

**TOWN OF BRILLION  
CALUMET COUNTY, WISCONSIN**

**ORDINANCE NO. 2025-01**

**OBSTACLES OR OBSTRUCTION IN TOWN RIGHT-OF-WAY**

Section 1:     Definitions.

- A. Encroachment: An encroachment means any object, structure, or obstruction placed or constructed within a public right-of-way, or any nongovernmental use of the right-of-way. Encroachments include, but are not limited to: trees or shrubbery as described in Wis. Stat. § 86.03, as amended; and any other encroachments described in Wis. Stat. § 86.04, as amended.

Section 2:     Encroachments Prohibited.

No owner or occupant of private property may place or allow any encroachment within the right-of-way of any Town highway or roadway that abuts the property. The only exception is a mailbox installed in compliance with applicable postal regulations.

Section 3.     Failure to Comply.

If an owner or occupant fails to comply with the provisions of Section 2, the Town Clerk or other authorized Town official, shall notify such owner or occupant as to the violation of this ordinance. If such owner or occupant fails to abate or remove the encroachment within 20 days after notice, the Town Clerk or other authorized Town official may take action to abate and remove the encroachment at the expense of the owner or occupant of the property.

Section 4.     Cost of Abatement.

If the Town causes such encroachment to be removed as provided in Section 3, the actual cost thereof shall be charged to the owner or occupant and the amount charged shall be entered in the tax roll as a special charge against the property affected and the same shall be collected in all requests like other taxes upon real estate.

Section 5.     Penalties.

In addition to being liable for the costs of abating an encroachment under Section 3, any person who violates this Ordinance shall, upon conviction, forfeit not less than \$200 nor more than \$1,000 for each offense, plus the costs of prosecution. If the forfeiture and costs are not paid, the violator may be imprisoned in the County jail until payment is made, but for no longer than 6 months. Each day a violation continues constitutes a separate offense.

Section 6.     Effective Date.

This Ordinance takes effect upon its passage and publication as required by law.

Dated this 8th day of July, 2025.

TOWN OF BRILLION

By: \_\_\_\_\_  
Kevin Fischer, Town Chairperson

Attest: \_\_\_\_\_  
Karen Jannette, Town Clerk