

TOWN OF CABLE

ROAD WEIGHT LIMIT ORDINANCE

ORDINANCE NO. 13

An ordinance providing for the imposition of weight limits and restrictions on the highways of the Town of Cable, Bayfield County, Wisconsin.

The Town Board of the Town of Cable, meeting in regular session this 17th day of March, 1988, does ordain as follows:

WHEREAS, it is apparent to the Town Board that special weight limitations and other restrictions are necessary in regard to the Township of Cable roadways, or portions thereof, which, because of weakness of the roadbed, due to deterioration or climatic conditions, (including ice and snow) would likely be seriously damaged or destroyed in the absence of such special limitations;

WHEREAS, the Town Board is of the opinion that said weight limitations are necessary to protect the health, safety and welfare of the users of said roadways and also to reduce the tax dollars required to maintain and repair said roadways;

WHEREAS, prosecutions for violation of said roadway weight limitations or restrictions shall, in every instance where practical, be instituted against the person holding the authority, certificates, licenses or permits evidencing operating privileges from the office of the Department of Transportation;

NOW, THEREFORE, be it ordained that:

1. The Town Board of the Town of Cable may establish weight limitations and restrictions on any town roadways deemed necessary by the Town Board to protect said roadways. Notice of said limitations and restrictions shall be done by erecting signs along said roadways, bridges or culverts, to give reasonable notice to users of said roadways that the special weight limits or restrictions are in effect and the nature of said limitations.

2. No person, firm or corporation shall operate vehicles upon said posted roadways in violation of said posted weight limits or restrictions.

3. Citations, where practical, shall be issued against the person, firm or corporation holding the authority, certificates, licenses, or permits evidencing operating privileges from the Department of Transportation.

4. Any owner or operator of any vehicle causing or likely to cause injury to such roadways or who is visibly

injuring the permanance thereof or the public investment therein, shall immediately suspend operation (except when \$884.20 is applicable) or when the vehicle is being operated pursuant to a contract which provides that the governmental unit will be reimbursed for any damage done to the highway pursuant to §349.16 (1) (c) of the Wisconsin Statutes.

5. This ordinance shall not apply to vehicles owned by the State, County or Municipality, when said vehicles are being used for the removal, treatment or sanding of snow or ice or when such vehicles are authorized emergency vehicles. Further exemptions from this ordinance shall be those vehicles carrying commodities which are used to perform those services, that are necessary and reasonable to promote the health, safety and welfare of the public.

6. Any individual, firm or corporation found to be in violation of this ordinance shall be fined not less than \$50 nor more than \$200 plus an amount equal to one cent for each pound of total excess load when the total excess load is not over 2,000 pounds; two cents for each pound of total excess load if the excess load is over 2,000 pounds and not over 3,000 pounds; three cents for each pound of total excess load if the excess is over 3,000 pounds and not over 4,000 pounds; five cents for each excess pound of the load if the excess is over 4,000 pounds and not over 5,000 pounds; seven cents for each pound of total excess load if the excess is over 5,000 pounds.

7. A conviction and fine as set forth in this ordinance shall in no way limit the rights of the Town seeking reimbursements for the actual damages that it incurs to its roadways as well as reimbursement for the costs and expenses incurred by the Town, including its reasonable attorney's fees.

Adopted this 17th day of March, 1988.

TOWN OF CABLE

By:

John F. Frels
John Frels, Chairman

Kathleen Rasmussen
Kathleen Rasmussen, Clerk