

TOWN OF BEAVER
ORDINANCE NO # 2022-02

AN ORDINANCE REGULATING PLACEMENT OF OBJECTS ON TOWN PROPERTY OR WITHIN TOWN ROAD RIGHTS OF WAY

The Town Board of the Town of Beaver, Marinette County Wisconsin, pursuant to Section 60.22(1), Wisconsin Statutes, does hereby ordain as follows:

Sec 1. Purpose.

To provide for the public welfare and safety of the people of the Town of Beaver.

Sec 2. Definitions.

- a. **Lands** owned or leased by the Town of Beaver constitute Town property.
- b. **Right of Way:** that portion of Town property acquired by deed or easement dedicated for the purpose of laying and maintaining Town roads.
- c. **Objective:** any structure or material placed on Town property or road right of way either temporarily or permanently, including, but not limited to, brush, trash, fences, plants, crops, any encroachment on Town right-a-way, automobiles, buildings, metal, stones, and snow /ice deposited from driveway snow removal excepting mailboxes and their supports.

Sec 3 Restrictions.

- a. No object of any kind shall be placed on town property or within the right of way of any Town road in the Town of Beaver

Sec 4. Action by Town board.

- a. Upon confirmation of a object place on Town property or road right of way, the Town Board shall, through the Town Clerk, issue a written notice of removal to the offending person. Said notice shall state the nature of the offense, and the conditions under which the offending objects shall be removed.
- b. Offending parties shall be given 24 hours from the receipt of notice to remove stated objects from the Town property or road right of way.
- c. If, after 24 hours, the object remains on town property or in the right of way the Town chairperson shall direct a citation to be issued and the Town crew to remove said object(s), with hourly rates for employees and machine to be charged to the offending person.

Sec. 5. Enforcement.

- a. This ordinance may be enforced by the issuance of a citation to any violator of this ordinance by any sheriff or Deputy of the County of Marinette, State of Wisconsin, by any State of Wisconsin officer with police powers, or by a Town Board member so designated.

- b. In the alternative, any forfeitures imposed by this ordinance may be sued for and recovered pursuant to Chapter 778, Wis. Stats., in the name of the Town of Beaver.

Sec. 6. Penalties.

- a. Penalties for violations of provisions of this ordinance shall be not less than \$25.00 nor more than \$100.00 per day, plus the costs and disbursements of prosecution, for any violation which occurs under the terms of this ordinance with the exception of snow/ice deposited from driveway snow removal which will result in a fee of \$50.00 per offense per Wisconsin State Statute 346.95(3)

Each violation of any section constitutes a separate offense, Penalties shall include costs of removal as stated in Sec. 4c

- b. Responsibility for any violation resides with the property owner.
c. Any notices and citations will be sent to the property owner.

Sec. 7. Conflicting Ordinances.

All ordinances in whole or in part of the Town of Beaver which conflict with provisions of the ordinance are hereby repealed.

Sec. 8. Severance Clause.

Provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of the ordinance.

This ordinance shall take effect upon passage and publication according to law.

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

July 11, 2022.

David Beclora
Chairperson

[Signature]
Supervisor

[Signature]
Supervisor

[Signature]
Clerk/Treasurer

Effective July 21, 2022