

Ordinance to Opt-In for Category B IOHs, Category 1 Ag CMVs, or the trailering of one of either of these two types of vehicles from farm to field, from field to field, or from farm to farm, to comply with the statutory axle weight limits under § 348.15(3)(b) pursuant to § 348.15(9)(f)2.

Ordinance # 2015-01

Whereas, Wis. Stat. §§ 348.15(9)(f)1. & 348.15(9)(f)1m. provide that there is no weight limitation per wheel, axle, or group of axles for Category B implements of husbandry as defined in § 340.01(24)(a)1.b., for Category 1 agricultural commercial vehicles as defined in § 340.01(1o)(e)1., or for a 2-vehicle combination transporting by trailer or semitrailer either one of these two types of vehicles from farm to field, from field to field, or from farm to farm, but does apply gross vehicle weight limitations to these vehicles, and

Whereas, § 348.15(9)(f)2. authorizes the municipality or county to require compliance with axle weight limitations established under § 348.15(3)(b) for Category B implements of husbandry defined in § 340.01(24)(a)1.b., for Category 1 agricultural commercial vehicles as defined in § 340.01(1o)(e)1., or for a 2-vehicle combination transporting by trailer or semitrailer either one of these two types of vehicles from farm to field, from field to field, or from farm to farm, on all highways under its jurisdiction,

Now, therefore, BE IT HEREBY ORDAINED by the Town Board of the Town of Trade Lake, of Burnett County, that pursuant to § 348.15(9)(f)2. of Wis. Statutes, all Category B implements of husbandry as defined in § 340.01(24)(a)1.b., all Category 1 agricultural commercial vehicles as defined in § 340.01(1o)(e)1., and any 2-vehicle combination transporting by trailer or semitrailer either one of these two types of vehicles from farm to field, from field to field, or from farm to farm may not exceed the axle weight limits imposed by § 348.15(3)(b) of Wis. Statutes.

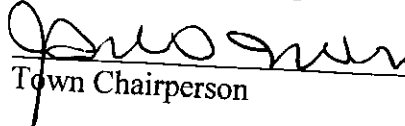
Further, BE IT HEREBY ORDAINED that to exceed the length and/or weight limitations on highways under this jurisdiction a no-fee permit may be applied for from the town.

Further, BE IT HEREBY ORDAINED that pursuant to § 348.27(19)(b)4m. in the event an application for a no-fee permit is made for a Category B implement of husbandry as defined in § 340.01(24)(a)1.b., a Category 1 agricultural commercial vehicles as defined in § 340.01(1o)(e)1., or any 2-vehicle combination transporting by trailer or semitrailer either one of these two types of vehicles from farm to field, from field to field, or from farm to farm, the municipal jurisdiction or county may not deny the application but may modify and approve the application to include an alternate route or map of highways other than those specified by the applicant and may include highways that are not under its jurisdiction only upon prior approval of the authority having jurisdiction over those highways, except that no prior approval is required with respect to a highway on which these vehicles may be legally operated or transported without a permit or as authorized by the other jurisdiction.

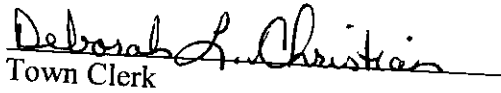
Further, BE IT HEREBY ORDAINED that this ordinance shall be in effect beginning with the calendar year of 2016.

Further, BE IT HEREBY ORDAINED that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on its Internet site.

Adopted by the Town Board this 19th day of November, 2015.


Town Chairperson

Attested to by the Town Clerk


Town Clerk

[Notes:

For this ordinance to be effective in any calendar year, it must be adopted on or before November 30 of the prior year.

This ordinance must be published in a newspaper or posted in at least three places within 30 days of adoption pursuant to § 60.80 for towns.

This ordinance shall also be forwarded to the Wisconsin Department of Transportation via email to AgVehicles@dot.wi.gov on or before January 20 for posting on its Internet site.]

intend to require any permits for excess weight.

Option B is not an option that our Association legal staff recommends. While it is the easy way out of having to consider applications for “no-fee permits,” it means that your highways may potentially carry weights that could easily damage the highways. While the opt out is only for IOHs and Ag CMVs do you really think that other heavy vehicles such as loggers, gravel trucks, septic haulers, etc. won’t be knocking on your door asking for permits to exceed weight limits on your highways year around? Option B is the least desirable for keeping local control over excess weights and lengths on your town or village highways.

**Option C Opt out of IOH and Ag CMV,
But impose limits in excess of state limits
On all highways under their authority**

This option does require an ordinance to be adopted and a copy provided to DOT.

Option C means that your town or village is setting higher length and/or weight limits than the state weight limits under the new IOH/Ag CMV table on all highways. This would generally mean that the town or village would have axle limits greater than 23,000 lbs. per axle (which is what Act 377 allows) and more than 92,000 lbs. total gross weight for five or more axles with proper spacing. Under Option C the ordinance provides that the limits adopted in this ordinance **apply to all highways** in the town or village. {Note that the Option D, provides that only certain designated highways would have the higher limits).

While Option C provides uniformity throughout the town or village, the question is whether all highways in the town or village can handle the increased weight limits? IOH/Ag CMV owners or operators who have units that exceed these higher limits still have the option of asking for “no-fee permits” to exceed the limits adopted by this ordinance.

Category B self-propelled also must be provided an alternate route if they need to exceed the higher limits imposed in Option C.

**Option D Opt out of IOH and Ag CMV, but
impose limits in excess of state limits**

Only on designated highways

This option does require an ordinance to be adopted and a copy provided to DOT.

Option D means that your town or village is setting higher length and/or weight limits than the state weight limits under the new IOH/Ag CMV table on designated highways, as opposed to Option C which increases length and/or weight limits on all highways. Again, “no-fee permits” can be requested on any highway, including the designated highways if an IOH/Ag CMV unit exceeds either the axle weight limits or total gross weight limits.

Option D allows the town or village to retain the state weight limits under the new IOH/Ag CMV table for certain highways and allow a higher weight limit for highways that can handle higher weights. This option may reduce the number of “no-fee permits” that may be required depending on the increased weight and if the designated highways can accommodate the local IOH/Ag CMV needs. This option gives more flexibility to the agriculture community, but retains local authority on highways that need to limit excess weights.

Option E Opt in for Category B Units

This option does require an ordinance to be adopted and a copy provided to DOT.

Option E means that your town or village is requiring Category B IOHs (typically the self-propelled units, see definition on first page of this article) to comply with the 23,000 lbs. per axle limit. Act 377 allows Category B IOHs to exceed the per axle limit of 23,000 lbs. unless the local jurisdiction “opts in” under this option for applying the limit on Category B IOHs.

Opt E

All other categories remain subject to the 23,000 lbs. and total gross weight as established in the new IOH/Ag CMV table.

This option allows the municipality to exercise the most local control over their highways as to the weight limits. It may require more "no-fee permits" than any other option, because the weight limits on Category B are the lowest. Also remember that under Act 377 Category B self-propelled units must be given an alternate route if the requested route can not be approved.

Option F No Action Taken

This option does not require an ordinance, because there is no change from the lengths and weights imposed under Act 377. This will mean that the 23,000 lbs per axle apply to IOHs and Ag CMVs and the new IOH/Ag CMV table will control, except for Category B IOHs where there is exemption from 23,000 lb per axle weight but no exemption from total gross weight up to 92,000 lbs. There still can be "no-fee permits" requested to exceed the state limits on length and weights. Under Act 377, Category B units must be given an alternate route if the requested route is denied.

Option F provides both flexibility to the agriculture community, but retains local control over weights beyond the new IOH/Ag CMV table.

Again for Options B, C, D, and E ordinances need to be adopted by the town, village, city or county. Options A and F do not require adoption of an ordinance. "No-fee permits" may be applied for under all options.

Our Association will post the sample ordinances for the various options where an ordinance is required on our website. We would also encourage everyone to go to the Wis. DOT website for agricultural equipment: <http://www.dot.state.wi.us/business/ag/index.htm>

At this site, you can link to the full Act 377, the state application/permit for local

governments, the new IOH/Ag CMV weight table, and other information of use on this subject. It is our hope that this calendar year, will be a year of education and discussion between IOH/Ag CMV owners/operators and local governments. University of Wisconsin Extension has developed a powerpoint presentation for Extension agents to use in training any interested persons on the new law. Our Association will be providing notice of training sessions that we are made aware of. WTA will also be doing training this fall and at the state convention to answer more questions as they arise.

Hiring of New Executive Director

The WTA board of directors has conducted interviews of several candidates for the WTA Executive Director position. An offer has been made and accepted. The announcement of the new Executive Director's name will be made by June 1st and posted on our WTA website. Further information will be provided in the July WTA magazine. The new Executive Director is expected to start work on August 1st. Rick Stadelman, the current Executive Director will be retiring on August 31st. More information to come on the WTA website and in the July WTA magazine.

One day Workshop on DNR Role in Industrial Sand Permits

Late in June (June 23, 24, & 25th) a one day workshop will be co-sponsored by the Wis. DNR, Wisconsin Counties Association, Wisconsin League of Municipalities, and Wisconsin Towns Association on the various permits that DNR issues for Industrial Sand Mines and operations. See the announcement later in this magazine. The sites of the workshops are Eau Claire, Menomonie, and Tomah. We would encourage all town officers, town plan commissioners and anyone interested in this issue to attend one of these workshops.

New IOH Law Overview

On Wednesday, April 23, 2014, Governor Scott Walker signed 2013 Wis. Act 377 (which had been SB 509). It was published on April 24, 2014, which means parts of the new law are in effect now, and some parts become effective in the future as outlined later in this article. This bill as passed by the legislature is a compromise which is intended to give operators of Implements of Husbandry (IOHs) more flexibility to operate on highways as to weight, length and width, while retaining a balance for local officials to protect their highways and highway users from the risks of ever increasing weights, lengths and widths of IOHs. This new act has many aspects and some important points for both IOH operators and local officials to understand. It is hoped by all interested stakeholders that the next few months can be a learning period for all parties.

What does Act 377 do?

First, the new act created new definitions for various types of implements of husbandry. (1) An ***Implement of Husbandry (IOH)*** is defined as “a self-propelled or towed vehicle that is manufactured, designed, or reconstructed to be used and that is exclusively used in the conduct of agricultural operations.” An IOH may include any of the following four categories:

- (a) Farm tractors (**Referred to a Category A vehicles**)
- (b) A self-propelled combine, a self-propelled forage harvester, or pesticide application equipment *but not including manure application equipment*; towed tillage, planting, and cultivation equipment and its towing power unit; or another self-propelled vehicle that

directly engages in harvesting farm products, directly applies fertilizer, spray, or seeds *but not manure* or distributes feed to livestock. (**Referred to as Category B vehicles**)

- (c) A farm wagon, farm trailer, manure trailer, or trailer adapted to be towed by, or to tow or pull, another implement of husbandry. (**Referred to as Category C vehicles**)

The new act goes on to say that a combination of vehicles in which each vehicle in the vehicle combination is an implement of husbandry as described in (1) above or in which an implement of husbandry described (c) {the category C vehicles} above is towed by a farm truck, farm truck tractor, or motor truck.

The new act goes on to say specifically that an IOH does not include any of the following: 1. An agricultural commercial motor vehicle (which has its own new definition, see below), and 2. A vehicle that is a commercial motor vehicle under federal code 49CFR 390.5.

The new definition in the act for ***agricultural commercial vehicle (Ag CMV)*** means a commercial motor vehicle to which all the following apply:

- (a) The vehicle is substantially designed or equipped or materially altered from its original construction, for the purpose of agricultural use.
- (b) The vehicle was designed and manufactured primarily for highway use.
- (c) Unless the manufactured prior to 1970, the vehicle was manufactured to meet federal motor vehicles safety standard certification label



Town of Trade Lake <tradelakewi@gmail.com>

Trade Lake, Town of (Burnett County) - loH selection of Option E

1 message

Hobbs, Roger R - DOT <Roger.Hobbs@dot.wi.gov>

Wed, Dec 9, 2015 at 2:08 PM

To: Town of Trade Lake <tradelakewi@gmail.com>

Cc: "Nichols, Kathleen - DOT" <Kathleen.Nichols@dot.wi.gov>, "Ishmael, Gary - DOT" <Gary.Ishmael@dot.wi.gov>

Good day Deborah Christian and the town of Trade Lake,

Thank you for submitting the jurisdictional resolution/ordinance, #2015-01; adopted on the 19th day of November, 2015. Pursuant to Wis. statute 348.27 (19)(b) 5. d. - this ordained document will be published on the internet site of the Wisconsin Department of Transportation (WisDOT) effective January 1, 2016. Your participation in this process is appreciated. To view the postings of resolutions and/or ordinances, click on the Ag Equipment & Vehicle web site referenced below.

Please note; until there is a departure from your current OPTION, by an amendment and then subsequently reported to the WisDOT, the department will leave pre-existing ordinances and resolutions published on the state's Ag Vehicle web site for public viewing.

Should any questions arise pertaining to Act 15, Implements of Husbandry or No Fee Permits, please contact this office at the following e-mail address: AgVehicles@dot.wi.gov.

Roger Hobbs

Note: Effective 6/30/2015, all NFP applications have been consolidated.
See Ag vehicle web site.

Wisconsin DOT - Motor Carrier Services Section

Permits Unit - OSOW & Implements of Husbandry

Ag Equipment & Vehicles web site:

www.AgVehicles.DOT.wi.gov

e-mail: roger.hobbs@dot.wi.gov

General: 608.266.7320

SOCIAL SECURITY ADMINISTRATION
DATA OPERATIONS CENTER
WILKES-BARRE, PA 18769-0001



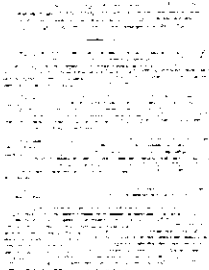
Town of Trade Lake <tradelakewi@gmail.com>

I.O.H. Ordinance Town of Trade Lake, Burnett Cty.

Town of Trade Lake <tradelakewi@gmail.com>
To: AgVehicles@dot.wi.gov

~~11/15/2015 at 10:35 AM~~

Deborah Christian, Clerk
Town of Trade Lake
715-488-2600
www.tradelakewi.com



I.O.H Ord 001.tif
227K

Posted Nov. 20 -
Dec. 1
emailed to
State Dec. 1



Certificate of Nomination

General Instructions: <i>Please Review Fully</i>	<p>This form should be completed by either a school district clerk or a municipal clerk. The completed form should be submitted to your county clerk or provider, unless directed otherwise.</p> <p>This form is used to transmit information about candidate ballot placement to be entered into SVRS. Clerks should complete a separate form for each county. If there are candidates for more than one office, complete a separate form for each office. This form constitutes a certificate of nomination that may also be used for ballot creation.</p> <p>Each section on the front side of this document corresponds to the sections below (1-6).</p>
1	Whether School District Clerk or Relier Clerk, please provide your current last and first names in the spaces provided. Enter your formal names, as indicated on official government documents; no nicknames.
2	Only required if form is being completed on behalf of a School District. Fill in appropriate circle for type of School District. Complete name of School District.
3	Only required if form is being completed on behalf of a municipality. Fill in appropriate circle for type of municipality. Complete name of municipality. Complete name of county where municipality is located.
4	<ul style="list-style-type: none"> • To be completed by School District Clerk. Complete name of county where school district is located. If school district is located in more than one county, complete a separate form for each county. • To be completed by Relier Clerk. Complete name of county or municipality that provides SVRS services to you.
5	<ul style="list-style-type: none"> • Complete date of election. • Complete election type, i.e. Spring Primary, Spring Election, September Primary, General Election, Special Primary, Special Election. • Complete office, i.e. Town Supervisor, Village Trustee, Mayor, School Board Supervisor. • Fill in the circle to indicate that the office is to be listed on the ballot as "Vote for One" or "Vote for not more than". If "Vote for not more than" indicate the number of seats to be elected.
6	<ul style="list-style-type: none"> • Complete the certification with the appropriate information for name of clerk and jurisdiction. • List candidates' names as they should appear on the ballot and in the order they should appear.
7	For School District Clerk, provide a list of municipalities within the school district. If additional space is required, please use a blank sheet of paper to document the municipalities and attach it to this form.
Signature: <ul style="list-style-type: none"> • By signing in this space, the School District Clerk is certifying the candidate information for the office at the election listed. • By signing in this space, the Relier Clerk is certifying the candidate information for the office at the election listed. • By signing in this space the County Clerk or Provider Clerk is acknowledging receipt of this information and has entered this information into SVRS. 	