

1 **203-42011**

2 **ORDINANCE: Create Section 7.15 of**
3 **the General Code of**
4 **Winnebago County**
5 **(Installation of Engine**
6 **Brake Signs)**

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8 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

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10 **WHEREAS,** the Winnebago County Highway Commissioner has
11 suggested to the Winnebago County Highway Committee that Winnebago
12 County adopt an ordinance establishing a policy for installation of "No Engine
13 Braking Except in Emergency" signs on County Trunk Highways within
14 Winnebago County; and

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16 **WHEREAS,** the Winnebago County Highway Committee has
17 recommended the adoption of such an ordinance within Winnebago County.

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19 **NOW, THEREFORE, BE IT ORDAINED** the County Board of Supervisors
20 of the County of Winnebago as follows:

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22 That Section 7.15 of the General Code of Winnebago County is hereby
23 adopted as follows:

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25 **7.15 POLICY AS TO INSTALLATION OF ENGINE BRAKING SIGNS**
26 **ON WINNEBAGO COUNTY TRUNK HIGHWAYS.**

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28 **(1)** This Ordinance is adopted pursuant to that authority provided in
29 Wisconsin Administrative Code Chapter TRANS 405.

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31 **(2)** Winnebago County shall only permit the installation of a sign
32 providing for no engine braking on a county trunk highway if
33 subsequent to the following criteria being satisfied:

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35 **(a)** That a local unit of government may only request a "no
36 engine braking" sign on a county trunk highway if that local
37 unit of government has adopted a local noise ordinance
38 pursuant to the noise parameters provided in Wisconsin
39 Administrative Code Chapter TRANS 405.

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41 **(b)** That the local unit of government must first submit a written
42 request to the Winnebago County Highway Commissioner
43 for a permit to install and maintain the signs. Such a request
44 must contain the following information:
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- (1) Where the sign is proposed to be located (highway/location);
 - (2) The direction of traffic in which the sign shall face;
 - (3) The sign offset (distance from edge of right-of-way to travel lane);
 - (4) The type of post requested to be used;
 - (5) Written assurance from the local unit of government that the sign will be free-standing (not attached to other signs);
 - (6) A written copy of the local government noise ordinance.
- (3)** Upon submission of such a request, the Winnebago County Highway Commissioner shall issue a permit for the installation of such a sign within thirty (30) days of submission of said application or shall issue a written denial of said application, stating the reasons for the denial of such a permit.
- (4)** Upon issuance of a permit, the local unit of government shall be responsible for installing and maintaining the sign in conformance with the permit. The local unit of government may contract with the Winnebago County Highway Department for the construction, installation and maintenance of such a sign.
- (5)** It shall be the responsibility of the local unit of government to enforce its own noise ordinances in relationship to the “no engine braking” sign.
- (6)** A standard sign, reading “No Engine Braking Except in Emergency” may be permitted at or near the corporate limits of a local community. The preferred location for placement of such a sign must be in the proximity of any signage notifying drivers of reduced speed ahead, but shall not be within 200 feet of any existing highway signage.
- (7)** An optional sign, stating, “No Engine Braking Except in Emergency Within City/Village/Town Limits” may be permitted by the Highway Commissioner to supplement other signs if there are perceived problems with enforcement of engine braking on roadways throughout a community. All sign language shall meet the requirements of the Wisconsin Department of Transportation.
- (8)** All other engine braking signs previously installed on Winnebago County Trunk Highways shall be amended to conform to this ordinance no later than January 1, 2012 or shall be removed.

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(9) That this Ordinance shall take effect as of June 1, 2011.

Submitted by:

HIGHWAY COMMITTEE

Committee Vote:

5-0

Vote Requirement for Passage:

Majority of those present

Approved by Winnebago County Executive this _____ day of

_____, 2011.

Mark L. Harris
County Executive