

ORDINANCE NO 30
TOWN OF BURNETT
COUNTY OF DODGE

AN ORDINANCE to control the placement of unlicensed automobile motor vehicles, trucks, and recreational vehicles.

The Town Board of the Town of Burnett do ordain as follows:

DEFINITIONS:

Motor Vehicle - means any vehicle that is or may be propelled upon the public highway.

Licensed - means any license that is required to be carried by any motor driven vehicle when driven, used, or propelled upon the public highway.

Salvage Dealers - are regulated by Wisconsin Statute 175.25.

Application - a written form upon which a request is made for a permit.

Permit - the written authority given by the Town Board to allow storage of unlicensed motor vehicles.

Storage - means the placement of a vehicle upon real property described in the town assessment and tax roll.

Unlicensed Motor Vehicle - means one which is required to be licensed by the State of Wisconsin Department of Transportation when driven or propelled upon a public road, but is not so licensed.

Zoned-Zoning - means any land use control ordinance (county or town) that may be in force.

Enclosure - is the type of construction required to hide and harbor vehicles from public view.

Owner - considered to be the person or persons who hold legal land title to the parcel of land upon which unlicensed motor vehicle(s) are stored or are to be stored.

Occupant - considered to be the person or persons who occupy the premises and who may or may not be the responsible person or persons to harbor such unlicensed motor vehicle.

Administrative Rule - the specific requirements that may be created to regulate the storage of unlicensed vehicles:

- A. Number of vehicles
- B. Size of enclosure (height, width, etc.)
- C. Color
- D. Type of material
- E. Location
- F. Restrictions to certain zones only

G. ETC.

SECTION I: ORDAINED

No unlicensed motor vehicle shall be permitted to be stored, harbored or held upon any parcel of property outside of any building in the Town of Burnett without a proper permit issued by the Town Board for that purpose. The Town Board is authorized to issue permits to store unlicensed motor vehicles upon a parcel of property when certain enclosure requirements have been met. A building shall mean a non transparent structure which conceals the contents stored therein from view.

SECTION II: PERMITS REQUIRED

- A. A written permit to store an unlicensed motor vehicle or vehicles shall be issued upon proper application having been made, and only after the applicant has met all the requirements of any administrative rule in force at the time the application is made, as to the type of enclosure deemed necessary to be constructed, erected and maintained by the owner or occupant of the property.
- B. A written permit form shall be furnished when a permit has been authorized to be issued by the Town Board.
- C. Written application forms shall be furnished to any person (applicant) upon request.
- D. Applications for an "Unlicensed Vehicle Storage Permit" shall be filed with the Town Clerk at least 10 days prior to the next regular scheduled meeting of the Town Board.
- E. Any application for an "Unlicensed Motor Vehicle Storage Permit" shall be acted upon in 60 days after it was filed with the Town Clerk.
- F. If the Permit is issued, such Permit shall be issued for a period of 1 year.
- G. If the Permit is denied, the Permit will not be issued and the Town Board should cause the applicant to be aware of such denial.
- H. An annual Permit fee of \$50 shall be required to be paid into the town treasury before such a Permit is actually issued.
- I. An application for such "Unlicensed Motor Vehicle Permit" shall be required annually.
- J. An application for an "Unlicensed Motor Vehicle Permit" must bear the signature of either the owner or occupant of the property upon which the Permit will be issued.

SECTION III: ENFORCEMENT

- A. The enforcement of this ordinance shall be the responsibility of the Town Board, or the responsibility of the person the Town Board may assign to such duty or

responsibility.

- B. Inspection of an enclosure facility may be executed each year before the next year's annual Permit is acted on by the Town Board.

SECTION IV: PENALTY

- A Permit to store unlicensed motor vehicles may be revoked at any time it is determined that such Permit holder is not in compliance with the terms of this ordinance an/or the amendment and administrative rules for maintaining proper storage enclosures.
- B. Any owner, occupant, person or persons violating any provision of this ordinance and/or its amendment and administrative rule shall forfeit a sum of money not to exceed \$100 plus court costs and in default thereof be imprisoned in the county jail for a period not in excess of 10 days.

SECTION V:

This ordinance shall be in full force and in effect from and after one week from the date of passage and posting of this ordinance and proof of such posting is filed in the official town records of the Town Clerk.

Passed and approved this 13 day of April, 2004.

Filed this 14 day of April 2004.

Published this 20 day of April 2004.

Kenneth E. Nitschke
Chairperson

Debra Waldvogel
Clerk

Kenneth E. Nitschke
Supervisor

John C. Maguire
Supervisor