

Ordinance Agenda
October 24, 2022
Reedsburg City Hall Council Chambers
5:30 PM

DUE TO THE RESTRICTIONS CAUSED BY THE COVID-19 PANDEMIC, SOME VOTING MEMBERS MAY BE PRESENT VIA TELECONFERENCE OR VIDEO CONFERENCE, AS PROVIDED BY THE RECOMMENDATIONS OF THE WISCONSIN DEPARTMENT OF JUSTICE. [HTTPS://WWW.DOJ.STATE.WI.US/NEWS-RELEASES/OFFICE-OPEN-GOVERNMENT-ADVISORY-CORONAVIRUS-DISEASE-2019-COVID-19-AND-OPEN-MEETINGS](https://www.doj.state.wi.us/news-releases/office-open-government-advisory-coronavirus-disease-2019-covid-19-and-open-meetings)

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY ATTEND THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THE COMMON COUNCIL HAS DECISION-MAKING AUTHORITY. IF A QUORUM OF THE COMMON COUNCIL ATTENDS THIS MEETING, NO ACTION WILL BE TAKEN BY THE COMMON COUNCIL AT THIS MEETING.

CALL TO ORDER

APPROVAL OF MINUTES

I. APPROVE MINUTES FOR THE MEETING HELD ON JULY 25, 2022:

THE COMMITTEE WILL RECEIVE INFORMATION ON NON-AGENDA TOPICS BROUGHT BEFORE THE COMMITTEE BY MEMBERS OF THE PUBLIC. THE COMMITTEE WILL NOT DISCUSS THESE TOPICS, AND WILL NOT TAKE ACTION ON ANY OF THEM AT THIS MEETING

I. GENERAL BUSINESS:

- A. Approve/Deny: Junk car & junk violation under § 402-3(K) & 402-3(L) at 424 Laurel St, parcel #1084-00000 – The Estate Of Robert E. Banbury

II. ADJOURN:



The City of Reedsburg does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings and programs are available by calling (608) 524-6404. To be able to meet the needs of a request for a different format contact the City Clerk-Treasurer at 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

City of Reedsburg Ordinance Committee Minutes July 25, 2022

Present: Craig Braunschweig, Kristi Brown and Adam Kaney
Absent: Tom Seamonson and Richard Braun
Others: Jacob Crosetto, Derek Horkan, Tim Becker, Brian Duvalle, Citizens, Press

Craig Braunschweig called the meeting to order at 5:30 p.m.

- I. Approval of Minutes from September 27, 2021
 - a. **Motion: Kaney, Second: Brown to approve the minutes from September 27, 2021. Motion carried 3-0.**

GENERAL BUSINESS

- A. Approve/Deny: Junk violation under § 402-3(K) & 402-3(L) at 212 N Grove St, parcel #1266 – Trevor Larsen.
 - a. **Motion: Kaney, Second: Brown to find probable cause and hold open the case until August 25th at 8:00 AM at which time a citation will be issued and the debris removed at the owner's expense. Motion carried 3-0.**
- B. Approve/Deny: Junk violation under § 402-3(L) at 406 S Park St, parcel #1366 – Dustin A. Schneider.
 - a. **Motion: Kaney, Second: Brown to find probable cause and hold open the case until August 25th at 8:00 AM at which time a citation will be issued and the debris removed at the owner's expense. Motion carried 3-0.**
- C. Approve/Deny: Junk car & junk violation under § 402-3(K) & 402-3(L) at 126 N Grove St, parcel #1262 – Paul C. Anderson.
 - a. **Motion: Kaney, Second: Brown to find probable cause and hold open the case until August 25th at 8:00 AM at which time a citation will be issued and the debris removed at the owner's expense. Motion carried 3-0.**

Moved by Kaney and seconded by Brown to adjourn. Motion carried 3-0.

Meeting adjourned at 5:35 p.m.

Respectfully submitted,

Jacob Crosetto
City Clerk-Treasurer/Finance Director



CITY OF REEDSBURG
134 SOUTH LOCUST STREET
REEDSBURG, WI 53959
Phone (608) 768-3354

DATE: 05/20/2022

TO: THE ESTATE OF ROBERT E. BANBURY
C/O ATTORNEY ROBERT P. HAMEISTER
BOARDMAN & CLARK LLP
1 S PINCKNEY ST STE 410
PO BOX 927
MADISON WI 53701-0927

MELISSA ANN BANBURY
424 LAUREL ST
REEDSBURG, WI 53959

DOUGLAS R BANBURY
8554 FOXBOROUGH DRIVE
APT. 2B
SAVAGE, MD 20763

RE: Junk/Junk vehicles
462-WKU & RK5238

Property Address: 424 Laurel St
Parcel #: 1084-00000

This letter regards the junk and two vehicles on the above property. City Ordinance requires junk removal within 30 days and the junk/unlicensed vehicles removed or made road-ready within 30 days.

Thank you for your cooperation and please contact me at the above number or bduvalle@reedsburgwi.gov with any questions.

§ 402-3 PUBLIC NUISANCES AFFECTING HEALTH

(K) **Abandoned, Wrecked or Inoperative Motor Vehicles.**

(2) Abandonment prohibited. No person shall park, store, leave, or permit the parking, storing, or leaving of any motor vehicle of any kind that is in an abandoned, wrecked, inoperative, unlicensed, or dismantled condition upon any private property within the City. This section shall not apply to any vehicle enclosed within a building on private property, to any vehicle held in connection with a lawful business within the City or its extraterritorial area, such as a junkyard, salvage yard, or auto repair business, or to temporary repair work that is performed within 24 hours of a vehicle becoming unexpectedly unroadworthy.

(a) Notice shall be sent to the property owner or vehicle owner with an order that the owner shall, within **30 days**, make the vehicle operable and roadworthy and license any vehicle that may not be licensed or, in the alternative, place such vehicle in an enclosed structure or remove the vehicle from the property.

(b) The notice shall further advise the owner that if the nuisance is not corrected, the vehicle is subject to be towed, stored, and, if not redeemed, disposed of at owner's expense following a hearing before the Ordinance Committee.

§ 402-3 PUBLIC NUISANCES AFFECTING HEALTH

(L) **Debris, Junk: Order to Remove and Penalties**

(1) Whenever City Staff finds that conditions on any premises within the City create a fire or health hazard or shall find that, by virtue of any accumulation of unsightly materials, junk or debris of any nature on any premises or for any other reason, any premises are detrimental to the appearance, neatness of cleanliness of a neighborhood so as to tend to depreciate property values therein or create a nuisance or offend the aesthetic character of the immediate neighborhood or produce blight or deterioration by reason of such

conditions, City staff may order the owner of said premises to correct any such condition or to remove therefrom any such unsafe, hazardous or unsightly articles, material or debris. Examples of junk, refuse, litter, garbage, and scrap or waste matter shall include, but are not limited to, appliances, furniture, tires, wood, machinery parts, boats recreational vehicles, or other unsightly debris that is wrecked, dismantled, partially dismantled, discarded, or inoperative.

- (a) The order shall specify a time not to exceed **30 days** within which the owner and/or occupant shall comply therewith.
- (b) The order shall further advise the owner that if the nuisance is not corrected, the debris/junk is subject to be removed and, if not redeemed, disposed of at owner's expense following a hearing before the Ordinance Committee.
- (c) A written notice shall be provided to that owner either personally or by registered mail. All hearings shall be scheduled within a reasonable time after receipt of the written request.
- (d) Failure to appear at the hearing may be grounds for an immediate towing under the terms of this chapter. If, at the conclusion of the hearing, the Committee finds that there is probable cause to believe that the junk/debris is in violation pursuant to the definitions contained in this chapter, a citation provided in Chapter 1, General Provisions, § 1-3, of the Code of the City of Reedsburg shall be issued and the junk/debris shall be removed. In the event that the junk/debris is removed, the owner shall remain liable for all removal charges and these charges shall be assessed over and above the penalties set forth in § 1-3 if the person is found to be guilty of a violation of this chapter.



Brian Duvall
Planner/Building Inspector

Vehicle Registration



2012 Chevrolet Impala Sedan Automobile White/White
VIN 2G1WG5E39C1103134 Title # 14162AG0244
Owner(s) Banbury, Robert Edward
Owner(s) Banbury, Melissa Ann



462WKU Automobile
Expiration 02/11/2022

Owner(s):

Banbury, Robert Edward
DOB: 04/28/1946
DL: B5167654614807
424 Laurel St
Reedsburg, WI 53959-1229

AND

Banbury, Melissa Ann
DOB: 07/14/1951
DL: B5165415175407
424 Laurel St
Reedsburg, WI 53959-1229

Record Details:

Renewal Period: Annual Registration Type: Auto
Registration Status: Expired
Last Updated: 03/16/2021 14:30:29
Title Status: In Progress

Vehicle Registration



2000 Ford F150 Pickup Truck Beige/Beige
VIN 2FTRX18W9YCA64754 Title # 20274T6760037
Owner(s) Banbury, Robert Edward



RK5238 Light Truck
Expiration 08/31/2021

Owner(s):

Banbury, Robert Edward
DOB: 04/28/1946
DL: B5167654614807
424 Laurel St
Reedsburg, WI 53959-1229
Owner Operator Indicator: Yes

Record Details:

Renewal Period: Annual Registration Type: Light Truck
Registration Status: Expired
Gross Weight: 6000 Carrier Class: None
Last Updated: 09/30/2020 10:29:44



DATE: 09/09/2022

TO: THE ESTATE OF ROBERT E. BANBURY
C/O ATTORNEY ROBERT P. HAMEISTER
BOARDMAN & CLARK LLP
1 S PINCKNEY ST STE 410
PO BOX 927
MADISON WI 53701-0927

MELISSA ANN BANBURY
424 LAUREL ST
REEDSBURG, WI 53959

DOUGLAS R BANBURY
8554 FOXBOROUGH DRIVE
APT. 2B
SAVAGE, MD 20763

RE: Junk/Junk vehicles
462-WKU & RK5238

Property Address: 424 Laurel St
Parcel #: 1084-00000

Sent via Certified Mail

This matter is tentatively scheduled to be heard before the Reedsburg Ordinance Committee on October 24, 2022. An agenda will be sent to you in the future confirming the date if the vehicles and property are not brought into compliance by then. Thank you for your cooperation and please contact me at the above number or bduvalle@reedsburgwi.gov with any questions.

§ 402-3 PUBLIC NUISANCES AFFECTING HEALTH

(K) ***Abandoned, Wrecked or Inoperative Motor Vehicles.***

- (2) *Abandonment prohibited. No person shall park, store, leave, or permit the parking, storing, or leaving of any motor vehicle of any kind that is in an abandoned, wrecked, inoperative, unlicensed, or dismantled condition upon any private property within the City. This section shall not apply to any vehicle enclosed within a building on private property, to any vehicle held in connection with a lawful business within the City or its extraterritorial area, such as a junkyard, salvage yard, or auto repair business, or to temporary repair work that is performed within 24 hours of a vehicle becoming unexpectedly unroadworthy.*
- (a) *The order shall specify a time not to exceed **30 days** within which the owner and/or occupant shall comply therewith.*
- (b) *The order shall further advise the owner that if the nuisance is not corrected, the debris/junk is subject to be removed and, if not redeemed, disposed of at owner's expense following a hearing before the Ordinance Committee.*
- (c) *A written notice shall be provided to that owner either personally or by registered mail. All hearings shall be scheduled within a reasonable time after receipt of the written request.*
- (d) *Failure to appear at the hearing may be grounds for an immediate towing under the terms of this chapter. If, at the conclusion of the hearing, the Committee finds that there is probable cause to believe that the vehicle is in violation pursuant to the definitions contained in this chapter, a citation provided in Chapter 1, General Provisions, § 1-3 of this Code shall be issued and the vehicle shall be impounded. In the event that the vehicle is impounded, the owner shall remain liable for all towing charges, and these charges shall be assessed over and above the penalties set forth in Chapter 1, § 1-3, if the person is found to be guilty of a violation of this chapter.*

§ 402-3 PUBLIC NUISANCES AFFECTING HEALTH

(L) **Debris, Junk; Order to Remove and Penalties**

(1) Whenever City Staff finds that conditions on any premises within the City create a fire or health hazard or shall find that, by virtue of any accumulation of unsightly materials, junk or debris of any nature on any premises or for any other reason, any premises are detrimental to the appearance, neatness of cleanliness of a neighborhood so as to tend to depreciate property values therein or create a nuisance or offend the aesthetic character of the immediate neighborhood or produce blight or deterioration by reason of such conditions, City staff may order the owner of said premises to correct any such condition or to remove therefrom any such unsafe, hazardous or unsightly articles, material or debris. Examples of junk, refuse, litter, garbage, and scrap or waste matter shall include, but are not limited to, appliances, furniture, tires, wood, machinery parts, boats recreational vehicles, or other unsightly debris that is wrecked, dismantled, partially dismantled, discarded, or inoperative.

- (a) The order shall specify a time not to exceed **30 days** within which the owner and/or occupant shall comply therewith.
- (b) The order shall further advise the owner that if the nuisance is not corrected, the debris/junk is subject to be removed and, if not redeemed, disposed of at owner's expense following a hearing before the Ordinance Committee.
- (c) A written notice shall be provided to that owner either personally or by registered mail. All hearings shall be scheduled within a reasonable time after receipt of the written request.
- (d) Failure to appear at the hearing may be grounds for an immediate towing under the terms of this chapter. If, at the conclusion of the hearing, the Committee finds that there is probable cause to believe that the junk/debris is in violation pursuant to the definitions contained in this chapter, a citation provided in Chapter 1, General Provisions, § 1-3, of the Code of the City of Reedsburg shall be issued and the junk/debris shall be removed. In the event that the junk/debris is removed, the owner shall remain liable for all removal charges and these charges shall be assessed over and above the penalties set forth in § 1-3 if the person is found to be guilty of a violation of this chapter.



Brian Duvall
Planner/Building Inspector

CC: City Attorney's office

§ 1-3 Penalty provisions.

A. *General penalty.* Except as provided in any special section, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty as set forth in Subsection B.

B. *Penalties.* Any person, firm, or corporation who fails to comply with the provisions of this article shall, upon conviction thereof, forfeit not less than \$50 nor more than \$500, plus the costs of compliance and prosecution for each violation, and, in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense.

C. *Continued violations.* Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

D. *Execution against defendant's property.* Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the City, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

DATE: 10/17/2022

TO: THE ESTATE OF ROBERT E. BANBURY
C/O ATTORNEY ROBERT P. HAMEISTER
BOARDMAN & CLARK LLP
1 S PINCKNEY ST STE 410
PO BOX 927
MADISON WI 53701-0927

MELISSA ANN BANBURY
227 CRANMER
CHARLOTTE, MI 48813

DOUGLAS R BANBURY
8554 FOXBOROUGH DRIVE
APT. 2B
SAVAGE, MD 20763

RE: Junk/Junk vehicles
462-WKU & RK5238

Property Address: 424 Laurel St
Parcel #: 1084-00000

This matter is scheduled to be heard before the Reedsburg Ordinance Committee on October 24, 2022, at 5:30 PM. An agenda is included. City Hall address is 134 S. Locust St, Reedsburg, WI.

Please contact me at the above number or bduvalle@reedsburgwi.gov with any questions.



Brian Duvall
Planner/Building Inspector

§ 402-3 PUBLIC NUISANCES AFFECTING HEALTH

(L) **Debris, Junk: Order to Remove and Penalties**

(1) Whenever City Staff finds that conditions on any premises within the City create a fire or health hazard or shall find that, by virtue of any accumulation of unsightly materials, junk or debris of any nature on any premises or for any other reason, any premises are detrimental to the appearance, neatness of cleanliness of a neighborhood so as to tend to depreciate property values therein or create a nuisance or offend the aesthetic character of the immediate neighborhood or produce blight or deterioration by reason of such conditions, City staff may order the owner of said premises to correct any such condition or to remove therefrom any such unsafe, hazardous or unsightly articles, material or debris. Examples of junk, refuse, litter, garbage, and scrap or waste matter shall include, but are not limited to, appliances, furniture, tires, wood, machinery parts, boats recreational vehicles, or other unsightly debris that is wrecked, dismantled, partially dismantled, discarded, or inoperative.

(d) Failure to appear at the hearing may be grounds for an immediate towing under the terms of this chapter. If, at the conclusion of the hearing, the Committee finds that there is probable cause to believe that the junk/debris is in violation pursuant to the definitions contained in this chapter, a citation provided in Chapter 1, General Provisions, § 1-3, of the Code of the City of Reedsburg shall be issued and the junk/debris shall be removed. In the event that the junk/debris is removed, the owner shall remain liable for all removal charges and these charges shall be assessed over and above the penalties set forth in § 1-3 if the person is found to be guilty of a violation of this chapter.