

**VILLAGE OF LITTLE CHUTE  
ORDINANCE NO. 12, SERIES OF 2013**

**AN ORDINANCE AMENDING THE VILLAGE OF LITTLE CHUTE MUNICIPAL CODE - CHAPTER 26  
MOTOR VEHICLES AND TRAFFIC, ARTICLE II CONTROLLED INTERSECTIONS AND STREET  
TRAFFIC REGULATIONS, SECTION 35 HEAVY TRAFFIC ROUTES (f) HEAVY TRAFFIC ROUTE  
DESIGNATED**

**BE IT ORDAINED** by the Village Board of Trustees, Village of Little Chute, Outagamie County, Wisconsin as follows:

**Section I.** Chapter 26, Article II, Section 35 (f) of the Village of Little Chute Code of Ordinances is hereby amended as follows:

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Heavy traffic* means:

- (1) All vehicles not operating completely on pneumatic tires; and
- (2) All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature, including recreational vehicles, and having a gross weight of more than 15,000 pounds.

(b) *Prohibited routes.* Heavy traffic is prohibited from using any village street or highway not designated as a heavy traffic route. This section shall not act to prohibit heavy traffic from using a village street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Furthermore, this section will not act to prohibit heavy traffic from using any village streets over which are routed state trunk highways. When being driven to the site of any construction, repair or maintenance of electric, gas, or water service, vehicles owned and operated by a public utility will be exempt from the provisions of this section.

(c) *Administration.* The director of public works shall administer this section. Administration shall include the following:

- (1) *Posting of signs.* Appropriate signs shall be posted giving notice of this section and of the heavy traffic routes established herein. Yellow sign posts may also be used to designate heavy traffic routes.
- (2) *Maps.* Heavy traffic routes shall be shown on the official traffic map.
- (3) *Construction equipment.* The public works department may grant temporary permits to allow heavy construction equipment to use village streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a nondesignated route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the village harmless for any damage done to the village street by the equipment and/or any personal injury or property damage caused in part or in whole by the street damage.
- (4) *Exclusion for village equipment.* Village-owned or -operated equipment is specifically excluded from the provisions of this section.

(d) *Liability.* Any operator, corporation, owner or agent whose heavy traffic vehicle damages any village streets or highways in violating this section shall be liable and required to pay the village the cost of repair or replacement of the damaged street or highway.

(e) *Special and seasonal weight limitations.* The director of public works shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the village to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting uniform traffic control devices giving notice thereof in accordance with the proving of section 26-3.

(f) *Heavy traffic route designated.* All streets and alleys within the village are designated class "B" highways subject to the weight limitations of Wis. Stats. § 346.16, except the following streets or parts thereof within the jurisdiction of the village are hereby designated heavy traffic routes and are exempted from the class "B" weight limitations and are designated as heavy traffic routed pursuant to Wis. Stats. § 349.17:

- (1) County Trunk N.
- (2) County Trunk CC, including Rosehill Road from County Trunk Highway OO to Main Street.
- (3) County Trunk OO.
- (4) State Highway 96.
- (5) Washington Street between County Trunk OO and State Highway 96.
- (6) Moasis Drive.
- (7) Holland Road.
- (8) Buchanan Street north of County Trunk OO.
- (9) W. Evergreen Drive between Holland Road and Hwy. N

Section II: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or its applications.

Section III: Effective Date. This Ordinance shall become effective on the date of passage and posting.

Introduced:

Approved and Adopted:

VILLAGE OF LITTLE CHUTE

By:

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Michael R. Vanden Berg, Village President

Attest:

Vicki Schneider, Village Clerk