

9.14 STORAGE OF JUNK OR JUNKED OR UNLICENSED MOTOR VEHICLES REGULATED. (Am. #11-12-01-09)

(1) Generally.

(a) Definitions.

1. "Motor vehicle" means a vehicle which is self-propelled, including a trackless trolley bus, a snowmobile and truck bodies, tractors or trailers.
2. "Junk" means without limitation, old iron, glass, paper, cordage, refrigerators, furnaces, washing machines, stoves, machinery or machinery parts, wood, bricks, cement blocks or other debris or waste, other discarded or unusable materials and objects. Unusable materials and objects shall be defined as those materials or objects which are no longer suitable for their original use or purpose.
3. "Junked motor vehicle" means any motor vehicle which is in such a physical or mechanical state as to be incapable of self-propulsion.
4. "Unlicensed motor vehicle, truck body, tractor or trailer" means any motor vehicle, truck body, tractor or trailer which does not bear lawful current registration plates issued by any state or nation.

(b) Prohibition. No person, firm, partnership or corporation shall leave any junk or unattended junked or unlicensed motor vehicle or any motor vehicle parts upon any street or upon any Village property. Nor shall any person, firm, partnership or corporation store any junked motor vehicle, unlicensed motor vehicle, any motor vehicle parts or any junk upon any private property outside of any building, unless authorized or permitted under the Zoning Code, Village Municipal Code, for any period in excess of 48 hours, and any such motor vehicle, motor vehicle parts or junk left in excess of such period is deemed abandoned.

(c) Order for Compliance. The Chief of Police may require by written order any premises in violation of this subsection and for which no permit has been issued to be put in compliance with the time specified in such order. If the order is not complied with the Chief of Police or his designee, may have the premises put in compliance and the cost thereof assessed as a special tax against the property or may issue a citation as provided in Section 9.90 and 9.91 of this chapter.

9.15 ABANDONED AND JUNKED MOTOR VEHICLES. (1) **VEHICLE ABANDONMENT PROHIBITED.** No person shall leave unattended any motor vehicle, trailer, semi-trailer, or mobile home on any public street or highway or public property for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has been left unattended on any Village street or highway or

on any public or private property within the Village without the permission of the owner for more than 48 hours, the vehicle is deemed abandoned and constitutes a public nuisance.

(2) **REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES.** Any vehicle in violation in this subsection shall be impounded until lawfully claimed or disposed of under par. (c); except if the Chief of Police or his authorized representative 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 Village prior to expiration of the impoundment period upon determination by the Chief of Police or his authorized representative that the vehicle is not wanted for evidence or any other reason.

(3) **DISPOSAL OF ABANDONED VEHICLES.**

a. **Vehicles Exceeding \$100 in Value.**

1. If the Chief of Police or his authorized representative determines that the value of an abandoned vehicle exceeds \$100, he shall notify the owner and lien holders of record by certified mail that the vehicle has been deemed abandoned and impounded by the Village and may be reclaimed within 15 days upon payment of accrued towing, storage and notice charges and if not so reclaimed shall be sold. See also par. (d).

2. If an abandoned vehicle exceeding \$100 in value is not reclaimed within the period and under the conditions provided in subsection a. above, it may be sold at auction or by sealed bid. If no satisfactory bid is received, the vehicle may be sold at private sale.

3. After deducting the expenses of impoundment and sale, the balance of the proceeds, if any, shall be paid in to the Village treasury.

b. **Vehicles of Less than \$100 in Value.** Any abandoned vehicle which is determined by the Chief of Police or his authorized representative to have a value of less than \$100 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

(4) **OWNER RESPONSIBLE FOR IMPOUNDMENT AND SALES COSTS.** The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle, provided no such costs shall be imposed without notice thereof to the owner and an opportunity for the owner to be heard thereon. Costs not recovered by the sale of the vehicle may be recovered in a civil action by the Village against the owner.

(5) **NOTICE OF SALE OR DISPOSITION.** Within 5 days after the sale or disposal of a vehicle as provided in par. (c), the Chief of Police or his authorized representative shall advise

the State Department of Transportation, Division of Motor Vehicles, of such sale or disposition on a form supplied by the Division. A copy of such form shall be given to the purchaser of the vehicle, and a copy shall be retained on file in the Village.