

**ORDINANCE NO.   800.08**

**AN ORDINANCE CREATING THE  
POSTING of TEMPORARY WORK ZONE SPEED LIMITS**

**The County Board of Supervisors of Iowa County do ordain as follows:**

706 Title and Purpose.

(a) Title:

This ordinance shall be cited, known, and referenced to as:  
The Iowa County Temporary Work Zone Speed Limits Ordinance.

(b) Purpose:

This Ordinance shall be established to create uniform, concise, and consistent guidance for the setting of Speed Limits for temporary project locations within Work Zones under the control of the Iowa County Highway Department work force.

706.02 Authority, Jurisdiction, and Severability.

(a) Statutory Authorization

(1) Wis. Stats. §§ 83.015 (2) Powers and Duties, (b) summarizes the duties of the Highway Commissioner versus the County Board (Public Works) Committee; including CH 349.11:  
In any county with a highway commissioner appointed under s. 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the county highway committee under par. (a), sub. (3) (a) and ss. 27.065 (4) (b) and (13), 32.05 (1) (a), 82.08, 83.01 (6), 83.013, 83.018, 83.025 (1) and (3), 83.026, 83.035, 83.04, 83.05 (1), 83.07 to 83.09, 83.12, 83.14 (6), 83.17, 83.18, 83.42 (3) and (4), 84.01 (5), 84.06 (3), 84.07 (1) and (2), 84.09 (1), (3) (a) to (c) and (4), 84.10 (1), 86.04 (1) and (2), 86.07 (2) (a), 86.19 (3), 86.34 (1m), 114.33 (5), 349.07 (2), 349.11 (4) and (10) and 349.15 (2).

No statutory power, duty, or function specified elsewhere within statutes for the county highway commissioner may be deemed impliedly repealed for the sole reason that reference to it has been omitted in this paragraph.

(2) Wis. Stat. § 349.11(10) provides the authority to impose speed limits which differ from those statutorily created by Wis. Stat. § 346.57, if a highway is being constructed, reconstructed,

maintained, or repaired to local authorities with respect to highways under their jurisdiction, post a temporary speed limit less than the speed limit imposed under this section or under Wis. Stat. § 346.57.

(3) Wis. Stat. § 349.11(10) provides the authority to impose speed limits which differ from those statutorily created by Wis. Stat. § 346.57 to any highway committee performing maintenance of the state trunk highway system under Wis. Stat. § 84.07 and any local authority with respect to highways not under its' jurisdiction that are being constructed, reconstructed, maintained, or repaired by the local authority may, for the safety of the highway construction and maintenance workers, pedestrians and highway users, post a temporary speed limit less than the speed limit imposed under this section or under Wis. Stat. § 346.57.

(4) Wis. Stat. § 83.015 (2) (b) transfers the power and duties in any county with a Highway Commissioner appointed under Wis. Stat. §§ 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the highway committee under Wis. Stat. § 349.11(10) and other portions of statutes.

The County Highway commissioner is hereby authorized to set, determine, and direct the posting of any special speed limit reduction on projects within Iowa County where the County Highway department is performing any of the work.

(b) Jurisdiction

The Iowa County Highway Department provides annual construction and maintenance work to the State Trunk Highway system within the County of Iowa on behalf of the state through various agreements and contracts as authorized within Wis. Stats. §§ 84.07 (1) Maintenance of State Trunk Highways, Routine Maintenance; 84.07 (2) Maintenance of State Trunk Highways, Repayment for State Work; 83.015 (3) County Highway committee, Cost Accounting System; and other portions of state statutes related to Inter-governmental Agreements with other governmental agencies or jurisdictions within the County.



- (c) Severability  
Should any section, clause, portion, or provision of this Ordinance be adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

#### 706.03 Definitions

- (a) General
  - (1) The word “shall” is mandatory; the word “may/should” is permissive.
  - (2) The words “used” or “occupied” also mean intended, designed or arranged to be used or occupied.
  - (3) The word “person” includes any individual, firm, association, joint stock association, organization, partnership, limited, trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.
  
- (b) Definitions
  - (1) County Trunk Highway – Any segment of a road under the jurisdictional maintenance authority of the Iowa County Highway Department.
  - (2) Highway has the meaning identified in Wis. Stat. § 340.01 (22) with exception to driveways and means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the public as a matter or right for the purposes of vehicular travel. It includes those roads in the state, county, or municipal parks and in state forests which have been open to the use of the public for the purposes of vehicular travel.
  - (3) Highway Commissioner shall have the powers and duties summarized in Wis. Stats. Ch. 83 County Highways.
  - (4) Manual on Uniform Traffic Control Devices as published and created by the Federal Highway Administration is the document adopted by the Wisconsin Department of Transportation in compliance with Wis. Stat. § 349.065 (4) (e); Wis. Stat. § 349.065 (4) (f); and Wis. Stat. § 84.60 (1) (a). The manual shall be the guide utilized for the installation of highway signage. This shall include the Wisconsin Supplement of the current versions as well.
  - (5) State Trunk Highway – Any segment of a road which is under the jurisdictional maintenance authority of the Wisconsin Department of transportation.

#### 706.04 Regulations

- (a) The Iowa County Highway Commissioner, the Iowa County Sheriff, and in their absence, the Highway Operations Manager is authorized at their discretion to impose mandatory temporary speed limits in any work zone as identified herein where Iowa County employees are working under the

continuing authority of this section and without the need of further action by this body.

- (b) The temporary speed limits imposed above shall be in accordance with this section and shall be imposed by posting of either portable or fixed temporary regulatory speed limit signs of the same size, shape, design, reflectivity, and facing requirements of permanent regulatory speed limit signs, type R2-1, for the state trunk highway, county trunk highway or other local roadway under the county's jurisdiction as described in the Manual on Uniform Traffic Control and Devices as published by the Federal Highway Administration as adopted by the Wisconsin Department of Transportation and the Wisconsin Supplement to the Manual on Uniform traffic Control and Devices for which they will be installed on or along and with said work being performed by the County Highway Department.
- (c) The designated temporary speed limit signage may be posted on any highway under the jurisdiction of this authority, and any state trunk highway upon which this county performs maintenance under Wis. Stat. §§ 84.07; when such highway is being constructed, reconstructed, maintained, or repaired; and only effective in the identified work zone area of such work and of those persons engaged in performing such work.
- (d) Temporary Speed Limit signage shall be posted in compliance with Wis. Stat. § 349.065 Uniform Traffic Control Devices. Local authorities shall place and maintain traffic control devices upon highways under their jurisdiction to regulate, warn, guide or inform traffic. The design, installation and operation or use of new traffic control devices placed and maintained by local authorities after the adoption of the uniform traffic control devices manual under s. 84.02 (4) (e) shall conform to the manual. After January 1, 1977, all traffic control devices placed and maintained by local authorities shall conform to the manual.
- (e) Any such temporary speed limit reduction imposed in an area where construction, reconstruction, maintenance, or repair work is being performed on the shoulders or what is normally the travelled portion of the roadway, shall be no less 45 MPH or 10 MPH less than the normally posted speed limit in effect for that portion of highway, whichever is deemed advisory by the Highway Department Management (i.e. temporarily 35 MPH in a normally 45 MPH zone or temporarily 60, 55, 50 or 45 MPH in a normally 65 MPH zone).
- (f) No temporary speed limit posting shall be imposed when construction, reconstruction, maintenance, or repair work is being performed inside the right-of-way but not on the shoulders or the travelled portion of the highway.
- (g) 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 travelled portion



of the roadway or the conditions causing the speed reduction are no longer existent or relevant.

- (h) The work area, in which any temporary speed limit is imposed; shall be terminated by posting a regulatory speed limit sign informing the public of the specific speed limit outside of the area of where construction, reconstruction, maintenance, or repair work is being performed; and the work zone shall be identified by an advance "Road Work Ahead" sign at the beginning limits of the work and an "End Road Work" sign at the ending limits of the work.

#### 706.05 Administration and Enforcement

- (a) The Highway Commissioner and the County Sheriff are hereby authorized to administer this Ordinance.
- (b) The Highway Commissioner shall notify the Iowa County Sheriff's Office when a determination is made whereby the Highway Department will be posting any temporary work zone speed limits.
- (c) This ordinance shall be in effect upon proper publication and notification by the County Clerk and the Clerk is hereby authorized to do so.
- (d) This ordinance shall be in effect upon approval and adoption and shall remain in effect until rescinded or amended by further action of the Iowa County Board of Supervisors.
- (e) With this Ordinance, in addition to complying with the speed restrictions imposed by §§ 346.57 subs. (2) and (3); no person shall drive a vehicle in excess of any speed limit established pursuant to law by state or local authorities and indicated by official signs.
- (f) The Iowa County Sheriff's Office, and law enforcement officers as described in Wis. Stat. § 349.02(1), are hereby authorized to enforce this Ordinance in compliance with the Rules of the Road in Wis. Stat. § 346.57 (5) Zoned and posted limits.

#### 706.06 Violations and Penalties

- (a) In accordance with Wis. Stat. § 346.60; the penalties for violating the speed limits established by this Ordinance shall be in compliance with those as created for violations within Wis. Stats. §§ 346.57 (4) (gm) or (h) based on the speed limit and type of highway the violation occurs on.
- (b) Nothing in this Ordinance is created to amend or modify Wis. Stats. §§ 346.60 (3m) (a) or (b) or (c) related to fines in work zones when workers are present or school zones when students are present.
- (c) The Sheriff's Office, or other authorized law enforcement officers, shall issue citations for violation of this Ordinance in compliance with the applicable portions of Wisconsin State Statutes.
- (d) Violations of this Ordinance shall be prosecuted by the Iowa County Corporation Counsel upon referral by the Sheriff's Office or other authorized law enforcement agency, or upon issuance of a citation.

IOWA COUNTY,

*John M Meyers*

---

By: John M. Meyers, Chairman  
Iowa County Board of Supervisors

ATTEST:

*Kristy K. Spurley*

---

Kristy K. Spurley, County Clerk

Published:



ORDINANCE NO. 800.08  
AN ORDINANCE CREATING THE  
POSTING OF TEMPORARY WORK ZONE  
SPEED LIMITS

The County Board of Supervisors of Iowa  
County do ordain as follows:

706 Title and Purpose.

(a) Title:

This ordinance shall be cited, known, and referred to as:

The Iowa County Temporary Work Zone Speed Limits Ordinance.

(b) Purpose:

This Ordinance shall be established to create uniform, concise, and consistent guidance for the setting of Speed Limits for temporary project locations within Work Zones under the control of the Iowa County Highway Department work force.

706.02 Authority, Jurisdiction, and Severability.

(a) Statutory Authorization

(1) Wis. Stats. §§ 83.015 (2) Powers and Duties, (b) summarizes the duties of the Highway Commissioner versus the County Board

(Public Works) Committee; including CH 349.11:

In any county with a highway commissioner appointed under

s. 83.01 (1) (b) or (g), the county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the county highway committee under par. (fil. sub. (3) (a) and ss. 27.065 (4) (b) and (13), 32.05 (1) (a), 82.08, 83.01

(6), 83.013, 83.018, 83.025

(1) and (3), 83.026, 83.035, 83.04, 83.05

(1), 83.07 to 83.09, 83.12, 83.14 (6), 83.17, 83.18, 83.42

(3) and (4), 84.01 (5), 84.06 (3), 84.07 (1) and (2), 84.09 (1), (3) (a) to (c) and (4), 84.10 (1), 86.04 (1) and (2), 86.07 (2) (a), 86.19 (3), 86.34 (1m), 114.33 (5), 349.07 (2), 349.11

(4) and (10) and 349.15 (2).

No statutory power, duty, or function specified elsewhere within statutes for the county highway commissioner may be deemed impliedly repealed for the sole reason that reference to it has been omitted in this paragraph.

(2) Wis. Stat. § 349.11(10) provides the authority to impose speed limits which differ from those statutorily created by Wis. Stat. § 346.57, if a highway is being constructed, reconstructed, maintained, or repaired to local authorities with respect to highways under their jurisdiction, post a temporary speed limit less than the speed limit imposed under this section or under Wis. Stat. § 346.57.

(3) Wis. Stat. § 349.11(10) provides the authority to impose speed limits which differ from those statutorily created by Wis. Stat. § 346.57 to any highway committee performing maintenance of the state trunk highway system under Wis. Stat. § 84.07 and any local authority with respect to highways not under its' jurisdiction that are being constructed, reconstructed, maintained, or repaired by the local authority may, for the safety of the highway construction and maintenance workers, pedestrians and highway users, post a temporary speed limit less than the speed limit imposed under this section or under Wis. Stat. § 346.57.

(4) Wis. Stat. § 83.015 (2) (b) transfers the power and duties in any county with a Highway Commissioner appointed under Wis. Stat. §§ 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the highway committee under Wis. Stat. § 349.11(10)

# Proof of Publication


STATE OF WISCONSIN  
IOWA COUNTY — — — SS.

J. Patrick Reilly, being duly sworn, is the co-publisher of The Dodgeville Chronicle, a weekly newspaper published at the City of Dodgeville, in the County of Iowa and State of Wisconsin; that the:

ORDINANCE NO. 800.08  
AN ORDINANCE CREATING THE  
POSTING OF TEMPORARY WORK ZONE SPEED LIMITS

of which a copy is hereunto annexed and made a part hereof, was duly published in The Dodgeville Chronicle once each week for one successive week(s). The publication date(s) were  
September 29, 2023

Printer's Fees \$288.20



J. Patrick Reilly, Co-Publisher

Subscribed and sworn to before me on  
October 13, 2023



Shelly Roh  
Notary Public, Iowa County, Wisconsin  
Commission Expires January 7, 2024



and other portions of statutes.

The County Highway commissioner is hereby authorized to set, determine, and direct the posting of any special speed limit reduction on projects within Iowa County where the County Highway department is performing any of the work.

(b) Jurisdiction

The Iowa County Highway Department provides annual construction and maintenance work to the State Trunk Highway system within the County of Iowa on behalf of the state through various agreements and contracts as authorized within Wis. Stats. §§ 84.07 (1) Maintenance of State Trunk Highways, Routine Maintenance; 84.07 (2) Maintenance of State Trunk Highways, Repayment for State Work; 83.015 (3) County Highway committee, Cost Accounting System; and other portions of state statutes related to Inter-governmental Agreements with other governmental agencies or jurisdictions within the County.

(c) Severability

Should any section, clause, portion, or provision of this Ordinance be adjudged unconstitu-

tional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

706.03 Definitions

(a) General

(1) The word "shall" is mandatory; the word "may/should" is permissive.

(2) The words "used" or "occupied" also mean intended, designed or arranged to be used or occupied.

(3) The word "person" includes any individual, firm, association, joint stock association, organization, partnership, limited, trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.

(b) Definitions

(1) County Trunk Highway – Any segment of a road under the jurisdictional maintenance authority of the Iowa County Highway Department.

(2) Highway has the meaning identified in Wis. Stat. § 340.01 (22) with exception to driveways and means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way



open to the public as a matter of right for the purposes of vehicular travel. It includes those roads in the state, county, or municipal parks and in state forests which have been open to the use of the public for the purposes of vehicular travel.

(3) Highway Commissioner shall have the powers and duties summarized in Wis. Stats. Ch. 83 County Highways.

(4) Manual on Uniform Traffic Control Devices as published and created by the Federal Highway Administration is the document adopted by the Wisconsin Department of Transportation in compliance with Wis. Stat. § 349.065 (4) (e); Wis. Stat. § 349.065 (4) (f); and Wis. Stat. § 84.60 (1)(a). The manual shall be the guide utilized for the installation of highway signage. This shall include the Wisconsin Supplement of the current versions as well.

(5) State Trunk Highway – Any segment of a road which is under the jurisdictional maintenance authority of the Wisconsin Department of Transportation.

#### 706.04 Regulations

(a) The Iowa County Highway Commissioner, the Iowa County Sheriff, and in their absence, the Highway Operations Manager is authorized at his discretion to impose mandatory temporary speed limits in any work zone as identified herein where Iowa County employees are working under the continuing authority of this section and without the need of further action by this body.

(b) The temporary speed limits imposed above shall be in accordance with this section and shall be imposed by posting of either portable or fixed temporary regulatory speed limit signs of the same size, shape, design, reflectivity, and facing requirements of permanent regulatory speed limit signs, type R2-1, for the state trunk highway, county trunk highway or other local roadway under the county's jurisdiction as described in the Manual on Uniform Traffic Control and Devices as published by the Federal Highway Administration as adopted by the Wisconsin Department of Transportation and the Wisconsin Supplement to the Manual on Uniform traffic Control and Devices for which they will be installed on or along and with said work being performed by the County Highway Department.

(c) The designated temporary speed limit signage may be posted on any highway under the jurisdiction of this authority, and any state trunk highway upon which this county performs maintenance under Wis. Stat. §§ 84.07; when such highway is being constructed, reconstructed, maintained, or repaired; and only effective in the identified work zone area of such work and of those persons engaged in performing such work.

(d) Temporary Speed Limit signage shall be posted in compliance with Wis. Stat. § 349.065 Uniform Traffic Control Devices. Local authorities shall place and maintain traffic control devices upon highways under their jurisdiction to regulate, warn, guide or inform traffic. The design, installation and operation or use of new traffic control devices placed and main-

tained by local authorities after the adoption of the uniform traffic control devices manual under s. 84.02 (4) (e) shall conform to the manual. After January 1, 1977, all traffic control devices placed and maintained by local authorities shall conform to the manual.

(e) Any such temporary speed limit reduction imposed in an area where construction, reconstruction, maintenance, or repair work is being performed on the shoulders or what is normally the travelled portion of the roadway, shall be no less 45 MPH or 10 MPH less than the normally posted speed limit in effect for that portion of highway, whichever is deemed advisory by the Highway Department Management (i.e. temporarily 35 MPH in a normally 45 MPH zone or temporarily 60, 55, 50 or 45 MPH in a normally 65 MPH zone).

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

(g) 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 travelled portion of the roadway or the conditions causing the speed reduction are no longer existent or relevant.

(h) The work area, in which any temporary speed limit is imposed; shall be terminated by posting a regulatory speed limit sign informing the public of the specific speed limit outside of the area of where construction, reconstruction, maintenance, or repair work is being performed; and the work zone shall be identified by an advance "Road Work Ahead" sign at the beginning limits of the work and an "End Road Work" sign at the ending limits of the work.

#### 706.05 Administration and Enforcement

(a) The Highway Commissioner and the County Sheriff are hereby authorized to administer this Ordinance.

(b) The Highway Commissioner shall notify the Iowa County Sheriffs Office when a determination is made whereby the Highway Department will be posting any temporary work zone speed limits.

(c) This ordinance shall be in effect upon proper publication and notification by the County Clerk and the Clerk is hereby authorized to do so.

(d) This ordinance shall be in effect upon approval and adoption and shall remain in effect until rescinded or amended by further action of the Iowa County Board of Supervisors.

(e) With this Ordinance, in addition to complying with the speed restrictions imposed by §§ 346.57 subs. (2) and (3); no person shall drive a vehicle in excess of any speed limit established pursuant to law by state or local authorities and indicated by official signs.

(f) The Iowa County Sheriffs Office, and

law enforcement officers as described in Wis. Stat. § 349.02(1), are hereby authorized to enforce this Ordinance in compliance with the Rules of the Road in Wis. Stat. § 346.57 (5) Zoned and posted limits.

#### 706.06 Violations and Penalties

(a) In accordance with Wis. Stat. § 346.60; the penalties for violating the speed limits established by this Ordinance shall be in compliance with those as created for violations within Wis. Stats. §§ 346.57 (4) (gm) or (h) based on the speed limit and type of highway the violation occurs on.

(b) Nothing in this Ordinance is created to amend or modify Wis. Stats. §§ 346.60 (3m) (a) or (b) or (c) related to fines in work zones when workers are present or school zones when students are present.

(c) The Sheriffs Office, or other authorized law enforcement officers, shall issue citations for violation of this Ordinance in compliance with the applicable portions of Wisconsin State Statutes.

(d) Violations of this Ordinance shall be prosecuted by the Iowa County Corporation Counsel upon referral by the Sheriffs Office or other authorized law enforcement agency, or upon issuance of a citation.

IOWA COUNTY,

By: John M. Meyers, Chairman  
Iowa County Board of Supervisors

ATTEST:

Kristy K. Spurley, County Clerk