#### **ORDINANCE NO. 909-12/14**

# CREATING SECTION 66-200 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO ESTABLISHING WEIGHT LIMITS ON ALL COUNTY HIGHWAYS IN WALWORTH COUNTY FOR VEHICLES DEFINED AS IMPLEMENTS OF ANIMAL HUSBANDRY

## THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 66-200 of the Walworth County Code of Ordinances is hereby created to read as follows:

2 3 4

### "Sec. 66-200. Statutory Weight Limits for Implements of Husbandry

a) Section 348.15(9)(f)1. Wis. Stats. provides that there is no weight limitation per wheel, axle, or group of axles for Category B implements of husbandry as defined in Sec. 340.01 (24) (a) 1. B. Wis. Stats., but does apply gross vehicle as well as length limitations to these vehicles.

b) Wis. Stat 348.15(9)(f)(1) authorizes a municipality or county to require compliance with axle weight limitations established under Sec. 348.15(3)(g) for Category B implements of husbandry as defined in Sec. 340.01(24)(a)1.b. on all highways within its jurisdiction.

c) Pursuant to Sec. 348.15(9) (f) Wis. Stats., all implements of husbandry in Walworth County (including Category B implements of husbandry) may not exceed the statutory weight and length limits on highways under the jurisdiction of Walworth County unless a permit for such has been granted by the Department of Public Works under authority granted by Sec. 348.27 (19) Wis. Stats. No fee shall be charged for the permit application.

d) Pursuant to Sec. 348.27(19)(b)(4m)a., in the event an application for a no-fee permit has been applied for a Category B implement of husbandry, the County is required to provide an approved alternate route, which may include highways not under its jurisdiction if prior approval has been given by the other jurisdiction over the alternate route not under the County's jurisdiction for operation of Category B implements of husbandry.

e) Permits issued under this section are subject to all other spring maximum weight postings or posted maximum weight allowances on bridges.

f) Failure of the operator of an overweight vehicle to have a permit in his or her possession shall constitute a violation of this section, unless the Department of Public Works has failed to timely respond to a permit application as set forth in Sec. 348.27 (19)(b) Wis. Stats.

PART II: That this ordinance shall become effective upon passage and publication.

**PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9<sup>th</sup> day of December 2014.

Nancy Russell	Kimberly S. Bushey
County Board Chair	Attest: County Clerk
County Board Meeting Date: December 9, 20	14
Action Required: Majority Vote_X	Two-thirds Vote Other
Policy and Fiscal Note is attached.	
-	
Policy and Fiscal Note is attached.  Reviewed and approved pursuant to Section 2-91 of 12/2/14	the Walworth County Code of Ordinances:  12/2/14
Policy and Fiscal Note is attached.	

## Ordinance No. 909-12/14 Fiscal Note and Policy Impact Statement

- I. **Title**: Creating Section 66-200 of the Walworth County Code of Ordinances Relating to Establishing Weight Limits on All County Highways in Walworth County for Vehicles Defined as Implements of Animal Husbandry.
- II. **Purpose and Policy Impact Statement**: 2013 Wisconsin Act 377, enacted in April 2014, sets weight and length limits for Implements of Husbandry (IoH) and Agricultural Motor Vehicles (AgCMVs), with specific exemptions, especially in regard to Category B IoHs. Act 377 also allows local government officials to pass resolutions or ordinances regarding maximum gross vehicle and axle weight limits for IoHs and Ag CMVs operating upon roads under their jurisdiction.
- III. **Budget and Fiscal Impact**: This is not a budgeted item. It is expected that implementation will have little operational impact on Public Works staffing. It is expected that a handful of permits will be issued each year pursuant to this ordinance, and existing highways staff can readily absorb this work with the other highway permitting activity that is performed.
- IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Public Works Date: December 9, 2014

Vote:

County Board Meeting Date: December 9, 2014

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached ordinance.

David A. Bretl / Date County Administrator/Corporation Counsel

Deputy County Administrator - Finance