

LANDOWNER	OPERATOR	MAILING ADDRESS	DATE
Robert Simpson	Bindl Tire and Auto Ltd.	243 E. Court St	12/06/2024
PARCEL NUMBER	SITE ADDRESS		ZONING DISTRICT
276-2100-0930	243 E. Court St, Richland Center		Commercial Downtown

**VIOLATION**

The subject property is in violation of the City of Richland Center’s Zoning Code and approved Conditional Use Permit issued on 03/02/2016 good for 5 years by storing used tires, motor vehicle parts, and inoperable vehicles on the exterior of the building. According to our 2020-2024 records we haven’t found your business name for continued need for a conditional use. You have been in violation since 03/02/2021.

**CITY ORDINANCE(S)**

**408.04 CONDITIONAL USES IN A "C-DT" CENTRAL BUSINESS DISTRICT.** Within any "CDT" Central Business District no structure or land shall be used for any of the following uses except with a Conditional Use Permit:

(4) Auto Repair garage or facility.

**(7) Conditional Use Permits. [As Amended by Ord 2004-10]** The procedure for issuance of conditional use permits is as follows:

2. Upon the expiration of the Thirty (30) day period, the City Council may revoke the Conditional Use Permit

3. Upon the expiration of the Thirty (30) day period, the City Council may impose a forfeiture upon the Permittee, of not less than \$10.00 per day, nor more than \$200.00 per day, the exact daily amount to be determined by the City Council. The City Council may, at its option, adjust the amount of the daily forfeiture, from time to time. The imposition of a forfeiture shall not be deemed a waiver of any other available remedies.

4. Upon the expiration of the Thirty (30) day period, the City Council may refer the matter to the City Attorney, to bring action for a Restraining Order or an Injunction, ordering the Permittee to discontinue the nonconforming use of the property, and the City shall have the right to demand reimbursement for its Court Costs, the costs bringing the action, and its attorney’s fees from the Permittee.

**101.23 PARKING, KEEPING OR STORING OF DISABLED, INOPERABLE, INCOMPLETE OR UNREGISTERED MOTOR VEHICLES.**

(1) PARKING, KEEPING OR STORING DISABLED, INOPERABLE, INCOMPLETE OR UNREGISTERED MOTOR VEHICLES OR VEHICLE PARTS OUTSIDE OF AN ENCLOSED BUILDING PROHIBITED.

(a) No person shall park, keep, store or maintain any disabled, inoperable, incomplete or unregistered motor vehicle or motor vehicle part in any of the following areas within the City of Richland Center:

1. Outside of an enclosed garage or other enclosed building on any property which is in a residential zoning district.

2. Outside of an enclosed garage or other enclosed building on any property which is in a commercial or industrial zoning district, except that where such keeping is in connection with and necessary to the operation of a garage, body shop, auto repair business, service station or other similar business, a damaged vehicle or a vehicle awaiting repairs may be kept, stored or maintained outside such enclosed garage or enclosed building for a period not to exceed in the aggregate ten (10) days out of any sixty (60) day period, for the purpose of procuring parts for such vehicle or completing repairs to the vehicle.

(b) Motor vehicle part means any component of a motor vehicle which has been removed or separated from a vehicle, including but not limited to seats, doors, hoods, fenders, trunk lids, tires, wheels, engines, drive shafts, axles, transmissions, radiators or any other major component of a motor vehicle. [Amended by Ord 2009-9]

**300.03 NUISANCES INTERFERING WITH THE PUBLIC INTEREST**

(1) NUISANCES AFFECTING PUBLIC HEALTH AND SAFETY.

(f) The open storage upon the surface of any land of junk, garbage, hewn or fallen trees, waste building materials from land development or building construction or repair, litter, rubbish and refuse, inoperable motor vehicles or motor vehicle parts, cloth, rags, clothing, paper, bottles, rubber, metals, alloys, or any other article or thing which from its worn or broken condition renders it practically useless for the purpose for which it was made.

**ACTION NECESSARY TO CORRECT VIOLATION**

To remedy this violation, the property owner/operator must see to the immediate removal of all used tires, motor vehicle parts, and inoperable vehicles from the exterior of the building.


**YOU ARE ORDERED TO CORRECT THE AFOREMENTIONED VIOLATIONS BY**

1. Contact the Zoning Administrator no later than **December 18, 2024** to acknowledge receipt of this Notice of Violation and discuss the corrective action plan.
2. **All violations must be corrected by January 7, 2025.**

**PENALTY/FORFEITURE**

*Failure to take corrective action by the date provided above may result in the imposition of a forfeiture.*

- **400.05(10(b))** - Forfeiture shall be not less than \$100 nor more than \$400 per day that a violation is maintained or permitted to exist.
- **307.08(1)** - Forfeiture shall not be less than \$50 nor more than \$400 per day that a violation is maintained or permitted to exist.

<b>SIGNATURE:</b>		<b>NAME:</b>	Matt Williams	<b>TITLE:</b>	Zoning Administrator	<b>DATE:</b>	12/06/2024
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**ZONING DEPARTMENT**  
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