

**ORDINANCE #O-15-14**

**Amend Sec. 7.015 of the General Code of Ordinances: Permits for Overweight Implements of Husbandry**

WHEREAS, sec. 348.15 (9)(f)1, Wis. Stats., created by 2013 Wis. Act 377, provides that there are no weight limitations per wheel, axle, or group of axles for Category B-implements of husbandry (IOHs), as defined in sec. 340.01 (24) (a)1.b., Wis. Stats., but does apply a gross vehicle weight limitation to these vehicles of 92,000 lbs.; and

WHEREAS, notwithstanding the above, sec. 348.15(9)(f)2, Wis. Stats., authorizes the county to require Category B-IOHs to comply with axle weight limitations established under sec. 348.15 (3)(g), Wis. Stats., by adopting an ordinance for highways under its jurisdiction; and

WHEREAS, sec. 348.27(19), Wis. Stats., authorizes the county to issue no-fee permits to all implements of animal husbandry, including Category B-IOHs, to exceed limitations on length or weight or both; and

WHEREAS, the Marathon County Infrastructure Committee has studied a number of different options for the regulation of implements of husbandry, including Category B-IOHs, and has determined that that the attached amendment to Marathon County's current ordinance governing permits to overweight implements of husbandry is in the best interests of Marathon County.

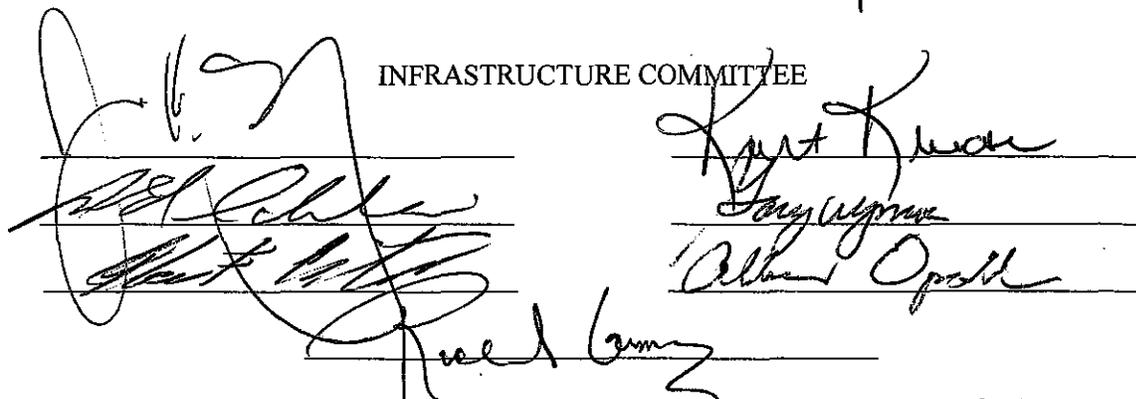
NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of Supervisors of the County of Marathon, that hereby amends sec. 7.015 of the General Code of Ordinances pursuant to the attached.

BE IT FURTHER ORDAINED that this ordinance shall be effective beginning January 1, 2015.

BE IT FURTHER ORDAINED that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on the state DOT website.

Adopted by the County Infrastructure Committee this 23<sup>rd</sup> day of September, 2014.

INFRASTRUCTURE COMMITTEE



The Infrastructure Committee members are represented by handwritten signatures on lines. On the left side, there are three signatures. On the right side, there are three signatures. At the bottom center, there is a signature that appears to be 'Fred G...'. The text 'INFRASTRUCTURE COMMITTEE' is printed above the signatures.

**Effect of this Option E:** Adoption of this ordinance pursuant to Sec. 348.15 (9)(f)2.a. of Wis. Statutes (as provided by 2013 Wis. Act 377) means that the governing body of a municipality or county imposes on all highways or specified highways under its jurisdiction, the maximum single axle limits and maximum gross vehicle weight limits as established in Sec. 348.15 (3) (g) for all Category B implements of husbandry as defined in Sec. 340.01 (24) (a)1. b. (see Act 377). Sec. 348.15 (9) (f)1. provides that unless a municipality opts in by adopting a resolution or ordinance, there is no weight limit per wheel, axle, or group of axles, on Category B implements of husbandry as defined in Sec. 340.01 (24)(a)1.b. However, the maximum gross vehicle weight of 92,000 pounds applies to these described vehicles. All implements of husbandry are required to comply with seasonal and special postings and any postings on highway bridges or culverts under Sec.349.16 of Wis. Statutes.



**Sec. 7.015. General Permits for overweight implements of husbandry vehicles hauling livestock manure.**

(1)

No person shall operate an implement of husbandry on roads under the jurisdiction of Marathon County, for the purpose of hauling solid or liquid livestock manure including a Category B implement of husbandry, defined in Sec. 340.01 (24) (a) 1. b. Wis. Stats., which exceeds state gross vehicle weight limits set forth in sec. 348.15(3)(g), Wis. Stats., unless the person operating said vehicle is in possession of a valid general permit issued by the Marathon County Highway Commissioner under authority granted by sec. 348.27(19), Wis. Stats. by §§ 348-25(4) and 348.27(3), Wis. Stats. No fee shall be charged for the application for a permit under this section.

(2)

(a) Permits issued under this section shall not apply to state or other local municipality roads.

(b) In the event a permit is not granted for a Category B implement of husbandry, as defined in Sec. 340.01 (24) (a) 1. b. Wis. Stats., the county is required to provide an approved alternate route for purposes of operation. The alternate route may include highways that are not under the jurisdiction of Marathon County only if prior approval has been given by the jurisdiction(s) over which the alternate route travels. Permits issued under this section shall apply only to Marathon County roads as follows:

(a)

January 1 to beginning of spring posting period, gross vehicle weights up to 80,000 pounds.

(b)

End of spring posting period to August 31, gross vehicle weights up to 80,000 pounds.

(c)

September 1 to December 31, gross vehicle weights up to 92,000 pounds (80,000 + 15%).

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(3)

Gross vehicle weight permitted pursuant to this section shall be regardless of axle configuration.

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(53)

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

(64)

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 Highway Commissioner has failed to timely respond to a permit application as set forth in sec. 348.27(19)(b), Wis. Stats.: