

**STATE OF WISCONSIN
Town of Casey, Washburn County**

Ordinance Number 2005-12

SECTION I – TITLE/PURPOSE

The title of this ordinance is the Town of Casey Abandoned Motor Vehicle Ordinance. The purpose of this ordinance is for the Town of Casey to regulate by penalty the storing of abandoned motor vehicles in the Town of Casey.

SECTION II – AUTHORITY

The town board of the Town of Casey has the specific authority under s. 175.25, Wis. stats. and general authority under its village powers to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

The town board of the Town of Casey, by this ordinance, adopted with a quorum and by a roll call vote by a majority of the town board present and voting, provides the authority for the town to regulate storage of certain abandoned motor vehicles in the town.

SECTION IV – DEFINITIONS

A. “Abandoned motor vehicle” means a motor vehicle, or parts from a dismantled motor vehicle, that is incapable of operation or use upon a highway and that has no resale value except as a source of parts or scrap or a vehicle that an insurance company has taken possession of or title to if the estimated cost of repairing the vehicle exceeds its fair market value.

B. “Motor vehicle” means a vehicle, including a combination of two or more vehicles or an articulated vehicle that is self-propelled, except a vehicle operated exclusively on a rail, with or without a current registration issued by the State of Wisconsin or other state to the owner of the vehicle.

C. “Highway” includes all federal, state, county or town roads.

D. “Town” means the Town of Casey, Washburn, County, Wisconsin.

E. “Town board” means the board of supervisors for the Town of Casey, Washburn County, Wisconsin and includes designees of the board authorized to act for the board.

F. “Town clerk” means the clerk of the Town of Casey, Washburn County, Wisconsin.

G. “Wis. stats.” means the Wisconsin Statutes, including successor provisions to cited statutes.

H. “Primary structure” means the residential unit(s) or largest structure on real estate when no residence is present.

SECTION V – COVERAGE

No abandoned motor vehicle, unless exempt under Section VIII of this ordinance, may be accumulated or stored outside any building on any real estate located within the town between the primary structure and adjacent highway unless it is stored or accumulated a minimum of 250 feet from the center line of any highway or is not visible from any highway.

SECTION VI – PENALTY PROVISION

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than twenty dollars or more than one hundred dollars, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues shall be considered a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION VII – SEVERABILITY

If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected, and to this end, the provisions of this ordinance are severable.

SECTION VIII – EXEMPTIONS

Any person, partnership, corporation, or other legal entity are exempt from the provisions of this ordinance if they have secured, prior to the effective date of this ordinance, a conditional use permit issued by Washburn County under Sec. 38-382 (Residential Agriculture); Sec. 38-392 (Agriculture); or Sec. 38-402 (Forestry) of the Washburn County Zoning Ordinance. Implements of husbandry as defined by Wis. Stats. 340.01 (24) are exempt from the provisions or applications of this ordinance.

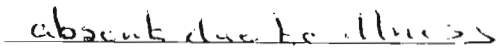
SECTION IX – EFFECTIVE DATE


This Ordinance is effective on publication.

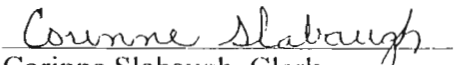
The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 14th day of December 2005.


Gene Bethel, Chairperson


Dan Swearingen, Supervisor


Michael Wallace, Supervisor

Attested to: 
Corinne Slabaugh, Clerk