

11.02 Abandoned Vehicles

(1) PROHIBITED ACT; DEEMED NUISANCE..

(a) No person shall abandon any motor vehicle, trailer, semitrailer or mobile home on any highway or public or private property within the Village.

(b) A motor vehicle, trailer, semitrailer, or mobile home shall be deemed abandoned within the meaning of this article and shall constitute a public nuisance, in any of the following situations:

1. Whenever any such vehicle is left unattended on any highway or public or private property within the Village for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned;

2. Whenever any such vehicle is disassembled, inoperable, unlicensed, junked or wrecked and is stored or allowed to remain in the open upon public or private property within the Village for a period in excess of 72 hours after notifying the owner of the real property upon which such vehicle is placed or stored and mailing of notice to the last-known address of the vehicle owner, if different than the owner of the real property;

3. Whenever any such vehicle has been allowed to remain standing on any highway or public property in the Village for more than 72 hours after a notice of parking violation has been placed on the vehicle;

4. Whenever any vehicle is removed and not reclaimed within 48 hours after notice of removal.

5. Whenever any vehicle is not released to the owner or operator within 10 days or the mailing of official notification that the vehicle can be released to the rightful owner; or

6. Whenever any vehicle has been left unattended on public or private property without the permission of the property owner for more than 48 hours.

(c) The notices provided for in this section shall inform the party of the intention of the Village to deem the vehicle abandoned and to remove the vehicle, of the manner of avoiding a determination of abandonment, of the means of reclaiming such vehicle should it be removed, and the availability of an informal hearing before the Chief of Police or his duly authorized representative.

(d) No vehicle involved in trespass parking on a private parking lot or facility shall be removed without the permission of the vehicle owner, except upon the issuance of a repossession judgment or upon formal complaint and a citation for illegal parking issued by a traffic or police officer.

(2) DEFINITIONS.

(a) The terms “disassembled, inoperable, junked, or wrecked” as used in this section is a motor vehicle in such state of physical or mechanical ruin as to be incapable of propulsion, incapable of being operated upon the public streets or highways, or incapable of meeting State motor vehicle equipment laws.

(b) The term “unlicensed” as used in Subsection (1) (a) is defined as a motor vehicle which does not bear lawful current license plates or for which the owner of which vehicle has not applied for current registration.

(c) The term “motor vehicle” is as defined by Wis. Stats. Sec. 340.01(35).

(d) The term “mobile home” is as defined by Wis. Stats. Sec. 340.01(29) and the term “trailer is defined by Wis. Stats. Sec. 340.01(71).

(e) In this article, “owner” includes the lessee of a vehicle if the vehicle is registered, or required to be registered, by the lessee under Wis. Stats. Chapter 341.

(3) **DISPOSITION.** When any police officer shall locate any such vehicle, trailer, or mobile home referred to in Subsection (1) he or she shall notify the owner of the property upon which such vehicle is found and/or the owner of the mobile home or trailer if such can be determined, that such vehicle, mobile home, or trailer must be immediately removed. If such vehicle, mobile home, or trailer is not removed within three days of such notice, the police department may cause removal thereof, and upon removal, shall affect disposition thereof as follows:

(a) If the Police Chief or his or her duly authorized representative determines that the value of the vehicle, mobile home, or trailer exceeds \$100.00 he or she shall notify the owner and lien holders of record by certified mail that the vehicle, mobile home, or trailer has been deemed abandoned and impounded by the Village and may be reclaimed within 15 days upon payment of accrued towing, storage, and notice charges and if not so reclaimed shall be sold.

(b) In the event a mobile home, trailer, or vehicle subject to this section is determined to exceed \$100.00 in value and is not reclaimed within the period and under the conditions as provided above, it may be sold by auction. The description of the vehicle, mobile home or trailer and the terms of the sale shall be published as a Class 1 notice at least 15 days before the date of the sale. Any amounts of money received as a result of such sale shall be placed into the general account of the Village treasury after payment of the costs of sale.

(4) **PENALTY.** Any person, firm, or corporation who violates this section, shall forfeit not more than \$250.00 for each day of violation commencing three days after service of notice. Each day of violation shall be considered a separate offense. Each vehicle, trailer, or mobile home stored or allowed to remain in violation of this section shall constitute a separate offense.