

TOWN OF SULLIVAN, WI
ORDINANCE # 2021 -01

**ORDINANCE TO PROVIDE FOR AND REGULATE ABANDONED, BLIGHTED, OR
DILAPIDATED OBJECTS**

Purpose:

It is the purpose of this ordinance to assist in preventing public safety hazards related to objects that appear to have been abandoned, blighted, or dilapidated by requiring an adequate level of maintenance, repair, or proper disposal thereof.

Definitions:

Abandoned: Left, neglected or disused by owner

Adequate level of maintenance: Consistently maintaining a neat appearance of the object in question and the area surrounding it (i.e.: free of weed and grass overgrowth, foliage and debris, no chemical leakage, no loose coverings capable of being removed by weather)

Blighted: An impaired condition leading to deterioration.

Dilapidated: A condition of decay or partial ruin by neglect or misuse

Letter of Intent: Written documentation stating intention of object use or condition with a project timeline. Appropriate for long term projects or projects considered "in works"

Object: A material thing that can be seen and touched

Object in Question: A material item that has received a written complaint regarding its condition

Proper Disposal: Having a person or company remove the object and dispose of it in a legal, safe, and responsible manner

Right to Cure: Providing owner options to remedy the violation

Safety Hazard: A source of potential damage, harm, or adverse health effects

Section 1: Abandoned, Blighted or Dilapidated Objects are prohibited: No person shall keep or store on their property any objects that are determined by the Sullivan Town Board, to be abandoned, blighted, or dilapidated as defined above.

Section 2: Filing a Complaint: Residents who would like to file a complaint regarding a potential abandoned, blighted, or dilapidated object or objects may take the following actions:

- File a written complaint with the Sullivan Town Board
 - Acceptable forms of written communication are email to townofsullivan@centurytel.net, or regular mail or hand delivery to Town of Sullivan, N3866 West Street, Sullivan, WI 53178
 - Provide the location of object in question (property address)
 - Without trespassing, provide detail regarding object in question (i.e.: condition, length of time object appears to have been abandoned or progression of blighted condition, any direct effect it may have on your property conditions, etc). Any supporting photos or documentation will be considered helpful.
 - Provide your address and contact information

Exception to written complaint – Should the object in question pose an immediate danger or safety hazard, notice should be phoned in to proper authorities immediately: (i.e. blocking road right of way, in danger of falling onto or into areas that could cause life threatening injury, etc.)

Section 3: Notice of Non-Compliance: Upon receipt of the written complaint, it is the responsibility of the Town Board, to:

- Without trespassing, visually investigate or inspect object in question within 10 days of receiving written complaint
- Determine if complaint has identified:
 - An abandoned, blighted, or dilapidated object(s) as defined previously
 - Object(s) have a direct, negative effect to the complainant's property (within visual sight of complainant's residence)
 - Object(s) pose a safety hazard
- If upon visual inspection the Town finds the object in question appears to be non-compliant:
 - The Town shall send a registered letter to the object owner advising them of non-compliance
 - The letter shall include a 60 day Right to Cure notice effective upon receiving the registered letter

Section 4: Compliance – Right to Cure: Upon receipt of the Notification of Non-Compliance letter, object owner shall, within 60 days, have options to remedy the violation, including:

- Providing an Adequate Level of Maintenance AND
- Providing a Letter of Intent OR
- Proper Disposal

Section 5: Penalties: Compliance/Right to Cure not met. Should the owner of the object in question not meet the 60 day Right to Cure, the Town Board may:

- Issue a fine in the amount of \$100 per day with the Lake Country Municipal Court OR
- Refer to the Town Attorney for Legal Action OR
- Refer to the County Zoning Office for additional action

Safety Hazard Exceptions: Should the Town find, during visual inspection of the object in question, that a clear safety hazard is apparent, the Town may take immediate action to remedy the safety hazard by contacting any appropriate parties depending on the nature of the concern (i.e.: homeowner, County Sheriff, County Offices and/or Building Inspector)

Sample Letter of Notice

Notification of Non-Compliance - Ordinance 2021-01
ABANDONED, BLIGHTED, OR DILAPIDATED OBJECTS

Date:

To: Property Owner
Address

From: Sullivan Town Board

Sullivan Town Board has received a formal complaint regarding (an object in question) at (property address) on (date complaint received).

Representatives of the Town visually inspected (object in question) on (date) and have found the (object in question) appears to be in violation of Town Ordinance (XXX) which has been provided to you along with this letter.

The Town offers several options to bring the (object in question) into compliance within 60 days of receipt of this letter. This is your Right to Cure:

- 1) Proper removal of (object in question). Proper removal equates to having a person or company remove the object and dispose of it in a legal, safe, and responsible manner
OR
- 2) Provide to the Town a Letter of Intent indicating a use plan for the object in question. The Letter of Intent must include a project timeline to bring the object in question into compliance. This option would be appropriate if the object in question is a “work in progress” or long-term project
AND
- 3) Provide to the Town proof of **consistent** Adequate level of Maintenance regarding the object in question. Know that a consistent Adequate level of Maintenance is an ongoing condition regarding the object in question and its surroundings. Should additional complaints occur due to inconsistent maintenance, the Town Board reserves the right to impose a fine in the amount of \$100 PER DAY as the Right to Cure was not met.

Communications shall be sent to via XXX to XXX at XXX

Refer to attached Ordinance for details.

EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

DATED: _____

TOWN OF SULLIVAN

By: _____

Scott Buth ,Town Chairman

ATTEST:

Dawn Bauer, Clerk

Date Adopted: _____

Date Published: _____

Effective Date: _____