

**Ordinance No. 2023-1**

**Snow Emergency and Snowplow Driver CDL**

**Town of Manitowoc Rapids, Manitowoc County, Wisconsin**

WHEREAS, the Town Board has authority pursuant to Sections 60.22(3) Wis Stat to exercise village powers; and

WHEREAS, the Town Board finds it is in the best interest of the public for safety, health, protection, and public welfare proposes to adopt this ordinance;

NOW THEREFORE, it is ordained as follows:

1. **Town Board Declaration of Snow Emergency.** Pursuant to the Town Board's authority, under section 323.11, Wis. Stat., and Chapter 60 of the Wisconsin Statutes, the Town Board may declare by resolution an emergency within the town, including a snow emergency, whenever conditions arise by a current or imminent threat of snow or ice conditions that impair transportation or other critical systems of the town. Section 323.14 (4) (b), Wis. Stat. provides if under such circumstances the town board is unable to meet promptly, then the town chairperson shall exercise by proclamation the powers conferred upon the town board under section 323.11 which are necessary and expedient. The Town Board declares that whenever there is a snowfall of six (6) inches or more during an eight (8) hour period, a snow emergency shall exist in the town.

2. **Town Chairperson Declaration of Snow Emergency.** In addition to the circumstances provided in Section 1, the Town Chairperson may declare a snow emergency exists because of existing or threatened snow or ice conditions which necessitate the prompt removal of accumulations of ice and snow from town roads and highways or the exercise of preventive maintenance to avoid the excessive accumulation of ice and snow.

3. **Period of Snow Emergency.** The period of the snow emergency shall be determined by the Town Chairperson for the time during which the emergency conditions exist or are likely to exist.

4. **No CDL Requirement.** In the event (a) a snow emergency exists under the terms of this ordinance or is declared by the Town Board or the Town Chairperson, and (b) additional assistance is required by the Town for snowplow operations, then pursuant to Trans 102.23(7) Wisconsin Administrative Code, no CDL class, endorsement or restriction shall apply to a person operating a commercial motor vehicle for the purpose of removing snow or ice from a roadway by plowing, salting, sanding or applying other snow and ice treatment chemicals if (a) the person is an employee of the Town with a population of 3000 or less; (b) the person holds a valid license authorizing the operation of class "D" vehicles; and (c) the person is operating within the boundaries of the Town of Manitowoc Rapids.

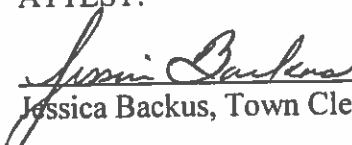
5. **Effective Date.** This ordinance shall be effective upon adoption and posting according to law.

Adopted February 16, 2023.

TOWN OF MANITOWOC RAPIDS

  
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Joshua Stradal, Town Chairperson

ATTEST:

  
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Jessica Backus, Town Clerk