

**TOWN OF SPOONER
WASHBURN COUNTY, WISCONSIN
ORDINANCE No. 1-12-2016**

TOWN ROAD SEASONAL WEIGHT LIMITS ORDINANCE

**To Regulate Town Road Spring Weight Limits
In the Town of Spooner
and
To Require Posting of Weight Limits On
Designated Town Roads**

WHEREAS there are approximately twenty-one and a half (21.5) miles of Town Roads within the Town of Spooner at the time of adoption of this Town Road Seasonal Weight Limits Ordinance; and,

WHEREAS Wisconsin Statutes section 349.16 grants the Town of Spooner specific authority to impose special or seasonal weight limits; and,

WHEREAS the Spring time climatic conditions create a weakness of the Town Road beds and base course of the Town Roads, which Town Roads would likely be seriously damaged or destroyed in the absence of the seasonal weight limits;

NOW THEREFORE, The Town Board of Supervisors of the Town of Spooner, Washburn County, Wisconsin, does adopt this ordinance, known as the Town Road Seasonal Weight Limits 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, in order to promote the safety of the traveling public and to afford satisfactory access to police, fire fighters, emergency medical technicians, snow removal, school buses, propane delivery, sanitation and road maintenance providers, the Town Board of Supervisors ordains as follows:

SECTION 1. Town Roads Subject to Seasonal Weight Limits The following Town Roads are subject to the Seasonal Weight Limits imposed by this Ordinance;

- A. Dilly Lake Road from the Eastern political border of the Town of Spooner to US Highways 63/53, and
- B. Blooming Vale Road from the junction with Dilly Lake Road to County Highway "A", and
- C. Mann Road from the junction with County Highway "A" to the southern most terminus of Mann Road at the waters of Spooner Lake, and
- D. Crystal Mountain Road from the junction with County Highway "A" to the

- southern most terminus of Crystal Mountain Road, and
- E. Ojibwa Road from the junction with County Highway "H", crossing US Highway 53 to Ojibwa Road terminus at the junction with Orchard Road, and
- F. Spooner Lake Road from the junction with Ojibwa Road to Wisconsin State Road 70, and
- G. Degenaar Road from the junction with Wisconsin State Road 70 to Degenaar Road northerly terminus, and
- H. Yellowsands Drive from the junction with Wisconsin State Road 70 to Yellowsands Drive northerly/northwest terminus, and
- I. Little Valley Road from the junction with US Highways 63/53 to the Western political border of the Town of Spooner, and
- J. Sunset Lane from the junction with County Highway "K" to the waters of Cable Lake.

SECTION 2. Spring Seasonal Applicability This Town Road Seasonal Weights Limit Ordinance shall be applicable to all Town Roads listed in SECTION 1 hereinabove during the period from March 1st through May 10th, (hereinafter referred to a "Spring Seasonal Period"), for each and every year following the date of the adoption of this Ordinance.

SECTION 3. Spring Seasonal Period Weight Limits No person may operate any vehicle and/or trailer on the above SECTION 1 Town Roads in violation of the following maximum weight limits during the Spring Seasonal Period of SECTION 2.

- A. The gross weight of any self propelled vehicle with a single rear axle is Ten Thousand Pounds (10,000 lbs).
- B. The gross weight of any self propelled vehicle with two(2) rear axles is Twenty Thousand Pounds (20,000 lbs).
- C. The Gross weight of any trailer with a single axle is Ten Thousand Pounds (10,000 lbs).
- D. The Gross weight of any trailer with a total of two (2) axles is Twenty Thousand Pounds (20,000 lbs).

SECTION 4. Exemptions The following vehicles are exempt from the Spring Seasonal Period weight limitation imposed in SECTION 1, SECTION 2 and SECTION 3;

- A. Vehicles that are used to transport material pumped from a septic or holding tank; and
- B. Ambulances, fire rescue vehicles and school buses; and
- C. Propane Delivery vehicles.

SECTION 5. Posting of Signs The Road Supervisor of the Town of Spooner shall erect signs on or along the Town Roads on which this Ordinance imposed Weight Limits to give reasonable notice that a Spring Seasonal Period weight limitation is in effect and the nature of that limitation.

SECTION 6. Violation and Forfeiture Upon court order that an individual has violated this Ordinance, said violator shall pay a forfeiture of not less than Fifty dollars (\$50.00) nor more than One hundred dollars (\$100.00), plus the applicable surcharges, assessments, and costs for each violation. Each trip on each of the Section 1 listed Town Roads by an individual operating a vehicle and/or trailer in violation of this Ordinance constitutes a separate offense. In the alternative, the Board of Supervisors of the Town of Spooner may bring an action pursuant to **Wisconsin Statutes section 86.02 Injury to highway** which statute provides, " Any person who shall injure any highway by obstructing or diverting any creek or watercourse or sluiceway, or by dragging logs or timber thereon, or by any other act, shall be liable in treble damages, to be recovered by the political division chargeable with the maintenance of highway injured, and the amount recovered shall be credited to the highway maintenance fund." In addition, the Board of Supervisors of the Town of Spooner may seek injunctive relief from the court of record to enjoin further violations.

SECTION 7 Miscellaneous In the event of conflict(s) of this Town Road Seasonal Weight Limits Ordinance with the Washburn County Highway road weight limit standards from time to time, of Washburn County, Wisconsin, the more restrictive standards of said two standards, setting forth the lower maximum weight limits, shall apply.

SECTION 8 Effective Date This ordinance is effective on February 29, 2016.

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wisconsin Statutes.

Adopted this 12 day of January, 2016

John Fenniman
John Fenniman, Chairperson Supervisor

Vote (Yes) (NO)

Pat Savage
Pat Savage, Road Supervisor

Vote (Yes) (No)

Gary Frankiewicz
Gary Frankiewicz, Supervisor

Vote (Yes) (No)

Attest: Janice Fenniman
Janice Fenniman, Town Clerk