

Ordinance Establishing Special or Seasonal Weight Limits.

Ordinance 19.01

The Town Board of the Town of Bridge Creek, Eau Claire County, Wisconsin, has the specific authority under Wis. Stats. Sections 82.03 and 349.16 to adopt this ordinance.

This Ordinance, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, establishes special or seasonal weight limits as follows:

Section 19.01.01. General Provisions.

A. The following special or seasonal weight limits shall be effective for the periods stated below for the following Town of Bridge Creek Town roads:

Adolf Road	Horse Creek Road	Sandy Road
Airport Road	Horton Road	Sell Road
Bartig Road	Jack Pine Road	Sieg Road
Black Creek Road	Karow Road	Solie Road
Brunzil Road	Kelly Road	Sperber Road
Buse Road	Kempton Road	Stinson Road
Channey Road	Ketchum Road	Sutton Road
Dolotta Road	Krueger Road	Town Line Road
Faske Road	Lane Road	Trail Road
Francel Road	LeMere Ct	Von Haden Road
Gerike Road	Livermore Road	Warner Road
Gerth Road	Nehring Road	Windmill Road
Gregor Road	Oak Ridge Road	Witte Road
Haskins Road	Pease Street	Yoder Road
Hay Creek Road	Pettis Road	Yule Road
Henning Road	Powerline Road	Zank Road
Hiltz Road	Rock Dam Road	Zink Road
	Sandy Hill Drive	

12 tons - March 1 through May 1. The Town has the right to alter said dates and weights after considering weather and any other factors affecting road conditions.

B. The Town Chairperson, or his or her designee, shall erect signs as required under Wis. Stats. Section 340.16 (2) on or before the effective date of this ordinance.

C. Except as provided in Sections 2. A & B below, 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 the Town Board of the Town of Bridge Creek.

Section 19.01.02. Exemptions.

A. Pursuant to Wis. Stats. Section 349.16 (3) all of the following are exempt from the weight limitations imposed under section A above:

1. A vehicle that is used to transport material pumped from a septic or holding tank if, because of health concerns, material needs to be removed from a septic or holding tank within 24 hours after the vehicle owner or operator is notified and if the vehicle is operated for the purpose of emptying the septic or holding tank and disposing of its contents and is operated on a route that minimizes travel on highways subject to weight limitations imposed under section A. Within 72 hours after so operating a vehicle, the owner or operator of the vehicle shall notify the Town Board or other authority in charge of maintenance of the town highways over which the vehicle was operated.

2. A vehicle operated by or at the direction of any of the following for the purpose of producing or furnishing heat, light, power, or water to its members, that is being operated for the purpose of responding to a service interruption:

a. A public utility, as defined in Wis. Stats. Section 196.01 (5).

b. A telecommunications provider, as defined in Wis. Stats. Section 196.01 (8p).

c. A cooperative association organized under Wis. Stats. Section 185.

3. A vehicle being operated to deliver propane for heating purposes if the gross weight imposed on the highway by the vehicle does not exceed 30,000 pounds for a vehicle with a single rear axle or 40,000 pounds for a vehicle with tandem rear axles, and if the vehicle is a tank vehicle, the tank is loaded to no more than 50% of the capacity of the tank.

4. Vehicles carrying commodities specified by the town board. The Town Board finds that the exemption from the weight limits imposed under Section 2. A the hauling of milk, perishable food products and livestock feed is reasonable and necessary to promote the public health, safety, and welfare of the town.

5. Vehicles that are used to perform services the following services: garbage trucks, recycling vehicles and septic servicing vehicles. The Town Board finds that the exemption from the weight limits imposed under section A for the services specified by the town board is reasonable and necessary to promote the public health, safety, and welfare of the town.

B. No person, whether operating under a permit or otherwise, shall operate a vehicle on a Town road in violation of Class B weight limitations except when the vehicle is being operated under a permit issued by the Town Board expressly authorizing such weight limitations to be exceeded or is being operated as authorized under Wis. Stats. Section 348.17 (4) pertaining to emergency type of situations. Such permit shall be obtained through the Town Chairperson. The fee for such permit is \$ 50.00. The factors to be considered for granting a permit include but are not limited to weights, weather, time period of operation and any other factors affecting road conditions.

Section 19.01.03. Penalty.

A. Upon conviction for a violation of this Ordinance, the violator shall pay a forfeiture of not less than \$250.00 nor more than \$2,000.00 plus the applicable surcharges, assessments, and costs for each violation according to the below deposit schedule. Each trip in violation of this Ordinance constitutes a separate offense. In addition, the Town Board may seek injunctive relief from Eau Claire County Circuit Court to enjoin further violations.

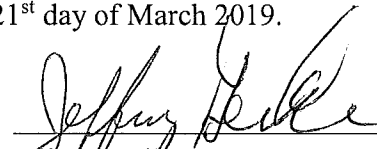
1. First Offense: \$250.00
2. Second Offense: \$500.00
3. Third Offense: \$1000.00
4. Fourth and subsequent Offenses: \$2,000.00.

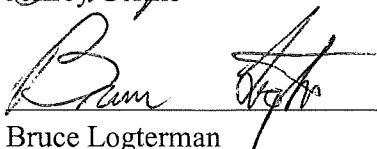
Offenses accrue in a 12-month period of time and not a calendar year. For example, if a citation is issued on February 1st, any offense occurring within the next 12 months will be counted as a second or other offense.


This Ordinance is effective on March 21, 2019.


The Town Clerk shall properly post and publish this Ordinance as required under Wis. Stats. Section. 60.80.

Adopted this 21st day of March 2019.

Chairperson: 
Jeffrey Gerjke

Supervisor: 
Bruce Logterman

Supervisor: 
Patrick Bethke

Supervisor: 
Gordie O'Brien

Supervisor: Brian Bertram
Brian Bertram

Clerk: Kathy Olson
Kathy Olson

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