

Section 8.01 Town Highway Regulations

8.01(A) Title/Purpose

The title of this Section is Town Highway Regulations. The purpose of this Section is to regulate town highways to protect the Town's highways and promote and protect the safety and welfare of the citizens of the Town of Leeds.

8.01(B) Authority

The Town Board of the Town of Leeds, Columbia County, Wisconsin, has the specific authority under Wis. Stat. §§ 349.16, 82.03, 86.021 and 60.10(2)(c) to adopt this Section.

8.01(C) Damage to Highway

No person shall, within the limits of any public highway, operate any vehicle or machinery of any sort, over, along, or across such highway so as to materially damage said highway. The Town Chairman or his representative may impose special weight limitations on any highway or portion thereof, which, because of the weakness of the roadbed due to deterioration, or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of such special limitations.

(1) Town Chairman or his representative may impose special weight limitations on bridges or culverts when in its judgment such bridge or culvert cannot safely sustain the maximum weight permitted by statute.

(2) Further, the Town Chairman or his representative, may order the owner or operator of any vehicle being operated on a highway to suspend operation if in the Town Chairman's or his representative's judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the performance thereof or the public investment therein, except when Wisconsin Statute § 84.20 is applicable or when the vehicle is being operated pursuant to a contract which provides that the government unit will be reimbursed for any damage done to the highway. Columbia County Sheriff Officers are also authorized to order the suspension of operation under the circumstances and subject to the limitations stated in this paragraph.

(3) Imposition of the special weight limitations authorized by this Section shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limitation is in effect

and the nature of that limitation. Imposition of the special weight limitations on bridges or culverts shall be done by erecting signs on each side of the respective culvert or bridge.

(4) Unless otherwise allowed by law, no vehicle shall operate in contradiction of the weight limitation, without receiving a permit from the Town of Leeds Town Board or its designee. No person shall cause, allow or permit any person to move oversized or overweight vehicles or loads on any public highway, road, street or alley in the Town of Leeds without a permit issued by the Town Board or its designee.

(a) The person applying for the permit shall fully comply with Wis. Stat. §§ 348.25, 2 348.26, 348.27 and 348.28 and this Section.

(b) No permit shall be issued or reissued by the Town Board or its designee unless the person agrees to and does fully comply with §§ 348.25, 348.26, 348.27 and 348.28 and this Section, where applicable, and with any reasonable conditions established by the Town Board or its designee.

(c) The Town Board or its designee may suspend or revoke, for good cause, any permit issued on these sections or may decline to issue additional permits after providing the applicant or permittee with a reasonable opportunity for a public hearing.

(d) The Town Board or its designee may, as a condition of issuing a permit, require a bond, certificate of insurance or cashiers check which, to the satisfaction of the Town Board or its designee, will save the Town from any claim, loss or damage that may result from issuing the permit.

(e) In addition, the Town Board or its designee may require proof that personal injury and property damage insurance will be in force, sufficient to the satisfaction of the Town Board or its designee, to cover claims from bodily injury or property damage which may occur as a result of the operation under the permit and for which the permittee is legally responsible.

8.01(D) Vehicles Damaging Town Roads

Pursuant to Wis. Stat. § 86.02, the owner or operator of any motor vehicles who drives or causes a motor vehicle to be driven or otherwise operated or used upon any Town highway shall be liable for treble damages to such town highway that are caused thereby to such town highway by reason of the operation of such motor vehicle.

8.01(E) Penalty.

In addition to the costs of damages specified in Section 8.01(D), any person who damages any Town highway as set forth in Section 8.01(E) shall be subject to a forfeiture pursuant to Section 3.02 of this Code. Any violation of this Section shall be subject to penalties under Wis. Stat. § 348.21.