Unapproved parked vehicles on private property

Excerpt from City of Fort Atkinson Code of Ordinances

Excerpt from City of Fort Atkinson Zoning Ordinance

Excerpt from Wisconsin State Statute

346.94(13) Abandoned motor vehicles. No person may cause a motor vehicle to be abandoned, within the meaning of s. 342.40 (1m) or (4) (b) 1., on or along any highway or on any public or private property.

342.40 Vehicle abandonment prohibited; removal; disposal.

(1c) In this section, “owner" includes the lessee of a vehicle if the vehicle is registered, or required to be registered, by the lessee under ch. 341.

(1m) No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public highway or private or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Except as otherwise provided in this section, whenever any vehicle has been left unattended without the permission of the property owner for more than 48 hours in cities of the 1st class and, in other cities, villages and towns, a period set by the governing body thereof, the vehicle is deemed abandoned and constitutes a public nuisance. A motor vehicle shall not be considered an abandoned motor 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.

(2) Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under sub. (3) except that if an authorized municipal or county representative determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked, donated to a nonprofit organization, or sold by the municipality or county prior to expiration of the impoundment period upon determination by the chief of police or sheriff having jurisdiction that the vehicle is not stolen or otherwise 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 sub. (3) (c).

(3) Any municipality or county may enact ordinances governing the removal and disposal of abandoned vehicles and, except for abandoned vehicles that have been stolen, provide a forfeiture in addition to providing for the recovery by the municipality or county of the cost of impounding and disposing of the vehicle.

(a) Any municipal or university police officer, police officer appointed under s. 16.84 (2), sheriff's deputy, county traffic patrolman, state traffic officer or conservation warden who discovers any motor vehicle, trailer, semitrailer, or mobile home on any public highway or private or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle the officer or warden shall notify the sheriff or chief of police of the abandonment and of the location of the impounded vehicle. Upon causing the

removal of the motor vehicle by a towing service, the officer or warden shall, within 24 hours of ordering the removal, notify the towing service of the name and last-known address of the registered owner and all lienholders of record of the vehicle, unless the officer is employed by a municipality or county that has entered into a towing services agreement which requires the municipality or county to provide notice to such owner and lienholders of the towing.

(b) The owner of any abandoned vehicle except a stolen vehicle is responsible for the abandonment and all costs of impounding and disposing of the vehicle. If the vehicle is sold, costs not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner. Whether or not the municipality recovers the cost of towing and enforcement, the municipality shall be responsible to the towing service for requisitional towing service and reasonable charges for impoundment.

Residential Lawn Parking

City of Fort Atkinson Zoning Ordinance Article VI: Performance Standards

Section 15.06.06: Off-Street Parking and Traffic Circulation

(13) Parking Space Design for residential uses served by individual driveways (single-family detached, twin house, duplex, townhouse, and some multi-plex's) are regulated as follows:

(c) Except for driveways leading to legal parking spaces, parking is not permitted in the front yard.

(e) Rear yard parking spaces are permitted with the following setbacks:

1. Side yard setback past the rear façade of the principal structure and the rear lot line: per the side setbacks for accessory structures established in Article II

2. Rear yard setback: per the rear setbacks for accessory structures established in Article II

(f) Uncovered parking spaces situated beyond the rear façade of the principal structure must be screened with a minimum of 5-foot tall vegetation, solid fencing, or other material that creates a solid screen, impervious to sight from adjacent properties, excluding views from the side of the lot where access is provided.

(g) Uncovered parking spaces shall follow the surfacing requirements of Section 15.06.06(19). Uncovered parking spaces shall be constructed in accordance with this Chapter within 365 days of construction. During the permitted 365 days, a minimum aggregate base of 4 inches is required.

(21) Limitations on Uses of All Off-Street Parking Areas.

(a) All vehicles shall be in condition for safe and legal performance on public rights-of-way, be registered, and display current license plates.

(b) Under no circumstances shall any vehicle or equipment be used as living quarters, except for approved Campground land uses.

(c) Vehicles or equipment not normally associated with a residential use shall not be parked or stored outdoors on a residential property, unless a Home Occupation Permit has been issued (See Section 15.03.28(4)). On a nonresidential property, such vehicles or equipment shall not be parked or stored outdoors, except in areas identified on an approved site plan for the purpose of heavy vehicle parking or an Outdoor Storage land use. Such vehicles or equipment include but are not limited to:

1. Construction equipment such as bulldozers, backhoes, skid steers, and forklifts
2. Dump and stake body style trucks
3. Cube type vans and trucks, longer than 21 feet
4. Landscaping business equipment such as tractors, tree spades, graders, and scrapers
5. Semi-trailers
6. Concession, vending, and catering trailers
7. Commercial/industrial equipment trailers and lifts
8. Tow trucks, wreckers, or car carriers except for 1 light-duty tow truck (not a roll back, flat bed, or carrier type) with a gross vehicle weight not exceeding 12,000 pounds may be parked on a residential lot when on call, operating under the rotating call list established and kept by the City of Fort Atkinson Police Department
9. Amusement rides and similar vehicles

(22) Limitations on Uses of Residential Off-Street Parking Areas. In residential districts and on lots associated with residential uses, accessory off-street parking facilities shall be solely for the parking of passenger vehicles, which shall be regulated as follows:

(a) A maximum of one commercial vehicle per dwelling unit may be parked outdoors on residential property provided that the vehicle is used by a resident of the dwelling unit, has a manufacturer's gross vehicle weight rating of 28,000 pounds or less, and is less than 21 feet in length.

(b) No person shall park any motor truck, truck trailer, trailer, semitrailer or any other vehicle or combination of vehicles weighing more than 28,000 pounds, except recreational vehicles or motor homes are permitted if parked in a paved driveway or other legal off-street parking space.

(c) A recreational vehicle (RV) associated with and customary to residential uses may be parked as if a passenger vehicle but shall not be utilized for human occupation, the storage of goods, materials, or equipment other than that which is considered part of the RV or essential to its function.