

ORDINANCE NO. 137

AN ORDINANCE TO
REPEAL AND RECREATE SECTION 5 OF ORDINANCE NO. 81
AS IT RELATES TO THE REGULATION OF HEAVY TRAFFIC
WITHIN THE VILLAGE OF OCONOMOWOC LAKE

WHEREAS, based upon current construction and configurations of Village streets and to avoid the necessity of purchasing additional street rights-of-way and the reconstruction of Village streets, it is necessary to designate certain heavy traffic routes and to prohibit heavy traffic upon certain village streets; and

WHEREAS, Section 349.17, Wis. Stats., authorizes a Village to designate streets under its jurisdiction as heavy traffic routes, to designate the type and character of vehicles which may be operated on such routes and to restrict or prohibit heavy traffic from using other streets under its jurisdiction; AND

WHEREAS, although the Village Board of the Village of Oconomowoc Lake had previously regulated heavy traffic in Section 5 of Ordinance No. 81, adopted on February 19, 1979, it now appears necessary, based upon changes in traffic patterns and road conditions, to repeal and recreate that particular section.

NOW, THEREFORE, pursuant to the authority granted to the Village of Oconomowoc Lake pursuant to Section 349.17, Wis. Stats., the Village Board of the Village of Oconomowoc Lake does ordain as follows:

Section 1: Section 5 of Ordinance No. 81, entitled "An Ordinance to Regulate Vehicular Traffic in the Village of Oconomowoc Lake, Wisconsin," is hereby repealed and recreated to read as follows:

Section 5. Weight Limits and Heavy Traffic Routes.

(1) Definitions: For purposes of this ordinance, "heavy traffic" means all vehicles not operated 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.

(2) Heavy traffic shall be prohibited upon North Beach Road, West Beach Road and Gifford Road.

(3) All other streets and alleys within the Village of Oconomowoc Lake, Wisconsin, are hereby designated Class "B" highways and shall be subject to the weight limitations imposed by Section 348.16, Wis. Stats.

(4) All heavy traffic operating for the purpose of obtaining orders or supplies for the Oconomowoc Lake Club or moving or delivering supplies or commodities to or from the Oconomowoc Lake Club shall only operate upon the designated route as established

by the Village Administrator and as indicated on the attached Exhibit "A".

(5) Special and seasonal weight limitations. The Public Works Department shall have the authority to impose special or seasonal weight limits to prevent injury to the roadway of any highway, bridge or culvert within the jurisdiction of the Village or for the safety of users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with Section 349.16, Wis. Stats.

(6) The weight restrictions established herein shall not apply to any heavy traffic using a street 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 upon such street, provided, however, that in no event shall the gross weight of said vehicle exceed 16,500 pounds per axle, or Class A highway weight limits, whichever is lower.

Section 2: The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 3: This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This ordinance passed this 20 day of February, 1995.

BY ORDER OF THE VILLAGE BOARD
OF THE VILLAGE OF OCONOMOWOC LAKE,
WAUKESHA COUNTY, WISCONSIN


WILLIAM F. ROBERTS
Village President

ATTEST:


CHERYL WIERDSMA, Village Clerk

Published or posted on the 22 day of February, 1995.

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING
ORD 137 - Heavy Traffic

The undersigned, being first duly sworn, on oath deposes and states that on February 22, 1995 at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village.

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the northern corner of the junction of West Beach Road and the private drive (South Beach Road) leading into the Borisch, Fischer, Lowry, et al properties.

[Signature]

Subscribed and sworn to before me

this 22nd day of February, 1995

Cheryl A Wurdama
Notary Public, Waukesha County, Wisconsin

My commission expires: 11-19-95