

CHAPTER 10
WEIGHT LIMITS ON STREETS AND HIGHWAYS.

Section

- 5-10-1 Authority and definitions
- 5-10-2 Streets designated as Seasonal class “B” Highways
- 5-10-3 Exemptions
- 5-10-4 Emergency Order
- 5-10-5 Permits and Bonding Requirements.
- 5-10-6 Fees.
- 5-10-7 Severability
- 5-10-8 Penalties
- 5-10-9 Effective Date
- Appendix A- Weight Limit Permit
- Appendix B- Bond Agreement

5-10-1: AUTHORITY FOR ORDINANCE AND DEFINITIONS. Pursuant to Wisconsin Statutes Sections, 349.15, 349.16, and 349.17, the Town of Lake Mills adopts Wisconsin Statutes Chapter 348 in its entirety. Class “A” and “B” highway weight limitations shall be as defined therein.

5-10-2: STREETS DESIGNATED AS SEASONAL CLASS “B” HIGHWAYS. The following is a list of streets and highways located in the Town of Lake Mills, Wisconsin that are hereby to be designated as Class “B” highways subject to the weight limitations imposed on class “B” highways by the Wisconsin Statutes adopted by reference in section one of this ordinance from March 1, to May 1 of any one year. These highways will be designated as Class “A” highways during the remaining months of the year. The dates listed in this section are subject to change by an Emergency Order issued by the Town Board. Refer to Section 5-10-4 for Emergency Order.

(Mud Lake Road, Conservation Road, North Kroghville Road, South Kroghville Road, Shorewood Hills Road, Echo Bay Lane, Woodfield Lane, Stockbridge Court, Lake Lane, Upper Shorewood Hills Road, Sunset Court, Lake Terrace, E. White Oak Drive, Cedar Lane, Shorewood Meadows Drive, Shorewood Meadows Circle, Alley Road, London Road, Center Street, Kuhl Road, Cemetery Road, North Shore Road, Faville Road, Elm Point Road, Helena Street, Indian Trail Street, Korth Highlands Street, Stoney Creek Road, Schollmeyer Road, East Main Street, London Street, Ivan Street, Casey Street, Henry Street, Palladio Street, Rock Lake Road, Canter Court, Polo Lane, and Bridle Path.)

5-10-3: EXEMPTIONS. Garbage/Recycling haulers in their contracted duties with the Town of Lake Mills shall be exempt from the Class “B” weight restrictions, also the Town Board recognizes that the Town of Lake Mills has many dairy farms located within its borders and has decreed to exempt milk hauling vehicles from these Class “B” weight restrictions. The Town Board requires that the garbage/recycling and milk haulers take every precaution within their power to protect the roads while traveling within the Town

of Lake Mills. This exemption in no way reduces or limits liability for damage to town roads for these exempted parties.

5-10-4: EMERGENCY ORDER. The dates listed in Section 5-10-2 of this ordinance may be changed by declaration of the Town Board of the Town of Lake Mills when weather conditions warrant this action. When the Town Board determines that the weather conditions warrant the changing of the dates, official notice of the change shall be published at least one week in advance of the effective dates. A copy of the declaration shall be placed as an official notice in the Town Boards designated official newspaper and shall be posted in the three regular posting areas in the Town. An Affidavit of publication should be requested when the declaration is published.

5-10-5: PERMITS AND BONDING REQUIREMENTS.

1. Permits Required:

(a). Haulers of loads exceeding the weight limitations of a “Class B” Highway may request a permit to exceed the imposed weight limits for travel on a town highway. Permits can be applied for a single trip or for multiple trips. Permits are to be issued by the Town Chairperson.

(b). The issuance of a permit does not in any way reduce or limit liability for damage to the town highway for the permitted party and all permitted parties are subject to the penalties of Section 5-10-8 of this ordinance.

(c). Permits will be provided by the Town of Lake Mills. The “Town of Lake Mills Permit for Class B Highway Travel” is attached to this ordinance as “Appendix A”.

2. Bonding Required:

(a). A commercial trucking business or mining business, which includes sand and gravel pits, operating within the limits of the Town of Lake Mills is required to enter into a Road Maintenance Agreement with the Town of Lake Mills.

(b). The Road Maintenance Agreement may require a Road Damage Bond or Certified Check to be provided to the Town of Lake Mills to protect the town from any and all damages done to the town highways that can be directly related to the business.

(c). The Road Maintenance Agreement will outline the highway routes to be used by haulers going to and from the location of the business. The shortest route to and from the business to the nearest County or State Highway is to be utilized.

(d). The Town of Lake Mills will provide the Road Maintenance Agreement, which is attached to this ordinance as “Appendix B”.

5-10

5-10-6: FEES. The fee to obtain a permit will be ten dollars (\$10.00). This minimal fee is established to cover administrative costs and mileage and are subject to change by resolution of the Town Board.

5-10-7 SEVERABILITY: If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, independent provision, and such holding shall not affect the validity of the remaining portions thereof.

5-10-8 PENALTIES: Any person or party causing damage to any town highway is subject to penalties as outlined in the Wisconsin State Statutes 348. More specifically any person who does not obtain a permit, as outlined in Section 5-10-5 above, prior to traveling on any weight restricted highway within the Town of Lake Mills and causes injury to said highways is subject to the penalties included in but not limited to Wisconsin State Statute Section 348.21.

5-10-9 EFFECTIVE DATE: This ordinance shall go into effect upon passage and publication on January 8, 2002.

Amended June 10, 2003.

Amended March 10, 2009

Added Appendix B

TOWN OF LAKE MILLS PERMIT
FOR CLASS B HIGHWAY TRAVEL
Appendix A

Permit # _____

This permit is issued to _____

For the purpose of _____

The cargo will be carried on town highway _____

on (date/s) _____

The Town of Lake Mills agrees not to issue a weight limit citation to the holder of this permit for Class B weight limit restrictions on the stated highway for the date or date's listed. The holder of this permit understands this permit does not absolve the holder of this permit of any damage that may be caused to the highway as a result of this travel. The permit holder understands any person or party, causing damage to any town highway is subject to penalties as outlined in the Wisconsin State Statute 86.02. The permit holder also agrees to reimburse the Town of Lake Mills for any legal costs incurred in the attempted collection of such damages.

PERMIT FEE: \$10.00 payable to the Town of Lake Mills

Signature of permit holder

Date

Printed name of permit holder

Name of Company/Business (Print)

Address (Print)

() _____
Phone Number

() _____
Alternative Phone Number

Signature of Town of Lake Mills Chairperson

Date

Fee paid on _____ Amount _____ Check # _____ Copy of Permit Sent to Applicant on _____

ROAD MAINTENANCE AGREEMENT

Town Ordinance 5-10-5

“Weight Limits- PERMITS AND BONDING REQUIREMENTS.

Appendix B

THIS ROAD MAINTENANCE AGREEMENT, between the Town of Lake Mills and _____ who is operating a business in the Town of Lake Mills agrees to accept and assume responsibility for all repairs and maintenance required on all Town of Lake Mills highways, listed in the agreed upon route, which is caused by vehicles using such highways to travel to and from the business.

The determination as to whether repair or maintenance is required and the standards for such repair and maintenance shall be the sole discretion of the Town Board of the Town of Lake Mills. The repairs or maintenance shall be to the same standards the Town of Lake Mills uses on its other highways in the town. Sound engineering judgment shall be used to determine the percentage of repair and maintenance required, to the highway, which can be directly related to the vehicles associated with the business.

The Town of Lake Mills has the right, if they feel it is in the best interest of the town, to require the business to provide the town with a Road Damage Bond or Certified Check to protect the town from any and all damage done to the town highways by vehicles associated with the business. The Road Damage Bond or Certified Check is to be renewed and provided to the town on an annual basis in the amount agreed upon between the Town Board and the representative of the business.

AGREED UPON ROUTE: List all town highways and their lengths that will be traveled to and from the business to the nearest County or State Highway:

BOND OR CHECK AMOUNT: _____

Town of Lake Mills:

_____ Date: _____
Chairperson

Business Representative:

_____ Date: _____

Attested By:

_____ Date: _____
Town Clerk