

349.16 (1) (a) * ORDINANCE TO DESIGNATE CECELIA DRIVE AS A
SPECIAL WEIGHT LIMIT HIGHWAY
09-09-19

STATE OF WISCONSIN
Town of Florence
Florence County

The Town Board of the Town of Florence, Florence County, Wisconsin, has specific authority under ss. 82.03 and 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 have been given, establishes special or seasonal weight limits as follows:

- A. The following special or seasonal weight limits shall be effective on the following Town of Florence Highways as of September 9, 2019:
Cecelia Drive 5 tons
- B. 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.*

Whereas Wis. Stats 346 (1) (a) states that: *" The officer in charge of highway maintenance may impose special weight limitations on any such highway or portion thereof which, because of 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."*

The town board shall have the care and supervision of all highways under the town's jurisdiction, including the highways specified in s. 83.06. The town board appoints the highway foreman to act as their designee as a superintendent of highways to supervise, under the board's direction, the construction, repair, and maintenance of the highways and bridges under the town's jurisdiction.

- C. Except as provided in section D, 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 of the Town of Florence or its designee. Upon conviction for a violation of this ordinance, the violator shall pay a forfeiture of not less than \$50 nor more than \$200, plus the applicable surcharges, assessments, and costs for each violation. Each trip in violation of this ordinance constitutes a separate offense. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.
- D. A SPECIAL WEIGHT PERMIT will be required for all contractor service vehicles which are in excess of the 5 Ton weight limit except those identified in section E below.
- E. Pursuant to s. 349.16(3), Wis. Stats., all of the following are exempt from the weight limitations imposed under section A:
 - 1. A vehicle that is used to transport material pumped from a septic or holding tank if, because of health concerns, material needs to be removed from a septic or holding

- tank within 24 hours after the vehicle owner or operator is notified and if the vehicle is operated on a route that minimizes travel on highways subject to weight limitations imposed under section A. Within 72 hours after so operating a vehicle, the owner or operator of the vehicle shall notify the town board or their designee.
2. A vehicle operated by or at the direction of any of the following for the purpose of producing or furnishing heat, light, power, or water to its members, that is being operated for the purpose of responding to a service interruption:
 - a. A public utility, as defined in s. 196.01(5), Wis. Stats.
 - b. A telecommunication provider, as defined in s. 196.01 (8p), Wis. Stats.
 - c. A cooperative association organized under ch. 185, Wis. Stats.
 3. A vehicle being operated to deliver propane for heating purposes if the gross weight imposed on the highway by the vehicle does not exceed, 30,000 pounds for a vehicle with a single rear axle or 40,000 pounds for a vehicle with tandem rear axels, and if the vehicle is a tank vehicle, the tank is loaded to no more than 50% of the capacity of the tank.
 4. Services provided by law enforcement, all fire and rescue and emergency services are exempt of obtaining a "special weight permit".

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

This ordinance is effective after the date of posting and after the erection of signs notifying the public.

Adopted this 9th day of September, 2019.

Town Board of Florence



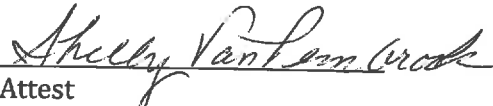
Tim Bomberg



John Holbrook



Shane McLain



Attest

Shelly Van Pembroke, Clerk/Treasurer