

300.7 Establishing Special or Seasonal Weight Limits Ordinance

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SECTION I - AUTHORITY

The Town Board of the Town of Berry, Dane County, Wisconsin, has the specific authority under s. 349.16, Wis. Stats., to adopt this ordinance.

SECTION II - ADOPTION

The Town Board of the Town of Berry, by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the town board present and voting, provides the authority for the town to establish special or seasonal weight limits as follows:

- A. The following seasonal or special weight limits of 6 tons maximum per axles shall be effective for the following Town of Berry town highways:

Scherbel Road,
Schuman Road,
South Valley Road,
Spring Valley Road, and
Turkey Road,

during the period set by the Highway Superintendent, in consultation with the Town Roadman, annually, to coincide with the Wisconsin Department of Transportation spring thaw determinations for the year in question, and, reported to the Board at the first scheduled Board meeting following the posting.

- B. The Town Chair, or his or her designee shall erect signs as required under s. 349.16(2), Wis. Stats., on or before the effective date of this ordinance.
- C. The Board may, from time to time, designate special weight limits on any Town Road determined by the Board to need additional protection due to road conditions then occurring.
- D. No person may operate any vehicle on the above-noted highways, in violation of the above-noted weight limits, without a written permit issued by pursuant to **SECTION III**, below. Any violation shall be subject to penalties under s. 348.21, Wis. Stats.

SECTION III – OVERWEIGHT PERMITS

The Town of Berry, Dane County, Wisconsin, may authorize and issue to the owner or operator of specific vehicle, an overweight permit, as follows:

- A. The Town Board of the Town of Berry, Dane County, Wisconsin, may authorize and issue to the owner or operator of specific vehicle, an overweight permit, effective for a designated period of time, up to one year, authorizing travel by the described vehicle on designated Highways in Town of Berry subject to special or seasonal weight limits, including such conditions as the Board shall deem necessary to protect and preserve the highway. The Town Chair or Highway Superintendent may issue an overweight permit for a single trip, under s. 348.27 Wis. Stats., subject to appeal to the Town Board if denied.
- B. Any overweight permit, as issued, applies only to the above-described vehicle during operations as permitted. The permit, as issued, is not transferable, is revocable, and can be suspended by the Town Chair, or Highway Superintendent at any time for good cause. The permittee may, within 5 days of revocation or suspension, request in writing a hearing before the Town Board of the Town of Berry, which shall be held within 30 days or the permit shall automatically be reinstated.
- C. The fee for the Board Granted permit is \$ 10 per ton, payable to the Town Clerk of the Town of Berry by applicant on or before issuance of the permit by the Town Board. The fee for a single trip overweight permit is \$ 10, payable to the Town Clerk of the Town of Berry by applicant on or before issuance of the permit by the Town Chair, or Highway Superintendent.

SECTION IV – EFFECTIVE DATE

This ordinance is effective on March 27, 2009

Dated this 16th day of March, 2009

Published: February 26, 2009
March 26, 2009

Brenda Kahl, Clerk/Treasurer
Tim Henneman, Sr., Supervisor
Jim Laubmeier, Supervisor

Anthony Varda, Chair
Chris Upper, Supervisor
Susan Studz, Supervisor