

BUILDINGS OR DWELLINGS WHICH CONSTITUTE A NUISANCE

ORDINANCE NO. _____

An ordinance to create an ordinance relating to buildings or dwellings that constitute a nuisance in the Town of Bergen, Vernon County, State of Wisconsin, and providing penalties in connection therewith.

The Town Board of the Town of Bergen, Vernon County, State of Wisconsin, does ordain as follows:

BUILDINGS OR DWELLINGS WHICH CONSTITUTE A NUISANCE.

(1) A building or house that, as a result of vandalism or any other reason, has deteriorated, out or repair, is dilapidated or blighted to the extent that windows, doors, or other openings, plumbing or heating fixtures, or facilities or appurtenances of the building are damaged, destroyed or removed, that is dangerous, unsafe, unsanitary, in violation of the provisions of the Town's Building Code concerning health and safety, so that the building or dwelling loses the aesthetic character of the neighborhood and produces blight or deterioration is hereby considered a public nuisance.

ABATEMENT.

(2) The owner(s), tenant(s), lessee(s), and/or occupants of any real estate within the Town of Bergen shall jointly and severally abate said nuisance and it shall be unlawful if said owner(s) allow said nuisance to exist or fail to abate said nuisance.

The owner(s), tenant(s), lessee(s), and/or occupants of any real estate shall have thirty (30) days after receiving written notice from the Town of Bergen within which to abate said nuisance. The failure to abate said nuisance within the thirty (30) day time period may include penalty of Special Assessment with costs to abate to be added to the real estate tax bill.

(3) Penalty.

Any person who shall violate any of the provisions of this ordinance or amendments thereto, shall, upon conviction thereof, be required to forfeit not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) together with the cost of prosecution and, in default of payment thereof, shall be committed to the county jail for a period not to exceed sixty (60) days. Each day's continuance of such violation shall constitute a separate offense.

In addition, the Town of Bergen, may after giving appropriate notice, include the cost of abatement as a Special Assessment under Section 66.0627, Wis. Stats., as well as, if appropriate, take appropriate action under Section 66.0413, Wis. Stats., which includes, but not

limited to, an Order to raze said building or dwelling. Should the owner, tenant, lessee, or occupant of said nuisance real estate not correct or abate the nuisance within 30 days of receiving notice of the same, the Town may abate said nuisance and assess the real estate for the cost of abatement under §66.0627, WI Stats., in addition to other penalties provided for in (3) of this ordinance.

EFFECTIVE DATE.

This ordinance is effective upon publication or posting. The Town Clerk shall properly post and publish this ordinance as required under Section 60.80, Wis. Stats.

Adopted this ____ day of May, 2016.

TOWN OF BERGEN

Jeff Cermak, Chairman

Tina Dahl, Clerk