

Rutland Township Road District

MEMORANDUM OF DECISION TO ESTABLISH REDUCED WEIGHT RESTRICTIONS FOR POWERS ROAD AND FREEMAN ROAD IN THE TOWNSHIP

The matter of posting a reduced weight restriction on Powers Road and Freeman Road in Rutland Township has been proposed and considered by the Rutland Township Highway Commissioner.

In regard to this proposal, the Highway Commissioner took the following steps:

1. He examined the route of both Powers Road and Freeman Road throughout the Rutland Township Road District.
2. He set a date/time for a public hearing to take comment for or against his proposal to permanently post these roads at a reduced weight limit.
3. He gave written notice to the County Superintendent of Highways by correspondence addressed to Mr. Carl Schoedel, Kane County Division of Transportation, dated June 1, 2022; and he also discussed the matter with Mr. Schoedel prior to the public hearing date.
4. He provided for publication of notice in the Daily Herald newspaper, a newspaper of general circulation in the Township as of June 3, 2022 (a date not less than 10 days in advance of the public hearing date).
5. He posted notice of the public hearing date at the Town Hall as of June 3, 2022.

A public hearing was convened at the Rutland Township Hall on June 14, 2022, commencing at 6:30 p.m., as required by the Illinois Highway Code, Section 6-201.22. At the public hearing, the Highway Commissioner summarized his proposal; and he heard and addressed any concerns raised by the public. 4 persons appeared and made comment at the hearing.

At the conclusion of the public hearing, the Rutland Township Highway Commissioner made FINDINGS, as follows:

- a) heavy trucks have been regularly using both Powers Road and Freeman Road as a route through Rutland Township to destinations in the Township and elsewhere; and ;
- b) the composition of both Powers Road and Freeman Road is not sufficient to withstand the burden of such heavy trucks; and
- c) regular and continued use of Powers Road and Freeman Road by such heavy trucks will cause damage to the pavement and base of said roadways; and

- d) there are alternate routes reasonably available for such truck traffic; and
- e) the budget of the Rutland Township Road District does not provide sufficient funds to regularly and repeatedly maintain, repair and/or replace the pavement and base of Powers Road and Freeman Road in a manner sufficient to accommodate use of the roadways by such heavy trucks.

Having complied with the procedures required under the Illinois Highway Code, 605 ILCS 6-201.22, and having considered the factors set forth above, and the general welfare of the residents of the Township, the Highway Commissioner of Rutland Township DETERMINES AND DECIDES as follows:

1. It is necessary and advisable, for the overall benefit and welfare of the residents of Rutland Township, to post a reduced weight restriction on Powers Road and Freeman Road at all areas lying outside of any municipality and under the jurisdiction of the Rutland Township Road District.
2. The weight restriction shall be 16,000 pounds.
3. A copy of this written Memorandum of Decision shall be filed with the District Clerk.
4. A signed copy of this Memorandum of Decision shall be sent to the County Superintendent of Highways, and he may approve of this decision by signing the Memorandum and then filing it with the District Clerk.
5. Appropriate signs shall be posted on the affected roads, in order to support future enforcement of the reduced weight restrictions.

Dated: June 14, 2022

RUTLAND TOWNSHIP ROAD DISTRICT

By: Howard J. Schultz
Jay Schultz
Highway Commissioner