

original

ORDINANCE NO. 3-90

ORDINANCE PROHIBITING
LANDSPREADING OF LIQUID WASTE FROM ROADWAYS **COPY**

WHEREAS, The Town Board of the Town of Lincoln has determined that landspreading of liquid waste from roadways causes undue wear and damage to roadways, and further causes potential health hazards by pollution of roadside ditches, and is contrary to the health, welfare and best interests of the residents of the Town of Lincoln;

NOW, THEREFORE, the Town Board of Supervisors of the Town of Lincoln does ordain as follows:

Section 1. Landspreading from Roadways Prohibited

No person nor municipality nor other legal entity shall discharge, spray, spread or, in any other way, deposit liquid waste on land adjoining a public roadway within the Town of Lincoln while the vehicle, conveyance or equipment used to discharge, spray, spread or, in any other way, deposit such liquid waste is occupying any portion of the roadway, including the traveled or paved portion of the roadway, and the shoulders, ditches and right-of-way outside the ditches and shoulders, of such roadway.

Section 2. Penalty

Any person or municipality violating any provision of this ordinance shall, upon conviction, be subject to a forfeiture of a sum of not less than \$50.00 nor more than \$500.00 and the costs of prosecution. In default of immediate payment of such forfeiture and costs, a convicted party shall be committed to the County Jail until such forfeiture and costs are paid. The duration of such commitment shall be limited to a definite term not exceeding 90 days. Each act of violation and every day upon which a violation occurs or continues shall constitute a separate offense.

Section 3. Severability

Every section, paragraph, sentence, clause and provision of this ordinance is separable and if any part is held unconstitutional or invalid for any reason, such determination shall not affect the remainder of this ordinance nor any part thereof other than that specific part affected by such determination.

Section 4. Effective Date

This ordinance shall take effect upon publication as provided

by law. Copies of this ordinance shall be kept available at the Town Clerk's office for public inspection.

Adopted this 13 day of NOVEMBER, 1990, by the Town Board of Supervisors of the Town of Lincoln, Wood County.

Arvin Padevels
Town Chairperson

John F. Binder
Town Supervisor

James E. Steinwagner
Town Supervisor

Filed this 13 day of
NOVEMBER, 1990.

Arvin Padevels
Town Clerk

Published Nov 17, 1990