

ORDINANCE NO. 308

**AN ORDINANCE
TO AMEND SECTION 8.12.040
OF THE VILLAGE OF DARIEN MUNICIPAL CODE
RELATING TO JUNKED VEHICLES AND
PROHIBITED MATERIAL ON PRIVATE PROPERTY**

NOW, THEREFORE, the Board of Trustees of the Village of Darien, Wisconsin do ordain as follows:

Section 1. Section 8.12.040 of the Village of Darien Municipal Code is hereby amended to read as follows:

“§8.12.040 Junked vehicles and prohibited material on private property. [Ord. 242, 2006; amended 7/21/2014 by Ord. No. 286]

A. Purpose. Damaged, partially dismantled or junk motor vehicles upon private premises, except where permitted by a valid occupancy permit, constitute an eyesore and tend to depreciate property values contrary to the public welfare. Whenever such vehicles are junk motor vehicles or are partially dismantled, are unsafely elevated, are parked on unapproved surfaces or are rendered favorable to the harborage of rodents and insects, they may create a health or safety hazard or create a threat to the public welfare and as such constitute a public nuisance.

1. Definitions.

a. “Inoperable” means a motor vehicle that is incapable of being propelled under its own power, including, but not limited to, a motor vehicle meeting any of the following criteria:

- i. Is missing an engine.
- ii. Is missing a battery.
- iii. Is missing a transmission.
- iv. Is missing a wheel.
- v. Is elevated on blocks or other objects.
- vi. Is missing a tire or has a deflated tire.

b. “Junk motor vehicle” means a motor vehicle meeting any two of the following criteria:

- i. Has not been moved for 30 consecutive days.
- ii. Is partially dismantled.
- iii. Is inoperable.

- iv. Is parked on a surface that is not an approved surface.
 - v. Is unlicensed or improperly licensed.
- c. "Partially dismantled" means, but is not limited to, a motor vehicle meeting any of the following criteria:
- i. Is missing a door, fender or hood.
 - ii. Is missing a windshield or window or has a broken windshield or window.
- d. "Premises" means all or part of a platted lot, an unplatted lot or parcel of land or a plot of land either occupied or unoccupied by any building or structure, equipment or property of any kind.
- e. "Premises owner" means any person who, alone or jointly with others, has legal title to any facility or premises with or without having actual occupancy; or who has charge, care or control of the facility or premises as owner or agent of the owner or as executor, administrator, trustee or guardian of the estate of the owner.
- f. "Public view" means storing outside of a fully enclosed code-compliant building.
- g. "Vehicle" means a motor vehicle as defined in Section 340.01(35), Wis. Stats."

Section 2. This ordinance shall take effect upon passage, posting, or publication as provided by law.

Enacted by the Village Board of the Village of Darien, Walworth County, Wisconsin, this 20th day of May, 2019.

VILLAGE OF DARIEN



Jane Stiles
Jane Stiles, President

ATTEST:

[Signature]
Rebecca Housenian LeMire, Administrator/Clerk-Treasurer

Date Published: May 30, 2019
Date Posted: May 21, 2019
Effective Date: May 31, 2019