

State of Wisconsin
Monroe County
Town of Wellington
Ordinance #11.05 (Revised 10.09.17)
Junked Vehicle Ordinance

4.1 Ordinance Purpose

This ordinance is intended to control the number of junked vehicles located out-of-doors on properties in the Town of Wellington. Section 4.3 prescribes the limits on the types and numbers of junked vehicles permitted on properties within the Town.

4.2 Junked Vehicle Defined

For the purpose of this ordinance, a junked vehicle is a vehicle that is unregistered, disassembled, inoperable, junked, or wrecked. The types of junked vehicles covered by this ordinance are listed in Wisconsin Statute Chapter 175.25 Section IV. Specific definitions for the types of junked vehicles listed below can be found in Wisconsin Statute Chapter 340.

For the purpose of this ordinance, junked vehicles have been grouped by their relative size into three different classes. The classes, and the types of vehicles in each class, are as follows:

- Class I Junked Vehicles include all-terrain vehicles (ATVs or UTVs), golf carts, garden tractors, riding lawn mowers, mopeds, motorcycles, and snowmobiles.
- Class II Junked Vehicles include antique vehicles, automobiles, boats, farm equipment, homemade vehicles, husbandry implements, motor trucks, recreational vehicles, road machinery, road tractors, salvage tractors, special interest vehicles, trailers, and demolition/racing vehicles.
- Class III Junked Vehicles include aircraft, manufactured homes, mobile homes, motorbuses, motorhomes, railroad trains, school buses, semi-trailers, truck tractors, and camping trailers.

4.3. Number of Junked Vehicles Allowed

Individuals may have no more than three (3) junked vehicles listed under Class I; no more than two (2) junked vehicles listed under Class II; and none (0) of the types of junked vehicles listed in Class III. Individuals may apply to the Town Board for a variance (see Section 4.6) if they wish to store more junked vehicles out-of-doors than is specified in this section.

4.4. Ownership of Junked Vehicles

This ordinance applies whether or not the person(s) on whose property the vehicles are stored owns the junked vehicles.

4.5. Change in Property Ownership

Should a parcel of property change ownership, the new owner will have twelve (12) months from the date of closing on the property to comply with the terms of this ordinance.

4.6. Request for Variance

Individuals wishing to have more junked vehicles than are allowed under Section 4.3 of this ordinance will meet with the Town Board at one of its regular meetings and provide a written request for a variance. A majority of the Board will vote to support or deny the request within thirty (30) days of its receipt. The Board may require that specific conditions be met for a variance to be issued.

4.7 Notice of Violation and Citation

Notification of non-compliance with the conditions of this ordinance will be made by a letter from a Town official to the resident and/or property owner. The letter should contain the following; name and address of the resident / land owner, location of the property, a description of the junked vehicle(s) involved, and any corrective actions necessary to abate the violation. If this individual has not responded to the appropriate Town official within 30 days of receipt of this letter, a citation will be issued.

Citation for a first offense. Any person who violates this ordinance shall, upon conviction, forfeit not less than \$100 and not more than \$500 together with costs of prosecution.

Citation for second and subsequent violations. Any person guilty of violating this ordinance or any person who has previously been convicted of a violation of this ordinance shall, upon conviction, forfeit not less than \$200 and not more than \$1000 together with costs of prosecution.

4.8 Severability

If any provision of this ordinance or its applications to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

4.09 Effective Date

This ordinance is effective thirty (30) days from the publication following its adoption by the Town Board. The Town Clerk shall properly publish this ordinance as required by Wis. Statutes as a Class 1 Notice in a newspaper.