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CHAPTER 10

PUBLIC NUISANCES

10.01..... Public Nuisances Prohibited

10.02.....Public Nuisance Defined

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17 **10.01 PUBLIC NUISANCES PROHIBITED.** No person shall erect, contrive, cause,
18 continue, maintain, or permit to exist, any public nuisance within the Town.

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20 **10.02 PUBLIC NUISANCE DEFINED.** A public nuisance is a thing, act, occupation,
21 condition or use of property which continues for such length of time as to:

- 22
23 (1) Substantially annoy, injure or endanger the comfort, health, repose or safety of the
24 public.
25
26 (2) In any way render the public insecure in life or in the use of property.
27
28 (3) Greatly offend the public morals or decency.
29
30 (4) Unlawfully and substantially interfere with, obstruct or tend to obstruct, or render
31 dangerous for passage any street, alley, highway, navigable body of water or other
32 public way or the use of public property.
33
34 (5) Result in a blighted building or premises.

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36 **10.03 PUBLIC NUISANCES AFFECTING HEALTH.** The following acts,
37 omissions, places, conditions and things are specifically declared to be public health
38 nuisances, but such enumeration shall not be construed to exclude other health nuisances
39 coming within the definition of Section 10.02 of the General Code:

- 40
41 (1) **ADULTERATED FOOD.** All decayed, adulterated or unwholesome food or
42 drink sold or offered for sale to the public.
43
44 (2) **ANIMALS, LOOSE.** Any animals running at large in the Town.
45
46 (3) **CARCASSES, UNBURIED.** Carcasses of animals, birds or fowl not intended for
47 human consumption or food which are not buried or otherwise disposed of in a
48 sanitary manner within 24 hours after death.
49
50 (4) **INSECTS OR VERMIN, BREEDING PLACES FOR.** Accumulations of
51 decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding,
52 packing material, scrap metal or any material in which flies, mosquitoes, other
53 disease carrying insects, rats or other vermin can breed. Properly maintained
54 compost piles are exempt.
55
56 (5) **ODORS, NOXIOUS.** Any use of property, substances or things within the Town
57 emitting or causing any foul, offensive, noxious or disagreeable odors, gases,
58 effluvia or stenches extremely repulsive to the physical senses of ordinary persons
59 which annoy, discomfort, injure or inconvenience the health of a person or
60 persons within the Town.
61
62 (6) **POLLUTION AIR.** The escape of smoke, soot, cinders, noxious acids, fumes,
63 gases, fly ash, industrial dust or other atmospheric pollutants within the Town or

64 within one mile therefrom in such quantities as to endanger the health of persons
65 of ordinary sensibilities or threaten or cause substantial damage to property in the
66 Town.

- 67
- 68 (7) POLLUTION, STREET. Any use of property which causes any noxious or
69 unwholesome liquid or substance to flow into or upon any street, gutter, alley,
70 sidewalk or public place within the Town.
- 71
- 72 (8) POLLUTION, WATER. The pollution of any public well or cistern, stream, lake,
73 canal or other body of water by sewage, creamery, industrial wastes or other
74 substances.
- 75
- 76 (9) PRIVY VAULTS AND GARBAGE CANS. Privy vaults and garbage cans which
77 are not sealed to prevent flies from entering.
- 78
- 79 (10) WATER, STAGNANT. All stagnant water in which mosquitoes, flies or other
80 insects can multiply.
- 81
- 82 (11) WEEDS, NOXIOUS. Canada thistle, leafy spurge, field bindweed, any weed
83 designated as a noxious weed by the Department of Natural Resources by rule,
84 and any other weed the governing body of any municipality or the county board
85 of any county by ordinance or resolution declares to be noxious within its
86 respective boundaries, per Wis. Stat. §66.0407.

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88 **10.04 PUBLIC NUISANCES OFFENDING MORALS AND DECENCY.** The
89 following acts, omissions, places, conditions and things are specifically declared to be
90 public nuisances offending public morals and decency, but such enumeration shall not be
91 construed to exclude other nuisances offending public morals and decency coming within
92 the definition of Section 10.02 of the General Code:

- 93
- 94 (1) DISORDERLY HOUSES. All disorderly houses, bawdy houses, houses of ill
95 repute, gambling houses and buildings or structures kept or resorted to for the
96 purpose of prostitution, illegal drug activity or gambling.
- 97
- 98 (2) GAMBLING DEVICES. All illegal gambling devices and slot machines.
- 99
- 100 (3) UNLICENSED SALE OF LIQUOR AND BEER. All places where intoxicating
101 liquor or fermented malt beverages are possessed, stored, brewed, bottled,
102 manufactured or rectified for sale without a permit or license as provided for by
103 the ordinances of the Town.
- 104
- 105 (4) CONTINUOUS VIOLATION OF TOWN ORDINANCES. Any place or
106 premises within the Town where Town ordinances or State laws relating to public
107 health, safety, peace, morals or welfare are openly, continuously and repeatedly
108 violated.

109

110 (5) **ILLEGAL DRINKING.** Any place or premises resorted to for the purpose of
111 drinking intoxicating liquor or fermented malt beverages in violation of State
112 laws.
113

114 **10.05 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.** The following
115 acts, omissions, places, conditions and things are declared to be public nuisances
116 affecting peace and safety, but such enumeration shall not be construed to exclude other
117 nuisances affecting public peace or safety coming within the definition of Section 10.02
118 of the General Code:
119

120 (1) **DANGEROUS SIGNS, BILLBOARDS, ETC.** All signs, billboards, awnings and
121 other similar structures over or near streets, sidewalks, public grounds or places
122 frequented by the public, so situated or constructed as to endanger the public
123 safety.
124

125 (2) **ILLEGAL BUILDINGS.** All buildings sited, erected, repaired or altered in
126 violation of Town ordinances.
127

128 (3) **UNAUTHORIZED TRAFFIC SIGNS.** All unauthorized signs, signals, markings
129 or devices placed or maintained in view of any public highway or railway
130 crossing which purport to be or may be mistaken as official traffic control
131 devices, railroad signs or signals or which, because of their color, location,
132 brilliance or manner of operation, interfere with the effectiveness of any such
133 device, sign or signal.
134

135 (4) **OBSTRUCTION OF INTERSECTIONS.** All trees, hedges, billboards or other
136 obstructions which prevent persons driving vehicles on public streets, alleys or
137 highways from obtaining a clear view of traffic when approaching an intersection
138 or pedestrian crosswalk.
139

140 (5) **LOW HANGING TREE LIMBS.** All limbs of trees which project over and are
141 less than 10 feet above any public walkway, and 15 feet above any public
142 roadway.
143

144 (6) **DANGEROUS TREES.** All trees which are a menace to public safety.
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146 (7) **FIREWORKS.** All use or display of fireworks, except as provided by State laws
147 and Town ordinances.
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149 (8) **LOW HANGING WIRES AND CABLES.** All wires and cables over streets,
150 alleys or public grounds which are strung less than 15 feet above the surface
151 thereof.
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153 (9) **NOISY ANIMALS OR FOWL.** The keeping or harboring of any animal or fowl
154 which by frequent or habitual howling, yelping, barking, crowing or making of
155 other noises which annoy or disturb a person or persons within the Town.

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(10) **OBSTRUCTIONS OF STREETS; EXCAVATIONS.** All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by this General Code. This includes those which, although made in accordance with such ordinances, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished or which do not conform to the permit.

(11) **UNLAWFUL ASSEMBLIES.** Any unauthorized or prohibited use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.

(12) **DILAPIDATED and BLIGHTED BUILDINGS AND PREMISES.**

(a) Impact on public welfare and application of this section. Blighted premises contribute to conditions that are dangerous or are contrary to the public health, safety, morals and general welfare of the people; the conditions necessitate excessive and disproportionate expenditure of public funds for public health and safety, crime prevention, fire protection and other public services; such conditions cause a drain upon exercise of governmental functions in such areas. Elimination of blighted premises and prevention of blighted premises in the future is in the best interest of the citizens and shall be fostered and encouraged by this section. It is essential to the public interest that this section be liberally construed to accomplish such purposes.

(b) Prohibited by this section are:

1. Dilapidated buildings. All buildings or structures so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
2. Blighted buildings and premises. All buildings and premises that are blighted because of faulty design or construction, failure to maintain them in a proper state of repair, improper management or due to the accumulation thereon of junk or other unsightly debris, structurally unsound fences and other items which depreciate any neighboring property value or jeopardize or are detrimental to the health, safety, morals or welfare of the people of the Town.

(13) **BLIGHTED PROPERTY:** Any property on which there exists any one or more of the following conditions or activities is a blighted property for the purposes of this chapter:

(a) Abandoned Building or Structure.

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1. A building or structure which is not being inhabited, occupied or used and which is unsecured. For purposes of this chapter, a building or structure is unsecured when the public can gain entry without the consent of the owner.
 2. A partially constructed, reconstructed or demolished building or structure upon which work is abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit or when there has not been any substantial work on the project for a period of six (6) months or more.
- (b) Attractive Nuisance. Property which is in an unsecured state so as to potentially constitute an attraction to children, a harbor for vagrants, criminals or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful act.
- (c) A building or structure which is in a state of disrepair:
1. Exterior wall and/or roof coverings which have become deteriorated and do not provide adequate weather protections, resulting in carpenter ant infestation and/or dry rot.
 2. Broken or missing windows or doors which constitute a hazardous condition or a potential attraction to trespassers.
 3. Building exteriors, walls, fences, signs, retaining walls, driveways, walkways, sidewalks or other structures on the property which are broken, deteriorated, or substantially defaced, to the extent that the disrepair is visible from any public right of way or visually impacts neighboring public or private property or presents an endangerment to public safety.
 4. Building exteriors, walls, fences, signs, retaining walls, driveways, walkways, sidewalks or other structures on the property which have been repainted in such a manner that the appearance may be further deteriorated or substantially defaced.
- (d) Property Inadequately Maintained.
1. Overgrown, diseased, dead, or decayed trees, weeds or vegetation that:
 - a. Are likely to harbor rats, pigeons, vermin, and other nuisances; or
 - b. Detract from the aesthetic and property values of neighboring properties; or
 - c. Constitute a fire hazard or other condition that is dangerous to the public health, safety, or welfare; or

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2. Solid waste, which includes "garbage," "refuse" and "rubbish" as those terms are defined in Section 11.02 of the General Code, constitutes blight and blighted property in the following situations:
 - a. The accumulation of solid waste is visible from a street or public right-of-way, is not enclosed in an approved container, and is present for more than seventy-two (72) consecutive hours; or
 - b. The accumulation of solid waste is being stored or disposed of in a manner that would allow the material to be transported by wind or otherwise onto or upon any public street, public right-of-way, or neighboring property, unless the method of storage or disposal is specifically allowed by this General Code.
3. Any swimming pool, pond or other body of water which is abandoned, unattended, unfiltered, or not otherwise maintained, resulting in the water becoming polluted. Polluted water is defined for the purpose of this chapter, as water which contains organic growth, including algae, remains of rubbish, refuse, debris, papers, and any other foreign matter or materials, which, because of its nature or locations, constitutes an unhealthy or unsafe condition.

10.07 ABANDONED AND JUNKED VEHICLES.

(1) DEFINITIONS

- (a) **ABANDONED VEHICLE** means any vehicle which has been on any public highway or private or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned including, but not limited to, a junked vehicle or any partially dismantled, damaged, inoperable, unlicensed, unregistered, or wrecked vehicle which is stored outside of a fully enclosed building on private property; or any vehicle or part of a vehicle, including but not limited to tires, which are in a condition that renders it favorable to harboring rodents or insect pests and is stored outside a fully enclosed building on private property; or any vehicle or part of a vehicle that is in such condition or parked in such a way to render such vehicle a health or safety hazard.
- (b) **JUNKED VEHICLE** means any vehicle which is inoperable, ruined, dismantled, or wrecked, in whole or in part, including any vehicle in the possession of a motor vehicle salvage dealer for wrecking, processing, scrapping, recycling or dismantling purposes; or, any vehicle that is without current license plates and registration; or, any vehicle that is disabled or inoperable in such a manner and to an extent that it cannot legally be driven on the public roads of this State. Unless and until demonstrated otherwise, it shall be presumed that a vehicle is inoperable if it is not moved for a period of

296 five (5) consecutive days. The word "moved" refers to movement of a vehicle
297 which serves a useful purpose and is consistent with the use of the vehicle on
298 a regular basis for the purpose for which the vehicle was intended as
299 manufactured, not for the mere purpose of moving same so as to claim or
300 assert compliance with this Section.

301

302 (c) JUNKED VEHICLE PARTS means parts recovered from a junked or
303 abandoned vehicle.

304

305 (d) MOTOR VEHICLE means a vehicle that was, at the time of its manufacture,
306 self-propelled.

307

308 (e) MOTOR VEHICLE SALVAGE DEALER means a legally licensed person
309 who purchases and resells vehicles for wrecking, processing, scrapping,
310 recycling, or dismantling purposes or who carries on or conducts the business
311 of wrecking, processing, scrapping, or dismantling motor vehicles or selling
312 parts of motor vehicles so processed. A legally licensed motor vehicle
313 salvage dealer also includes a person who sells no vehicles or vehicle parts
314 and whose business is limited to a fixed location at which machinery and
315 equipment are utilized for the processing and manufacturing of iron, steel, or
316 nonferrous metallic scrap into prepared grades and whose principal product is
317 scrap iron, scrap steel, or nonferrous metal scrap for sale for remelting
318 purposes.

319

320 (f) PERSON means an individual, corporation, business trust, estate, trust,
321 partnership, joint venture, association, or any other legal or commercial entity.

322

323 (g) PREMISES means a parcel of one or more contiguous parcels of land with
324 common ownership by one or more persons.

325

326 (h) VEHICLE means every device in, upon, or by which any person or property is
327 or may be transported. "Vehicle" includes, but is not limited to, all of the
328 following:

329

330 1. "Aircraft" means any contrivance invented, used or designed for
331 navigation of or flight in the air, per Wis. Stat. §29.001(16).

332

333 2. "All-terrain vehicle" means a commercially designed and manufactured
334 motor-driven device that has a weight, without fluids, of 900 pounds or
335 less, has a width of 50 inches or less, is equipped with a seat designed to
336 be straddled by the operator, and travels on 3 or more low-pressure tires
337 on non-pneumatic tires, per Wis. Stat. §340.01(2g).

338

339 3. "Antique vehicle" means a motor vehicle which has a model year of 1945
340 or earlier and which has not been altered or modified from the original
341 manufacturer's specifications. The vehicle shall only be used for special

- 342 occasions such as display and parade purposes or for necessary testing,
343 maintenance and storage purposes. A motorcycle may be registered as an
344 antique vehicle, per Wis. Stat. §341.265.
345
- 346 4. "Automobile" means any of the following, per Wis. Stat. §340.01(4):
347
- 348 a. Type 1 is a motor vehicle designed and used primarily for carrying
349 persons but which does not come within the definition of a motor bus,
350 motorcycle, moped or motor bicycle.
351
- 352 b. Type 2 is a motor vehicle capable of speeds in excess of 30 miles per
353 hour on a dry, level, hard surface with no wind, designed and built to
354 have at least 3 wheels in contact with the ground, a power source as an
355 integral part of the vehicle, a curb weight of at least 1,500 pounds, and
356 a passenger and operator area with sides permanently enclosed with
357 rigid construction and a top which may be convertible.
358
- 359 5. "Boat" means any device capable of being used as a means of
360 transportation on water, per Wis. Stat. §29.001(16).
361
- 362 6. "Camping trailer" means a vehicle with a collapsible or folding structure
363 designed for human habitation and towed upon a highway by a motor
364 vehicle, per Wis. Stat. §340.01(6m).
365
- 366 7. "Farm equipment" means a tractor or other machinery used in the business
367 of farming, per Wis. Stat. §100.47(1).
368
- 369 8. "Farm tractor" means a motor vehicle designed and used primarily as an
370 implement of husbandry for drawing, or having attached to it, other
371 implements of husbandry, per Wis. Stat. §340.01(16).
372
- 373 9. "Homemade vehicle" means any of the following, per Wis. Stat.
374 §341.268:
375
- 376 a. A motor vehicle that has been constructed or assembled from new or
377 used parts or both using a body and frame not originating from and not
378 resembling any previously manufactured motor vehicle.
379
- 380 b. A motorcycle that is a reproduction of a vehicle originally made by
381 another manufacturer and that consists of a reproduction body that is
382 combined with a new, used, or replica frame and drivetrain.
383
- 384 10. "Junk vehicle" means any of the following, per Wis. Stat. §340.01(25j):
385
- 386 a. A vehicle which is incapable of operation or use upon a highway and
387 which has no resale value except as a source of parts or scrap.

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- b. A vehicle for which an insurance company has taken possession of or title to if the estimated cost of repairing the vehicle exceeds its fair market value.
11. "Implement of husbandry" means all of the following, per Wis. Stat. §340.01(24):
- a. A self-propelled or towed vehicle that is manufactured, designed, or reconstructed to be used and that is exclusively used in the conduct of agricultural operations. An "implement of husbandry" may include any of the following:
 - i. A farm tractor.
 - ii. A self-propelled combine; a self-propelled forage harvester; self-propelled fertilizer or pesticide application equipment but not including manure application equipment; towed or attached tillage, planting harvesting, and cultivation equipment and its towing farm tractor or other power unit to which it is attached; or another self-propelled vehicle that directly engages in harvesting farm products, directly applies fertilizer, spray, or seeds but not manure, or distributes feed to livestock.
 - iii. A farm wagon, grain cart, farm trailer, manure trailer, or trailer adapted to be towed by, or to tow or pull, another implement of husbandry.
 - b. A combination of vehicles in which each vehicle in the vehicle combination is an implement of husbandry as described in Section 10.08(1)(h)11a of the General Code or in which an implement of husbandry described in that section is towed by a farm truck, farm truck tractor, motor truck, or agricultural commercial motor vehicle.
12. "Manufactured home" means any of the following, per Wis. Stat. §101.91(2):
- a. A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425.
 - b. A mobile home, unless a mobile home is specifically excluded under the applicable statute.

- 433 13. "Mobile home" means a vehicle manufactured or assembled before June
434 15, 1976, designed to be towed as a single unit or in sections upon a
435 highway by a motor vehicle and equipped and used, or intended to be
436 used, primarily for human habitation, with walls of rigid uncollapsible
437 construction, which has an overall length in excess of 45 feet. "Mobile
438 home" includes the mobile home structure, its plumbing, heating, air
439 conditioning and electrical systems, and all appliances and all other
440 equipment carrying a manufacturer's warranty, per Wis. Stat. §101.91(10).
441
- 442 14. "Moped" means any of the following motor vehicles capable of speeds of
443 not more than 30 miles per hour with a 150-pound rider on a dry, level,
444 hard surface with no wind, excluding a tractor, a power source as an
445 integral part of the vehicle and a seat for the operator, per Wis. Stat.
446 §340.01(29m):
447
- 448 a. A bicycle-type vehicle with fully operative pedals for propulsion by
449 human power and an engine certified by the manufacturer at not more
450 than 130 cubic centimeters or an equivalent power unit.
 - 451
 - 452 b. A Type 1 motorcycle with an automatic transmission and an engine
453 certified by the manufacturer at not more than 50 cubic centimeters or
454 an equivalent power unit.
 - 455
- 456 15. "Motor bicycle" means any of the following, per Wis. Stat. §340.01(30):
457
- 458 a. A bicycle to which a power unit not an integral part of the vehicle has
459 been added to permit the vehicle to travel at a speed of not more than
460 30 miles per hour with a 150-pound rider on a dry, level, hard surface
461 with no wind and having a seat for the operator.
 - 462
 - 463 b. A 2-wheeled or 3-wheeled vehicle that has fully operative pedals for
464 propulsion by human power and an electric motor of less than 750
465 watts and that is capable, when powered solely by the motor, of a
466 maximum speed of less than 20 miles per hour with a 170-pound rider
467 on a dry, level, hard surface with no wind.
 - 468
- 469 16. "Motor bus" means a motor vehicle designed primarily for the
470 transportation of persons rather than property and having a passenger-
471 carrying capacity of 16 or more persons, including the operator.
472 Passenger-carrying capacity shall be determined by dividing by 20 the
473 total seating space measured in inches, per Wis. Stat. §340.01(31).
474
- 475 17. "Motor home" means a motor vehicle designed to be operated upon a
476 highway for use as a temporary or recreational dwelling and having the
477 same internal characteristics and equipment as a mobile home, per Wis.
478 Stat. §340.01(33m).

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18. "Motor truck" means every motor vehicle designed, used or maintained primarily for the transportation of property, per Wis. Stat. §340.01(34).
19. "Motorcycle" means a motor vehicle, excluding a tractor, an all-terrain vehicle, or a utility terrain vehicle, which is capable of speeds in excess of 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, with a power source as an integral part of the vehicle, and which meets the conditions under par. a or b below, per Wis. Stat. §340.01 (32):
 - a. Type 1 is a motor vehicle which meets either of the following conditions:
 - i. Is designed and built with 2 wheels in tandem and a seat for the operator, and may be modified to have no more than 3 wheels by attaching a sidecar to one side of the wheels in tandem without changing the location of the power source.
 - ii. Is designed and built to have no more than 3 wheels, seating for the operator and nor more than 3 passengers, and does not have the operator area enclosed.
 - b. Type 2 is a motor vehicle designed and built to have at least 3 wheels in contact with the ground, a curb weight of less than 1,500 pounds, and a passenger and operator area with sides permanently enclosed with rigid construction and a top which may be convertible.
20. "Railroad train" means every device with or without engine or motor and whether or not coupled to other similar devices, operated upon rails for the transporting of persons or property, per Wis. Stat. §340.01(48).
21. "Recreational vehicle" means a vehicle that is designed to be towed upon a highway by a motor vehicle, that is equipped and used, or intended to be used, primarily for temporary or recreational human habitation, that has walls of rigid construction, and that does not exceed 45 feet in length, per Wis. Stat. §340.01(48r).
22. "Road machinery" means a piece of mobile machinery or equipment, such as ditch digging apparatus, power shovels, drag lines and earth-moving equipment, or a piece of road construction or maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, gravel crushers, screening plants, scrapers, tractors, earth movers, front- or rear-end loaders, conveyors, road pavers, or construction shacks. The foregoing enumeration is intended to be illustrative and does not exclude other similar vehicles which are within

525 the general terms of this subsection, whether used for road construction
526 and maintenance or not, which are not designed or used primarily for
527 transportation of persons or property and only incidentally operated or
528 moved upon a highway, per Wis. Stat. §340.01(52).
529

530 23. "Road tractor" means a motor vehicle designed and used for drawing other
531 vehicles and not so constructed as to carry any load thereon either
532 independently or any part of the weight of the vehicle or load so drawn,
533 per Wis. Stat. §340.01(53).
534

535 24. "Salvage vehicle" means a vehicle less than 7 years old that is not
536 precluded for subsequent registration and titling and that is damaged by
537 collision or other occurrence to the extent that the estimated or actual cost,
538 which is greater, of repairing the vehicle exceeds 70% of its fair market
539 value. The term does not include a hail-damaged vehicle unless the
540 vehicle is repaired with any replacement part, as defined in §632.38(1)(3),
541 per Wis. Stat. §340.01(55g).
542

543 25. "School bus", per Wis. Stat. §340.01(56):
544

545 a. Means a motor vehicle which carries 10 or more passengers in
546 addition to the operator or a motor vehicle painted in accordance with
547 §347.44(1) for the purpose of transporting:
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549 i. Pupils to or from a public school as defined in Wis. Stat.
550 §115.01(1) or a private school as defined in Wis. Stat.
551 §115.001(3r) or pupils to or from a technical college when
552 required under Wis. Stat. §118.15(1).
553

554 ii. Pupils to or from curricular or extracurricular activities.
555

556 iii. Pupils to or from religious instruction on days when school is in
557 session.
558

559 iv. Children with disabilities, as defined under Wis. Stat. §115.76(5),
560 to or from an educational program approved by the department of
561 public instruction.
562

563 b. Means a motor vehicle which is painted in accordance with Wis. Stat.
564 §347.44(1) and is used for the purpose of transporting individuals with
565 disabilities as defined in Wis. Stat. §85.22(2)(bm) or seniors as defined
566 in Wis. Stat. §85.22(2)(d) in connection with any transportation
567 assistance program for seniors or individuals with disabilities.
568

569 26. "Semitrailer" means a vehicle of the trailer type so designed and used in
570 conjunction with a motor vehicle that some part of its own weight and that

571 of its own load rests upon or is carried by another vehicle, but does not
572 include a mobile home. A vehicle used with a ready-mix motor truck to
573 spread the load is considered a semitrailer, per Wis. Stat. §340.01(57).
574

575 27. "Snowmobile" means an engine-driven vehicle that is manufactured solely
576 for snowmobiling, that has an endless belt tread and sled-type runners, or
577 skis, to be used in contact with snow but does not include such a vehicle
578 that is any of the following, per Wis. Stat. §340.01(58):
579

580 a. A vehicle that has inflatable tires.
581

582 b. A vehicle that is driven by a motor of 4 horsepower or less and that is
583 operated in sanctioned races, derbies, competitions or exhibitions or
584 only on private property.
585

586 28. "Special interest vehicle" means any of the following, per Wis. Stat.
587 §341.266:
588

589 a. A former military vehicle.
590

591 b. A motor vehicle of any age, of which the body has not been altered
592 from the original and, because of its historic interest, is being
593 preserved by a collector.
594

595 29. "Trailer" means a vehicle without motive power designed for carrying
596 property or passengers wholly on its own structure and for being drawn by
597 a motor vehicle, but does not include a mobile home, per Wis. Stat.
598 §340.01(71).
599

600 30. "Truck tractor" means a motor vehicle designed and used primarily for
601 drawing other vehicles and not so constructed as to carry a load other than
602 a part of the weight of the vehicle and load so drawn, per Wis. Stat.
603 §340.01(73).
604

605 31. Unlicensed demolition motor vehicles and unlicensed racing motor
606 vehicles.
607

608 32. "Utility Terrain Vehicle (UTV)" means any of the following, per Wis.
609 Stat. §23.33(1):
610

611 a. A commercially designed and manufactured motor driven device that
612 does not meet federal motor vehicle safety standards in effect on July
613 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-
614 truck, or tracked vehicle, that is designed to be used primarily off of a
615 highway, and that has, and was originally manufactured with, all of the
616 following:

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- i. A weight, without fluids, of 2,000 pounds or less.
 - ii. Four or more low-pressure tires or non-pneumatic tires.
 - iii. A steering wheel.
 - iv. A tail light.
 - v. A brake light.
 - vi. Two headlights.
 - vii. A width of not more than 65 inches.
 - viii. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
 - ix. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.
- b. A commercially designed and manufactured motor driven device to which all of the following applies:
- i. It has a weight, without fluids, of more than 900 pounds but not more than 2000 pounds.
 - ii. It has a width of 50 inches or less.
 - iii. It is equipped with a seat designed to be straddled by the operator.
 - iv. It travels on 3 or more low-pressure tires or non-pneumatic tires.
33. Golf carts, garden tractors, riding lawn mowers, and other motorized tractors, motorized carts, and motorized utility vehicles that require no registration or licensure by the State of Wisconsin.

655 (2) EXEMPTIONS

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- (a) Implements of husbandry, such as farm tractors, farm equipment and unlicensed vehicles that are maintained and operable at some time during a calendar year, and used for agricultural purposes such as hauling grain during harvest, are exempt from this Section. Such vehicles shall be allowed to be parked in public view without payment of a State annual license registration fee.

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- (b) Vehicles registered quarterly are considered licensed vehicles and in compliance with this Chapter.
 - (c) Vehicles used seasonally for recreation in off-season storage that are legally operable and registered, if so required.
 - (d) Road machinery as defined in Section 10.07(1)(h)22 of the General Code.
- (3) **VEHICLE ABANDONMENT AND JUNKED VEHICLES PROHIBITED.**
- (a) No person may abandon any vehicle upon any highway or public property. Not more than one abandoned vehicle may be on a privately owned premises.
 - (b) No person may accumulate, store, or otherwise keep, or allow to be accumulated, stored, or otherwise kept on real estate owned or leased by the person, more than one junked vehicle, or any junked vehicle parts, outside of any building on any real estate located within the Town without obtaining a junked vehicle (salvage yard) permit from the Town Board.
 - (c) No person may accumulate, store, or otherwise keep any junked vehicle or junked vehicle parts within 500 feet of the center line of any Town highway in the Town, or within 750 feet of the center line of any County, State, or Federal highway without obtaining a junked vehicle permit from the Town Board.
- (4) **REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES.** Any vehicle in violation of this Section shall be impounded until lawfully claimed or disposed of under Section 10.07(5) of the General Code except if determined by the Town Chair or designee that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle. The vehicle may then be disposed of prior to expiration of the impoundment period if the vehicle is not wanted for evidence or other reason. All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with Section 10.07(5) of the General Code.
- (5) **DISPOSAL OF JUNKED, UNREGISTERED MOTOR VEHICLES.**
- (a) The provisions of Wis. Stat. §342.40, unless otherwise provided herein, shall apply to the notice and sale of abandoned vehicles on public roads.
 - (b) Where there is no lienholder of record, and the owner cannot be identified or located, the balance of the proceeds, if any, after deducting the expense of impounding and sale, shall be paid into the Town treasury.
 - (c) A junked vehicle may be disposed of in accordance with the provisions of Wis. Stat. §342.40.

710 (6) OWNER RESPONSIBLE FOR IMPOUNDMENT AND SALE COSTS.

711

712 (a) The owner of any abandoned vehicle on public streets or public property
713 (except a stolen vehicle) is responsible for the abandonment and all costs of
714 impounding and disposing of the vehicle. Costs not recovered from the sale
715 of the vehicle may be recovered, in a civil action by the Town against the
716 owner, or placed on the tax roll as a special charge, per Wis. Stat. §342.40(3).

717

718 (7) NOTICE OF SALE OR DISPOSITION.

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720 (a) Within 5 days after the sale or disposal of a vehicle as provided in Section
721 10.07(5) of the General Code, the Town Clerk shall advise the Department of
722 Transportation, Division of Motor Vehicles, of such sale or disposition on a
723 form supplied by the Division. A copy of the form shall be given to the
724 purchaser and a copy shall be retained on file in the Town.

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726 **10.10 ABATEMENT OF PUBLIC NUISANCES.**

727

728 (1) ENFORCEMENT. The Town Chair, or designee, is authorized to enforce the
729 provisions of this chapter. Where inspections are necessary to confirm existence
730 of a public nuisance, any such person so authorized by the Town Chair shall be
731 deemed an "Inspection Officer."

732

733 (2) The Town recognizes that there are two types of abatement:

734

735 (a) IMMEDIATE ABATEMENT. If the Inspection Officer determines that a
736 public nuisance exists within the Town and that there is great and immediate
737 danger to the public health, safety, peace, morals or decency, the Chair may
738 direct the proper authorities to cause the same to be abated and charge the cost
739 to the owner, occupant or person causing, permitting or maintaining the
740 nuisance, as the case may be.

741

742 (b) GENERAL ABATEMENT. If the Inspection Officer determines that a public
743 nuisance exists on private premises but that such nuisance does not threaten
744 great and immediate danger to the public health, safety, peace, morals or
745 decency, the following process will be followed.

746

747 1. The Inspection Officer will notify the Town Chair of his/her
748 recommendation concerning the premises.

749

750 2. The Town Chair, in consultation with the Town Board, and legal counsel
751 if necessary, shall serve written notice on the person causing or
752 maintaining the nuisance to remove the same within a period of time set
753 by the Town Board. The written notice sent by certified mail will provide
754 the following information:

755

756 a. A detailed description of the nuisance.
757
758 b. The required action(s) for abatement of the nuisance.
759
760 c. A written summary of the potential penalties for non-compliance.
761
762 3. If such nuisance is not removed within the time period designated by the
763 Town Board in the written notice, the Town Chair shall cause the nuisance
764 to be removed as provided in Section 10.10(2)(a) of the General Code.
765
766 (3) OTHER METHODS NOT EXCLUDED. Nothing in this chapter shall be
767 construed as prohibiting the abatement of public nuisances by the Town or its
768 officials in accordance with the laws of the State.
769
770 (4) COURT ORDER. Except when necessary under Section 10.10(2)(a) of the
771 General Code, an Inspection Officer hereunder shall not use force to obtain access
772 to private property to abate a public nuisance, but shall request permission to enter
773 upon private property if such premises are occupied and if such permission is
774 denied, shall apply to any court having jurisdiction for an order assisting the
775 abatement of the public nuisance.
776
777 **10.11 COST OF ABATEMENT.** In addition to any other penalty imposed by this
778 chapter for the erection, contrivance, creation, continuance or maintenance of a public
779 nuisance, the cost of abating a public nuisance by the Town shall be collected as a debt
780 from the owner, occupant or person causing, permitting or maintaining the nuisance and
781 if notice to abate the nuisance has been given to the owner, such cost shall be assessed
782 against the real estate as a special charge.
783
784 **10.15 PENALTY.** Any person who shall violate any provision of this chapter or any
785 regulation, rule or order made hereunder or permit or cause a public nuisance shall be
786 subject to a penalty as provided in Section 25.04 of the General Code.
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