Chapter 296

PROPERTY MAINTENANCE

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[HISTORY: Adopted by the Village Board of the Village of Lyndon Station on 08-06-2024 replacing and superseding the prior Chapter 296 in its entirety.]

§ 296-1. Purpose.

The purpose of this Chapter is to promote, preserve, and protect the peace, health, safety, property, and general welfare of the Village; to protect, maintain, and preserve property values; to abate and prevent blighted areas; and to recognize the private and public benefits resulting from the safe, sanitary, and attractive maintenance of buildings, yards, and vacant areas.

§ 296-2. General Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

Basement: A space of full story height below the first floor which is not designed or used primarily for year-round living accommodations. Space, partly below grade, which is designed and finished as habitable space is not defined as basement space.

Dwelling: Any building or structure and attached appurtenances wholly or partly used or intended to be used by humans for living or sleeping.

Dwelling unit: Any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating meals.

Gang Graffiti: Any structure or marking determined by the Juneau County Sheriff Department to be a gang-related symbol or sign.

Garbage: Solid waste from domestic or commercial preparation, cooking, and dispensing of food, or from the handling, storage, and sale of meat, fish, fowl, fruits, vegetables, and other vegetable and animal matter.

Infestation: The continuous presence within or around a dwelling of any insects, rodents, or other pests.

Noxious weeds: Canada thistle, leafy spurge, field bindweed (creeping Jenny), in any part of the Village, lawn grasses which exceed eight (8) inches in length, and all plants growing in sidewalk cracks or cracks next to buildings in any area zoned commercial or industrial.

Occupant: Any person living, sleeping, or eating in, or having actual possession of, a dwelling unit or rooming unit.

Operator: Any person, not an owner, who has charge or care of any premises, dwelling, or part thereof.

Owner: Any person who shall be the legal record holder of title to a premises or dwelling, including the legal record holder of a land contract vendee's interest.

Premises: Any lot, plot, or parcel of land and the buildings thereon.

Recyclable Waste: Waste material that is routinely remanufactured into useable products including (but not limited to) glass, plastics, newspapers, cardboard, and metals (aluminum, steel, tin, brass, etc.).

Refuse: All waste material, except garbage, rubbish, and recyclable waste, including (but not limited to) grass, leaves, sticks, tree branches and logs, stumps, cement, boards, furniture or household appliances, and garden debris.

Rubbish: Waste material, except garbage, that is incidental to the operation of a building, including (but not limited to) tin cans, bottles, rags, paper, cardboard, and sweepings.

§ 296-3. Public Nuisances Prohibited.

No occupant, operator, or owner shall erect, cause, continue, maintain, or permit to exist any public nuisance within the Village.

§ 296-4. Public Nuisance Defined.

The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances:

(1) **COMMON LAW**: Any public nuisance known at common law or in equity jurisprudence.

(2) **IN GENERAL**: Any act, occupation, condition, or use of property which shall continue for such length of time as to:

(a) Injure, or endanger the comfort, health, repose, or safety of the public;
(b) In any way render the public insecure in life or in the use of property;
(c) Greatly offend public morals or decency;
(d) Unlawfully and substantially interfere with, obstruct or tend to obstruct, or render dangerous for passage, any street, alley, highway, navigable body of water, or other public way, or the use of public property.

(3) **CODE VIOLATIONS**: Any place or premises within the Village where Village ordinances or state laws relating to the public health, safety, peace, morals, or welfare are openly, continuously, repeatedly, and intentionally violated.

(4) **BLIGHTED PREMISES**: Any structure, building, improvement, or premises which is a menace to public health, safety, morals, or welfare in its present condition, or which endangers life or property by threat of fire or other hazard, due to any of the following reasons:

(a) Faulty design or construction;
(b) Failure to maintain the premises; or
(c) The accumulation thereon of junk, garbage, or rubbish.

(5) **ATTRACTIVE NUISANCE**: Any artificial condition existing on land which presents an unreasonable risk of harm to children, who, because of their youth, may not discover the condition or realize the risk of intermeddling or coming within the area of danger, and the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared to the risk to children. Attractive nuisances shall include, but are not limited to, the following:

(a) Vacant buildings or structures which possess unsecured doors or windows;
(b) Abandoned wells or shafts which are not securely sealed or covered;
(c) Basements and excavations which are unprotected or unfenced;
(d) Abandoned refrigerators or freezers which do not have the doors removed therefrom;
(e) Structurally unsound fences and structures;
(f) Abandoned, untitled, or unlicensed motor vehicles which possess unsecured doors, windows, or trunks.

(6) **PUBLIC HEALTH**: The following acts, omissions, places, conditions, and things are hereby specifically declared to be public nuisances affecting public health, but such enumeration shall not be construed to exclude other health nuisances:

(a) Adulterated Food: All decayed, harmfully adulterated, or unwholesome food or drink sold or offered to the public for human consumption.

(b) Unburied Carcasses: Carcasses of animals, birds, or fowl, not intended for human consumption or food, which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death.

(c) Breeding Places for Vermin, etc.: Accumulation of decayed animal or vegetable matter, garbage, refuse, rubbish, rotting lumber, bedding, packing materials, scrap metal, or any materials whatsoever in which flies, mosquitoes, disease-carrying insects, rats, or other vermin may breed.

(d) Stagnant Water: All stagnant water in which mosquitoes, flies, or other insects can breed.

(e) Privy Vaults and Garbage Cans: Privy vaults and garbage cans which are not fly-tight.

(f) Noxious Weeds: All noxious weeds.

(g) Air Pollution: The emission or escape into the open air of such quantities of smoke, ash, dust, soot, cinders, acid, or other fumes, dirt, noxious gases, or other material, in such place or manner that causes or is likely to cause injury, detriment, or nuisance to any appreciable number of persons within the Village.

(h) Water Pollution: The pollution of any public well or cistern, stream, lake, canal, or other body of water.

(i) Noxious Odors, Etc.: Any use of property, substances, or things within the Village emitting or causing any foul, offensive, noisome, nauseous, noxious, or disagreeable odor, gas, effluvia, or stench extremely repulsive to ordinary persons, or which annoy, discomfort, injure, or inconvenience the health of any appreciable number of persons within the Village.

(j) Road Pollution: Any use of property which shall cause any nauseous or unwholesome liquid or substance to flow into or upon any public highway or public place within the Village.

(k) Animals at Large: All animals running at large. An animal is considered to be "running at large" if it is off the premises of its owner and not under the control of the owner or some other person.

(l) Accumulations of Waste: Accumulations of garbage, refuse, rubbish, or recyclable waste, which exists for more than 10 consecutive days and which is not stored completely in an enclosed structure.

(7) **PUBLIC PEACE AND SAFETY**: The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances affecting peace and/or safety, but such enumeration shall not be construed to exclude other nuisances:

(a) Signs, Billboards, Lights, Etc.: All signs, billboards, awnings, lights, and other similar structures which are over or near highways and which, because of color, location, brilliance, or manner of operation, unreasonably distract or blind the users of highways and thereby create an unreasonable danger to public safety.

(b) Unauthorized Traffic Signs: All unauthorized signs, signals, markings, or devices placed or maintained upon or in view of any public highway which purport to be or may be mistaken as an official traffic control device or railroad sign or signal, or which, because of their color, location, brilliance, or manner of operation, interfere with the effectiveness of any official device, sign, or signal.

(c) Obstructions of Streets and Excavations: All obstructions of highways, and all excavations in or under the same, except as permitted by this Code, or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished, or which do not conform to the permit issued.

(d) Flammable Liquids: Repeated or continuous violations of this Code or state law relating to the storage of flammable liquids.

(e) Open Cisterns, Wells, Basements, or Other Dangerous Excavations: Any open cisterns, cesspools, wells, unused basements, excavations, swimming pools, or other dangerous openings, unless such places are filled, securely covered, or fenced in such manner as to prevent injury, provided any cover shall be of a design, size, and weight that the same cannot be removed by small children.

(f) Abandoned Refrigerators: Any abandoned, unattended, or discarded ice box, refrigerator, or other container which has an airtight door or lid, snap lock, or other locking device which may not be released from the inside.

(g) Tree Limbs: All limbs of trees which project over a public highway less than fourteen (14) feet above the surface thereof.

(h) Dead Trees: All dead or dying trees and tree limbs which are so situated that the tree or limb could fall onto a public highway or public property, or onto property which is not owned the owner of the tree. A tree or limb shall be presumed to be dead or dying if 50% or more of the tree or limb does not have leaves on it during the growing season.

(i) Fireworks: All use or display of fireworks, except as provided by the laws of the State of Wisconsin.

(j) Wires Over Streets: All wires over public highways or public grounds which are strung less than sixteen (16) feet above the surface thereof.

(k) Noisy Animals or Fowl: The keeping or harboring of any animal or fowl which, by frequent or habitual howling, yelping, barking, crowing, or other noise, shall greatly annoy or disturb a person of ordinary sensibilities within the Village.

(l) Gang Graffiti: The display of gang graffiti.

(8) **PUBLIC MORALS AND DECENCY**: The following acts, omissions, places, conditions, and things are hereby specifically declared to be public nuisances offending public morals and decency, but such enumeration shall not be construed to exclude other nuisances which may offend public morals and decency:

(a) Disorderly Houses: All disorderly houses, bawdy houses, houses of ill fame, gambling houses, and buildings or structures kept or resorted to for the purposes of prostitution, promiscuous sexual intercourse, or gambling.

(b) Unlicensed Sale of Liquor or Beer: All places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured, or rectified without a permit or license as required by this Code, or otherwise contrary to state law.

(c) Illegal Drinking or Drugs: Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages, or for the purpose of consuming drugs or other illegal substances in violation of state law.

(9) **BUILDINGS, STRUCTURES AND PREMISES**: The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances affecting buildings, structures, and premises, but such enumeration shall not be construed to exclude other nuisances regarding buildings and structures:

(a) Illegal Buildings: All buildings erected, repaired, or altered in violation of the provisions of this Code or state law.

(b) Dilapidated Structures: All buildings or structures so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use or occupancy.

(c) Rodents: Every foundation, exterior wall, roof, window, exterior door, basement

hatchway, and every other entrance to a structure which is not maintained to prevent the entrance and harborage of rats, mice, or other vermin.

(d) Fences: Every fence which is not kept in a reasonably good state of repair.

(e) Motor Vehicles: Abandoned, untitled, or unlicensed motor vehicles which are not stored in a completely enclosed structure

§ 296-5. Junk Control.

(1) **DEFINITIONS**: The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them by this section. Any word, term, or phrase not defined below shall have the meaning provided by § 340.01 Wis. Stats.

Automobile Graveyard: The term "automobile graveyard" shall have the definition provided by §84.31(2) Wis. Stats. and all amendments thereto.

Construction Equipment: The term "construction equipment," as used herein, shall mean and include all equipment commonly used to perform construction work, including, but not limited to, the following: excavators, backhoes, scrapers, dozers, crawlers, trenchers, trucks, cranes, loaders, skid loaders, end loaders, forklifts, paving equipment, concrete equipment, compaction equipment, forestry equipment, graders, tankers, elevators, lifts, compressors, generators, pumps, welding equipment, and all similar equipment.

Farm Equipment: "Farm equipment" shall mean and include all equipment commonly used to perform work on a farm, including, but not limited to, the following:

(a) Tractors and all parts thereof;

(b) Implements commonly drawn by a tractor, such as plows, planters, sprayers, hay bines, choppers, bailers, rakes, manure spreaders, and all parts thereof, and implements commonly affixed to a tractor, such as hydraulic buckets, combines, power take offs, and all parts thereof;

(c) Equipment which is self-propelled, such as trucks, chemical sprayers, combines, skid steers, skid loaders, end loaders, dozers, excavators, and all parts thereof;

(d) Equipment used to store, move, or deliver produce or feed, such as feeders, feeding troughs, augers, elevators, blowers, milking equipment, bulk tanks, and all parts thereof;

(e) Equipment which was last used upon a farm; and

(f) Equipment which is actually located upon a farm.

Junk: The term "junk" shall mean and include all of the following:

(a) "Junk" as defined in §84.31(2) Wis. Stats. and all amendments thereto.

(b) Items which are commonly discarded or thrown away by most people, but which may be used again in some form and are often collected by salvage yards and/or junk yards for resale.

Junk Construction Equipment: The term "junk construction equipment" shall mean all construction equipment which is not in operating condition. The phrase "not in operating condition," as used herein, shall mean:

(a) In the case of self-propelled equipment, equipment which cannot be immediately started and operated for the purpose for which it was designed, without repair or without

installation of a tire, battery, or other part; and

(b) In the case of non-self-propelled equipment, equipment which cannot be immediately used for the purpose for which it was designed, without repair or without installation of any part.

A piece of equipment which is located outside and which has not been moved for more than one (1) year is rebuttably presumed to be "not in operating condition."

Junk Farm Equipment: The term "junk farm equipment" shall mean all farm equipment which is not in operating condition. The phrase "not in operating condition," as used herein, shall mean:

(a) In the case of self-propelled equipment, equipment which can not be immediately started and operated for the purpose for which it was designed, without repair or without installation of a tire, battery, or other part; and

(b) In the case of non-self-propelled equipment, equipment which cannot be immediately used for the purpose for which it was designed, without repair or without installation of any part.

A piece of equipment which is located outside and which has not been moved for more than one (1) year is rebuttably presumed to be "not in operating condition."

Junk Motor Vehicle: The term "junk motor vehicle" shall mean and include all of the following:

(a) A "junk vehicle" as defined in §340.01(25j) Wis. Stats.

(b) A motor vehicle which has been "junked" as defined in 340.01(259) Wis. Stats.

(c) A "salvage vehicle" as defined in §340.01(559) Wis. Stats.

(d) A motor vehicle which is not in operating condition. A motor vehicle is "not in operating condition" if, upon inspection, the vehicle cannot be immediately started and legally driven upon a public highway by the inspector without repair and without installation of a tire, battery, or other part. A motor vehicle which is located outside and which has not moved under its own power for more than 30 days is rebuttably presumed to be not in operating condition.

(e) A motor vehicle which has been unlicensed for more than 90 days.

Junk Trailer: The term "junk trailer" shall mean a trailer which is not in operating condition. A trailer is "not in operating condition" if, upon inspection, the trailer cannot be immediately hooked up to a motor vehicle and legally drawn upon a public highway by the inspector without repair or without installation of a tire, tongue, or other part. A trailer which is located outside and which has not been moved for more than one (1) year is rebuttably presumed to be not in operating condition.

Junked: The term "junked" shall have the definition provided by §340.01(259) Wis. Stats. and all amendments thereto.

Junkyards: The term "junkyards" shall have the definition provided by §84.31(2) Wis. Stats. and all amendments thereto.

Municipality: The term "municipality" shall mean a village, town, county, state, or any agency thereof.

Person or Entity: The terms "person" or "entity" shall mean and include a natural person, sole proprietorship, partnership, limited partnership, corporation, governmental entity, municipality, school district, limited liability company, or any other ownership organization recognized under Wisconsin law as having the power to conduct business.

(2) **JUNK PROHIBITED**: No person or entity shall possess, store, accumulate, park, dump, or locate junk, junk construction equipment, junk farm equipment, junk trailers, junk motor vehicles, junkyards, or automobile graveyards within the Village, except as provided in §13.405 below, or except as allowed by permit pursuant to §13.407 below.

(3) **PRE-EXISTING ACCUMULATIONS**: Pre-existing accumulations of items, which are subject to this ordinance (i) shall not be increased or expanded, in number or geographic area, without a permit and (ii) shall be brought into compliance with the provisions of this ordinance no later than six (6) months from the date of the adoption of this ordinance. Furthermore, one regulated item (e.g. a junk car) shall not be replaced with another regulated item (e.g. a different junk car) without a permit.

(4) **EXCEPTIONS**: The following activities are allowed within the Village of Lyndon Station without a Permit:

(a) Ten (10) Indoor Items: A person or entity may possess up to (but not exceeding) 10 items prohibited by this Ordinance, provided all such items are located entirely inside a completely enclosed structure.

(b) Two (2) Outside Items: A person or entity may possess, outside of a completely enclosed structure, up to (but not exceeding) two (2) items prohibited by this Ordinance, provided all such items are located in such a place as to be entirely invisible (i) from persons using the public highways and (ii) from persons using adjacent neighboring land that is not owned by the person or entity which owns the land upon which the items are located.

(c) Traveling Items: A person or entity may possess items prohibited by this Ordinance if such items are being transported through the Village, and if such items are only temporarily located in the Village for not more than two (2) hours. Such items may not be unloaded and reloaded within the Village.

(5) **PERMITS FOR JUNK**: A person may obtain a permit from the Village to possess, store, accumulate, park, dump, or locate junk, junk construction equipment, junk farm equipment, junk trailers, junk motor vehicles, junkyards, or automobile graveyards within the Village of Lyndon Station, pursuant to the procedure and under the conditions prescribed herein.

(a) Application For Permit: A written application for a permit shall be filed with the Village Clerk and shall contain the following:

(1) The name, address, telephone number, and signature of the applicant(s).
(2) The name, address, telephone number, and signature of all land owner(s).
(3) The name, address, and telephone number of the intended operator(s).
(4) The name and address of all property owners who own property adjacent to the property upon which the site will be located.
(5) The address of the proposed site.
(6) An aerial photograph of the proposed site, including all land within 1,000 feet of the site. (These photos can be obtained from the Juneau County Land Information Office).
(7) A detailed description of the type of materials intended to be stored at the site, and a detailed plan of operation.
(8) A statement describing the amount or number of items intended to be stored at the site.
(9) A statement that the applicant and landowner shall comply with all federal, state, county,

and village rules and regulations regarding the operation intended.

(10) A copy of the permits and licenses received from the federal, state, and county authorities which authorize the proposed operation (e.g. a salvage yard license from the state; a junkyard license from the county; etc.).

(11) Any other information which the Village Board deems necessary to properly review the application (e.g. proof of financial responsibility of the applicant, operator, and/or owner; a transportation impact study; an environmental impact study; and any other information deemed necessary).

(b) Fee: An application fee, in the amount of $50, shall be paid when the application is filed with the Clerk.

(c) Public Hearing and Notice: A public hearing on the application shall be conducted by the Village Board, no sooner than 30 days after filing of the application. Notice of the public hearing shall be posted and published by the Clerk as a Class 2 notice, and notice shall be mailed by the Clerk to all adjacent property owners at least 10 days before the public hearing.

(d) Standards of Review: The following issues shall be considered and addressed by the Village Board in deciding whether to issue a permit:

(1) Whether the proposed operation on the proposed site complies with the Village's Zoning Ordinance.

(2) Whether the proposed operation, in its proposed location and as depicted on the required site plan, will cause a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may exist in the future.

(3) Whether the proposed operation will comply with the regulations set forth below.

(4) Whether the proposed owner and operator have demonstrated the experience, knowledge, financial ability, and willingness to comply with the regulations set forth below.

(5) Whether the potential public benefits of the proposed operation outweigh the potential adverse impacts of the proposed operation, after taking into consideration the Applicant's proposal, including the Applicant's suggestions to ameliorate any adverse impacts.

(6) Whether the size and scope of the proposed operation is appropriate for the site.

(e) Decision: Within 60 days after the public hearing (or within an extension of said period requested in writing by the Applicant and granted by the Board), the Board shall issue a decision either (i) in the form of a written resolution and/or (ii) in the formal Minutes of its meeting. Its decision shall include formal findings of fact concerning the standards of subsection (5)(d) above. In making its decision, the Board may take any of the following actions:

(1) APPROVE: The Board may approve the application as proposed; or

(2) APPROVE WITH MODIFICATIONS OR CONDITIONS: The Board may approve the application with such modifications and conditions as it deems necessary and appropriate after consideration of the purposes of this Ordinance, after consideration of the standards of review set forth above, after consideration of the regulations set forth below, and after consideration of the recommendations of citizens, experts, its own members, and any other source; or

(3) DENY: The Board may deny the application.

The Board's approval, with or without modifications or conditions, shall be considered the approval of a unique request, and shall not be construed as precedent for any other similar application.

(f) Effect of Denial: An application which has been denied (in whole or in part) shall not be resubmitted for a period of 12 months from the date of said denial, unless the Clerk first determines that either: (i) substantial and material new evidence has arisen; or (ii) a substantial and material change of circumstances has occurred regarding an issue which was relevant and significant to the prior decision to deny the application.

(g) Regulations: Any person or entity who wishes to apply for a permit or who receives a permit to possess, store, accumulate, park, dump, or locate items regulated by this subchapter shall comply with the following regulations:

(1) No operation shall be conducted in such a way as to constitute a public or private nuisance.
(2) No operation shall be conducted within 1,000 feet of any residence in existence when the operation is commenced, except the residence of the owner or operator of the operation.
(3) No operation shall be conducted in a location which is visible from any residence in existence when the operation is commenced, except the residence of the owner or operator of the operation. Visibility may be controlled by natural vegetation and/or berms, but not by fencing or other artificial means.
(4) No operation shall be conducted within 1,000 feet of any public highway or Village Road in existence when the operation is commenced.
(5) No operation shall be conducted in a location which is visible from any public highway or Village Road. Visibility may be controlled by natural vegetation and/or berms, but not by fencing or other artificial means.
(6) No operation shall be placed in a location and conducted in such a manner as to adversely affect the value of surrounding lands.
(7) No operation shall be conducted in such a manner as to permit dust, dirt, debris, or other materials, substances, or odors to be carried by wind across the boundary of the parcel of land being used for the operation.
(8) The operation shall comply with the Zoning Ordinance of the Village of Lyndon Station.
(9) The operation shall comply with all federal, state (e.g. 175.25 Wis. Stats), county, and village rules and regulations regarding the operation intended.
(10) The operation shall obtain and maintain all permits and licenses required by the federal, state, and county authorities which authorize the proposed operation (e.g. a salvage yard license from the state; a junkyard license from the county; etc.).
(11) No operation shall be modified, altered, or expanded beyond the terms and conditions of the permit without prior approval by the Board.

(h) Bond: The Village Board reserves the right to require the applicant, the owner and/or the operator to post a bond, or other financial security, the conditions of which may include any of the following: that this Ordinance shall be observed; that the plan of operation will be carried out; that if there is a violation of this Ordinance, or if the operation plan is not carried out, all penalties, legal costs, and remediation expenses imposed hereunder shall be paid.

(i) Change of Ownership. Permits shall run with the land. All requirements of a permit shall be maintained, regardless of ownership of the subject property. However, no permit may be transferred to a new owner without the express approval of the Village Board, which approval may be granted after the new owner complies with the procedure set forth above for new applicants.

§ **296-6. Enforcement and Penalties**.

(1) **REVOCATION**: Upon violation of this Ordinance, any permit issued hereunder may be revoked by the Village Board pursuant to the following procedure. Written notice of the violation shall be filed with the Village Clerk and mailed to the permitee, along with notice of a hearing, which shall be scheduled not less than 20 days after mailing of the notice. The Village and the permitee may produce evidence and witnesses, cross-examine witnesses, and be represented by counsel. The Village Board shall consider the evidence and testimony, and then render a decision regarding whether this Ordinance has been violated and, if so, whether the permit should be revoked. Nothing herein shall prevent or limit the Village's right to seek the other remedies provided herein, in addition to or in lieu of revocation of the permit.

(2) **FORFEITURES AND COSTS**: Except as otherwise provided herein, any person or entity who shall violate any provision of this Ordinance shall, upon conviction thereof, be subject to the following forfeitures:

(a) $100 for the first day a violation occurs; and

(b) $50 per day after the first day the violation continues, without full and complete abatement, until remedied

(c) All costs of enforcement and collection, including, but not limited to, actual attorney's fees, where not otherwise prohibited by law.

(3) **MONEY JUDGMENT AND EXECUTION**: Whenever any person or entity fails to pay any forfeiture, the Court, in lieu of imprisonment or in addition to imprisonment or after release from imprisonment, may do the following:

(a) Render a money judgment against the defendant in favor of the Village for such forfeiture, and said judgment may then be docketed and collected by the Village in any manner permitted by law; and/or

(b) Issue an execution against the property of the defendant for the payment of such forfeiture and costs, pursuant to the procedures set forth in Chapter 815 of the Wisconsin Statutes.

(4) **ABATEMENT OF VIOLATIONS**: In addition to any other penalty provided herein, the Village may seek the removal, prevention and/or abatement of any violation of any provision of this Ordinance. Such remedies may be joined with any action seeking a forfeiture, or may be separately commenced and maintained. When any such remedy is sought, the Court may order, in addition to any forfeiture authorized herein, the removal, prevention and/or abatement of a violation as follows:

(a) By the violator at the violator's sole expense; and/or

(b) If the violator fails to remove, prevent and/or abate the violation within the time limits established by the Court, then by the Village, at the sole expense of the violator. If the Village incurs expenses in the removal, prevention and/or abatement of any violation, the Village may collect said expenses by application to the Court for one or more of the following:

1. Impose upon the violator a new or additional forfeiture in the amount not to exceed the expenses incurred and, in default of payment of such forfeiture, the Court may imprison the violator in the county jail until such forfeiture is paid, but not exceeding 90 days; and/or

2. Issue an execution against property of the violator for such expenses pursuant to Chapter 815 Wis. Stats.; and/or
3. Render a money judgment against the violator in favor of the Village for such expenses, and said judgment may then be docketed and collected by the Village in any manner permitted by law.

(5) **RESTITUTION**: In addition to any other penalty provided herein, the Court may order the payment of restitution for violations of this Code in conformity with §§ 943.24 and 943.50 Wis. Stats., and shall use the restitution procedures as provided therein.

(6) **MULTIPLE VIOLATIONS**: Each violation and each day a violation continues or occurs shall constitute a separate offense. Prosecution of two or more offenses committed by the same violator may be joined into one action, and the prosecution of two or more violators for the same offense may be joined into one action.

(7) **OTHER LAWS APPLICABLE**: Nothing herein shall be deemed to limit or restrict the application of any federal, state, or county law, ordinance, or rule regulating the subject of this Ordinance. Compliance with this Ordinance does not excuse compliance with all other applicable laws.

(8) **SEVERABILITY**: Should any section, clause, or provision of this Ordinance be declared by a Court to be invalid, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.