

ORDINANCE NO. CC02-001

**ORDINANCE FOR OVERWEIGHT VEHICLE PERMITS
FOR COUNTY ROADS IN UNION COUNTY**

Be it ordained by Union County for the purpose of protecting county roads in Union County:

Article I - Overweight Vehicles Prohibited:

No one may operate a motor vehicle on the county roads in Union County in excess of the maximum weight or size set by state law in SDCL Chapter 32-22, unless the operator has first obtained a permit from the Office of the Union County Public Works Administrator (PWA), hereinafter Union County PWA, to allow the operation of the motor vehicle at such weight or size.

Article II - Single Trip Permit Authorized:

The Union County PWA may issue a single trip permit to allow the operation of a motor vehicle on the county roads in Union County in excess of the maximum weight or size set by state law in SDCL Chapter 32-22. The Union County PWA may issue the single trip permit by means of facsimile transmission (fax). The permit issued by the Union County PWA shall designate the county roads upon which the permitted vehicle may operate. The request for a permit to exceed the maximum vehicle weight limit or size must be made at least twenty-four (24) hours in advance.

Article III - Grounds for Permit:

The Union County PWA shall follow the State Statutes (SDCL Chapter 32-22) and Administrative Rules (ARSD 70:30:01) in deciding whether to issue a permit to the operator of a motor vehicle to exceed the maximum vehicle weight limit or size.

Article IV - Permit Fee:

The single trip permit shall be issued for a fee in advance in the amount of twenty-five dollars (\$25.00). At the option of the operator of a motor vehicle, an annual fee of fifty dollars (\$50.00) may be paid to cover all single trip permits obtained by the operator for a single motor vehicle throughout the year. Due to road sensitivity at different times of the year, annual permits may be suspended at any time at the discretion of the Union County PWA.

Article V - No Permits During Seasonal Load Limit Postings:

No overweight or over width permits will be issued during seasonal load limit postings. The Union County Commissioners may waive this restriction if they deem it necessary for the protection of the public safety, health, or welfare. All bridge postings will be strictly adhered to.

Article VI - Operation Only on Designated Roads:

The transportation of overweight loads authorized by this Ordinance shall be undertaken only on county roads designated on the issued permit.

Article VII - Possession of Permit During Operation:

The issued permit, including a permit issued by way of facsimile transmission (fax), or a copy thereof, must be in the possession of those utilizing the permit during all periods of operation.

Article VIII - Maximum Penalties for Unauthorized Operation:

The transportation of overweight load without a permit is punishable by a maximum fine of two hundred dollars (\$200.00), in addition to any other civil or criminal penalties provided by law.

Article IX -- Administration:

The issuance of overweight vehicle permits shall be administered and supervised by the Union County Public Works Administrator.

Adopted by vote and approval of the Board of County Commissioners on this 19th
day of March, 2002 at Elk Point, South Dakota.

Roger Goldenow
Roger Goldenow, Chairperson
Union County Board of County Commissioners

ATTEST:

Carol Klumper
Union County Auditor

(SEAL)