

Ordinance
Number W20120910
Establishing Special or Seasonal Weight Limits

STATE OF WISCONSIN
Town of Sumner
Jefferson County

The Town Board of the Town of Sumner, Jefferson County, Wisconsin, has the specific authority under s. 349.16, Wis. stats., to adopt this ordinance.

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, establishes special or seasonal weight limits as follows:

SECTION I. WEIGHT LIMITS-The following special or seasonal weight limits shall be effective for the periods stated below on the following Town of Sumner town highways:

(A) 12 (Twelve) Ton Weight Limits shall be in effect permanently on [Aarback Road,Becker Road Bingham Road North of 106, Bingham Road .06 Miles South of 106, Black Hawk Island Road (From beginning of parcel 028-0513-1314-014 west to the end of road), Burnham Road, Bussey Road, Cemetery Road, Church Road, Conrad Road, Danielson Road, Draves Road, East Lake Drive, Evenson Road (from the North side of Waldman Road south to end of road),Grove Road-East, Grove Road-West,Hartwig Road, Hammarquist Road, HilltopRoad, Johnson Road East, Johnson Road West, Joyce Road, Klement Road, Koshkonong Manor Road, Kruetz Road (from the North side of East and West Grove Road South to STH 106), Kumlein Road, Kunz Road (from Parcel 028-0513-0111-000 south to STH 106), Lake Drive, Glenn Oaks Road, Lamp Road, Loga Road, Olson Road, Poutsch Road, Rinker Road, Rockdale Road, Rude Road, Schwemmer Road, Sterling Lane, Trokstad Road, Waldman Road, White Crow Road, Willow Road,Woodside Road

(B) 24 (Twenty Four) Ton Weight Limits shall be in effect permanently on Carcajou Road, Kuehn Road, North Shore Road from parcel #028-0513-1214-001 south to the end of the road, High Ridge Road.

SECTION II.- SIGNAGE-The town chairperson, or his or her designee, shall erect signs as required under s. 349.16 (2), Wis. stats, on or before the effective date of this ordinance.

SECTION III.- FEES- The fee to obtain a permit shall be \$50.00 (fifty dollars). This minimal fee is established to cover administrative costs and mileage and are subject to change by resolution of the Town Board.

SECTION IV.- PERMITS, DEPOSITS and BONDING REQUIREMENTS

(A) Permits Required

(a) Haulers of loads exceeding the special or seasonal weight limitations shall request a permit to exceed the imposed weight limits for travel on a town highway. Permits can be applied for a single trip or for multiple trips. Permits are to be issued by the Town Chairman or his designee. Permit fees for single trip and multi-trip will be \$25.00 (Twenty-five) per trip.

(b) The issuance of a permit does not in any way reduce or limit liability for damage to the town highway for the permitted party and all permitted parties are subject to penalties of Section (V) of this ordinance.

(c) A permit must be applied for in writing. Permit applications shall be provided by the Town of Sumner. Permits shall be issued for single trip or multi trips. The Town Chairman or his designee shall be authorized to issue a permit granting a person the privilege of exceeding weight limits as specified and authorizing permit for exempt vehicles as outlined in SECTION VI. Permits may be issued on an occasional basis for a non-routine load where no other practical alternative exists. Application form for Class B Highway Travel” is attached to this ordinance as “Appendix A”. Permit authorizing “Class B Highway Travel for Overweight Vehicles is attached as “Appendix B”.

(B) Deposit Required:

(a) Deposit amounts shall be determined by the Town Chairman or his designee. Deposit amounts shall be retained until the Town Chairman or his designee acts to release the deposit.

(C) Bonding Required:

(a) Bonding requirements and amounts shall be determined by the Town Chairman or his designee.

SECTION V - PENALTIES No person may operate any vehicle on the above-noted highways in violation of the above-noted weight limits without a written permit issued by the Town Board Chairman of the Town of Sumner. Any person or party causing damage to any town highway is subject to penalties as outlined in the Wisconsin State Statutes 348. More specifically any person who does not obtain a permit, as outlined in SECTION IV above, prior to traveling on any weight restricted highway within the Town of Sumner and causes injury to said highways is subject to the penalties included in but not limited to Wisconsin State Statute Section 348.21

SECTION VI EXEMPTIONS The Town Chairman under the authority of 349.16 (3) shall exempt from the special or seasonal weight limitations imposed in SECTION I (A) AND SECTION I (B).

(A). Pumping vehicles used to transport material pumped from a septic or holding tank. Pumping vehicles shall apply for an annual permit under ss. 348.27 and shall be carried on the vehicle during operations so permitted.

(B) Trucks hauling milk commodities shall apply for an annual permit under ss.348.27. and shall be carried on the vehicle during operations so permitted.

a. Any person violating section (1) or (2) may be required to forfeit not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the second and each subsequent conviction within one year.

(C) Garbage/Recycling haulers in their contracted duties with the Town of Sumner shall be exempt from the special or seasonal weight restrictions.

(D) September 1 to November 30 of each year, no permit shall be required for the transportation of corn, soybeans, vegetables or other agricultural products from the field to storage on the grower’s owned or leased land, from the field to initial storage at a location not owned or leased by the grower, or from the field to initial processing in a vehicle or combination of vehicles having a gross weight of 50,000 pounds or more or described in s. 340.01 (24) (b) that exceeds the weight limitations under s. 348.15 by not more than 15 percent.

(E) Contracted vehicles engaged in removal of snow or ice, sanding, or salting. Town of Sumner contracted road maintenance vehicles, Fire and EMS vehicles, fuel trucks and school buses shall be exempt from the general weight restrictions. The Town Board requires that the septic pumping vehicles, milk haulers, garbage/recycling and agricultural haulers fuel trucks, school buses and emergency vehicles take every precaution within their power to protect the roads while traveling within the Town of Sumner. This exemption in no way reduces or limits liability for damage to town roads for these exempted parties.

SECTION VII - ENFORCEMENT. The Chairperson of the Town of Sumner, his designee, Jefferson County Sheriff’s Department, or the Town constable shall enforce the provisions of this Ordinance. The Town Chairperson, the Jefferson County Sheriff’s office or the Town Constable is authorized to institute whatever legal proceedings or issue whatever citation they may deem necessary to effect compliance with or penalize persons for violating the provisions of this Ordinance.

SECTION VIII-SEVERABILITY If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

This ordinance is effective on publication or posting on October 17, 2012. The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats. Adopted this 10th day of September, 2012.

_____ John Dohner, Jr. Chairman

_____ Randall Burdick, Supervisor I

_____ Frank Micale, Supervisor II

ATTEST: _____ Barbara McGann Clerk