

TOWN OF NEW CHESTER
ADAMS COUNTY, WISCONSIN

ORDINANCE GOVERNING WEIGHT LIMITS #01-2014

The Town Board of the Town of New Chester, Adams County, Wisconsin, pursuant to sections 348.15(9)(f), 349.15(2) and 349.16 of the Wisconsin Statutes, does ordain as follows:

A. Purpose

This ordinance is intended to ensure the structural integrity of town highways and to protect the taxpayers' investment in those highways.

B. Designation of Authority

Pursuant to Section 346.19, Wis. Stats., the town chairperson is designated as the officer in charge of maintenance of the town highways for the purpose of designating special or seasonal weight limitations on town highways. The designation of such limitations shall be based on weakness of the roadbed due to deterioration or climate conditions or other special permanent or temporary conditions which may result in serious damage to or destruction of the roadbed in the absence of such limitations.

C. Consultation

Prior to designating special or seasonal weight limitations on any road, the town chairperson is expected to seek advice from a consultant with experience in highway construction and maintenance.

D. Class 'B' Designation

Pursuant to the authority delegated in sec. 349.15(2), Wis. Stats., and subject to the special and seasonal weight limitations set pursuant to Section B herein, all town highways within the Town of New Chester, Adams County, Wisconsin, are hereby designated as Class 'B' Highways.

E. Class 'B' Restriction

Except as otherwise provided for in sec. 348.16(3), Wis. Stats., or unless a permit has been issued pursuant to Section H herein, no person may operate any vehicle on any Class 'B' town highway in violation of the weight limits set forth in sec 348.16(2), Wis. Stats.

F. Implements of Husbandry

1. Pursuant to Sec. 348.15(9)(f), Wis. Stats., all implements of husbandry (including Category B implements of husbandry defined in Sec. 340.01(24)(a)1.b., Wis. Stats.) may not exceed the weight limits imposed by Sec. 348.15(3)(g), Wis. Stats.
2. A no-fee permit may be applied for from the town to exceed the length and/or width limitations on highways under the town's jurisdiction.
3. Pursuant to Sec. 348.27(19)(b)4m.a., Wis. Stats, in the event an application for a no-fee permit is made for a Category B implement of husbandry as defined in Sec. 340.01(24)(a)1.b., Wis. Stats., the town is required to provide an approved alternate

has been given by the authority having jurisdiction over the alternate routes which are not under the town's jurisdiction.

G. Signs to be Posted

Appropriate signs shall be posted giving notice of any weight limitation imposed pursuant to Sections B. or D. herein. The signage will comply with the standards set forth in the Manual on Uniform Traffic Control Devices.

H. Permits

The town chairperson or his or her designee may issue a permit to an individual to exceed any weight limit imposed pursuant to Sections B. or D. herein. The exemption shall be in the form of a written permit and shall specify all of the following:

1. The identity of the individual permitted to exceed the weight limit.
2. The identity of the vehicle permitted to exceed the weight limit.
3. The amount by which the weight limit may be exceeded.
4. The town highways on which the weight limit may be exceeded.
5. The beginning and ending date(s) during which the weight limit may be exceeded.
6. The amount of security, if any, required under Section J. herein

I. No-Fee Permits

The town chairperson, or his or her designee, is hereby authorized to review the application for and to issue a no-fee permit as provided in Section F. 2. herein.

J. Security

As part of the permitting process under Section H herein, the town chairperson, or his or her designee, may require the permit applicant to file a surety bond or some other suitable security to ensure the repair of any damage to town highways caused, directly or indirectly, by the use permitted. The type and amount of security shall be determined in the sole discretion of the chairperson, by the extent of the use permitted.

K. Penalty

Any person, firm or corporation violating any provision of this Ordinance shall, upon conviction, be subject to a forfeiture as provided for in Sections 348.11 and 348.21, Wis. Stats.

L. Effective Date

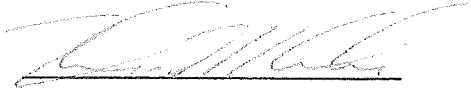
Except for Sections F. and I., this ordinance shall become effective upon its publication, pursuant to Section 60.80, Wis. Stats., Sections F. and I shall become effective on January 1, 2015. A copy of this ordinance shall be forwarded to the Wisconsin Department of Transportation.

M. Severability

The provisions of this ordinance are severable. In the event any provision hereof is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions which can be given effect without the invalid provision.

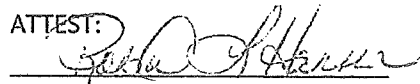
Adopted this 18th day of August, 2014.

Town of New Chester Town Board



Thomas M. Croke, Town Chairman

ATTEST:



Robin Hansen, Town Clerk