

Town of Clinton Ordinance #105

Littering and Unauthorized Dumping Ordinance

WHEREAS, this Ordinance is adopted by the powers granted to the Town of Clinton by the Town's adoption of Village powers under Wis. Stat. §§ 60.10 and 61.34, its authority under §287.81, and other authority under the statutes. Any amendment, repeal or recreation of the statutes relating to this Ordinance made after the effective date of this Ordinance is incorporated into this Ordinance by reference on the effective date of the amendment, repeal or recreation.;

NOW, THEREFORE, the Board of Supervisors of the Town of Clinton, Barron County, Wisconsin, does hereby ordain as follows:

Town of Clinton Ordinance Number 105, originally enacted in on May 11, 1993, is hereby amended and restated as follows:

1. No person shall throw any garbage, solid waste, yard waste, rocks, stumps, glass, refuse, filth, or other litter ("Waste") upon any public property, including the streets, roads, highways, ditches or other property of the Town.
2. No person shall throw any Waste from a vehicle.
3. No person shall throw any Waste upon any private property without the consent of the owner, and in any case no such deposits shall be made that would constitute a nuisance.
4. No person shall throw any Waste upon the surface of any body of water within the Town.
5. No person removing a vehicle wrecked or damaged in an accident shall fail to remove all glass or other debris dropped or deposited as a result of such accident upon any road, alley, or sidewalk in the Town.
6. Any person who violates the provisions of this ordinance shall forfeit not less than \$100.00 nor more than \$1,000.00 and be subject to charges for cost of removal of said litter.
7. No person or property owner may permit any waste to fall, blow or otherwise land on any other public property, waterway, or private property without the consent of the owner. The originating property owner is responsible for any costs related to maintenance and clean-up related to this provision. In addition to the penalties provided for in the violation of this ordinance, the Town may remove or contract to have removed, any Waste deposited in the aforementioned manner, and any cost incurred by the Town in order to remove the materials may be deemed a special charge for current services and if unpaid is a lien against the property and may be placed on the tax roll.

8. The Town adopts this ordinance and incorporates herein by reference all of the provisions of Section 287.81 of the Revised Statutes of the State of Wisconsin.
9. Nothing in this Ordinance shall waive or limit the Town's authority to take any legal action it deems necessary to stop or abate any violation of this ordinance.

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

Effective Date

Following passage by the Town Board, this Ordinance shall take effect the day after the date of publication or posting as provided by Wis. Stat. § 60.80.

ADOPTED this _____ day of _____, 2015
by a vote of ___ yes, ___ no.

Jim Gores
Town Board Chairperson

Attest:

Melanie Miller
Town Clerk