

Building Services
W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262)-691-9107 Fax: 691-6039

7.03 ABANDONED OR JUNKED VEHICLES AND VEHICLE PARTS.

(1) ABANDONED VEHICLES OR VEHICLE PARTS.

No person shall leave unattended any motor vehicle, trailer, semi trailer or mobile home or parts thereof on any public street, road or highway right-of-way, nor may such vehicles or parts be left unattended on private or public property, for such time and under such circumstances as to cause the vehicle or vehicle parts to reasonably appear to have been abandoned. Except as otherwise provided in this Section whenever any vehicle or vehicle parts has been left unattended without the permission of the property owner for more than forty-eight (48) hours, the vehicle is deemed abandoned and constitutes a public nuisance. A motor vehicle shall not be considered an abandoned vehicle when it is out of public view or when it is currently registered or designated as not abandoned by a duly authorized City official.

(2) JUNKED MOTOR VEHICLE AND MOTOR VEHICLE PARTS. (Amend. 04-11)

Motor vehicles completely or partially disassembled, dismantled, junked, wrecked, inoperable, or not currently registered and license as well as motor vehicle parts of any kind, type or nature shall not be stored or allowed to remain outside of an authorized storage building located upon private property within the City of Pewaukee for longer than ten (10) days unless such vehicle or parts are accessory to an authorized automotive sales, repair, towing, or salvage business or institution enterprise located in a properly zoned area. Within this Code section "inoperable" shall mean a person is unable to physically manipulate or activate any of the vehicle controls necessary to put it in motion. In addition: (a) Such vehicles or vehicle parts, when located on public property, may be towed or removed from the scene after forty-eight (48) hours and impounded as set forth elsewhere in this section. (b) Such vehicles or vehicle parts may not be located on private property outside of a permanent building enclosure except as set forth in Section 7.03, Subsection (2)(c). (c) Such vehicles or vehicle parts accessory to an automotive sales, repair, or towing business may not be located or stored by the property or business operator outside of an authorized storage building for more than 90 calendar days in a twelve (12) month period. (d) Such vehicles or vehicle parts stored as junk in an authorized junk or salvage yard must be screened with a visibly impervious screen of at least six (6) feet in height as authorized and permitted by the Building Inspector/Zoning Administrator.

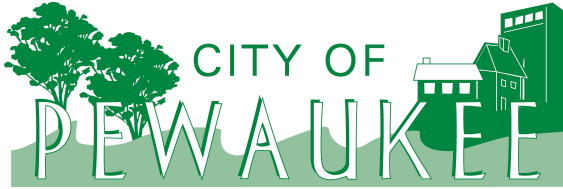
(3) SALE OR JUNKING OF ABANDONED OR JUNKED VEHICLES OR VEHICLE PARTS.

Any vehicle or vehicle part deemed to be in violation of Section 7.03, Subsection (1) or (2) herein, shall be impounded until lawfully claimed or disposed of as set forth under Section 7.03, Subsection (4).

(4) STORAGE AND SALE.

(a) Storage and Sale. Any vehicle which is deemed abandoned shall be retained in a convenient place of storage for a minimum of ten (10) days after certified mail notice has been sent to the owner and lien holder of record to permit reclamation of the vehicle upon payment of accrued charges. Such notice shall set forth the year, make, model and serial number of the abandoned motor vehicle, the place where the vehicle is being held and shall inform the owner and any lien holders of their rights to reclaim the vehicle. The notice shall state that the failure of the owner or lien holders to exercise their rights to reclaim the vehicle under this Section shall be deemed a waiver of all right, title and interest in the vehicle and a consent to the sale of the vehicle. Further said notice shall state that a Due Process Hearing as established by the City may be requested within five (5) days of receipt of the notice in writing to the City Clerk. Each stored vehicle not reclaimed by its owner within the time listed above may be sold. The City may dispose of the vehicle by sealed bid or auction sale. At such public sale, the highest bid for any such motor vehicle shall be accepted unless the same is deemed inadequate by the City, in which event all bids may be rejected. If all bids are rejected or no bid is received, the City may either re-advertise the sale, adjourn the sale to a definite date, sell the motor vehicle at a private sale or junk the vehicle. Any interested person may offer bids on each abandoned vehicle to be sold. (b) Procedure for bidding. Public notice of the sale, whether it be by auction or sealed bid, shall be posted in accordance with local procedures. In addition, a copy of the notice shall be mailed to the last owner of record and lien holder of record. (c) Procedure after sale. Upon the sale of the abandoned vehicle, the City shall supply the purchaser with a completed Form MVD 2419-77 which will enable said purchaser to obtain a registration certificate of title for the vehicle. Purchaser shall have ten (10) days to remove the vehicle from the storage area, but shall pay a

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reasonable storage fee if established by the City for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten (10) days after the sale, if the vehicle has not as yet been claimed by the purchaser, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to again be abandoned and may be sold again. Any list of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list. The City Clerk may charge a fee for the preparation of said list. (d) Notice to Motor Vehicle Department. Within five (5) days after the sale or disposal of a motor vehicle as provided in this Ordinance, the City Clerk shall advise the Motor Vehicle Department of the sale or disposition on the appropriate form supplied by the Motor Vehicle Department.

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