

ORDINANCE NUMBER: CHAPTER 16 SECTION 2-1

Town Road Damage Ordinance

(a) TITLE/PURPOSE

This ordinance is entitled the Town Road Damage Ordinance. The purpose of this ordinance is to prohibit damage to town roads in the Town of Barnes.

(b) AUTHORITY

The town board of the Town of Barnes has the specific authority under §82.03, Wis. Stats., to oversee the construction, repair and maintenance of all highways and bridges under the town's jurisdiction.

(c) ADOPTION OF ORDINANCE

The town board of the Town of Barnes, Bayfield County, Wisconsin, by this ordinance, adopted on proper notice, with a quorum and by a roll call vote of the town board present and voting, provides regulations, controls and enforcement against certain uses, activities, businesses and operations by persons that may affect the highways and bridges in the town's jurisdiction.

(d) GENERAL PROVISIONS

- (1) "Damage" shall mean any use of a town highway or bridge that causes unscheduled repairs or expedites the normal time for replacement of the highway or bridge, including, but not limited to, damage to the roadway surface and shoulders.
- (2) No person or entity shall cause damage to any highway or bridge under the town's jurisdiction without a prior written permit issued by the Town of Barnes agreeing to repair any and all damages.
- (3) A person or entity shall fully comply with all terms of a permit issued under Section 2-1(d)(2).

(e) FORFEITURES AND PENALTIES

The forfeitures and penalties provided for in this section shall be applicable to violations of Section 2-1(d) of this ordinance. Violation of this ordinance shall be in accordance with the schedules of deposit, which are now in existence and may be amended from time to time in the future, plus any applicable assessments, costs, fees and penalty enhancements now in force in the Bayfield County Circuit Court, or as enforced in the future and restitution as it may apply under §973.20 Wis. stats.

(f) EFFECTIVE DATE

This ordinance is effective on publication or posting. The town clerk shall properly post or publish this ordinance resolution as required under s. 60.80, Wis. stats.