

# Ordinance No.19

## **An Ordinance to Opt-In for Category B – IOHs to Comply with the Table of Statutory Weight Limits under ss. 348.15(3)(g)**

### **Section 1 - Intent**

**Whereas**, 2013 Wis. Act 377 under ss. 348.15 (9) (f) 1. Provides that there is no weight limitation per wheel, axle, or group of axles for Category B implements of husbandry as defined in ss. 340.01 (24) (a) 1.b., Wis. Stats., but does apply gross vehicle weight limitations to these vehicles.

### **Section 2 – Statutory Authority**

**Whereas**, ss. 348.15(9)(f)1. Wis. Stats., Authorizes the municipality or county to require compliance with axle weight limitations established under ss. 348.15 (3)(g) Wis. Stats., for Category B implements of husbandry defined in ss. 340.01(24)(a)1.b. Wis. Stats., on all highways under its jurisdiction.

### **Section 3 – Weight Limits**

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Town Board of the Town of Dewey, of Portage County, that pursuant to ss. 348.15 (9) (f) of Wis. Stats., all implements of husbandry (including Category B implements of husbandry defined in ss. 340.01 (24) (a) 1.b.) Wis. Stats., may not exceed the weight limits imposed by ss. 348.15 (3) (g) of Wis. Stats.

### **Section 4 - Permits**

**FURTHER, BE IT HEREBY ORDAINED** that to exceed the length and/or weight limitations on highways under this jurisdiction a no-fee permit may be applied for from the municipal jurisdiction.

### **Section 5 – Alternative Routes**

**FURTHER, BE IT HEREBY ORDAINED** that pursuant to ss. 348.27 (19)(b) 4m.a. Wis. Stats., in the event an application for a no-fee permit is made for a Category B implement of husbandry as defined in ss. 340.01 (24)(a)1.b., Wis. Stats., the municipal jurisdiction or county is required to provide an approved alternate route, which may include highways that are not under this jurisdiction if prior approval has been given by the jurisdiction over the alternate routes not

under this entity's jurisdiction for operation of Category B implements of husbandry as defined in ss. 340.01 (24)(a) 1.b. Wis. Stats.

#### **Section 6 – Enforcement**

**FURTHER, BE IT HEREBY ORDAINED** that this ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

#### **Section 7 – Penalties**

- (A) Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this Ordinance shall be subject to the forfeitures found in the Cash Deposit Schedule found in Ordinance No.2. In addition to the forfeitures found in the Cash Deposit Schedule, each violator upon conviction shall pay any mandated fees, costs, surcharges, and assessments for each violation.
- (B) Each day a violation exists or continues constitutes a separate offense under this Ordinance.

#### **Section 8 – Severability**

**FURTHER, BE IT HEREBY ORDAINED** that the provisions of this ordinance shall be deemed severable and it is expressly declared that the Town would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provisions of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

#### **Section 9 – Effective Date**

**FURTHER, BE IT HEREBY ORDAINED** that this ordinance shall become effective upon its publication and/or posting in the manner set forth in s. 60.80, Wis. Stats. and;

**FURTHER, BE IT HEREBY ORDAINED** that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on the state DOT website.

Adopted this     day of

By the Town Board of the Town of Dewey, Portage County

\_\_\_\_\_  
Maurice King, Town Chairperson

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Leroy Pukrop, Supervisor

\_\_\_\_\_  
Dennis Meis, Supervisor

Attest: \_\_\_\_\_  
Angela Lochinger, Clerk