

# **FINAL**

## **TOWN OF WHEATON CHAPTER 42 CLASS B DESIGNATION FOR TOWN OF WHEATON ROADS ORDINANCE CHIPPEWA COUNTY, WISCONSIN**

### **SECTION I – TITLE AND PURPOSE**

The title of this ordinance is the “Class B Designation for Town of Wheaton Roads Ordinance.” The purpose of this Ordinance is:

- A. To protect the financial investment of Town of Wheaton citizens in town roads with the intent to extend the life of Town of Wheaton roads.
- B. To ensure the safety of Town of Wheaton citizens and others as they travel within the Town of Wheaton by vehicle as well as pedestrians while walking, jogging, and biking.
- C. To provide access to heavy traffic going to and from Town of Wheaton residences and businesses that have a need for goods and services delivered by such heavy traffic traveling on the roads.
- D. To direct and encourage heavy traffic to use designated Class A roads, County, and State or Federal Highways whenever possible, rather than Town roads.
- E. To clarify, accommodate, and facilitate the administration of the Class B Ordinance within the Town of Wheaton for officials, heavy traffic users, law enforcement officials, citizens, and others.
- F. To enable Law Enforcement personnel, including the Chippewa County Sheriff’s Department and the Wisconsin State Patrol, to implement provisions of the ordinance by having a legally enforceable ordinance.

Any future amendments, revisions, or modifications of the statutes incorporated here-in are intended to be made a part of this Ordinance to secure uniform statewide regulation of traffic on the highways, streets, and roads of the State of Wisconsin.

### **SECTION II – AUTHORITY**

The Town Board of the Town of Wheaton, Chippewa County, Wisconsin, has the specific authority to adopt this CLASS B DESIGNATION FOR TOWN OF WHEATON ROADS ORDINANCE under Wis. SS §349.15 and §349.17.

### **SECTION III – ADOPTION OF ORDINANCE**

The ordinance, adopted on the proper notice with a quorum and roll call vote by a majority of the town board present and voting, provides the authority for the town to designate town roads as Class B.

## SECTION IV – TRANSPORT OF LOADS ON CLASS B TOWN ROADS

No person shall operate a vehicle with a load in excess of the weights as described as Class B restrictions, Wis. SS §348.16, on the specified town roads unless the load meets the exemptions as stated there-in; or the load meets one of the exceptions of Section V; or the operator has applied for and obtained a permit to exceed the Class B restrictions from the Town Board designee as described in Section VIII.

### Specified Town Roads:

20<sup>th</sup> Street from State Highway 12 to the Frontage Road beside State Highway 29

20<sup>th</sup> Avenue from 50<sup>th</sup> St to County Highway F

30<sup>th</sup> Street from 20<sup>th</sup> Avenue to the Frontage Road beside State Highway 29

30<sup>th</sup> Avenue from 50<sup>th</sup> St to County Highway F

40<sup>th</sup> Street from County Line Road to the Frontage Road beside State Highway 29

50<sup>th</sup> Street from 20<sup>th</sup> Ave to State Highway 29

Request to exceed the limitations may require special consideration as a “haul road” requiring additional documentation and observation. Pre-photo filming and post photo filming may be implemented to record any damage to Town of Wheaton roads.

A vehicle whose load exceeds the limits under Wis. SS §348.16, who travel begins within the Town of Wheaton must use a route which entails the shortest travel on Town of Wheaton town roads in order to access a class A road to reach its final destination.

## SECTION V – EXCEPTION TO WEIGHT LIMITS

Certain vehicles are exempt from Town of Wheaton Class B restrictions.

- A. Fire department and emergency vehicles.
- B. Town of Wheaton equipment and contracted providers when operated for approved town uses.
- C. School buses picking up and delivering children to Town of Wheaton residences.
- D. Garbage haulers contracted by the Town of Wheaton or its residents and businesses to pick up garbage and/or recyclables.
- E. Vehicles traveling a road located within the Town of Wheaton over which a federal highway, state trunk highway, or county trunk highway is temporarily routed are not governed by this Ordinance.
- F. Weight limits shall not be exceeded on any town road with spring weight limits applied.

## SECTION VI – ENFORCEMENT

Enforcement of the Class B restrictions shall be accomplished through the Chippewa County Sheriff's office and/or the Wisconsin State Patrol.

## SECTION VII – ADMINISTRATION

Posting of signs. Signs shall be procured, erected, and maintained, giving notice of the ordinance and of the Class B restrictions. Town of Wheaton shall have signs erected in such locations and in such a manner as to carry out the purposes of the ordinance and corresponding Statutes sufficient to give reasonable notice to road users that a special limitation is in effect.

## SECTION VIII – OBTAINING A PERMIT

The process to obtain a permit is as follows:

- A. It is the sole responsibility of the hauler to obtain a permit prior to hauling loads in excess of those described in Section IV. Note that the Town does not maintain regular office hours for processing of permits.
- B. Hauler shall fill out the “Application to Operate Overweight Loads on Town of Wheaton Class B Roads”. This can be filled out and submitted on the Town website or can be obtained by requesting the application from the Town Clerk via E-Mail at [wheaton.clerk@gmail.com](mailto:wheaton.clerk@gmail.com) or calling 715-874-5982 and leaving a message.
- C. If road usage is approved, a signed permit(s) will be issued for each vehicle specific to the number of trips permitted. The permit shall be available at all times in each vehicle traveling Town of Wheaton roads.
- D. The granting or denial of a permit is at the sole discretion of the Town Board and/or its designee and shall be solely based on the purposes as stated in Section I.

## SECTION IX – PENALTIES

The penalty for violating the Class B Designation for Town of Wheaton Roads Ordinance shall be as defined under Wis. SS §348.21

## SECTION X – 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.

## SECTION XI – EFFECTIVE DATE

This ordinance is effective on publication or posting. The town clerk shall properly publish this ordinance as required under Wis. Stats §60.80 (1).

Adopted this 14th day of September, 2021 by the Wheaton Town Board.

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Town Board Supervisor

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Town Board Supervisor

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Town Board Supervisor

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Town Board Supervisor

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Town Board Chair

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Town Clerk