

Outdoor Storage and Junk/Disabled Vehicles

Ordinance #: 4.06

Purpose.

The purpose of this ordinance is to limit and restrict the outdoor storage, parking or unreasonable accumulation of junk, unused, partially dismantled, unlicensed or nonoperating motor vehicles, motorcycles, boats, tractors, trailers, appliances, or other such machinery or new or used parts therefrom upon premises primarily used or zoned as: R1-Residential Single Family, R2-Residential Multiple Family, R3-Mobile Home Park, and R4-Rural Residential or any properties located within: CS-Community Service, PR-Parks and Recreation, F-Forest District, RC-Restricted Commercial, GC-General Commercial, and NC- Neighborhood Commercial within the Town of Brazeau, to thereby avoid injury and hazards to children and others attracted to such vehicles or trailers, the devaluation of property values and the psychological ill effect of the presence of such vehicles or trailers upon adjoining residents and residential property owners.

Regulations.

A.

No person shall park, store, or place upon any public right-of-way or public property, or upon any premises that is primarily used or is zoned as: R1-Residential Single Family, R2-Residential Multiple Family, R3-Mobile Home Park, and R4-Rural Residential or any properties located within: CS-Community Service, PR-Parks and Recreation, F-Forest District, RC-Restricted Commercial, GC-General Commercial, and NC- Neighborhood Commercial, within the Town of Brazeau any motor vehicle, motorcycle, boat, tractor, trailer, appliance, or other such machinery or new or used parts therefrom, unless the same is wholly contained within a fully enclosed building and does not violate any zoning or building laws, except for the following:

(1)

Duly licensed and operable vehicles or trailers with substantially all main component parts attached.

(2)

Vehicles or trailers that are temporarily inoperable because of minor mechanical failure but which are not, in any manner, dismantled and have substantially all main component parts attached, which may remain upon such private property not to exceed seven days.

B.

No repairing, redesigning, modifying or dismantling work or operations shall be allowed upon any vehicle or trailer or parts thereof upon any public right-of-way or public property or on any property primarily used or zoned for any type of residential purpose for a period in excess of 24 hours except such as:

(1)

Shall be accomplished within fully enclosed buildings.

(2)

Will not constitute a nuisance or annoyance to adjoining property owners or occupants.

C.

Any such work within such twenty-four-hour period heretofore allowed shall not, however, consist of any major repair, redesigning, modifying or dismantling work, but only such occasional minor work as may frequently be required to maintain a vehicle or trailer or parts thereof in normal operating condition. Nothing herein contained shall be construed to permit the parking and/or repair or maintenance on said vehicles in any front or side yard.

Public nuisance.

Any parking, storage, placement, or operation in violation of the provisions of this ordinance is hereby declared to be a public nuisance and shall be subject to the provisions of Chapter 4.

Enforcement procedures.

A.

Upon discovering that any person is in violation of any part of this ordinance, notification will be sent to those responsible for the violation and the property owner if they are not the occupant.

B.

The responsible party and/or property owner will then have seven days to comply with this ordinance, unless it is determined that the conditions constitute an imminent threat to the public health, safety or welfare or are a flagrant violation of the terms of this ordinance. An extension of time may be granted upon good cause, provided that the responsible party and/or property owner signs a written agreement to abate the nuisance within a specific time period.

C.

A citation will be issued charging the responsible party or parties and/or the property owner with an ordinance violation if abatement is not achieved within the time period.

D.

If the responsible party and/or property owner fails to abate the violation of this ordinance, the Town Chairperson or the Town Chairperson's designee, may also authorize the removal and storage of the junk, unused, partially dismantled, unlicensed or nonoperating motor vehicles, motorcycles, boats, tractors, trailers, appliances, or other such machinery or new or used parts therefrom at the responsible party's and/or property owner's expense. Abatement expenses incurred by the Town will be assessed against the real property as a special charge.

Violations and penalties.

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of no less than \$125.00 plus court costs (refer to the Town of Brazeau Bond Schedule), plus applicable surcharges, assessments, and cost of each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the Town Board may seek injunctive relief from a court record to enjoin further violations.