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Resolution # 27- 2016

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by the Public Works Committee

WHEREAS, the Oneida County Public Works Department preforms work on the Oneida County system and the State Highway system within the boundaries of Oneida County; and

WHEREAS, work zones pose a known hazard to highway construction and maintenance workers, pedestrians and highway users; and

WHEREAS, if a highway is being constructed, reconstructed, maintained or repaired, Wisconsin Statutes s. 349.11 (10) authorizes the Highway commissioner or his/her designee to, for the safety of the highway construction and maintenance workers, pedestrians and highway users, to post a temporary speed limit less than the speed limit regularly imposed under their jurisdiction; and

WHEREAS, the Oneida County Public works committee has considered the posting of temporary speed limits; and

WHEREAS, the Public Works Committee recommends that the following language be included in the County code.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 7.07 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

[Note: 7.07(1)-(3) Shall remain unchanged]

(4) If a highway is being constructed, reconstructed, maintained or repaired, temporary speed limits may be established as set forth in Wis. Statutes. 349.11 (10).

(a) The Oneida County Highway Commissioner, or his/her designee, is authorized, at his/her discretion, to impose mandatory temporary speed limits under the continuing authority of this section and without need of further action by this body.

(b) Temporary speed limits shall be in accord with this section and shall be imposed by the posting of either portable or fixed temporary regulatory speed limit signs of the face size and design as permanent regulatory speed limit signs, type R2-1, as described in the Manual on Uniform Traffic Control Devices as adopted by the Wisconsin Department of Transportation.

(c) Signs may be posted on any highway under the jurisdiction of this authority when such highway is being constructed, reconstructed, maintained or repaired.

52 but only in the immediate area of such work and of those persons engaged in
53 performing such work.

54
55 (d) Any temporary speed limit imposed in an area where construction,
56 reconstruction, maintenance or repair is being performed on the shoulder or
57 within the traveled portion of the roadway, or where the highway construction or
58 maintenance workers performing such work area necessary on the shoulder or
59 what is normally the traveled portion of the roadway, shall be determined by, and
60 at the discretion of, the Oneida County Highway Commissioner or his/her
61 designee.

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63 (e) No temporary speed limit shall be imposed when construction, reconstruction,
64 or maintenance or repair work is being performed inside the highway right-of-way
65 but not on the shoulder or the traveled portion of the highway.

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67 (f) Any speed limits imposed under the authority of this section are temporary,
68 and the signs imposing such limits shall be removed, covered or otherwise
69 obscured when the highway construction or maintenance workers performing
70 construction, reconstruction, maintenance or repairs and their equipment are not
71 on the shoulders or traveled portion of the highway.

72
73 (g) The area in which any temporary speed limit imposed shall be terminated by
74 posting a regulatory speed limit sign informing the public of the specific speed
75 limit outside of the area where construction, reconstruction, maintenance or
76 repair work is being performed.

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78 (h) Nothing herein shall prohibit the Oneida County Highway Commissioner from
79 posting advisory speed limit signs, of the type W13-1 as described in the manual
80 of Uniform Traffic Control Devices, in areas of highway construction,
81 reconstruction, maintenance or repairs suggesting such speed as he or she
82 deems appropriate to promote the safety of highway construction and
83 maintenance workers, pedestrians and highway users and that such advisory
84 signs may also be posted in conjunction with the temporary mandatory speed
85 limit signs, as described and authorized above.

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88 Approved by the Public Works Committee this _____ day of _____, 2015.

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Consent Agenda Item: YES NO

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Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

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95 The County Board has the legal authority to adopt: Yes _____ No _____ as
96 reviewed by the Corporation Counsel, _____, Date:
97 _____

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100 Offered and passage moved by: _____
101 Supervisor
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Supervisor

Supervisor

Supervisor

Supervisor

____ Ayes

____ Nays

____ Absent

____ Abstain

____ Enacted

by the County Board of Supervisors this ____ day of _____, 2015.

____ Defeated

Mary Bartelt, County Clerk

David Hintz, County Board Chair