

Town of Greenville

Ordinance Relating To The Imposition Of Special Or Seasonal Weight Limitations

Ordinance 28

Whereas, the Town of Greenville Board has been granted village powers by the electors at a duly noticed annual town meeting, in accordance with Wisconsin Statutes Section 60.10(2)(c), and has the power granted to villages in accordance with Wisconsin Statutes Section 60.22(3).

Whereas, it is in the public interest and welfare to impose special and seasonal weight limitations on highways within the Town of Greenville, as provided herein.

Now, Therefore, the Town Board of Supervisors of the Town of Greenville, Outagamie County, Wisconsin, does ordain as follows:

Section 1 Statutory Authority:

Pursuant to Wisconsin Statutes Section 60.22(3), and Wisconsin Statute Section 86.021, 348.16, and 349.16, the Town Board of Supervisors of the Town of Greenville, Outagamie County, Wisconsin, hereby regulate the weight limits on highways within the Town of Greenville, Outagamie County, Wisconsin, as described herein.

Section 2 Purposes:

The purpose of this ordinance is to provide for the preservation of the investment of the Town of Greenville in the highway system within the Town so that it may be used for the mutual benefit of all citizens of the Town.

Section 3 Damage to Highway:

No person, shall, within the limits of any public highway, operate any vehicle or machinery of any sort, over, along, or across such highway so as to materially damage said highway.

Section 4 Special or Seasonal Weight Limitations:

The Town Chairman **or his representative** may impose special weight limitations on any highway or portion thereof, which, because of the weakness of the roadbed due to deterioration, or climatic conditions or other special or temporary conditions,

would likely be seriously damaged or destroyed in the absence of such special limitations.

Further, the Town Chairman **or his representative** may impose special weight limitations on bridges or culverts when in its judgment such bridge or culvert cannot safely sustain the maximum weight permitted by statute.

Further, the Town Chairman **or his representative**, may order the owner or operator of any vehicle being operated on a highway to suspend operation if in the Town Chairman's **or his representative's** judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the performance thereof or the public investment therein, except when Wisconsin Statute 84.20 is applicable or when the vehicle is being operated pursuant to a contract which provides that the government unit will be reimbursed for any damage done to the highway. Outagamie County Sheriff Officers are also authorized to order the suspension of operation under the circumstances and subject to the limitations stated in this paragraph.

The temporary weight limitations as authorized by this statute are those authorized by Wisconsin Statute 348.16.

Section 5 Notice of Special Weight Limitation:

Imposition of the special weight limitations authorized by this ordinance shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation. Imposition of the special weight limitations on bridges or culverts shall be done by erecting signs on each side of the respective culvert or bridge.

Section 6 Exemption from Special Weight Limitations:

This ordinance does not apply to trucks **that** haul milk from farmers, trucks pumping septic or holding tanks, public vehicles, emergency vehicles, or other vehicles determined by the Town Chairman. **This ordinance also does not apply to trucks that have a Seasonal Weight Limit Permit.**

Section 7 Penalty:

Any person, firm, or corporation who violates any provision of this ordinance shall, upon conviction thereof, forfeit **a set fee. (see Town Fee Schedule)**

This ordinance may be enforced by the Town Chairman **or his representative**.

Section 8 Effective Date:

This ordinance shall become effective the day after publication as provided by law.