

ORDINANCE 2025-12

AN ORDINANCE TO AMEND SECTION 4 (PUBLIC NUISANCES AFFECTING PEACE AND SAFETY) OF CHAPTER 207 (NUISANCES) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to add language to the Nuisance section of the Municipal Code that prohibits projecting or reflecting objectionable light onto a public roadway or walkway or any neighboring use or property and would prohibit directional lighting from being directly aimed onto neighboring properties.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: Section 4 (Public Nuisances Affecting Peace and Safety) of Chapter 207 (Nuisances) is hereby repealed and recreated to read as follows:

§ 207-4. Public Nuisances Affecting Peace and Safety.

Public nuisances affecting peace and safety. The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration should not be construed to exclude other nuisances affecting public peace or safety within the definition of § 207-1 above.

- (1) All ice not removed from the public sidewalks and all snow not removed from public sidewalks within 24 hours after it has ceased to fall thereon.
- (2) All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public so situated or constructed as to endanger the public safety.
- (3) All buildings erected, repaired or altered within the fire limits of the Village in violation of the provisions of the ordinances of the Village relating to materials and manner or construction of buildings and structures within said district.
- (4) All unauthorized signs, signals, markings, or devices which purport to be or may be mistaken as official traffic control devices placed or maintained upon or in view of the public highway or railway crossing.
- (5) All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys, or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.

(6) All limbs of trees which project over a public sidewalk, less than eight feet above the surface thereof or less than 14 feet over the surface of a public street.

(7) All use or display of fireworks except as provided by the laws of the State of Wisconsin and ordinances of the Village.

(8) All buildings or structures so old, dilapidated or out of repair so as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use.

(9) All wires over streets, alleys or public grounds which are strung less than 18 feet above the surface of the street or ground.

(10) All loud, discordant and unnecessary noises or vibrations of any kind tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof unless the making and the continuing of the same cannot be prevented and is necessary for the protection and preservation of the health, safety, life or limb of some person.

(a) No person occupying or having charge of any building or premises may cause, suffer or allow any loud, excessive or unusual noise in the operation or use of any radio, or other mechanical or electrical sound-making or -reproducing device or machine which loud, excessive or unusual noise may disturb the comfort, quiet, or repose of persons therein or in the vicinity.

(b) No person is allowed to operate in any public street or place or in front of or outside of any building, place or premises or in or through any window, doorway or opening of any building adjacent to any public street or place any device, apparatus, or instrument for the amplification of the human voice or sound or noise or other sound making or sound reproducing device. No person may make for the purpose of advertising any immoderate or excessive use of the voice of any bell, gong, horn, instrument, article or device.

(c) No person is allowed to park or leave standing for more than 15 minutes in any street in the Village a vehicle containing livestock, live fowl, or other living animals.

(d) Nothing in this section shall apply to the use of loud speaking or amplifying systems as follows:

[1] By a school when used in connection with an educational, athletic, entertaining or recreational purpose.

[2] By a church when used in connection with an educational, religious or recreational activity.

[3] Within a public park of the Village subject to the rules and regulations of the Village Board.

[4] The use of sound amplifying systems, after registering with the Police Department and the Village as prescribed in the Municipal Code, as follows:

[a] An amplifying system may be used on the public streets of the Village between the hours of 9:00 a.m. and 9:00 p.m., provided such use does not interfere with or annoy any religious, educational or recreational gathering and is not audible to the human ear for the distance of more than 300 feet. The use shall at all times be under the jurisdiction of the Police Department who are hereby given the authority to restrain the use if, in their opinion, the same is a public nuisance or a public annoyance.

[b] An amplifying system may be used in front of or outside a building between the hours of 9:00 a.m. and 9:00 p.m., provided that the same is not audible to the human ear at a distance of 100 feet. If the use becomes a public nuisance to disturb the peace and quiet of any persons, the use shall be discontinued.

(11) The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises which greatly annoy or disturb a neighborhood or any appreciable number of persons within the Village.

(12) The obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by the ordinances of the Village or which, although made in accordance with such ordinances, are kept or maintained for an unreasonable length of time after the purpose thereof has been accomplished.

(13) All open and unguarded pits, wells, excavations or unused basements freely accessible from any public street, alley or sidewalk.

(14) Suffocation Hazards. No person may leave or permit to remain outside any dwelling, building or other structure or within any unoccupied or abandoned building, dwelling or other structure under his control in a place accessible to children any abandoned, unattended or discarded icebox, refrigerator or other container having an airtight door or lid, snap lock or other locking device which may not be released from the inside unless such door or lid, snap lock or other locking device has been removed from such icebox, refrigerator or container or unless such container is displayed for sale on the premises of the owner or his agent and is securely locked or fastened.

(15) Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.

(16) Repeated or continuous violations of the ordinances of the Village or laws of the State of Wisconsin relating to the storage of flammable liquids.

(17) Any structure, material or condition which constitutes a fire hazard or will impair extinguishing of any fire.

(18) Any and all excavations, including basements, which have been abandoned or for which a building permit has become null and void, or which permit has been revoked by the Director of Planning and Code Compliance, or his/her designee.

(19) Unmanned aircraft systems (UAS). Using a UAS to damage or destroy property, using a UAS in a careless or reckless manner, using a UAS in a hazardous manner near other aircraft, using a UAS in violation of FAA airspace regulations, using a UAS in violation of FAA flight restrictions or temporary flight restrictions, using a UAS in violation of FAA temporary flight restrictions in the proximity of the President, other parties, or sporting events, using a UAS to cause a public disturbance or creating a risk to persons by; making unreasonable noise, creating a hazard or nuisance.

(20) Camping on Village-owned property. Camping means establishing or maintaining, at any time during the day or night, a temporary or permanent place for cooking or sleeping with the intent of remaining in that location overnight.

(21) Any construction debris or materials, unsightly debris, trash, wood, brick, washing machines, refrigerators or junk such as may tend to depreciate property values or be detriment to the appearance, neatness and cleanliness of the neighborhood, provided that nothing in this subsection shall prohibit reasonable storage of construction material during the construction of any building or structure.

(22) Depositing of snow on public rights-of-way.

(a) No person is allowed to remove or cause to be removed any snow or ice from a premise owned or occupied by that person or from any residence, parking lot, parking area, filling station, business property or other property owner occupied by said person by placing said snow onto any public right of way or property. Snow removed from public walks shall not be stored in any manner which will obstruct or limit vehicular or pedestrian vision, movement or access.

(b) The deposit of any snow or ice upon any sidewalk, alley or road or street of the Village contrary to the provisions of this section is hereby made to be a nuisance, and, in addition to the penalty provided for the violation of this section, the Village may summarily remove any snow or ice so deposited and cause the cost of said removal to be charged to the owner of the property from which said snow or ice has been removed, and upon failure to pay the same may be charged as a special assessment upon the tax bill to the owner of property from which the snow or ice removal was necessitated.

(23) Storage of junked vehicles.

(a) Definitions. Terms used in this section shall have the following meanings:

[1] "Junked vehicle" shall be defined as all junked, disassembled, inoperable or wrecked motor vehicles, or parts thereof, which have been allowed to remain outside of any building upon public or private property for a period in excess of three days, unless in connection with an automotive sales or repair business

located in a properly zoned area. The definition shall also include any vehicles stored in the open without being licensed in excess of 30 days.

[2] "Owner" shall be defined to include owner, owners, tenants, lessees and/or occupants.

(b) Enforcement. In addition to any other remedies contemplated in this chapter, the following provisions apply to removal, abatement, and enforcement of junked vehicles

[1] Nuisance. No vehicle as hereinabove defined shall be stored or allowed to remain in the open upon public or private property within the Village, unless it is in connection with a duly authorized sales or repair business enterprise located in a properly zoned area. Any violation of this section is a nuisance.

[2] Abatement by owner. The Owner of any property within the Village upon which a vehicle as here and above defined is stored or permitted to remain and is also the owner of any such vehicle shall, jointly and severally, abate said nuisance by the prompt removal of such vehicle into a completely enclosed building authorized to be used for such storage purposes, if within the limits of the Village, or otherwise remove the same to a location outside the Village.

[3] Vehicle upon public property. Whenever the Director of Planning and Code Compliance, or his/her designee, or a Village Police Officer shall find any such vehicle placed or stored in the open upon public property within the limits of the Village, such vehicle shall be removed to a junk or salvage yard and stored therein for a period of 30 days. At the end of said time, such junk or salvage yard shall dispose of such vehicle unless it has previously been claimed by the owner.

[4] Vehicles upon private property. Whenever the Director of Planning and Code Compliance, or his/her designee, or a Village Police Officer shall find any such vehicle placed or stored in the open upon private property within the limits of the Village, the owner of such property and the owner of the vehicle, if he or she can be located, shall be given a three day written notice by certified mail to remove the same. If such vehicle is not removed within the time specified, the Village Police shall have it removed by a junk auto salvage dealer. The owner of the property upon which the vehicle has been placed restored and the owner of the vehicle, if he or she can be located, shall jointly and severally be liable for the cost of removal by such dealer.

[5] Storage cost. If such vehicles are claimed by the owner, the junk salvage yard shall charge a reasonable fee for handling and storing.

[6] Salvage yard excepted. The provisions of Subsection (b) shall not apply to auto salvage yards and/or junk yards that are duly authorized under the ordinances of the Village and have been issued a permit to operate as such salvage yard and/or junkyard under this code.

[7] Disposal of unclaimed vehicles. When any such vehicle has been removed and placed in storage by the Village as herein provided in such vehicle is not claimed within 30 days after such storage, it shall be sold by the Village. If the proceeds of such sale are insufficient to pay the cost for the removal and storage, any and all owners shall be jointly and severally liable to the Village for the balance of the cost. If the proceeds are in excess of the cost of abatement, the balance shall be paid to set owners.

[8] Violation of this section shall be subject to a penalty as prescribed in §175.25(5), Wis. Stats.

(24) Abandoned vehicles.

(a) Section 342.40, Wis. Stats., Vehicle abandonment prohibited; removal; disposal, as amended from time to time, is incorporated herein by reference.

(b) Enforcement. In addition to any other remedies contemplated in this chapter, the following provisions apply to removal, abatement, and enforcement of junked vehicles

[1] Any vehicle deemed in violation of this section may be towed by licensed towing company approved by the Chief of Police and contracted with the Village for such purposes or towed by such other means deemed reasonable or necessary under the circumstances by the Chief of Police. Such vehicle will be held at the contractor's facility until lawfully claimed or disposed of in any lawful manner.

[2] The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all cost of impounding and disposing of the vehicle. Prior to reclamation of the vehicle, the owner or lien holder shall pay to the contracted towing company the towing and storage fees incurred by the towing company.

[3] Penalty period any person who shall cause your vehicle to become abandoned within the Village under the terms and conditions of this section and §342.40, Wis. Stats., shall, upon due conviction thereof, forfeit and amount as prescribed in the uniform forfeiture and bond schedule, together with cost of prosecution.

(25) Uncovered transporting or hauling to dump site. No person shall transport or haul to any dumping site in the Village any materials without covering the same.

(26) Vacant lots.

(a) Vacant lots become a public nuisance when said lots are not maintained or not smoothly graded as to provide for regular routine maintenance.

(b) Within ninety (90) days of purchase of vacant property within the Village, the new owner shall cause the vacant lot to be appropriately filled and graded so as to provide for routine maintenance. All debris is to be removed by the owner within said time period. Presently existing owners of vacant lots will have twenty-one (21) days to achieve compliance with

this section upon issuance of an appropriate citation by the Director of Planning and Code Compliance, or his/her designee.

(c) Should any new or existing owner fail to come into compliance with this section, the Village Board may authorize Village employees to cause the appropriate filling and grading of the vacant lot in question to occur. Any and all costs associated with the same shall be assessed against the property in question and may be placed upon the tax rolls maintained by the Village.

(27) Compression brakes.

(a) Prohibited. No person is allowed to use motor vehicle brakes which are in any way activated or operated by the compression of the engine of the motor vehicle.

(b) Defense. It shall be an affirmative defense to the prosecution under this section that compression brakes were applied to an emergency and were necessary for the protection of persons or property.

(c) Emergency vehicles. Emergency vehicles shall be exempt from this section.

(28) Outdoor Lighting.

(a) General. All outdoor lighting shall be installed, aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a public roadway or walkway, or any neighboring use or property.

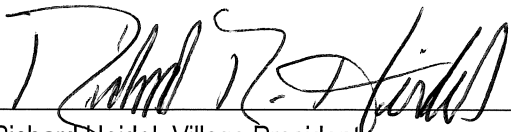
(b) Directional light. Directional lighting, such as floodlights and spotlights, shall be so installed, aimed, and shielded that they do not directly aim their output onto neighboring properties of any zoning district, adjacent land uses, past the object being illuminated, skyward, or onto a public roadway or pedestrian way. When such lighting creates a glare as viewed from any adjacent property, public roadway, or pedestrian way, the light source must be re-aimed and/or fitted with a shielding device to block the view of the glare from that property, public roadway, or pedestrian way.

(29) Any nuisance defined by the Wisconsin Statutes.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3. This Ordinance shall be effective from and after its passage by the Village Board and publication as required by law.

Passed and approved on this 18th day of November 2025.


Richard Heidel, Village President

Attest:

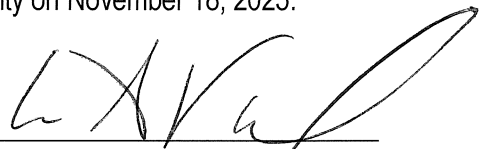

Aaron Kramer, Village Administrator

CERTIFICATION

The undersigned, being the duly appointed Clerk of the Board of the Village of Hobart, certifies that the aforementioned is the original ordinance adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on November 18, 2025.

(Seal)


Lisa Vanden Heuvel, Village Clerk