

**TOWN OF ROCK
ORDINANCE #2002-02**

AN ORDINANCE TO AMEND ORDINANCE #943, DEALING WITH ABANDONED, DISABLED AND UNLICENSED VEHICLES AND EQUIPMENT ON PUBLIC AND PRIVATE PROPERTY AND TO AMEND ORDINANCE #003, AUTHORIZING THE USE OF A CITATION TO BE USED FOR VIOLATIONS OF CERTAIN ORDINANCES.

WHEREAS, the Town of Rock has previously adopted Ordinance #943, dealing with the storage of abandoned, disabled and unlicensed vehicles and equipment on public and private property; and

WHEREAS, the Town of Rock has also previously adopted Ordinance #003, adopting and authorizing the use of a citation to be used for violations of certain ordinances; and

WHEREAS, it is the desire of the Town Board to remove requirements under said Ordinance #943 requiring notice prior to prosecution for violation of that ordinance; and

WHEREAS, it is also the desire of the Town Board to increase the level of penalties for violations of Ordinance #943;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF ROCK, COUNTY OF ROCK, STATE OF WISCONSIN, DOES ORDAIN AS FOLLOWS:

ORDINANCE NUMBER 2002-02 OF THE CODE OF ORDINANCES OF THE TOWN OF ROCK, COUNTY OF ROCK, STATE OF WISCONSIN, IS HEREBY CREATED TO MAKE CERTAIN AMENDMENTS TO ORDINANCE NUMBERS 943 AND 003 AS FOLLOWS:

SECTION I.

Section II of Ordinance #943 is repealed and replaced by the following:

Prohibition of Abandoned, Disabled and Unlicensed Vehicles and Equipment.

No person who owns or possesses or has custody of any vehicles or equipment shall allow the same or any substantial part thereof to become an abandoned vehicle or equipment. No person, being the owner or occupant of private property, shall allow any unlicensed vehicles and equipment or any nonoperable vehicles and equipment to be kept on such private property. Any such allowance is a public nuisance and may be abated or removed and penalties imposed as set forth in this ordinance. Any such vehicle or equipment may be disposed of as outlined in this ordinance.

SECTION II.

Section VII of Ordinance #943 is repealed and replaced by the following:

Penalties.

Any person convicted of a violation of this ordinance is subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Three Hundred Dollars (\$300.00) together with costs of prosecution and the costs of removal, storage and sale of the vehicles and/or equipment as provided in this ordinance. Each day a violation exists or continues shall constitute a separate offense. In default of payment, the violator shall be imprisoned in the county jail until such fine and costs are paid, such imprisonment not to exceed ninety (90) days.

SECTION III.

Section III of Ordinance #003 is amended by repealing that portion of the schedule of cash deposits for Ordinance #943 and replacing that portion of such schedule with the following:

Ordinance	Violation Penalty	Penalty Assessment	Jail Assessment	Crime Laboratories and Drug Law Enforcement Assessment	Total Deposit
Ordinance No. 943 - Abandoned, disabled and unlicensed vehicles	\$300 for single day or \$150 per day for multiple days, whichever is larger	\$69 for single day or \$34 for multiple days, whichever is larger	\$10 or 1% of violation penalty, whichever is larger	\$4.00	1. \$383 for single day 2. \$188.50 per day for multiple days

SECTION IV: Severability.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SECTION V: Effective Date.

This ordinance shall take effect and be in full force from and after its passage and publication as provided by law.

DATED this 30 day of September, 2002.

Richard O'Leary
Richard O'Leary, Town Chairperson

Mark Polzin
Mark Polzin, Town Supervisor

James Connell
James Connell, Town Supervisor

Attest:

Deborah Bennett
Deborah Bennett, Town Clerk

CERTIFICATE

I hereby certify that the above ordinance was adopted by the Town Board of the Town of Rock on the 30th day of September, 2002, and that on the 9th day of September, 2002, a copy of the above ordinance was published in *The Janesville Gazette*, the official newspaper of the Town of Rock.

Deborah Bennett
Deborah Bennett, Town Clerk
Town of Rock, Rock County, Wisconsin

Subscribed and sworn to before me
this 30th day of October, 2002.

[Signature]
Notary Public, Rock County, Wisconsin
My Commission: 15 FORMANVILLE