



# Town of Troy

Walworth County, Wisconsin

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STATE OF WISCONSIN

TOWN OF TROY

WALWORTH COUNTY

## ORDINANCE NO. 2024-05

AN ORDINANCE TO REPEAL ORDINANCE NO'S. 2009-3, 2015-1, 2023-05, & 2024-03, TO DESIGNATE CERTAIN ROADS AS CLASS "B" HIGHWAYS AND CREATE ORDINANCE TO DESIGNATE ALL TOWN ROADS AS "CLASS B" HIGHWAYS

**WHEREAS**, Wisconsin statutes section 349.15(2) allows a local authority to designate all, or parts of such highways maintained by the authority as class "B" highways for the purpose of putting into effect the weight limitations set forth in Wisconsin statutes section 348.16; and

**WHEREAS**, the Town of Troy has previously designated certain Town roads as class "B" highways for the purpose of putting into effect weight limitations on these specific Town roads; and

**WHEREAS**, the Town Board of the Town of Troy now intends to designate all Town highways as class "B" highways pursuant to Wisconsin statutes section 349.15(2); and

**WHEREAS**, the Town Board of the Town of Troy, has determined that it is in the financial, health, and safety interests of the residents to repeal the individual ordinances to designate certain roads of the Town of Troy as class "B" highways; and to designate all Town highways as class "B" highways;

**NOW, THEREFORE**, The Town Board of The Town of Troy, Walworth County, Wisconsin, Does Hereby Ordain as Follows:

### SECTION 1: REPEAL OF EXISTING ORDINANCE.

The following Town of Troy Ordinances are hereby repealed.

1. 2009-3 - An Ordinance to Designate Bower's Road as a "Class B" Highway
2. 2015-1 - An Ordinance to Designate Nature Road as A "Class B" Highway
3. 2023-05 - An Ordinance to Designate Adams Road as a "Class B" Highway
4. 2024-03 - An Ordinance to Designate Palmyra Road as a "Class B" Highway

### SECTION 2: DESIGNATION OF ALL TOWN ROADS AS "CLASS B" HIGHWAYS.

The purpose of this ordinance is the class "B" designation for Town of Troy Roads Ordinance to accomplish the following intent:

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- A. To protect the financial investment of Town of Troy citizens in town roads with the intent to extend the life of Town of Troy roads.
- B. To ensure the safety of Town of Troy citizens and others as they travel within the Town of Troy by vehicle as well as pedestrians while walking, jogging, and biking.
- C. To provide access to heavy traffic going to and from Town of Troy residences and businesses that have a need for goods and services delivered by such heavy traffic traveling on the roads.
- D. To direct and encourage heavy traffic to use designated class "A" roads, County, and State or Federal Highways whenever possible, rather than Town roads.
- E. To clarify, accommodate, and facilitate the administration of the class "B" Ordinance within the Town of Troy for officials, heavy traffic users, law enforcement officials, citizens, and others.
- F. To enable Law Enforcement personnel, including the Walworth County Sheriff's Department and the Wisconsin State Patrol, to implement provisions of the ordinance by having a legally enforceable ordinance.

Any future amendments, revisions, or modifications of the statutes incorporated here-in are intended to be made a part of this Ordinance to secure uniform statewide regulation of traffic on the highways, streets, and roads of the State of Wisconsin.

**SECTION 3: TRANSPORT OF LOADS ON CLASS "B" TOWN ROADS**

No person shall operate a vehicle with a load in excess of the weights as described as class "B" restrictions, in Wisconsin Statutes §348.16, on the specified town roads unless the load meets the exemptions as stated there-in; or the load meets one of the exceptions of Section 5; of this Ordinance; or the operator has applied for and obtained a permit to exceed the class "B" restrictions from the Town Board designee as described in Section 7 of this Ordinance.

A vehicle whose load exceeds the limits under Wisconsin Statutes §348.16, whose travel begins within the Town of Troy must use a route which entails the shortest travel on Town of Troy town roads in order to access a class "A" road to reach its final destination

**SECTION 4: EXCEPTION TO WEIGHT LIMITS**

The following vehicles are exempt from Town of Troy class "B" highway restrictions, and do not need to receive a permit as required by Section 7 of this Ordinance.

- A. Fire department and emergency vehicles.
- B. Town of Troy equipment and contracted providers when operated for approved town uses.
- C. School buses picking up and delivering children to Town of Troy residences.
- D. Garbage haulers contracted by the Town of Troy or its residents and businesses to pick up garbage and/or recyclables.

- E. Vehicles traveling upon a road located within the Town of Troy over which a federal highway, state trunk highway, or county trunk highway is temporarily routed are not subject to this Ordinance.
- F. Weight limits shall not be exceeded on any town road with spring weight limits applied.
- G. Any other vehicles which are exempt from the weight limitations in Wisconsin Statutes §348.16, or any other applicable Wisconsin Statute.

**SECTION 5: ENFORCEMENT**

Enforcement of the class “B” restrictions shall be accomplished by the Walworth County Sheriff’s office and/or the Wisconsin State Patrol.

**SECTION 6: ADMINISTRATION**

Posting of signs. Signs shall be procured, erected, and maintained, giving notice of the ordinance and of the class “B” restrictions. Town of Troy shall have signs erected in such locations and in such a manner as to carry out the purposes of the ordinance and corresponding Statutes sufficient to give reasonable notice to road users that a special limitation is in effect on or before the effective date of this ordinance.

**SECTION 7: OBTAINING A PERMIT**

The process to obtain a permit is as follows:

- A. It is the sole responsibility of the hauler to obtain a permit prior to hauling loads in excess of those weights described in Section 4 of this Ordinance.
- B. Hauler shall fill out the “Application to Operate Overweight Loads on Town of Troy class “B” Roads. This can be filled out and submitted on the Town website or can be obtained by requesting the application from the Town Clerk.
- C. If road usage is approved, a signed permit(s) will be issued for each vehicle specific to and shall specify the number of trips permitted. The permit shall be available at all times in each vehicle traveling Town of Troy roads.
- D. The granting or denial of a permit is at the sole discretion of the Town Board and/or its designee and shall be solely based on the purposes as stated in Section 1.

**SECTION 8: PENALTIES**

The penalty for violating the class “B” Designation for Town of Troy Roads Ordinance shall be as outlined under Wisconsin Statutes §348.21.

**SECTION 9: SEVERABILITY**

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration and shall not affect the validity of any other provisions, sections, or portions of the ordinance, which shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

**SECTION 10: EFFECTIVE DATE**

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 9<sup>TH</sup> day of OCTOBER, 2024.

TOWN OF TROY

  
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Jerry Arntson, Town Chair

ATTEST:

  
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Michael J Ramps, Town Clerk

Published and posted this 16 day of October, 2024.