

ORDINANCE 10-5
AN ORDINANCE TO REPEAL AND RECREATE EXISTING ORDINANCE, TITLE
10, CHAPTER 5, OF THE CODE OF ORDINANCES, VILLAGE OF LA FARGE,
WISCONSIN, RELATIVE TO ABANDONED AND JUNKED VEHICLES AND
APPLIANCES.

Sections 10-5-1 through 10-5-10 of the Code of Ordinances, Village of La Farge, Wisconsin, are hereby repealed and replaced with the following:

10-5-1 Title and Purpose.

The title of this ordinance is the Village of La Farge Abandoned and Junked Vehicle Ordinance. The purpose of this ordinance is for the Village to regulate by permit and penalty the abandonment of certain vehicles and the storing of certain junked vehicles, and inoperable appliances, in the Village.

10-5-2 Authority and state statutes adopted.

The provisions of §§ 342.40 and 175.25, Wis. Stats., and the definitions therein, are adopted by reference. State statute shall take precedence should there be any conflict between statute and this chapter. The Village has the specific authority under §§ 342.40 and 175.25, Wis. Stats., and general authority under § 61.34(1), Wis. Stats., to adopt this ordinance.

10-5-3 Definitions.

An "abandoned vehicle" or "stored vehicle" means an unattended vehicle on any real estate located within the corporate limits of the Village, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any vehicle has been left unattended without the permission of the property owner for more than 48 hours, the vehicle is deemed abandoned and constitutes a public nuisance. A vehicle shall not be considered an abandoned vehicle when it is out of ordinary public view, or when designated as not abandoned by a duly authorized municipal or county official pursuant to municipal or county ordinance.

An "appliance" is any motorized, powered, or engine-driven equipment designed for either indoor household use or outdoor property maintenance. Indoor appliances include, but are not limited to: stoves, ovens, refrigerators, freezers, dishwashers, washing machines, clothes dryers, water heaters, and air conditioners, whether powered by electricity, natural gas, or other energy sources. Outdoor appliances include, but are not limited to: snow blowers, push lawn mowers, tillers, chippers, shredders, leaf blowers, string trimmers, hedge trimmers, edgers, aerators, power rakes, chain saws, and pressure washers, whether such equipment is powered by gasoline, electricity, battery, or other means of propulsion.

An "inoperable appliance" is no longer operable in the sense for which it was manufactured or is stored outdoors for a period of over 5 days.

A "junked vehicle" means a vehicle in a disassembled, dismantled, junked, wrecked or inoperable condition, on any real estate located within the corporate limits of the Village. A vehicle is deemed inoperable if it is no longer operable in the sense for which it was manufactured or is stored outdoors for a period exceeding five days.

A "motor vehicle" means a vehicle that is subject to regulatory jurisdiction of the Department of Transportation (DOT) and/or the Department of Motor Vehicles (DMV), meaning it is subject to their rules and registration requirements regarding vehicle operation on public roads.

An "unlicensed/unregistered vehicle, truck body, tractor or trailer" used in this Ordinance is defined as follows: a vehicle, truck body, tractor or trailer which does not bear lawful current registration plates.

A "vehicle" means any self-propelled land vehicle, including but not limited to automobiles, trucks, buses, motorized campers, motorcycles, motor scooters, mopeds, tractors, snowmobiles, trailers of all types, mobile homes, lawn tractors, and riding lawn mowers.

10-5-4 Prohibited Acts.

No person, firm, partnership or corporation shall possess any junked, abandoned, or unlicensed/unregistered vehicle, or an inoperable appliance on public or private property within the Village. A motor vehicle shall not be considered a violation of this chapter when it is out of the ordinary public view or when designated as not abandoned or junked by a duly authorized municipal official or when properly permitted pursuant to a permit issued hereunder.

10-5-5 Impoundment.

- A. Police duty. Whenever any Village law enforcement officer shall find any violation of this chapter, he/she shall notify the owner of such violation and/or the owner of the property upon which such violation is located of the intention of the Village to remove such vehicle or appliance. If any such vehicle or appliance is not removed within five days after such notice, the Chief of Police shall cause such vehicle or appliance to be removed, the cost of such removal to be charged to the property from which it is removed and such charges to be entered upon the tax roll as a special assessment. Upon removal, such a vehicle or appliance shall be stored in a suitable place for at least 10 days after the owner thereof receives notice of such storage, in accordance with Wis. Stat. § 342.40(3)(c), as amended

- B. Exception. Any vehicle or appliance in violation of this chapter shall be impounded by the Chief of Police of the Village until lawfully claimed or disposed of under § 10-5-7 A. or B., except that if the Chief of Police or any member of the Police Department authorized by the Chief of Police determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked or sold by the Chief of Police prior to expiration of the impoundment upon his/her determination that the vehicle is not wanted for evidence or other reason. All substantially complete vehicles in excess of 19 model years of age shall be disposed of in accordance with § 10-5-7 A.

10-5-6 Owner liable for costs.

The owner of any abandoned, junked or stored vehicle or appliance for which no permit has been issued by the Village Board, except a stolen vehicle or appliance, is responsible for all costs of impounding and disposing of the vehicle or appliance. Costs not recovered from the sale of the vehicle or appliance may be recovered in a civil action by the Village against the owner.

10-5-7 Sale or disposition.

- A. Value in excess of \$100. Any impounded vehicle or appliance shall be valued by the Chief of Police or any duly authorized member of the Village Police Department. Any impounded vehicle or appliance which is determined by the Chief of Police or any duly authorized member of the Village Police Department to have a value in excess of \$100 shall be retained in storage for a period of 10 days after certified mail notice has been sent to the owner and lienholders of record. Such notice shall set forth the year, make, model and serial number of such vehicle or appliance and the place where the vehicle or appliance is being held and shall inform the owner and any lienholders of their right to reclaim the vehicle upon payment of accrued charges and costs. The notice shall state that failure of the owner or lienholders to exercise their rights to reclaim the vehicle or appliance under this subsection shall be deemed a waiver of all right, title and interest in the vehicle or appliance and a consent to the sale of the vehicle or appliance. Each retained vehicle or appliance not reclaimed by its owner or lienholder may be sold. The Village may dispose of the vehicle or appliance by sealed bid or auction sale. At such sale, the highest bid for any such vehicle or appliance shall be accepted unless the same is deemed inadequate by the Chief of Police, in which event all bids may be rejected. If all bids are rejected, or no bid is received, the Village may either readvertise the sale, adjourn the sale to a definite date, sell the vehicle or appliance at a private sale, or junk the vehicle or appliance. Any interested person may offer bids on each vehicle or appliance to be sold. A Class 1 notice, pursuant to the provisions of Ch. 985, Wis. Stats., shall be published in the official newspaper of the Village prior to any such sale and

shall be in the same form as the certified mail notice sent to the owner or lienholder of record. Upon sale of a motor vehicle, the Village shall supply the purchaser with a complete form designed by the Wisconsin Department of Transportation enabling the purchaser to obtain a regular certificate of title for the motor vehicle. The purchaser shall have 10 days to remove the vehicle or appliance from the storage area but shall pay a reasonable storage fee established by the municipality for each day the vehicle remains in storage after the second business day after the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle or appliance and the vehicle or appliance shall be deemed to be abandoned and may be sold again. Any listing of vehicles or appliances to be sold by the Village shall be made available to any interested person or organization who or which makes a written request for such list. The Village may charge a fee for the list.

- B. Value less than \$100. Any abandoned vehicle or appliance which is determined by the Chief of Police or his/her duly authorized deputy to have a value of less than \$100 may be disposed of by direct sale. Notwithstanding, in the case of motor vehicles, the sale shall be to a licensed salvage dealer upon determination that the motor vehicle is not reported stolen.
- C. Report required. Within five days after the sale or disposal of a motor vehicle, as provided in Subsection A or B, the Chief of Police shall advise the Wisconsin Division of Motor Vehicles of the sale or disposition thereof.

10-5-8 Permits for Motor Vehicles.

- A. Any person, firm, partnership or corporation desiring to maintain a motor vehicle that would be prohibited by this chapter shall apply for a permit. The permit application shall be on forms provided by the Village Clerk's office, shall be accompanied by a non-refundable application fee set by the Village Board, and shall be returned to the Village Clerk for consideration by the Village Board at the next regularly scheduled meeting. The application and permit shall designate the individual holding the permit (the "permittee") and the legal premises in the Village subject to the permit. Adjoining parcels owned by the permittee are included in the area defined as the legal premises. A legal premises may be the subject of no more than one permit issued under this chapter; and, any such permit will approve of no more than 1 motor vehicle. The permit is not transferable from premises to premises nor is it assignable from permittee to another person. Any such permit issued by the Village Board shall specify the manner of storing the motor vehicle and shall be signed by the Village President and Village Clerk.
- B. Any such permit issued hereunder shall be revocable at any time by the Village Board after a class 1 notice of a public hearing before such Board at which it has

been found that the permit holder has failed or refused to comply with this chapter, other applicable laws or regulations, or any restrictions contained in such permit; or has failed to allow physical access to the premises by the Village or its designee for inspection purposes upon 24 hours' notice to the permittee. Such a hearing may be held by the Village Board on its own motion or upon the complaint, in writing, duly signed and certified by the complainant. Such a complaint or motion shall state the nature of the alleged failure to comply with such ordinance or permit restrictions. A copy of the complaint or motion together with a notice of the hearing shall be served upon the permittee not less than 10 days before the date of the hearing.

- C. Each permit issued by the Village Board shall contain conditions regarding the following, which shall be established on a case-by-case basis by the board acting in its discretion:
- a. Installation and maintenance of fences on the premises.
 - b. Provision and maintenance of adequate fire safety equipment on the premises.
 - c. Removal or draining of all vehicle tanks and engines on the premises.
 - d. Installation and maintenance of adequate sanitary facilities on the premises.
 - e. Operational hours at the premises.
 - f. Installation and maintenance of adequate and necessary physical structures and equipment and provision of necessary personnel.
 - g. Rules and safeguards to prevent public nuisances and to protect the public health and safety of persons residing near the premises or persons entering the premises, including public nuisances at the premises associated with noise, dust, odors, fires, explosions, water pollution, air pollution and erosion.
 - h. Prohibition of open fires or burning of solid waste at the premises.
 - i. Prohibition of any hazardous waste being stored, kept, or disposed of at the premises.
 - j. Installation and maintenance of adequate landscaping upon and surrounding the premises.
 - k. Provision and maintenance of adequate security and operational personnel to prevent trespassing onto the premises.
 - l. The number of vehicles and appliances authorized to be kept on the premises.
 - m. Installation and maintenance of adequate physical structures and operational controls to prevent trespassing, littering, and private nuisances on private and public lands adjacent to the premises.
 - n. Any other condition determined by the Village Board to be necessary and appropriate.

10-5-9 Penalty Provision.

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture as provided in Section 1-1-6.

Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the Village board may seek injunctive relief from a court of record to enjoin further violations.

Additionally, penalties under 11-7, Chronic Nuisance Ordinance may also apply.

10-5-10 Severability.

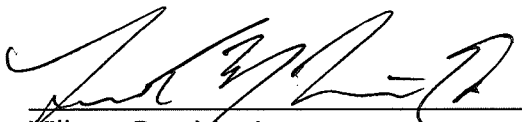
If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

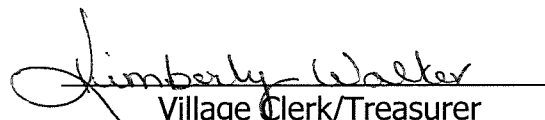
This ordinance shall take force and be in effect upon passage and publication.

Adopted by the Village Board, Village of La Farge, Wisconsin, this 10th day of February, 2025.

Votes:

6 Yes 0 No 1 Abstain


Village President


Village Clerk/Treasurer

ORDINANCE 10-5-A

AN ORDINANCE TO AMEND ORDINANCE 10-5 OF THE CODE OF ORDINANCES, VILLAGE OF LA FARGE, WISCONSIN, RELATIVE TO ABANDONED AND JUNKED VEHICLES AND APPLIANCES.

The Village Board of the Village of La Farge, Wisconsin, do ordain as follows:

Section 1. Section 10-5-3 of the Code of Ordinances, Village of La Farge, Wisconsin, is hereby amended by adding the following definition:

"**Business**" means any business enterprise engaged in automotive sales, automotive repair, or other commercial activity involving the storage, maintenance, or display of motor vehicles as part of its regular business operations.

Section 2. Section 10-5-4 of the Code of Ordinances, Village of La Farge, Wisconsin, is hereby amended by:

(a) Redesignating the existing first paragraph as subsection "A. General Prohibition."

(b) Adding a new subsection "B. Business Vehicle Storage Restrictions." to read as follows:

B. Business Vehicle Storage Restrictions. A business may not retain vehicles in the open which are inoperable, unlicensed, junked, or wrecked for a period exceeding three (3) months. After this time period, such vehicle(s) must be properly permitted as approved by the Village pursuant to Section 10-5-8 of this ordinance, or such vehicles must be enclosed within a building or screened from public view by appropriate screening or landscaping approved by the Village.

Section 3. All other provisions of Ordinance 10-5 shall remain in full force and effect.

Section 4. This ordinance shall take effect upon passage and publication as provided by law.

Section 5. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

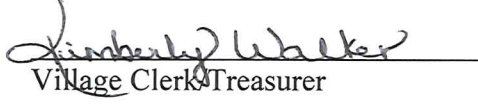
Adopted by the Village Board, Village of La Farge, Wisconsin, this 11th day of August, 2025.

Votes:

5 Yes 0 No 0 Abstain

Attest:


Village President


Village Clerk/Treasurer

Published: 8-19-2025

Effective Date: 8-19-2025

Private Property Abandoned and Junked Vehicle Permit Application - Village of La Farge, Vernon County, WI

FOR THE STORAGE OF MOTOR VEHICLES IN VIOLATION OF ORDINANCE 10-5 (NON-RENEWABLE/NON-TRANSFERABLE).

FEE: \$50.00 (NON-REFUNDABLE)

This permit allows you to have one (1) vehicle on your property for a period exceeding 20 days, which is in violation of La Farge Ordinance Title 10-5 (Abandoned and Junked Vehicles and Appliances). This permit does not authorize inoperable appliances. Abandoned, junked, and/or unlicensed/unregistered vehicles on public property may be removed per Wis. Stats. §§ 342.40 and 175.25 and/or La Farge Ordinances.

Rules:

- 1. Limit 1 motor vehicle permit per legal premises at a time. Adjoining parcels owned by the permittee are included in the area defined as the legal premises.**
- 2. The permit is specific to an individual motor vehicle, and is not transferable (between vehicles, owners, or other parties within the village limits of La Farge).**
- 3. Permit is effective on the date below and expires one year from that date.**
- 4. Upon expiration, you must do one of the following: register the vehicle, remove the vehicle from your property (see #2 above), or keep indoors. Continued violation may result in towing and/or impoundment of the vehicle.**
- 5. If you dispose of the vehicle and acquire a different vehicle, you must get a new permit. This permit is not transferable.**
- 6. The permit must be visibly displayed on the vehicle (to prevent effects of weather) on either the front windshield, dashboard, or in the back window of the vehicle at all times and be legible for visual inspection at any time. You may request a new permit (without cost) if the original becomes damaged/illegible. The replacement permit shall have the original authorization/expiration date.**
- 7. The permit does not authorize operation or any other state requirement for registration on a public roadway.**
- 8. The Village Board may set additional conditions for your permit regarding:**
 - a. Installation and maintenance of fences**
 - b. Fire safety equipment**

Private Property Abandoned and Junked Vehicle Permit Application - Village of La Farge, Vernon County, WI

- c. Removal/draining of vehicle tanks and engines
- d. Sanitary facilities
- e. Operational hours
- f. Necessary physical structures and equipment
- g. Rules to prevent public nuisances and protect public health and safety
- h. Prohibition of open fires or burning
- i. Hazardous waste storage/disposal prohibitions
- j. Adequate landscaping requirements
- k. Security requirements
- l. Controls to prevent trespassing and littering
- m. Any other conditions deemed necessary by the Village Board

MAKE: _____ **MODEL:** _____ **COLOR:** _____

YEAR: _____ **VIN:** _____ **PLATE NUMBER/STATE:** _____

VEHICLE STORAGE LOCATION ADDRESS: _____

LEGAL DESCRIPTION OF PREMISE: _____

MANNER OF STORAGE: _____

REASON FOR PERMIT (CIRCLE): Disassembled Inoperable Unlicensed Junked Wrecked

By signing this application, I understand and agree to the above rules regarding this permit as a variance to Village of La Farge Ordinance 10-5 and will comply. I also understand violations may result in citations and/or the towing/impoundment of the vehicle, and I may be responsible for all costs incurred.

I understand this permit, as issued, is not transferable from premises to premises nor is it assignable from permittee to another person; and, is revocable or can be suspended after a hearing before the Village Board, after a class 1 notice of a public hearing before such Board, at which time it has been found the permit holder has failed or refused to comply with this chapter, other applicable laws or regulations, or any restrictions contained in the permit. Such a hearing may be held by the Village Board on its own motion or upon the complaint, in writing, duly signed and certified by the complainant. See Section 10-5-8 (B) for reference.

**Private Property Abandoned and Junked Vehicle Permit
Application - Village of La Farge, Vernon County, WI**

Permit Applicant Name: _____ Applicant Date of Birth: _____

Applicant Address: _____

Applicant Phone Number: _____

Premise Owner Name(if different): _____

Premise Owner Date of Birth (if different): _____

Premise Owner Address (if different): _____

Applicant Signature: _____ Date: _____

Applicant Phone: _____ Premise Owner Phone (if different): _____

**To Be Completed by Staff
Payment must be made prior to approval**

Signature, Village President: _____ Date of Approval: _____

Signature, Village Clerk: _____ Date of Approval: _____

Additional Conditions: YES NO

If Yes, Describe Conditions:

******To Be Completed By La Farge Police Department******

LA FARGE POLICE CFS NUMBER AND/OR CASE NUMBER: _____

EFFECTIVE DATE: _____ **EXPIRATION DATE:** _____

VILLAGE OF LA FARGE

PERMIT -- ABANDONED OR JUNK

VEHICLE

VEHICLE OWNER: _____ VEHICLE OWNER AGE: _____

PREMISE OWNER (if different): _____ PREMISE OWNER AGE (if different): _____

VEHICLE OWNER PHONE (if different): _____ PREMISE OWNER PHONE (if different): _____

STREET ADDRESS OF PREMISE: _____ NUMBER OF VEHICLES: _____ 1 (ONE) _____

LEGAL DESCRIPTION OF PREMISE: _____

ADDITIONAL CONDITIONS: YES NO MANNER OF STORAGE: _____

LA FARGE VILLAGE PRESIDENT	DATE	LA FARGE VILLAGE CLERK	DATE
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TO BE COMPLETED BY LA FARGE POLICE DEPARTMENT

LA FARGE POLICE CFS NUMBER AND/OR CASE NUMBER: _____

DATE OF ISSUE _____ DATE OF EXPIRATION _____