

**ORDINANCE NO.2025-01
TOWN OF STOCKHOLM
PEPIN COUNTY**

**AN ORDINANCE TO REQUIRE NOTICE FOR INTENSIVE HAULING OPERATIONS
TO PROTECT TOWN HIGHWAYS IN THE TOWN OF STOCKHOLM**

WHEREAS, the Town Board of the Town of Stockholm has jurisdiction over all Town highways and rights-of-way and it is in the interest of the Town and all highway users to protect the integrity of Town highways; and

WHEREAS, Wis. Stat. Sec. 86.02 provides any person who causes damage to a highway is liable in treble damages for the cost of repair thereto; and

WHEREAS, from time-to-time owners or operators of large-scale farming operations, including concentrated animal feeding operations, or their licensees, including owners, operators and licensees located outside of the Town, or other agricultural or industrial users traverse Town highways for the purpose of transporting solid and liquid livestock and/or poultry waste ("waste") to be spread over fields owned or leased by the owners or operators of the large-scale farm operation, or their licensees; or to transport feed, grain, silage or other agricultural products or to haul lumber, gravel or other heavy loads in rapid succession using large fleets of vehicles for this purpose in a coordinated and scheduled manner that is planned in advance ("planned operation"); and

WHEREAS, when the scale of such hauling or other agricultural or industrial usage is of such intensity that substantial planning and scheduling is necessary to accomplish the task, such that the owner or operator or licensee knows, or is likely to know, reasonably far in advance of the planned operation and notice could therefore be given to the Town Board or its designees, well in advance of the planned operations; and

WHEREAS, with advance notice the Town Board or its designees could promote and protect public health and safety by giving notice to the Pepin County Sheriff's Department and local fire department authorities of possible anticipated highway blockages, and could also undertake a pre-hauling assessment of the condition of the Town highway so as to establish and/or document baseline highway conditions to be better able to determine to what extent any damage caused to the highway has been caused by the planned operation; and

WHEREAS, it is reasonable that large-scale farm operators and industrial transporters or other agricultural or industrial users be required to give reasonable advance notice to the Town of the planned operation;

NOW THEREFORE, the Town Board of the Town of Stockholm does hereby ordain as follows:

1. Any large-scale farm operator or other agricultural or industrial user of the Town highways in the Town of Stockholm shall give advance notice of the planned operation not less than seven (7) days in advance of the commencement of same. Notice shall be given to the Town Chair, Town Clerk or any Town Board Supervisor. The notice shall be given in writing. Notice shall not be deemed given until received. Email notice shall only be deemed valid if a "read receipt" confirmation is received by the owner, operator or licensee.
2. The term "planned operation" shall refer to any transport or distribution operation which involves more than sixty (60) separate truck transports (60 round-trip transports per day). The term "truck transport" or "transports", including any single "transport", includes, but is not limited to, any transport by a wheeled or tracked vehicle, including trucks, tractors and tankers.
3. The notice to the Town by the owner, operator or licensee shall include the following:
 - a. Name, address, email address and telephone number of owner or operator, and licensee if applicable.
 - b. The date or dates when the planned operation shall take effect.
 - c. The anticipated number of round trips each day.
 - d. The address and legal description of the lands where the planned operation will take place, if applicable.
 - e. The owner of the lands where the planned operation will take place, if applicable.
 - f. To what extent traffic can reasonably be expected to be impeded by the operation.
4. Upon receipt of notice from an owner, operator or licensee to whom this Ordinance applies, and with respect to whom notice has been given to the Town, the Town Clerk or the Town Chair, or their designee, shall give notice to the Pepin County Sheriff and the local fire department authorities of the planned operation, said notice to include approximate dates and times, and specifying whether and to what extent the owner, operator or licensee believes traffic may be impeded as a result of the planned operation.
5. Any owner, operator or licensee causing damage to a Town highway in connection with such planned operations shall be liable to the Town for treble damages based on the cost charged to the Town by the Pepin County Highway department for the repairs.
6. Any person violating this Ordinance shall be subject to a fine of \$3,000 for the first offense, and \$5,000 for any subsequent offense, plus \$50 for each one-way trip by a truck or other vehicle engaged in a qualifying planned operation with respect to which the notice required by this Ordinance was not timely given. In addition, any person found guilty of violating this Ordinance shall pay all costs of prosecution, plus reasonable attorney's fees where applicable.

TOWN BOARD, TOWN OF STOCKHOLM

Passed and Adopted: July 09, 2025

By: Joey Edlin
Joey Edlin, Town Chair

ATTEST: Martha Black
Martha Black, Town Clerk

I, the undersigned Town Clerk, hereby certify the foregoing Ordinance was posted to the Town Notice Board and the Town Website in the Town of Stockholm on

July 10th, 2025.

ATTEST: Martha Black
Martha Black, Clerk
Town of Stockholm