

**ORDINANCE NO. 2019-02**  
**AN ORDINANCE REPEALING ORDINANCE NO. 2017-01 AND**  
**RECREATING AN ORDINANCE RELATING TO THE**  
**REGULATION OF TOWN HIGHWAYS**

WHEREAS, Wis. Stats. sections 60.23(23), 60.22(3) and 60.10(2)(c) allow a town board the right to amend/repeal existing ordinances; and

WHEREAS, the Town of Dakota Board has determined that it would be in the public's best interest to repeal Ordinance No. 2017-01, "Ordinance to Designate Class 'B' Highway," and replace it with this ordinance, "Relating to the Regulation of Town Highways"; and

WHEREAS, the Town Board has specific authority under Wis. Stats. sections 349.13, 349.15(2) and 349.17 to adopt this ordinance;

THEREFORE, the Town of Dakota Board does ordain as follows:

1. The following town highway in the Town of Dakota is designated as "Prohibited Heavy Traffic": Chicago Road from the intersection with Fair Street, south to State Road 22. "Heavy Traffic" means all vehicles not operating completely on pneumatic tires, and all vehicles or combination of vehicles, designed or used for transporting property of any nature and having a gross weight of more than 6,000 pounds. "Heavy Traffic" shall also include any vehicle or combination of vehicles which exceed the weight limitations as set forth in Wis. Stats. Sec. 348.16(2). It shall not be a violation of this section if said vehicle is in route to move or deliver supplies or commodities to or from any business or residence which has its sole entrance on the portion of the street covered by this ordinance.
2. It is further ordained that except in case of an emergency, no vehicle may stop, stand or park on or alongside a town highway, for any degree of time, for the purpose of loading or unloading any goods, supplies or other commodities. A citation for said offense may be issued to the operator of said vehicle and to the registered owner of said vehicle, who may be held jointly liable for said violation.
3. The town chairperson, or his/her designee, shall place appropriate traffic signs on the above-described highway on or before the effective date of this ordinance.\*
4. Any person found to have violated this ordinance shall be subject to the issuance of a citation and fine which will be prosecuted in accordance with the ordinances for the Town of Dakota. Upon conviction for a violation of this ordinance, the violator shall pay a forfeiture in accordance with the State of Wisconsin Uniform State Deposit Schedule, 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.

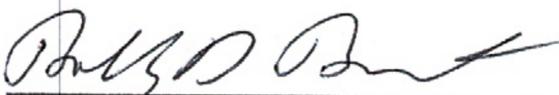
**Ordinance No. 2019-02**

Ayes: 2 Nays: 0 Abstain: 0 Absent: 1  Voice Vote

This ordinance will be enacted the day after publication per s. 60.80, Wis. Stats.

Adopted this 11<sup>th</sup> day of November 2019.

Signed:

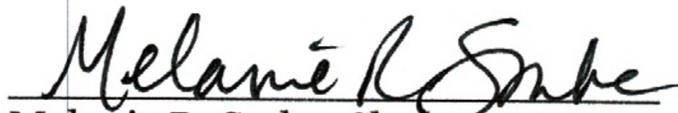
  
\_\_\_\_\_  
Bobby Bandt, Chair

  
\_\_\_\_\_  
Gary Grenier, Supervisor

  
\_\_\_\_\_  
Jeremy Kubasta, Supervisor

*I hereby certify that this ordinance was approved/adopted by the Town of Dakota Board of Supervisors at a regular meeting held on the 11<sup>th</sup> day of November 2019.*

Attest:

  
\_\_\_\_\_  
Melanie R. Stake, Clerk

\* NOTE: Sign placement is governed by the manual on Uniform Traffic Control Devices authorized under Wis. Stats. Section 84.02(4)(e). The manual may be accessed at the Department of Transportation Internet site at <https://wisconsin.gov/dtsdManuals/traffic-ops/manuals-and-standards/wmutcd/wismutcd.pdf>.