adopted this 15<sup>th</sup> day of August, 2012, by Resolution 12-39.

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/s/Steven Palmer, Town Chairman

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Attest: /s/Janet Krueger, Town Clerk