

ORDINANCE NO.: 5052

AN ORDINANCE to amend Section 30-2(a) and (b) of the Code of Ordinances of the City of La Crosse regarding storage of personalty.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Sec. 30-2(a) is hereby amended as follows:

(a) Nuisance. Storage out of doors on the ground, trailers, containers, shelving, racking or in any manner of unused stripped, junked, unlicensed, and other automobiles not in condition for normal use or in good and safe operating condition, and of any other vehicles, machinery, implements, and/or equipment and personal property of any kind which is no longer usable or being used for the purpose for which it was manufactured, which hereinafter are collectively described as "said personalty," ~~for a period of five days or more~~ (except in licensed junkyards) is hereby declared to be a nuisance and dangerous to the public safety. No more than two empty trailers may be stored out of doors on a residential property at any given time. The applicable provisions of Wis. Stat. § 175.25 entitled "Storage of junked automobiles", including any revisions or amendments thereto, are hereby adopted by reference. The term "junked automobile" shall mean any automobile or motor vehicle which is incapable of operation or use upon a highway or which has been dismantled for parts or scrap.

SECTION II: Sec. 30-2(b) is hereby created as follows:

(b) Abatement by owner. The owner, owners, tenants, lessees, and/or occupants of any lot within the City upon which such storage is made, and also the owner, owners, and/or lessees of said personalty involved in such storage (all of whom will hereinafter be referred to collectively as owners), shall jointly and severally abate said nuisance by the prompt removal of said personalty to completely enclosed buildings authorized to be used for such storage purposes, or otherwise to remove it to a location without the corporate limits of the City and it shall be unlawful if said owners allow said nuisance to exist or fail to abate said nuisance. If said person responsible for abatement of nuisance does not abate the same within five days, except for vehicles which shall be removed within 14 days, the Chief of the Fire Department may cause said nuisance to be abated ~~after providing 14 days' notice~~ with the cost of the same to be charged or assessed as a special charge under Wis. Stats. § 66.0627 and Section 30-61 of this Code.

SECTION III: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION IV: This ordinance shall take effect and be in force from and after its passage and publication.

/s/

Timothy Kabat, Mayor

/s/

Teri Lehrke, City Clerk

Passed: 5/10/18
Approved: 5/14/18
Published: 5/19/18