

ORDINANCE NO. 342.40

AN ORDINANCE TO PROVIDE FOR AND REGULATE THE DISPOSAL OF ABANDONED MOTOR VEHICLES.

Pursuant to the authority granted by Section 342.40, Wisconsin Statutes, the County Board of Supervisors of the County of Jefferson does ordain as follows:

SECTION 1. No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home 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. Whenever any vehicle has been left unattended on any public highway outside the limits of any incorporated city or village for more than 12 hours or whenever any vehicle has been left unattended on private or public property without the permission of the owner for more than 48 hours the vehicle is deemed abandoned and constitutes a public nuisance.

SECTION 2. Any vehicle in violation of this ordinance shall be impounded by the Sheriff of Jefferson County until lawfully claimed or disposed of under Section 5 or 6 except that if the Sheriff or his duly authorized deputy determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle the vehicle may be junked by the Sheriff prior to expiration of the impoundment period upon his determination that the vehicle is not wanted for evidence or other reason.

SECTION 3. Any Sheriff's deputy who discovers any motor vehicle, trailer, semitrailer or mobile home on any public highway or private or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment designated by the Sheriff.

SECTION 4. The owner of any abandoned motor vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the County against the owner.

SECTION 5. Any abandoned vehicle which is determined by the Sheriff or his duly authorized deputy to have a value in excess of \$100 shall be retained in storage for a period of 14 days after certified mail notice has been sent to the owner and lien holders of record to permit reclamation of the vehicle after payment of accrued charges. Thereafter, the Sheriff shall dispose of the vehicle by sale at public auction after publication in the official newspaper of a Class 1 notice under Chapter 985, Wisconsin Statutes, of the time and place of such sale and a description of the vehicle to be sold. The sale shall be conducted in the same manner as an execution sale of personal property.

SECTION 6. Any abandoned vehicle which is determined by the Sheriff or his duly authorized deputy to have a value less than \$100 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

SECTION 7. Within 5 days after the sale or disposal of a vehicle as provided in Section 5 or 6 the Sheriff shall advise the Wisconsin Division of Motor Vehicles of the sale or disposition thereof.

SECTION 8. Any person, firm or corporation who violates the provisions of Section 1 of this ordinance shall, upon conviction thereof, forfeit no less than \$10 nor more than \$200 together with costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof but not exceeding 6 months.

SECTION 9. If any section, phrase or provisions of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction the remainder of this ordinance shall not be affected thereby.

SECTION 10. This ordinance shall become effective immediately upon passage and publication as provided by law.

Adopted by the Jefferson County Board of Supervisors the 11th day of September, 1972.

Published the 26th day of October, 1972.