

**TOWN OF JEFFERSON
ORDINANCE 04-16B
TOWN ROAD USE PERMITS, FEES, AND AGREEMENTS FOR EXCEEDING
WEIGHT LIMITS**

The Town Board of the Town of Jefferson, Jefferson County, Wisconsin does ordain as follows:

- I. **Applicability:** With authority under s. 349.15, 349.16(1)(2), and 349.17(1)(2) of the Wisconsin State Stats, therefore, and pursuant to s. 348.16 (2); no person shall operate a vehicle on a town Class “B” highway that exceeds 60% of the weights authorized in s. 348.15(3), or otherwise exceeds town highway weight-limits without a permit issued by the Town of Jefferson.
- II. **Requirements for parties desiring to exceed town road weight limits:** At the time an established business entity, local unit of government, contractor, individual, or other party desires to exceed the weight limits established on any road in the Town of Jefferson for a project, delivery, or for on-going commerce or other travel, they shall:
 - a) make application for a permit through the Town Clerk to the Town Highway Supervisor or the Town Chair,
 - b) sign an agreement with the Town of Jefferson for an approved route and establishing liability for potential damages to town roads during use of the approved route,
 - c) participate in an active review of the established route prior to the issuance of a permit, and,
 - d) participate in a post-use review of the conditions of the approved route.
- III. **Permit Fee:** The permit fee shall be set and included in the Town of Jefferson Annual Fee Schedule and will include the costs incurred by the Town, including, but not limited to: administrative costs, publication costs when necessary, costs of the active reviews, and other miscellaneous costs related to the issuance of the permit.
- IV. **Agreement:** The agreement between the party requesting the permit and the Town of Jefferson shall be made and signed by both parties before the use of the approved route. The agreement will be administratively processed by the Town Highway Supervisor or the Town Chair, and its administration shall be binding upon the Town of Jefferson and the requesting party.
- V. **Forfeitures:** Any party who exceeds weight limits on Town of Jefferson roads without issuance of the aforementioned permit shall be subject to a forfeiture of \$100 for each offense plus costs to the Town of Jefferson, and the offense shall be deemed committed on each day during which such violation occurs or continues to occur.
- VI. **Exceptions:** Vehicles exceeding the town road weight limits that are deemed “local road use” and/or, vehicles making usual and necessary deliveries to residences, farms, public facilities, and businesses located on weight limited roads, municipal service vehicles contracted to the Town of Jefferson, emergency vehicles, public utility vehicles providing service on weight limited town roads, IOH and Ag. CMV

vehicles addressed in Town Ordinance 11-15, and vehicles excepted by s. 348.16(2)(3) are not subject to these permit requirements.

- VII. **Regulating heavy traffic:** With authority under s. 349.17, the town may restrict or prohibit heavy traffic use of its roads and highways, and may, under certain circumstances, require permits for vehicles not otherwise exempted in this ordinance or by s. 349.17(2).p
- VIII. **Town Rights Reserved under State Statute 86.02:** Excepted vehicles and non-permitted parties that are found to cause injury to town roads will be subject to State Stat. 86.02 and shall be liable for treble damages to the Town of Jefferson for repair of said damages. Permitted vehicle travel on an approved route will not be subject to treble damages under St. Stat. 86.02.
- IX. **Effective date:** This ordinance will take effect immediately upon passage, posting, and publication as provided by law.

Adopted this 4th day of April, 2016.

Nancy J. Emons, Chair

Tyson Barnes, Supervisor

Donna Hollinger, Supervisor

Jim Mode, Supervisor

Tracie Stammer, Supervisor

ATTEST TO:

Tina Barnes, Clerk

Date Adopted: _____

Date Published/Posted: _____

Effective Date: _____