

TOWN OF LAFAYETTE

PLACEMENT OF WEIGHT RESTRICTIONS ON TOWN ROADS

ORDINANCE 10 - 03

The Town Board of the Town of LaFayette, Walworth County, Wisconsin, does hereby ordain as follows:

SECTION 1.0 PURPOSE

The purpose of this ordinance is to promote the safety and general welfare of the Town of LaFayette and other who travel the Town's highways by providing for the safe and orderly maintenance of the Town's highways.

SECTION 2.0 AUTHORITY

This ordinance is enacted pursuant to § 349.16(2) and 348.17, WI Statutes, which provides for the regulations of weight limitations on Town roads, and exceptions thereto.

SECTION 3.0 ADOPTION

No person, whether operating under a permit or otherwise, shall operate a vehicle with weight in excess of eight (8) tons on all roads, streets, highways, highway structures, or portions of highways when signs have been erected by the Town of LaFayette giving notice of such weight limitations, pursuant to § 349.16(2), WI Statutes, except when the vehicle is being operated under a permit expressly authorizing such weight limitation to be exceeded.

SECTION 4.0 WEIGHT RESTRICTIONS

The Town shall post weight restrictions, as it deems necessary in order to protect the roadbed, due to climatic conditions or other special or temporary conditions, when the roadbed would likely be seriously damaged or destroyed in the absence of weight limitations. Said signs shall be posted on or along the highways of the Town sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation.

SECTION 5.0 EXEMPTIONS TO WEIGHT RESTRICTIONS

The following vehicles are hereby exempted from the weight restrictions listed above: municipally owned vehicles, fire department vehicles, emergency medical services vehicles, utility vehicles, septic pumpers, school buses, garbage and/or recycling trucks contracted by the Town, milk haulers and agricultural feed trucks. Any and all vehicles shall leave such road and re-enter roads not prohibited by such weight restriction at the closest to its immediate destination and shall take the most practical route to its destination. Each exempted vehicle is allowed only to travel on the most direct route necessary to and from the destination point and said vehicle shall produce evidence of its destination point. Failure to produce evidence of its destination point will constitute a violation and be subject to prosecution.

SECTION 6.0 PERMITS

A vehicle may operate under a permit expressly authorizing said weight limitation to be exceeded. A permit does not authorize the holder to use the identified roads as a through road. Said permit shall be issued by the Town Chair or his/her designee. A seventy two (72) hour permit to transport a commodity

one way in a single load shall cost fifty dollars (\$50). There shall be a contract which provides that the Town will be reimbursed for any damages to the Town roads.

A seasonal permit to transport a commodity one way shall cost two hundred dollars (\$200). Said vehicle must be operated pursuant to a contract which provides that the Town will be reimbursed for any damages to the Town roads. All applicable roads are to be considered all roads within the Town of LaFayette that are owned and maintained by the Town.

SECTION 7.0 SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

This Ordinance adopted by the Town Board of the Town of LaFayette on this 8th day of April 2009.

Bruno Schiffleger, Chair

Passed this day: 04.08.2009

Barbara A Fischer, Town Clerk-Treasurer

Filed this day: 04.08.2009