

ORDINANCE WEIGHT LIMITS**NO. 86-5 REGULATION OF WEIGHT LIMITS FOR VEHICLES ON TOWN OF VIENNA ROADS**

The Town Board of the Town of Vienna, Dane County, Wisconsin, do ordain as follows:

SECTION 1 - STATEMENT OF PURPOSE:

In the interest of public safety on Town Roads, the roads and streets, or portions thereof, of the Town of Vienna are hereby declared to have special weight limitations as set forth herein, because, in the absence of such special limitations, there is a likelihood that they would be seriously damaged or destroyed. Such limitations are adopted pursuant to Sec. 349.16, Wis. Stats., which is hereby adopted by reference and made a part of this ordinance.

SECTION 2 - WEIGHT LIMITATIONS:

It shall be unlawful for any person to operate a vehicle in excess of eight (8) tons on Town Roads, streets or portions thereof, except when necessary for the purpose of delivering and moving supplies or other necessary commodities to or from any farm, place of business or residence fronting on any such roads, and except when necessary for the purpose of leaving or returning to a terminal or place of garaging a vehicle; however, such operator shall leave such road and re-enter roads not prohibited by such weight limitation at the closest to its immediate destination and shall take the most direct route to his destination. Town vehicles engaged in official duties, and milk trucks, fuel trucks, school buses, and garbage and recycling trucks contracted by the Town shall be exempt from the general weight restrictions of this Section.

SECTION 3 - NOTICE/SIGNS:

Appropriate weight limitation signs shall be erected on Town Roads and/or streets. At all times a map showing the location of the signs shall be on file with the Town Clerk.

SECTION 4 - SEASONAL WEIGHT LIMITATIONS:

In addition to the permanent weight limitations on Town Roads, the Town Chairperson may impose special seasonal limitations on any Town Road or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, which would likely be seriously damaged or destroyed in the absence of such special limitations. When such seasonal limitations are in effect, the pick-up and delivery exceptions to Section 2 above shall not be applicable except for the specially exempted vehicles allowed in Section 2, or by written permission of the Town Board.

SECTION 5 - PENALTY FOR VIOLATION:

The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided, together with the costs of prosecution imposed and provided in Section 345.20 to 345.53, Wis. Stats. The forfeiture for a first violation of any provision of this ordinance shall be not less than Five Hundred (\$500.00) Dollars. The forfeiture for a second or subsequent offenses shall not be less than One Thousand (\$1,000.00) Dollars.

SECTION 6 - ENFORCEMENT:

This ordinance shall be enforced in accordance with the provisions of Sections 345.20 to 345.53, Chapter 800, and Section 66.12, Wis. Stats.

SECTION 7 - SEVERABILITY:

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be effected.

SECTION 8 - EFFECTIVE DATE:

This ordinance shall take effect the day after its publication pursuant to law.

The above and forgoing ordinance was duly adopted by the Town Board of the Town of Vienna, Dane County, Wisconsin, at a regular meeting held on the 20th day of October, 1986.

M. Vincent Koch, Town of Vienna Chairperson
Russell Clemens, Town of Vienna First Supervisor
Dennis Leonard, Town of Vienna Supervisor II

I hereby certify that the foregoing ordinance regulating the weight of vehicles on Town Roads and streets was published as a class 1 notice under Chapter 985, Wis. Stats., on the 30th day of October, 1986.

Dated: October 31, 1986

Robert Pulvermacher, Town of Vienna Clerk

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