

ORDINANCE NO. 2018-03

**AN ORDINANCE ESTABLISHING CHAPTER 220 OF THE
MUNICIPAL CODE OF ORDINANCES OF THE TOWN OF BEAVER,
WISCONSIN**

THE TOWN BOARD OF THE TOWN OF BEAVER, MARINETTE COUNTY,
WISCONSIN DOES HEREBY ORDAIN THAT CHAPTER 220 BE ESTABLISHED
AS FOLLOWS:

SECTION 1:

SECTION 220-01 – Issuance of Worthless Checks

A. Whoever issues any check or other order for the payment of money which, at the time of issuance, he or she intends shall not be paid is guilty of a violation of this section

B. Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for payment of money intended it should not be paid:

- (1) Proof that at the time of issuance the person did not have an account with the drawee;
- (2) Proof that at the time of issuance the person did not have sufficient funds or credit with the drawee and that the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order; or
- (3) Proof that when the presentment was made within a reasonable time the person did not have sufficient funds or credit with the drawee and the person failed, within five days after receiving notice of nonpayment or dishonor, to pay the check or other order.

C. This section does not apply to a postdated check or to a check given in past consideration, except a payroll check.

D. Any person violating any provisions of this section shall forfeit not less than \$50 if the worthless check is for an amount equal to or less than \$150 and shall forfeit not less than \$100 if the worthless check is for an amount greater than \$150 and less than \$500 and shall forfeit not less than \$150 if the worthless check is for an amount greater than \$500, together with the costs of prosecution, and, in default of payment, shall be imprisoned in the Marinette County Jail until forfeiture and costs are paid but not to exceed the maximum length of time authorized by Wisconsin State Statutes.

Approved and adopted this 11th day of June, 2018.




David Bedora
Town Chairman, Town of Beaver

Notice of Adoption Published: June 12, 2018
Effective: June 12, 2018

CERTIFICATION

Barb Patz certifies that she is the duly appointed, qualified and acting Clerk-Treasurer of the Town of Beaver, and that the foregoing ordinance was adopted by the Town Board of the Town of Beaver at its regular meeting held on June 11, 2018.

Dated this 11th day of June, 2018.



Barb Patz
Clerk-Treasurer
Town of Beaver

Ordinance No. 2022-01

TOWN OF BEAVER MARINETTE COUNTY, WISCONSIN

An Ordinance for Curbside Appeal and Abandoned, Junked and Unlicensed Vehicles

WHEREAS, the Town of Beaver Board has set forth standards, provisions, and requirements regarding Curbside appeal, Abandoned, Junked and Unlicensed Vehicles within Town of Beaver;

SECTION 1: DEFINITIONS.

A. Definitions. For purposes of this Chapter, the following definitions shall be applicable:

- 1) **Vehicle** shall mean a motorized unit used on or off road, including water, for means of travel, shall include but not limited to, motor vehicle, trailer, semi-trailer, mobile home, motorcycle, scooter, snowmobile, ATV/UTV, or watercraft, whether or not such vehicle is registered under Wisconsin Law.
- 2) **Abandoned and/or Unattended** shall mean unmoved from its location with no obvious sign of continuous human use for seventy-two (72) hours or more.
- 3) **Street** shall mean any public street/highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.
- 4) **Enforcement Official** shall mean any Town official or employee so authorized to enforce any Town of Beaver Ordinance, or officer of the law.
- 5) **Curbside appeal** shall mean the accumulation, storage or parking of farm, construction, or building equipment, trucks, tractors, semi-trailers, more than (2) disassembled, dismantled, junked, wrecked, inoperable, or unlicensed vehicles, refrigerators, furnaces, washing machines, stoves, machinery or parts thereof, wood, brick, concrete block, or any other unsightly debris which may tend to depreciate property values in the area or create a nuisance or hazard shall not be permitted on any lot or parcel of land within the Town of Beaver.

SECTION 2: GENERAL PROVISIONS.

A. Abandonment of Vehicles Prohibited.

No person shall leave unattended any vehicle, on private property within the Town of Beaver for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended, on public property or private property in the Town of Beaver for more than seventy-two (72) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.

B. Exceptions.

This Section shall not apply to a vehicle that is in an enclosed building or a vehicle stored on premises licensed for storage of junk or junked vehicles and fully in compliance with Town regulations.

1. Commercial property may erect a 8 foot privacy fence to hide any unsightly items.

SECTION 3: VEHICLE REMOVAL, IMPOUNDMENT, DISPOSAL.

A. Removal and Impoundment of Vehicles

Any vehicle in violation of this Ordinance shall be removed and impounded until lawfully claimed or disposed of with the cost paid by the landowner.

- 1) **Removal.** Any enforcement official, specified in this Section, who discovers any motor vehicle, trailer, semi trailer or mobile home on any public property or private property in the Town of Beaver which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
- 2) **Storage and Reclaimed.** Any abandoned vehicle which is determined by the enforcement official to be abandoned shall be retained in storage until such time the vehicle shall be reclaimed. Any such vehicle which may be lawfully reclaimed may be released upon the payment in full of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the impoundment and/or storage facility.

B. Owner Responsible for Impoundment and Disposal Costs

- 1) **Responsibility of Costs.** The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment removal and all costs of impounding and disposing of the vehicle. Costs not covered by the sale of the vehicle may be recovered in a civil action by the Town of Beaver against the owner.
- 2) **Law Enforcement Investigation.** Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

SECTION 4: PRIVATE PROPERTY UNSIGHTLY DEBRIS AND JUNKED VEHICLES.

A. Definitions. For purposes of this Section, the following definitions shall be applicable:

- 1) **Business Property.** All parcels within the Town of Beaver used for purposes Commercial, Industrial, or any other activities as to running a Business.
- 2) **Junked Vehicle.** Any motor vehicle, trailer, semi-trailer, mobile home, motorcycle, scooter, snowmobile, or watercraft, that is disassembled, inoperable, unlicensed, abandoned, junked, or wrecked.
- 3) **Residential Property.** All parcels within the Town of Beaver that are used as residential dwellings and not used for purposes Commercial, Industrial, or any other activities as to running a Business.
- 4) **Unenclosed.** Capable of being viewed from any height up to six (6) feet above grade from any point on an adjoining parcel or from any public property or county road within two hundred (200) feet.
- 5) **Unsightly Debris.** Includes by way of illustration but not limited to:
 - a. Parts of vehicles such as tires, chassis parts, body panels, bumpers, and batteries.
 - b. Appliances, furniture and household furnishings.
 - c. Construction materials, construction debris, tools and equipment.
 - d. Agricultural and garden materials, tools, and equipment.
 - e. Broken or dilapidated cargo trailers, livestock trailers, trailers for transporting any type of vehicle including snowmobiles and watercraft, and travel trailers for camping or recreational use.
 - f. Discarded, broken, or dilapidated toys, bicycles, play equipment, and sporting goods.
 - g. Other junked, broken, dilapidated or discarded items similar in nature to any of the above items.

B. Restrictions on Storage.

No junked vehicle or unsightly debris shall be stored unenclosed within the Town of Beaver upon residential property for more than seventy-two (72) hours or on business property for more than thirty-six (36) hours.

C. Temporary Extensions of Deadline.

The Town of Beaver Board may issue an extension of up to thirty (30) additional days to comply with this Section where exceptional facts and circumstances warrant.

D. Enforcement.

- 1) **Notice of Violation.** Whenever a Town Official or enforcement officer shall find any junked vehicle or unsightly debris upon private property or commercial property within the Town of Beaver in violation of this Section, he/she shall notify the owner of the property on which said vehicle or debris is stored of the violation of this Section. If said vehicle or debris is not removed within ten (10) days, a Town enforcement officer shall cause to be issued a citation to the property owner and/or tenant of the property upon which said vehicle or debris is stored.
- 2) **Removal; Impoundment; Sale.** If such vehicle or debris is not removed within ten (10) days after issuance of a citation, a Town or Law enforcement officer shall cause the vehicle and/or debris to be

removed and said vehicle to be impounded, and it shall thereafter be disposed of as prescribed in Section 3 by a Town or Law enforcement officer. Any cost incurred in the removal and sale of said vehicle or debris shall be recovered from the owners. However, if the owner of the vehicle or debris cannot readily be found, the cost of such removal shall be charged to the property from which it is removed and such charges shall be entered as a special charge on the tax roll.

- 3) **Penalties.** Any person or business who shall be in violation of any provisions of this Ordinance and/or who shall interfere with the enforcement of any of the provisions of this Ordinance and who shall be found guilty thereof shall be subject to a penalty of, not less than, \$100.00 nor more than \$1,000.00 a for each offense, and each day that such violation shall be permitted to continue shall be deemed a separate violation of this chapter and subject to the foregoing fine for every day of such violation.

WHEREAS, this ordinance shall coincide with all other ordinances which benefits the safety, health, and well-fare along with the enhancement and to increase values of the Town of Beaver and all ordinances or parts of ordinances in conflict herewith are hereby repealed and should any portion of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

EFFECTIVE DATE: The standards of this ordinance shall be effective immediately upon passage and publication, as pursuant to law.

APPROVED BY THE TOWN OF BEAVER BOARD OF THE TOWN OF BEAVER THIS DAY OF

Jan 11th 2022.

Effective January 27th 2022

David Bedon

Chairperson

[Signature]

Supervisor

[Signature]

Supervisor

[Signature]

Clerk/Treasurer