

ORDINANCE NO. 2017-02

**ORDINANCE FOR OVERWEIGHT AND/OR OVER DIMENSION VEHICLE PERMITS
FOR COUNTY ROADS IN McCOOK COUNTY**

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

Article I-Overweight and/or Over Dimension Vehicles Prohibited:

No one may operate a motor vehicle on the county roads in McCook County in excess of the maximum weight or size set by state law in SDCL Chapter 32-22 and McCook County Resolution 93-23, unless the operator has first obtained a permit from the Office of the McCook County Highway Superintendent, to allow the operation of the motor vehicle at such weight or size.

Article II-Single Trip Permit Authorized:

The McCook County Highway Superintendent may issue a single trip or annual permit to allow the operation of a motor vehicle on the county roads in McCook County in excess of the maximum weight or size set by state law in SDCL Chapter 32-22. The McCook County Highway Superintendent may issue the single trip or annual permit by means of electronic or facsimile transmission. The permit issued by the McCook County Highway Superintendent 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 McCook County Highway Superintendent shall follow the State Statutes (SDCL Chapter 32-22) and Administrative Rules (ARSD 70:03:01) 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 over dimension single trip permit shall be issues 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 sixty dollars (\$60.00) may be paid to cover all single trip permits obtained by the operator for a single motor vehicle throughout the year.

The overweight single trip permit shall be issued for a fee in advance in the amount as follows:

Gross Weight of Vehicle	Permit Fee
1. Eighty thousand pounds to one hundred thousand pounds	\$100
2. Over one hundred thousand pounds less than one hundred fifty thousand pounds	\$150
3. One hundred fifty thousand pounds and over	\$200

The overweight annual permit shall be issued for a fee in advance in the amount as follows:

Gross Weight of Vehicle	Permit Fee
1. Eighty thousand pounds to one hundred thousand pounds	\$250
2. Over on hundred thousand pounds less than one hundred fifty thousand pounds	\$375
3. One hundred fifty thousand pounds and over	\$500

Due to road sensitivity at different times of the year, annual permits may be suspended at any time at the discretion of the McCook County Highway Superintendent.

Article V-No Permits During Seasonal Load Limit Postings:

No overweight permits will be issued during seasonal load limit postings. The McCook 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 electronic or 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 or over dimension loads without a permit is punishable by such maximum fines and costs as would apply to a State Law Class 2 Misdemeanor Offense, in addition to any other civil or criminal penalties as are provided for by law.

Article IX-Administration:

The issuance of overweight and/or over dimension vehicle permits shall be administered and supervised by the McCook County Highway Superintendent.

Adopted by vote and approval of the Board of County Commissioners on this _____ day of _____, 2017 at Salem, South Dakota.

Steve Gordon, Chairperson
McCook County Board of County Commissioners

ATTEST:

McCook County Auditor