

ORDINANCE NUMBER 1129-2015

AN ORDINANCE AMENDIING CHAPTER 160, ARTICLE IV, IMPLEMENTS OF HUSBANDRY

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its annual meeting begun on the 10th day of November 2015, does ordain as follows:

WHEREAS, 2015 Wisconsin Act 15 made a number of changes to the framework of 2013 Wisconsin Act 377 which regulated the operation of agricultural vehicles on highways. These changes modify requirements for implements of husbandry, agricultural CMVs, potato harvesters, the sale of farm equipment, trailering or farm equipment, and the no fee permitting system; and,

WHEREAS, Green Lake County passed Ordinance Number 1102-2014, which adopted the requirement under Wis. Stat. §348.15(3)(g) for Category B implements of husbandry defined in Wis. Stat. §340.01(24)(a)1.b. to comply with the axle weight limitations established under §348.(3)(g) for operating any implement of husbandry on county highways under its jurisdiction; and,

Roll Call on Ordinance No. 1129-2015

Submitted by the Highway Committee:

Ayes 15, Nays 2, Absent 2, Abstain 0

Passed and Adopted/~~Rejected~~ this 10th day of November 2015

/s/ Paul Schwandt
Paul Schwandt, Chair

/s/ Jack Meyers
County Board Chairman

/s/ Ben Moderow
Ben Moderow

/s/ Margaret R. Bostelmann
ATTEST: County Clerk

/s/ Vicki Bernhagen
Vicki Bernhagen

Approve as to Form:

/s/ Dawn N. Klockow
Corporation Counsel

/s/ Rich Slate
Rich Slate

WHEREAS, the changes which resulted from the passage of 2015 Wisconsin Act 15 require an update to the County's ordinance to continue the protection of the County's highway system; and,

WHEREAS, the Green Lake County Board of Supervisors finds, after due consideration, that regulating the weight of implements of husbandry on a per axle basis is more appropriate for maintenance purposes of all highways under the jurisdiction of Green Lake County.

NOW, THEREFORE, BE IT HEREBY ORDAINED:

Section 1. Section 160-13 of the Green Lake County Code of Ordinances is hereby amended to read:

§ 160-13. Compliance required.

A. No person shall operate an implement of husbandry on roads under the jurisdiction of Green Lake County, including a Category B implement of husbandry, defined in § 340.01(24)(a)1.b., Wis. Stats., , all category 1 agricultural commercial vehicles as defined in §348.01(1o)(e)1., or for a 2-vehicle combination transporting by trailer or semitrailer either one of these two types of vehicles from farm to field, from field to field, or from farm to farm, which exceeds state vehicle weight limits set forth in § 348.15(3)(g), Wis. Stats., unless the person operating said vehicle is in possession of a valid permit issued by the Green Lake County Highway Commissioner under authority granted by § 348.27(19), Wis. Stats.

B. No fee shall be charged for the application for a permit under this section.

Section 2. Section 160-14 of the Green Lake County Code of Ordinances is hereby amended to read:

§ 160-14. Applicability.

A. Permits issued under this section shall not apply to state or other local municipality roads.

B. In the event an application for a no-fee permit is granted for a Category B implement of husbandry, as defined in § 340.01(24)(a)1.b., Wis. Stats., a Category 1 agricultural commercial vehicle as defined in §340.01(1o)(e)1., or any 2-vehicle combination transporting by trailer or semitrailer either one of these two types of vehicles from farm to field, from field to field, or from farm to farm, the County may not deny the application but may modify and approve the application to provide an approved alternate route or map of highways other than those specified by the applicant for purposes of operation. The alternate route may include highways that are not under the

jurisdiction of Green Lake County only if prior approval has been given by the jurisdiction(s) over which the alternate route travels, except that no prior approval is required with respect to a highway on which these vehicles may be legally operated or transported without a permit or as authorized by the other jurisdiction.

Section 3. This Ordinance shall be in full force and effect upon enactment and publication as required by law, but no earlier than January 1, 2016.

Section 4. This Ordinance shall remain in full force and effect permanently until either duly amended or repealed by the Green Lake County Board of Supervisors or until January 1, 2020, as mandated by Wis. Stat. §348.15(9)(g).

Section 5. All ordinances or parts of ordinances inconsistent with or in contradiction of the provisions of this Ordinance are hereby repealed.

Section 6. A copy of this Ordinance shall be provided to the Wisconsin Department of Transportation prior to January 20, 2016, to be posted on its website.