

CHAPTER 614. ABANDONED VEHICLES IN THE CITY OF ASHLAND, WISCONSIN.

614.01. Abandonment of Vehicles Prohibited. No person shall leave unattended any motor vehicle, trailer, semi-trailer 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 subsection, whenever any vehicle has been left unattended without the permission of the property owner for more than 7 days, 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 the Chief of Police.

614.02. Immediate Disposal. Any vehicle in violation of this ordinance shall be impounded until lawfully claimed or disposed of under Section 614.03 and 614.04 except that if it is deemed by the Chief of Police 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 City prior to expiration of the impoundment period upon determination by the Chief of Police 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 Section 614.04.

614.03. Owner Responsible. 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. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the City against the owner. Whether or not the City recovers the cost of towing and enforcement, the City shall be responsible to the towing service for requisitional towing service and reasonable charges for impoundment.

614.04. Sale. Any vehicle which is deemed abandoned by a duly authorized City representative and not disposed of under Section 614.20 shall be retained in storage for a minimum period of ten (10) days after certified mail notice has been sent to the owner and lienholders of record to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the year, make, model and serial number of the abandoned motor vehicle, the place where the vehicle is being held, and shall inform the owner and any lienholders of their right to reclaim the vehicle. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be sold. The City may dispose of the vehicle by sealed bid or auction sale as provide by ordinance. At such sale the highest bid for any such motor vehicle shall be accepted unless the same is deemed inadequate by a duly authorized City representative in which even all bids may be rejected. If all bids are rejected or no bid is received, the City may either readvertise the sale, adjourn the sale to a definite date, sell the motor vehicle at a private sale or junk the vehicle. Any interested person may offer bids on each abandoned vehicle to be sold. If municipal or county ordinances do not state the procedure to be followed in advertising or providing public notice of the sale, a public notice shall be posed at the office of the City Police Department. The posting of the notice at the Police Department shall be in the same form as the certified mail notice sent to the owner or lienholders of record. Upon sale of an abandoned vehicle, the City shall supply the purchaser with a completed form

designed by the Police Department enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have 10 days to remove the vehicle from the storage area, but shall pay a reasonable storage fee established by the City for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list. The City may charge a fee for the list. Within 5 days after the sale or disposal of a vehicle as provided in this section, the City shall advise the department of the sale or disposition on a form supplied by the department.

614.05. Reclamation by Rightful Owner. Should the abandoned vehicle be reclaimed by the rightful owner, the said owner shall pay all costs of towing and storage incurred by the City plus a forfeiture in a sum not less than \$100.00 nor more than \$500.00.

ADOPTED: 614 (1018) 10/11/1983