

CHAPTER 36: WEIGHT LIMITS

SECTION 36.01 AUTHORITY

This Chapter is enacted pursuant to Wis. Stat. §§ 348.15(9)(f), 349.15(2), and 349.16.

SECTION 36.02 PURPOSE

This Chapter is intended to help ensure the structural integrity of town highways and protect the taxpayers' investment in such highways.

SECTION 36.03 DESIGNATION OF AUTHORITY

Pursuant to Wis. Stat. § 349.16, the Town Chair is hereby designated as the officer in charge of maintenance of town highways for the purpose of designating special or seasonal weight limitations on town highways. The designation of such limitations shall be based on weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition which would result in serious damage to or destruction of the roadbed in the absence of such limitations.

SECTION 36.04 CLASS "B" DESIGNATION

Pursuant to the authority delegated in Wis. Stat. § 349.15(2), and subject to the special and seasonal weight limitations set pursuant to section 36.03 of this chapter, all town highways within the Town of Baraboo, Sauk County, Wisconsin, are hereby designated as Class "B" highways.

SECTION 36.05 CLASS "B" RESTRICTION

Except as provided for in Wis. Stat. § 348.16(3), or unless a permit has been issued pursuant to section 36.08 of this chapter, no person may operate any vehicle on any Class "B" town highway in violation of the weight limits set forth in Wis. Stat. § 348.16(2).

SECTION 36.06 IMPLEMENTS OF HUSBANDRY

A. OPTION E OPT-IN.

The Town elects Option E Opt-In for Category B - implements of husbandry.

B. WEIGHT LIMITS.

Pursuant to Wis. Stat. § 348.15(9)(f), all implements of husbandry, including Category B implements of husbandry defined in Wis. Stat. § 340.01(24)(a)(1)(b), may not exceed the weight limits imposed by Wis. Stat. § 348.15(3)(g).

C. PERMIT.

A no-fee permit may be applied for from the Town to exceed the length and/or weight limitations on highways under its jurisdiction.

D. ALTERNATE ROUTE.

Pursuant to Wis. Stat. § 348.27(19)(b)(4m)(a), in the event an application for a no-fee permit is made for a Category B implement of husbandry as defined in Wis. Stat. § 340.01(24)(a)(1)(b), the town is required to provide an approved alternate route, which may include highways not under its jurisdiction if approval is provided.

SECTION 36.07 SIGNS TO BE POSTED

Appropriate signs shall be posted giving notice of any weight limitation imposed pursuant to this chapter.

SECTION 36.08 PERMITS

A. SPECIFICATIONS.

The Town Chair, or the Chair's designee, may issue a permit to an individual to exceed any weight limit imposed pursuant to sections 36.03 or 36.05 of this chapter. The exemption shall be in the form of a written permit and shall specify all of the following:

1. The individual(s) who may exceed the weight limit.
2. The vehicle(s) which may exceed the weight limit.
3. The degree to which the weight limit may be exceeded.
4. The town highway(s) on which the weight limit may be exceeded.
5. The duration of the permit.
6. The amount of security, if any, that may be required. The Town Chair, or the Chair's designee, may require the permit applicant to file a surety bond or some other security to ensure the repair of any damage to town highways associated with the use permitted. The type and amount of security shall be determined, in the Chair's discretion, based on the extent of the use permitted.

SECTION 36.09 NO-FEE PERMITS

The Town Chair, or the Chair's designee, is hereby authorized to issue the permit under section 36.06(C) of this chapter.

SECTION 36.10 PENALTY

Any person, firm, or corporation violating any provision of this chapter shall, upon conviction, be subject to a forfeiture provided for in Wis. Stat. §§ 348.11 and 348.21.

SECTION 36.11 EFFECTIVE DATE

This chapter shall be effective on the 22nd day of December, 2014. A copy shall be forwarded to the Wisconsin Department of Transportation.