

ORDINANCE 2018-11
NUISANCE ORDINANCE FOR
THE TOWN OF WINCHESTER, VILAS COUNTY, WISCONSIN

A. Purpose:

Whereas, the Town Board of Winchester's policy to protect the health, safety, and welfare of its residence, deems it necessary to adopt an ordinance pertaining to the public nuisance caused by, but not limited to, conditions listed in this ordinance.

B. Authority:

The Town Board of the Town of Winchester has the specific statutory authority, powers, and duties, pursuant to Sec 66.0413, Sec 60.61 and by its adoption of village powers under Sec 60.10 to adopt an ordinance to regulate, control, and prevent certain uses, business activities, and operations that may cause a public nuisance.

C. Adoption:

The Town Board of Winchester has, by adoption of this ordinance, confirmed the specific statutory authority, powers, and duties noted in the specific sections of this ordinance, regulations, controls, and enforcement against certain uses, activities, business, and operations by person that may cause a public nuisance in the Town of Winchester.

D. General Provisions:

No person shall cause, allow, or permit any person to create any public nuisance areas on the premises owned, leased, or controlled by that person in the Town of Winchester. The following are specifically declared by the Town of Winchester to be public safety nuisances: (This declaration shall not be construed to exclude other public nuisances affecting the public safety in the Town of Winchester)

1. An abandoned or wrecked motor vehicle area where motor vehicles, tractors, house trailers, railroad cars, and other motorized vehicles are allowed to accumulate without the proper permit issued by the Vilas County Zoning Department.
2. A rat harborage area where rats or other vermin can live and breed.
3. A junkyard where trash, debris, old lumber, furniture, freezers, stoves, or refrigerators are allowed to accumulate without the proper permits.

E. Enforcement. Violations, Legal Actions:

1. The Town Chairman of Winchester shall inspect any property upon receiving a written complaint for a violation of this ordinance. All written complaints must contain the following:
 - a. Property address
 - b. Description of the violation

c. Date when violation occurred

d. Name, address and phone number of person making the complaint

After the Town Chairman has made contact with the property owner and inspection the property, the Chairman shall write a report as to his finding in regard to the complaint. The report will be sent via registered mail to the property owner and person filing the complaint. A copy of the complaint and report shall be kept in the Town Office for 3 years. If a condition exists that is in violation of this ordinance, the property owner will have 30 days from the time of the report to correct the violation.

2. If any provision of this ordinance is being violated, written notice of such violation shall be issued to the property owner, indicating the nature of the violation and demanding the violation be abated. Appeals may be taken by filing written notice with the Town Clerk within thirty (30) days after receipt of the notice of violation. Appeals shall be placed on the agenda by the Town Clerk for the next Town Board meeting.

3. If the violation is not abated or appealed within the thirty (30) day period, actions may be instituted to abate any violations of the Ordinance and to collect the penalties for such violations and costs.

F. Old Buildings

For any buildings that are old, dilapidated, out of repair and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation and unreasonable to repair, the Town Board shall follow the procedure set forth in Section 66.0413 Wis. Stats., concerning orders to raze such buildings.

G. Validity:

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof.

H. Legal Actions:

This ordinance shall be effective upon passage and publication as provided by law.