

County of Rock
Public Works Department



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Highways
Parks
Airport

A G E N D A

Public Works Committee Meeting
Thursday, November 20, 2014 – 5:00 p.m.
Conference Room N-1, 5th Floor Courthouse East
Rock County Courthouse – Janesville WI

1. Call to Order
2. Approval of Agenda
3. **HIGHWAY ITEMS**

 - a. Approve Ordinance Setting Road Weight Limits for Implements of Husbandry (IOH)
4. Adjournment

ORDINANCE NO. _____

AGENDA NO. _____

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

Public Works Committee
INITIATED BY



Benjamin J. Coopman
DRAFTED BY

Public Works Committee
SUBMITTED BY

November 3, 2014
DATE DRAFTED

**AUTHORIZING THE CREATION OF THE WEIGHT LIMITS FOR IMPLEMENTS OF
HUSBANDRY ORDINANCE (SECTION 3.112)**

1 WHEREAS, Wis. Act 377 of 2013 under Sec. 348.15(9)(f) 1. provides that there is no weight limitation per
2 wheel, axle, or group of axles for Category B Implements of Husbandry as defined in Sec. 340.01(24)(a)1.b., but
3 does apply gross vehicle weight limitations to these vehicles, and;
4

5 WHEREAS, Sec. 348.15(9)(f)1., Wisconsin Statutes, authorizes the municipality or county to require
6 compliance with axle weight limitations established under Sec. 348.15(3)(g) for Category B Implements of
7 Husbandry on all highways under its jurisdiction.
8

9 I. The Rock County Board of Supervisors at its regular meeting this ___ day of _____, 2014,
10 does ordain as follows:
11

12 That section 3.112 of the Code of Ordinances of Rock County is hereby renumbered as section 3.113.
13

14 That sec. 3.112 of the Rock County Code of Ordinances is hereby created to read as follows:
15

16 **3.112 Weight Limits**

17
18 (1) Implements of Husbandry

19 (a) Class A Highway

20 1. Category B Implements of Husbandry is defined by Sec. 340.01(24)(a)1.b., Wisconsin
21 Statutes.

22 2. Pursuant to Sec. 348.15(9)(f) Wisconsin Statutes, all Category B Implements of Husbandry
23 may not exceed the weight limits imposed by Chapter 348.15(3)(g), Wisconsin Statutes.

24 3. In order to exceed the length and/or weight limitations on county highways, a no-fee permit
25 shall be applied for from the County.

26 4. Pursuant to Sec. 348.27(19)(b)4m.a., Wisconsin Statutes, in the event an application for a
27 no-fee permit is made for a Category B Implement of Husbandry, and the application is denied
28 specifically as to applicant's proposed route, the County is required to provide an approved
29 alternate route, which may include highways that are non-county highways if prior approval has
30 been given to the County by the jurisdiction of the non-county highway over that jurisdiction's
31 alternate routes for operation of Category B Implements of Husbandry.
32

33 (2) Section 3.112 shall become effective January 1, 2015, and shall remain in effect until rescinded by
34 further action of the Rock County Board of Supervisors.

Respectfully Submitted:

PUBLIC WORKS COMMITTEE

Betty Jo Bussie, Chair

Brent Fox, Vice Chair

Eva Arnold

Brenton Driscoll

Rick Richard

Authorizing the Creation of the Weight Limits for Implements of Husbandry
Ordinance (Chapter 3.112)

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FISCAL NOTE:

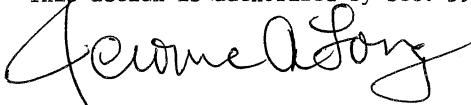
No fiscal impact.



Sherry Oja
Finance Director

LEGAL NOTE:

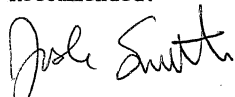
This action is authorized by sec. 59.02(2), Wis. Stats.



Jerome A. Long
Deputy Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith
County Administrator

EXECUTIVE SUMMARY

Wisconsin Act 377 of 2013 is an act to repeal, renumber, amend, recreate, and/or create State Statutes relating to operation of agricultural vehicles on highways and providing a penalty for operating overweight or oversize agricultural vehicles.

Under Act 377, the County has multiple options to regulate Implement of Husbandry (IOH) operation on roads. These six options range from no weight limits to stringent limitations.

In review and evaluation of these options, in conjunction with a recommendation of the Wisconsin County Highway Association, and consistent with implementation on State highways, it is recommended that "Option E" be implemented. "Option E" is the most stringent option.

"Option E" requires Category B IOH to comply with the axle weight limit criteria of 23,000 pounds per axle.

According to State Statute, all IOH, with the exception of 1) potato harvesters and 2) transportation of IOH between a dealership and a farm, which would exceed the designated weight limits are required to obtain a no-fee permit from the jurisdiction of authority in order to operate legally on that jurisdiction's highways.

In creating consistent weight limits for all IOH, uniform permit and enforcement processes can be established. The County Public Works Department will be expected to absorb processing the many hundreds of permits that will arise because of this new law.

County permits will be required annually for all IOH that would exceed the defined weight limits on county highways. Permit denials pertaining specifically to applicant's proposed routes shall require the jurisdiction of authority to provide an alternate route. If the alternate route is not acceptable to the applicant, they may appeal through an administrative review process to the Rock County Public Works Committee. The applicant has the option of bypassing the administrative review process and filing an action directly in circuit court challenging the adverse action.

Enforcement shall be by the Rock County Sheriff's Office and be consistent with State Statutes. The enforcement process is basically unchanged with the exception of the following modifications regarding weight limits and penalties.

Weight limits have been increase approximately 15 percent: Prior weight limits were 20,000 pounds per axle and 80,000 pounds gross vehicle weight. New limits are 23,000 pounds per axle and 92,000 pounds gross vehicle weight.

Penalties incurred on or before January 1, 2020, shall be calculated using the prior weight limits of 20,000 pounds per axle and 80,000 pounds gross vehicle weight. After January 1, 2020, the limits will sunset and be in accordance with the previous State Statute(s).