

**TOWN OF LIBERTY
ORDINANCE # 2008-1**

**ORDINANCE REGULATING UNSIGHTLY STORAGE AND JUNK/DEBRIS IN
THE TOWN OF LIBERTY, VERNON COUNTY WISCONSIN**

Purpose

An ordinance enforcing minimum standards for unsightly storage and junk/debris to promote the public health, safety, and welfare.

Authority

The Town Board of the Town of Liberty has the specific statutory authority, powers and duties, pursuant to the adoption of village powers under sec. 60.10 of WI Statutes to regulate, control, license, register or permit in the Town of Liberty persons engaged in certain uses, activities, and operations at certain locations in the Town of Liberty, to assess these persons with appropriate fees for the licenses, registrations or permits as noted herein and to enforce by revocation or penalty, the provisions of these ordinances and the provisions of the licenses, registrations and permits.

Adoption of Ordinance

The Town Board of the Town of Liberty has, by adoption of this ordinance confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance license, registration and permit ordinances to regulate and control, by ordinance, persons engaged in these uses, activities, and operations at certain locations within the Town of Liberty, to assess these persons with appropriate fees for the licenses, registrations or permits and to enforce, by revocation or penalty, the provisions of these ordinances and the provisions of the licenses, registrations and permits.

Definitions

“JUNK” - means any old or scrap metal, metal alloy, synthetic or organic material, or any junked, ruined or dismantled machinery or vehicles.

“STORAGE” – (WASTE) – means the holding of waste for a temporary period, at the end of which period the waste is to be treated or disposed. For purposes of the ordinance the temporary period shall not exceed 30 days.

“WASTE” – means any solid waste, including construction materials, demolition waste, ash, sludge, refuse, garbage, and discarded recycle materials.

No person or corporation which owns, controls, or occupies any real estate within the Town of Liberty shall permit disassembled, inoperable, unlicensed or junked vehicles to be stored, or allowed to remain within 1200 feet of an existing dwelling of an adjacent property. This includes all items listed by definition as waste or junk, whether the materials are for sale or storage. Storage of items with no health risk may be permitted if not kept in open sight.

Enforcement

Enforcement of this ordinance by the Town Board will mostly be engaged by a complaint from land owners who have been violated by definition of this ordinance by an adjacent land owner, but not solely left to complaints, in that the Town Board could act upon a violation should they see fit. This ordinance is not to be interpreted to prevent normal function of active farming operation. At this time of adoption, the Town does not have a defined zoning regulation, therefore purpose is deemed necessary to prevent an unsightly business to continue operation adjacent to residential property.

Complaints by owners brought forward by such landowners will be considered at the next scheduled board meeting. Board members may need to see the alleged violation, and decisions will be left to the Board, where they will contact the violator in writing. Thirty (30) days will be given to correct the violation. After this time, the Board may see fit to fine the land owner not less than \$10.00, nor more than \$50.00 for each offense. Each day that junk, as herein defined, shall be stored or disposed of contrary to the provisions hereof shall constitute a separate and distinct offense.

Effective

This ordinance shall take effect upon passage and publication. Unsightly storage and junk debris or waste as defined in this ordinance not deemed as a health risk, prior to adoption of this ordinance, will be exempt from enforcement.

Adopted by a resolution of the Board at a regular meeting held on December 11, 2008.

/s/ William Oliver, Chair

published 12/15/08 in Epitaph

/s/ Kevin Dempsey, Supervisor

/s/ Wanda Lewison, Supervisor

Attest: /s/ Lori Polhamus, Clerk