

STATE OF WISCONSIN
Town of Saint Germain, Vilas County

Code of Ordinances
Chapter 4: Seasonal Road Weight Limits

Re-adopted without revisions August 19, 2019

4.01 TITLE AND PURPOSE: The title of this chapter is the Town of Saint Germain Seasonal Road Weight Limits. The purpose of this ordinance is to impose annual temporary seasonal weight limits on designated town roads within the Town of Saint Germain, Vilas County, WI.

4.02 AUTHORITY: The town of Saint Germain has the authority to enact this ordinance. under its village powers under §60.22, Wis. Stats. and the specific authority under §349.16, Wis. Stats.

4.03 DEFINITIONS: The following words and phrases shall have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

Emergency Vehicle: Any vehicle designated and authorized to respond to potentially life-threatening emergency situation.

Law Enforcement Officer: Any person employed by the State of Wisconsin or by the County of Vilas who is authorized to issue citations for violations of state, county or town ordinances.

Seasonal Road Weight Limits: A period of time late each winter when frost movement in subsoils and road base materials under all town roads is subject to damage by vehicles exceeding posted gross weights.

School busses: Performing transportation services while under contract with Northland Pines School District

Town Official: Any currently elected or appointed official of the Town as designated on the townofstgermain.org website or any current employee of the Town Public Works Department

Town Roads: Roadways owned and maintained by the Town

Tow Vehicle: A motor vehicle equipped for towing or transporting disabled motor vehicles.

Vehicle Gross Weight (VGW): The maximum operating weight of a vehicle as specified by its manufacturer, including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo, but excluding the weight of any trailers.

4.04 WEIGHT LIMITS:

- (A) The Saint Germain Public Works Department, under authorization and supervision of the Public Works Committee of the Saint Germain Town Board of Supervisors, shall post, in accordance with §.349.16(2), Wis. Stats., seasonal road weight limit signs on all town roads on which seasonal weight limits are to apply.
- (B) No person may operate a vehicle having a gross vehicle weight designation exceeding the posted road weight limit, except as exempted in §4.05 of this chapter or when in possession of a permit issued in accordance with §4.06 of this chapter.
- (C) The weight limits shall be in effect immediately upon posting of signs and shall remain in effect until the signs are removed.

4.05 EXEMPTIONS:

- (A) The following are exempt from the weight limitations imposed under §4.04 of this chapter, pursuant to §349.16(3), Wis. stats.,
 - (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 §4.04 of this chapter. Within 72 hours after so operating a vehicle, the owner or operator of the vehicle shall notify the Town Public Works Department.
 - (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 §196.01(5), Wis. stats.
 - (b) A telecommunications provider, as defined in §196.01(8p), Wis. stats.
 - (c) A cooperative association organized under §185, Wis. Stats
- (B) In addition to exempt vehicles specified in §4.05(A) of this chapter, the following vehicles shall also be exempt:
 - (1) Emergency vehicles
 - (2) School buses
 - (3) Town roadway maintenance vehicles
 - (4) Tow vehicles responding to disabled motor vehicle calls
 - (5) Vehicles operating within the first 300 feet of Town Roads when accessed off Highway 70 or Highway 155 in the “Downtown Business District” as defined in Saint Germain’s “Code of Ordinances, Chapter 1, Zoning”
 - (6) Official vehicles of the U. S. Postal Service transporting mail to or from the St. Germain Post Office

4.06 Liquified Petroleum (LP) Delivery Vehicles: Except as provided in §349.16(3), Wis. stats. and §4.05 of this chapter, LP Delivery Vehicles having a gross vehicle weight designation exceeding the posted road weight limit may operate on Town roads under the following conditions:

- (A) If in compliance with permitting requirements specified in §4.07 of this chapter
- (B) If total LP on truck does not exceed 200 gallons

4.07 PERMITTED EXEMPTIONS: Pursuant to §348.27(2) Wis. Stats., annual permits may be issued by the Town to enable owners of vehicles having gross vehicle weight designations exceeding the posted road weight limit:

- (A) The owner of any vehicle with a gross weight exceeding posted limits may apply annually for a seasonal permit. The application must include the following information plus anything additional the Town might request:
 - (1) Name of vehicle owner
 - (2) Gross vehicle weight of vehicle(s) to be used under requested permit
 - (3) Reason for needing the permit

- (B) The vehicle operator must have the permit in the vehicle at the time of operating and must present the permit for inspection upon request by any Town official or any law enforcement officer.

- (C) Upon receipt of a permit application, the town shall, within 48 hours:
 - (1) Issue the permit with specific restrictions, or
 - (2) Deny the permit

- (D) The town may, with due cause and upon notifying the permit holder in writing, withdraw a permit previously issued.

- (E) The permit holder shall pay to the Town a fee of \$50.00 for each time a vehicle with a gross weight exceeding the posted limit travels on posted town roads. Payment for the fee shall be made:
 - (1) At the time of permit issuance if the number of permit uses for the season is limited to five or less.
 - (2) Within 30 days of the weight limit postings being removed if the number of permit uses for the season was unknown at the time of permit issuance or known to be more than five at the time of permit issuance. Payment shall be accompanied by a listing of dates and times road weight limits were exceeded and addresses travelled to by overweight vehicles.

4.08 FORFEITURE: Any person, firm or corporation, including those doing work for others, who violates any provisions of this ordinance shall be subject to a forfeiture of \$100.00 plus court costs for the first violation, \$150.00 plus court costs for the second violation and \$200.00 plus court costs for all subsequent violations. Each instance of violation shall constitute a distinct and separate violation and forfeitures shall apply accordingly

4.09 SEVERABILITY

The provision of this chapter shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this chapter irrespective of whether one or more provision may be declared invalid. If any provisions of this chapter is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provisions or applications.

4.10 EFFECTIVE DATE

This ordinance is effective on publication or posting as required under §60.80, Wis. Stats.

Adopted this 19th day of August 2019



Tom Christensen
Town Chairman

Attest:



Tom Martens
Town Clerk