THE TOWN OF CLAYTON, CRAWFORD COUNTY

WEIGHT LIMITS OF VEHICLES ON TOWN ROADS

Section 45.01 – Statement of Purpose.

In the interest of public safety on Town Roads, the roads and streets, or portions thereof, of the Town of Clayton are hereby declared to have the weight limitations set forth herein, because, in the absence of such limitations, there is a significant likelihood that the Town Roads would be seriously damaged or destroyed. Such limitations are adopted pursuant to Wis. Stat. § 349.16, which is hereby adopted by reference and made a part of this ordinance. This ordinance shall be interpreted in accordance with the definitions and general provisions in Wis. Stat. Chapter 348, Vehicles – Size, Weight and Load, which is hereby adopted by reference and made a part of this ordinance.

Section 45.02 – General Weight Limitations on Specified Town Roads.

(1) It shall be unlawful for any person to operate a vehicle more than 48,000 pounds on such Town Roads, streets or portions thereof, as specified by resolution of the Town Board.

(2) The general weight limitations set for specified roads do not apply in the following circumstances:

a. When use is 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.

b. When use is necessary for the purpose of leaving or returning a vehicle to a terminal or place where the vehicle is garaged; 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.

c. Town vehicles engaged in official duties, 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 45.03 – Notice

(1) Signs. Appropriate weight limitation signs shall be erected on Town Roads and/or streets. Such signage may include notice of the general weight limitations set forth herein as well as special or seasonal weight limitations. For example, the

Director of Public Works (or designee) may identify roads frequently used in violation of the ordinance and erect proper signage to warn drivers of the ordinance requirements, such as "NO THROUGH TRUCKS OVER 10 TONS per Town Ordinance," or "WEIGHT LIMITS ENFORCED FOR VEHICLES EXCEEDING 10 TONS. Permits required per Town Ordinance." Flags or other markings may be used to draw attention to signage, particularly for seasonal signage.

(2) All such signage existing as of the date of adoption of this ordinance shall be considered approved by the Town Board. Periodically hereafter, the Director of Public Works and Town Board shall review the use and location of such signage and may recommend or approve changes to existing signage and/or addition of new signage by resolution of the Board. The Town Clerk, in consultation with the Director of Public Works, shall maintain a map showing the approximate location of the signs, which map shall be available for reference purposes at the Town Hall.

Section 45.04 – Special or Seasonal Weight Limitations.

(1) In addition to the permanent weight limitations on Town Roads, the Town may impose special or seasonal limitations on any Town Road or portion thereof in accordance with Wis. Stat. §§ 349.16 and 348.17, which are hereby adopted by reference and made a part of this ordinance.

(2) When such special or seasonal limitations are in effect, the general pick-up and delivery exceptions described in Section 45.02 above shall not apply.

(3) Town vehicles engaged in official duties, milk trucks, fuel trucks, school buses, and garbage and recycling trucks contracted by the Town shall be exempt from the special or seasonal weight restrictions of this Section.

Section 45.05 – Permits.

(1) In appropriate circumstances, as determined in the sole discretion of the Town Board following consultation with the Director of Public Works, a conditional use permit from the weight limitations set forth herein may be obtained.

(2) The fee for review of an application for a permit or variance shall be as set by resolution of the Town Board. The application and any such permits granted shall be approved by resolution of the Town Board, following consultation with the Town Clerk, but shall require the payment of a deposit, fee or other financial assurance adequate to address any potential damage to the roads resulting from such use.

Section 45.06 – Penalty for Violation.

(1) The penalty for violation of any provision of this ordinance shall be a forfeiture, together with mandatory fees and the costs of prosecution, as permitted by law.

(2) The forfeiture for a first violation of any provision of this ordinance shall be not less than Two Hundred Dollars ($200.00). The forfeiture for a second offense by the same owner or operator shall not be less than Five Hundred Dollars ($500.00). The forfeiture for third or subsequent offenses by the same owner or operator shall not be less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000) per violation.

(2) For purposes of this ordinance, a violation by an owner or operator of a vehicle under a common plan of operation or contract will be considered in determining whether the violation is a subsequent offense.

Section 45.07 – Enforcement.

This ordinance shall be enforced in accordance with the provisions of Wis. Stat. §§ 345.20 to 345.53, Wis. Stat. Chapter 800, and Wis. Stat. § 66.12, which are hereby adopted by reference and made a part of this ordinance.

Section 45.08 – 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 affected.

ADOPTED this 9th day of May, 2012.
TOWN OF CLAYTON
Reviewed and Re-issued

April 16 2024

William Olson
Town Board Chairperson

Todd Sal
Supervisor

Roger Olson
Supervisor

Attested to as of

Chanty Smith
Town Clerk