Ordinance No. 05 -16

Polk County Temporary Speed Limit Ordinance
(Wis. Stat. s. 349.11(10))

TO THE HONORABLE MEMBERS OF THE POLK COUNTY BOARD OF SUPERVISORS:

Ladies and Gentlemen:

WHEREAS, the Polk County Highway Department performs work on the Polk County system and the state highway system within the geographical boundaries of Polk County; and

WHEREAS, pursuant to Wisconsin Statute Section 349.11(10), the Highway Commissioner or his/her designee is authorized to, for the safety of the highway construction and maintenance workers, pedestrians and highway users, cause to be posted temporary speed limit less than the speed limit imposed regularly in their jurisdiction when a county highway is being constructed, reconstructed, maintained or repaired, when performing maintenance on the state trunk highway system under s. 84.07, or in those instances with respect to highways not under its jurisdiction that are being constructed, reconstructed, maintained or repaired by the local authority;

WHEREAS, upon the recommendation of the Polk County Public Safety and Highway Committee, it is in the interest of the County to enact an Ordinance that adopts and allows for the posting of temporary speed limits consistent with Wisconsin Statute Section 349.11(10).

NOW, THEREFORE, the Polk County Board of Supervisors enacts the Polk County Temporary Speed Limit Ordinance and ordains as follows:

1. If a highway is being constructed, reconstructed, maintained or repaired, temporary speed limits may be imposed as set forth in Wisconsin Statute s. 349.11(10).

2. The Polk County Highway Commissioner and in his/her absence, his/her Highway Superintendent or Foreman 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 the County Board.

3. 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 same 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.

4. Signs may be posted on any highway under the jurisdiction of this authority (and any state trunk highway upon which this County performs maintenance under §84.07, Wis. Stats.) when such highway is being constructed, reconstructed, maintained or repaired, but only in the immediate area of such work and of those persons engaged in performing such work.

5. Any temporary speed limit imposed in an area where construction, reconstruction, maintenance or repair is being performed on the shoulders or what is normally the traveled portion of the roadway, or where the highway construction or maintenance workers

performing such work as necessary on the shoulders or what is normally the traveled portion of the roadway, shall be 45 mph or 10 mph less than the speed limit normally in effect for that portion of highway, whichever is the lower temporary speed limit (i.e. temporarily 35 mph in a normally 45 mph zone or temporarily 45 mph in a normally 65 mph zone).

6. No temporary speed limit shall be imposed when construction, reconstruction, or maintenance or repair work is being performed inside the highway right-of-way but not on the shoulders or the traveled portion of highway.

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

8. The area in which any temporary speed limit imposed shall be terminated by posting a regulatory speed limit sign informing the public of the specific speed limit outside of the area where construction, reconstruction, maintenance or repair work is being performed.

9. Nothing herein shall prohibit the Polk County Highway Commissioner or his/her designee from posting advisory speed limit signs, of the type W13-1 as described in the Manual of Uniform Traffic Control Devices, in areas of highway construction, reconstruction, maintenance or repairs suggesting such speed as he or she deems appropriate to promote the safety of highway construction and maintenance workers, pedestrians and highway users and that such advisory signs may also be posted in conjunction with the temporary mandatory speed limit signs, as described and authorized above.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage and Publication
Dated Submitted To County Board	March 15, 2016
Submitted and Sponsored By the Polk County Public Safety and Highway Committee	See pg 3, signatures
Review By County Administrator: ☑ Recommended ☐ Not Recommended ☐ Reviewed Only Dana Frey, County Administrator	Review By Corporation Counsel: ☒ Approved as to Form ☐ Recommended ☐ Not Recommended ☒ Reviewed Only Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on the 15th day of March 2016, the Polk County Board of Supervisors considered and acted on the above Ordinance No. 05 -16: Polk County Temporary Speed Limit Ordinance, as follows:

- ☐ Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- ☒ Enacted by unanimous vote.
- ☐ Defeated by a vote of _____ in favor and _____against.
- ☐ Defeated by voice vote.
- ☐ Action Deferred by Procedural Action, as follows: _____

SIGNED BY: _____

William F. Johnson, IV, County Board Chairperson

Attest: Carole T. Wondra

Carole T. Wondra, County Clerk

Certification of Publication

Ordinance No. 05-16: Polk County Temporary Speed Limit Ordinance, was published pursuant to Wisconsin Statutes § 59.14(1) in the Inter-County Leader on the 30th day of March, 2016.

Carole Wondra by Sharon Jorgenson Dated: 8-24-17

Carole T. Wondra, County Clerk

Jay Luke

Larry Jepsen

John Bonneprise

Martin Carpenter

I, Carole T. Wondra, Polk County Clerk, due hereby certify that the attached and incorporated herein is a full, true and correct copy of Polk County Ordinance No. 05-16, Polk County Temporary Speed Limit Ordinance, adopted by the Polk County Board of Supervisors on the 15th day of March , 2016.

Carole T. Wondra 3.23.16

Carole T. Wondra, Polk County Clerk Date