

Ordinance 2016-2

Weight Restrictions for the Following Roads: Deerskin Road, St. Louis Road, and Strong Road

The Town Board of the Town of Phelps, Vilas County, Wisconsin, does hereby ordain the following:

SECTION 1 – Applicability

The provisions of this Ordinance shall apply to the following roads:

- 1.) Deerskin Road – from State Highway 17 to the Town of Phelps boundary
- 2.) Strong Road – from Deerskin Road to County Highway A
- 3.) St. Louis Road – from State Highway 17 to County Highway A

SECTION 2 – Weight Restrictions Adopted

- 1.) The Town Board of the Town of Phelps does hereby establish a year round weight load limit on the roads listed in Section 1, of 20,000 lbs. (10 ton), except when such roads shall be posted with a lower limit not to exceed 5 ton during the spring breakup. Such roads shall also be recognized as “No Thru Truck”.
- 2.) The weight restrictions set forth in the immediately preceding sub-paragraph shall apply to all motor vehicles as the same as defined in Section 340.01(35), Wis. Stats.
- 3.) The weight limits imposed by this Ordinance shall not be applicable to motor vehicles weighing more than the load limit established by this Ordinance, if such motor vehicle is being driven on the roads listed in Section 1 for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such roads.
 - a.) This provision shall not apply during the time of the spring break up. A permit may be sought from the Town Crew Foreman of the Town of Phelps for the purposes of exceeding the established weight limits during this time period. Such a permit shall include provisions for acceptable conditions of use.
- 4.) Appropriate signage notifying the motoring public of the adopted weight restrictions, as well as “No Thru Truck” shall be placed at the following locations:
 - a.) The intersection of Deerskin Road and State Highway 17
 - b.) The Town of Phelps Boundary on Deerskin Road
 - c.) The intersection of Strong Road and Deerskin Road
 - d.) The intersection of Strong Road and County Highway A
 - e.) The intersection of St. Louis Road and State Highway 17
 - f.) The intersection of St. Louis Road and County Highway A

SECTION 3 – Enforcement

- 1.) The enforcement of this Ordinance in the Town of Phelps will be in accordance with Sections 66.12 and 345.20 through 345.53, Wis. Stats. Stipulations shall conform to the form contained in the Uniform Traffic Citation and may be accepted within ten (10) days of the alleged violation. Stipulations and deposits may be accepted by the Town Clerk. Deposits shall be made in conformity with Section 345.26, Wis. Stats.
- 2.) This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin and the regulations and ordinances of the Town of Phelps, Vilas County. A copy of this ordinance shall be sent by the town clerk to all Law Enforcement Agencies affected.

SECTION 4 – Penalty

Any person violating this Ordinance shall be required to forfeit:

- 1.) If the weight exceeds by 1,000 pounds or less the maximum weight limit set forth in this Ordinance, then a forfeiture of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) upon the first conviction, and upon the second and each subsequent conviction within the 12-month period, a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00).

- 2.) If the weight exceeds by more than 1,000 pounds the maximum weight limit set forth in this Ordinance, for the first conviction a forfeiture of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) plus an amount equal to one cent for each pound of total excess load when the total excess is not over 2,000 pounds; two cents for each pound of total excess load if the excess load is over 2,000 pounds and not over 3,000 pounds; three cents for each pound of total excess load if the excess is over 3,000 pounds and not over 4,000 pounds; five cents for each pound of total excess load if the excess load is over 4,000 pounds and not over 5,000 pounds; seven cents for each pound of total excess load if the excess load is over 5,000 pounds. For the second and each subsequent conviction within a 12-month period, a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Three Hundred Dollars (\$300.00), plus an amount equal to two cents for each pound of total excess load when the total excess is not over 2,000 pounds; four cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds; six cents for each pound of total excess load if the excess is over 3,000 pounds and not over 4,000 pounds; eight cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds; ten cents for each pound of total excess load if the excess is over 5,000 pounds.

SECTION 5 – SEVERABILITY

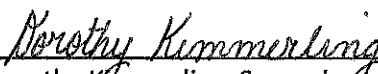
- 1.) If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.
- 2.) The provisions of this ordinance shall be deemed severable and it is expressly declared that the County/Town would have passed the other provisions of whether or not one or more provisions may be declared invalid.
- 3.) This ordinance will be reviewed as deemed necessary.
- 4.) This ordinance can be modified and/or repealed at any time should just cause be found for excessive violation and issues of harm and safety to the public or the environment.

SECTION 6 – EFFECTIVE DATE

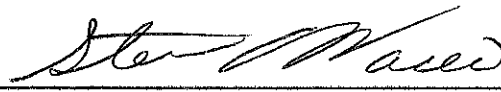
Following passage by majority vote of the Phelps Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

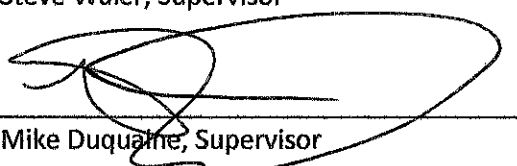
Adopted this 14th day of March, 2016,


Steve Doyen, Chairman


Dorothy Kimmerling, Supervisor


Eugene McCaslin, Supervisor


Steve Waier, Supervisor


Mike Duquaine, Supervisor

ATTEST: 
Marjorie Hiller, Clerk/Treasurer

I, Marjorie Hiller, Clerk/Treasurer of the Town of Phelps, do hereby certify that the attached is a true and correct copy of the weight restriction Ordinance 2016-2 for Deerskin Road, St. Louis Road and Strong Road which was passed at the March 14, 2016 Town Board Meeting.


Marjorie Hiller, WCMC-CMTW Clerk-Treasurer

POSTED: March 16, 2016 - Town Website, Phelps Post Office, Phelps Convenience Center and Phelps Community Center.