

**TOWN OF NEW HAVEN, ADAMS COUNTY, WISCONSIN  
AN ORDINANCE GOVERNING WEIGHT LIMITS**

Option E

#11-2014

The Town Board of The Town of New Haven, Adams County, Wisconsin, pursuant to secs. 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 help ensure the structural integrity of town highways and protect the taxpayers' investment in such highways.

**B. Designation of Authority**

Pursuant to sec. 349.16 Wis. Stats., the town chairperson is hereby designated as the officer in charge of maintenance of 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 climatic conditions or other special or temporary condition which would result in serious damage to or destruction of the roadbed in the absence of such limitations.

**C. Consultation**

Before designating special or seasonal weight limitations, the town chairperson is expected to seek advice from an independent 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 sec. B. herein, all town highways within the Town of New Haven, Adams County, Wisconsin, are hereby designated as Class "B" highway:

**E. Class "B" Restriction**

Except as provided for in sec. 348.16(3) Wis. Stats. or unless a permit has been issued pursuant to sec. 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) of Wis. Statutes, 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 weight limitations on highways under its 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 route, which may include highways that are not under its jurisdiction if prior approval has been given by the jurisdiction over the alternate routes not under the town's jurisdiction for operation of Category B implements of husbandry.

## **G. Signs To Be Posted**

Appropriate signs shall be posted giving notice of any weight limitation imposed pursuant to secs. B. and D. herein. The signage must comply with the Manual on Uniform Traffic Control Devices.

## **H. Permits**

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

- A. The individual(s) who may exceed the weight limit.
- B. The vehicle(s) which may exceed the weight limit.
- C. The degree to which the weight limit may be exceeded.
- D. The town highway(s) on which the weight limit may be exceeded.
- E. The duration of the permit.
- F. The amount of security, if any, required in sec. J. herein.

## **I. No-Fee Permits**

The town chairperson, or his designee, is hereby authorized to issue the no-fee permits provided for in sec. F. 2. Herein.

## **J. Security**

As part of the permitting process under sec. H. herein, the town board chairperson, or his designee, may require the permit applicant to file a surety bond or some other security to ensure the repair of any damage to town

highways associated with the use permitted. The type and amount of security shall be determined, in his sole discretion, by the chairperson or his designee based on 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 provided for in secs. 348.11 and 348.21 Wis. Stats.

**L. Effective Date**

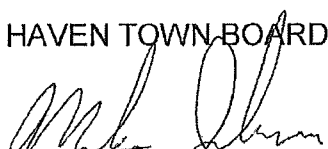
Except for secs. F. and I., this ordinance shall be effective upon its publication pursuant to sec. 60.80 Wis. Stats. Secs. F. and I. shall be effective on January 1, 2015. A copy of this ordinance shall be forwarded to the Wisconsin Department of Transportation.

**M. Severability**

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

Adopted this 18 day of Dec., 2014.

NEW HAVEN TOWN BOARD:

  
BY: Mike Julson, Town Chairperson

ATTEST:

  
Berniece Tangney, Town Clerk