

## Ordinance 04-1019

STATE OF WISCONSIN  
Town of Omro  
Winnebago County

The Town Board of the Town of Omro, Winnebago County, Wisconsin, has the specific authority under ss. [82.03](#) and [349.16](#), Wis. stats., to adopt this ordinance.

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, establishes special or seasonal weight limits as follows:

A. The following special or seasonal weight limits shall be effective for the periods stated below on the following Town of Omro town highways:

1. Heise Road
2. Elo Road.

The above names roads shall be posted with weight restriction signs in conformance with the federal manual on Uniform Traffic Control Devices and the Wisconsin Supplement, to be effective during the Spring Thaw typically beginning no earlier than March 1<sup>st</sup> and ending no later than May 15<sup>th</sup>, with the exact posting times to be determined on a yearly basis by the Town Road Supervisor, in coordination with County and State weight limits.

B. The town chairperson, Town Road Supervisor, or his or her designee, shall erect signs as required under s. [349.16 \(2\)](#), Wis. stats., on or before the effective date of this ordinance.

C. Except as provided in section D, no person may operate any vehicle on the above-noted highways in violation of the above-noted weight limits without a written permit issued by the Town Board of the Town of Omro. Upon conviction for a violation of this ordinance, the violator shall pay a forfeiture of not less than \$50.00 nor more than \$200.00, plus the applicable surcharges, assessments, and costs for each violation. Each trip in violation of this ordinance constitutes a separate offense. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

D. Pursuant to s. [349.16 \(3\)](#), Wis. stats., all of the following are exempt from the weight limitations imposed under section A:


1. A vehicle that is used to transport material pumped from a septic or holding tank if, because of health concerns, material needs to be removed from a septic or holding tank within 24 hours after the vehicle owner or operator is notified and if the vehicle is operated for the purpose of emptying the septic or holding tank and disposing of its contents and is operated on a route that minimizes travel on highways subject to weight limitations imposed under section A. Within 72 hours after so operating a vehicle, the owner or operator of the vehicle shall notify the town board by notification of the Town Clerk.
2. A vehicle operated by or at the direction of any of the following for the purpose of producing or furnishing heat, light, power, or water to its members, that is being operated for the purpose of responding to a service interruption:
  - a. A public utility, as defined in s. 196.01 (5), Wis. stats.
  - b. A telecommunications provider, as defined in s. 196.01 (8p), Wis. stats.
  - c. A cooperative association organized under ch. 185, Wis. stats.
3. A vehicle being operated to deliver propane for heating purposes if the gross weight imposed on the highway by the vehicle does not exceed 30,000 pounds for a vehicle with a single rear axle or 40,000 pounds for a vehicle with tandem rear axles, and if the vehicle is a tank vehicle, the tank is loaded to no more than 50% of the capacity of the tank.
4. Penalty for violations shall be as prescribed by s. 348.21 Penalty for violating weight limitations.

This ordinance is effective on December 1<sup>st</sup>, 2019

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

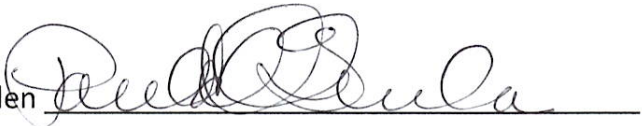
Adopted this 21<sup>st</sup> day of October, 2019.

Town Chairman, Brian Noe 

Town Supervisor, Mark Krings 

Town Supervisor, David Friess 

Attest: Town Clerk, Paula Beulen



*Paula Beulen*

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