

Excerpt from Town of New Lisbon Road Preservation Law

Example of truck route and weight restrictions imbedded in road preservation law

Section 5. Designation of Truck Routes/Permanent Weight Restrictions on Town Highways and Roads:

- A) Trucks, tractors, tractor-trailer combinations or other motor vehicles or equipment having total gross weight in excess of five (5) tons operated in the Town of New Lisbon shall be restricted (except as expressly hereinafter permitted) to the following designated "truck route system":
 - 1) **The designated "Town of New Lisbon Truck Route" shall be limited to and consist of routes on, over and along any and all State and County owned and maintained roadways lying within the boundaries of the Town of New Lisbon. No vehicles weighing in excess of five (5) tons (other than those owned by the Town) shall use town highways or roadways, except as herein permitted.**
- B) Notwithstanding the foregoing prohibition, the foregoing exclusion shall not be construed to prohibit occasional , "non-commercial/non-industrial" deliveries and pickups.
- C) The provisions of the foregoing restrictions on commercial use (Section 5.A) may be waived by the Town of New Lisbon Highway Superintendent in accordance with the following provisions.
 - 1) At least two weeks prior to the commencement of any commercial/industrial activity that will involve the use of Town of New Lisbon highways and roadways by vehicles having a gross weight in excess of five (5) tons the owner of the lands to be served by said vehicles, or the operator of said vehicles(s), shall obtain a permit authorizing the proposed use, which permit shall be granted only in accordance with the following terms and conditions.
 - a) The applicant shall submit a detailed plan to the Town of New Lisbon highway Superintendant evidencing the exact route to be used, the direction of travel, the nature, type and number of vehicles, the weight of each vehicle, the number and frequency of the proposed uses(s), dust noise control and mitigation measures to be employed, and the specific hours and duration of use. A processing fee designed to cover the cost incurred by the town and /or the highway superintendent, in reviewing and approving said plan, as established and contained on the Town's schedule of Fees, shall accompany the plan.
 - b) The Town of New Lisbon Highway Superintendent shall determine if the described proposed terms of use (i.e. frequency, weight, duration) have the potential to damage the town highways. If the Town Highway Superintendent determines that no damage is likely to occur by virtue of the described proposed use, a permit may be granted by the Highway Superintendent authorizing the specific use, frequency and duration proposed in the waiver application. If the it is determined by the Town Highway Superintendent that damage to the town's highways may occur as a result of the

described proposed use, said Highway Superintendent may impose such conditions and restrictions on the use, frequency and duration as are reasonable as are designed to minimize damage to town highways (i.e. use of a specific route or routes, dust and noise control measures, periodic {including daily} restoration of the roadway(s) to "pre-use" condition, use only when roads are not compromised by weather or moisture conditions, number of trips, reduced weight of vehicles, etc.) Such conditions may also include the requirement that a indemnity bond be provided in such amount as the Town Board shall have established in its schedule of fees on file in the Town Clerk's office. If a bond is required the original bond shall be filed in the New Lisbon Town Clerk's Office. Upon completion of the activity requiring the use of the Town's highways, the operator or owner shall apply to the Town Highway Superintendent for the release of the bond. Upon inspection of the town's roadways, as necessary the Town Highway Superintendent may authorize the release of the bond. If, after inspection, the release is not approved, the Town Highway Superintendent shall document the work to be performed to restore the town's highways to their "pre-use" condition, which work must be performed before the bond is released.