

## **ORDINANCE NO. #2019-01**

THE TOWN OF SENECA BOARD does hereby ordain to create a new Town Ordinance as follows:

### **SPECIAL OR SEASONAL WEIGHT LIMITS**

#### **TOWN OF SENECA, SHAWANO COUNTY, WISCONSIN**

##### **Section I - Intent**

The Town of Seneca, Shawano County adopts the following special or seasonal weight limits ordinance for the operation of vehicles upon all designated roadways of the Township.

##### **Section II - Statutory Authority**

This ordinance is created pursuant to Town authority as authorized by 349.16 Wis. Stats.

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 III - Roadways**

Effective for properly noticed periods a 7 Ton weight limit shall be placed on the following Town of Seneca town roadways:

1. Airport Road South to North to Roosevelt Road
2. Roosevelt Road East of Airport to Town of Herman Town Limit
3. Mill Creek Road North of Roosevelt to School House Road
4. North Branch Road East of Roosevelt Road to School House Road
5. School House Road West of North Branch to County Road D
6. Pony Creek Lane South of County Road J
7. Hatchery Lane
8. Nursery Lane
9. Ball Park Road from Mill Lane East to County Road G
10. Campground Road from State Highway 29 North to County Road G
11. Campground Road North of County Road G to Roosevelt Road
12. Old 29 East End
13. Old 29 West End
14. Maple Lane
15. Seneca Road South of State Highway 29 to Town of Morris Town Limit

16. Weasel Dam Road South of Old 29
17. Weasel dam Road South end to Leopolis Road
18. Leopolis Road West of County Road G to Weasel Dam Road
19. Stefl Lane

## **Section IV - Signage**

The town chairperson, or his or her designee, shall erect signs as required under s. 349.16 (2), Wis. stats..

## **Section V – Enforcement**

Except as provided in Section VI, 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 Seneca. Upon conviction for a violation of this ordinance, the violator shall pay a forfeiture of not less than \$150.00 nor more than \$250.00, plus the applicable surcharges, assessments, and costs for each violation. Each trip in violation of this ordinance constitutes a separate offense. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

## **Section VI - Exemptions**

Pursuant to s. 349.16 (3), Wis. stats., all of the following are exempt from the weight limitations imposed under section III:

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.

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 s. 196.01 (5), Wis. stats.
- b. A telecommunications provider, as defined in s. 196.01 (8p), Wis. stats.
- c. A cooperative association organized under ch. 185, Wis. stats.

3. Vehicles carrying milk, maple sap, or animal feed. The town board finds that the exemption from the weight limits imposed under section A for milk, maple sap, or animal feed is reasonable and necessary to promote the public health, safety, and welfare of the town.

## **Section VII - SPECIAL OR SEASONAL WEIGHT LIMIT PERMIT APPLICATION**

Special or seasonal weight limit exemptions will be submitted using the Town of Seneca's permit application. Permits can be requested from the Town Clerk and approved by the Town Board in accordance with the provisions of this Ordinance.

### **1. Permit Types**

The Town of Seneca reserves the right to issue a single trip or multiple trip permit as determined by the Board or its authorized representative.

A. Single Trip. The permit issued is a single trip permit issued under s. 348.26, Wis. stats.

B. Multiple Trip. The permit issued is [choose one an annual or consecutive month or multiple] trip permit issued under s. 348.27, Wis. stats.

### **2. Permit Enforcement**

The permit, as issued, applies only to the described vehicle during operations as permitted. The permit, as issued, is not transferable, is revocable, and can be suspended by the town board or its designees at any time for good cause. The permittee may upon revocation or suspension request a hearing before the Town Board of the Town of Seneca.

### **3. Fees**

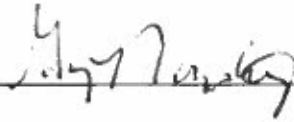
The fee for the permit is payable to the town treasurer of the Town of Seneca by the applicant on or before issuance of the permit by the town board. Fee schedule is as follows:

One truck, one trip \$100.00  
One truck, numerous trips \$200.00  
Fleet, numerous trips \$500.00  
E-mail Permit to Applicant \$ 2.50

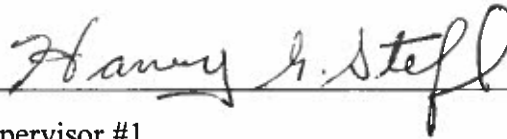
## **Section IX - EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication and can be reviewed by the Board at their discretion.


Adopted By the Town Board of Seneca this 14th Day of February, 2019.

  
\_\_\_\_\_


Chairman

  
\_\_\_\_\_

Supervisor #1

  
\_\_\_\_\_

Supervisor #2

  
\_\_\_\_\_

Town of Seneca Clerk

**Town of Seneca**  
**SPECIAL OR SEASONAL WEIGHT LIMIT PERMIT APPLICATION**

Company Name \_\_\_\_\_ Contact Person \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_

E-mail address \_\_\_\_\_

Please fill out the following information for each truck you want included on the permit. (Attach additional sheets if needed)

Truck Number	Year	Make	License Number
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Description of Load: \_\_\_\_\_

Reason for multiple permit request: \_\_\_\_\_

\_\_\_\_\_

Roads to be Traveled (i.e., Ballpark Road from County Road D to County Road G) \_\_\_\_\_

\_\_\_\_\_

- Fees: One truck, one trip \$100.00
- One truck, numerous trips \$200.00
- Fleet, numerous trips \$500.00
- E-mail Permit to Applicant \$ 2.50