



Application for Frost Law Permit

Date: \_\_\_\_\_

Name of Company / Person: \_\_\_\_\_

Business Address: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Description of Vehicle(s) for Permit Variance to be issued:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rim Width	2-Tire Axle	4-Tire Axle
4.5" – 7.0"	5,200 lbs.	11,000 lbs.
7.5" – 9.0"	7,200 lbs.	11,500 lbs.
9.75" – 13.0"	8,000 lbs.	11,500 lbs.
14.0" – 15.0"	10,000 lbs.	11,500 lbs.

Description of Load Weights / Material being hauled:

\_\_\_\_\_

Streets for which Permit is to be used / hauled on:

\_\_\_\_\_

Period / Range of dates for which Permit is to be issued:

\_\_\_\_\_

Maximum Weight (vehicle and Load) for which Permit is to be issued:

\_\_\_\_\_

Applicant agrees to use the above described streets in such manner so as to prevent damage to said streets and further agrees to be responsible for any damage caused to said streets by the use of this permit.

Applicant Signature: \_\_\_\_\_

\*\*\*\*\*

Department Approval Signature: \_\_\_\_\_

Permit Number Issued: \_\_\_\_\_

Half Load Requirements: [ ] YES [ ] NO [ ] Other: \_\_\_\_\_

Expiration Date of this Permit: \_\_\_\_\_

Gross weight of vehicles on roadways restricted when.

The Portage City Council adopts the ordinance codified in this chapter which limits the gross weight of vehicles operated on Portage roadways during certain periods of the calendar year except on the award of written permit by the Portage Street Department when the Frost Law has been declared in effect. State Law Reference – Ordinances regulating the weight of vehicles IC 9-20-1-3.

Until and subject to further order of this board, during intermittent times during a ninety (90) day period which commences on January 1 and continues through May 1, and at all times during the intermittent ninety(90) day period of each and all calendar years thereafter, it is unlawful to operate or to cause to be operated upon any public road or public highway of Portage , accepting therefrom any roads or highways that are included in the State Highway System, any vehicles or combination of vehicles having a maximum gross axle weight, with load, in excess of axle weights as follows:

Rim Width	2-Tire Axle	4-Tire Axle
4.5" – 7.0"	5,200 lbs.	11,000 lbs.
7.5" – 9.0"	7,200 lbs.	11,500 lbs.
9.75" – 13.0"	8,000 lbs.	11,500 lbs.
14.0" – 15.0"	10,000 lbs.	11,500 lbs.

Except a special written permit therefore shall have been first obtained from the Portage Street Department. The permit shall be issued in triplicate; one copy retained in Street Department, one copy in the Police Department, and one copy to be carried in the vehicle containing the overload.

Permit required for exception – Conditions for operation of vehicle.

- A. The permit application may be obtained at:

Portage Street Department  
2303 Hamstrom Road  
Portage, IN 46368  
Phone: 219.762.4564

Email Scanned to [PSD@portage-in.com](mailto:PSD@portage-in.com) (Subject: Frost Law Permit)

- B. The Portage Street Department superintendent, or his designee, is authorized to set or reduce speed limits when issuing permits; however, in no instance is the speed limit to be reduced to less than (30) miles per hour.
- C. After having obtained from the Portage Street Department a written permit which may be awarded by the exercise of sound discretion of the Portage Street Department upon due application and writing made, any such permittee may operate or cause to be operated upon the Portage Roadway system any lawful vehicle or vehicle combination, having a maximum gross axle weight, with load, in excess of the limitations of weight set forth herein before in this chapter an being otherwise lawful; provided, however, that each and all such permittees, with each separate excess weight so specifically permitted, shall operate and move the specially permitted weight loads only upon the roads and highways of the Portage Roadway system on the route and as directed in writing by the Portage Street Department in granting such written permits.

Exemptions from permit process.



## Department of Streets and Sanitation

Superintendent Steve Nelson

Empty trucks are exempt from the permit process. An empty truck is defined as a truck with standard equipment and no additional fuel-carrying tanks and /or auxiliary tanks.

Special fund and disbursement of fines.

- A. Whereas I.C. 36-1-3-2 grants the Portage City Council all the powers that they need for the effective operation of government as to local affairs; and
- B. Whereas I.C. 36-1-3-6 states that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the Portage City Council may adopt an ordinance prescribing a specific manner for exercising a power; and
- C. Whereas the Portage City Council has deemed it necessary for the effective operation of government as to local affairs to create a special fund for the deposit of fines and revenues generated by the Frost Law ordinance in Portage, Indiana;
- D. It is ordered and ordained by the Portage City Council that the revenues generated as a result of fines from enforcement of the Frost Law ordinance be deposited into a special fund, entitled the Portage Overweight Vehicle Fund which fines and revenues shall be utilized specifically to maintain and preserve roads in the City of Portage.
- E. The revenues generated and deposited in the overweight vehicle fund can be used only for the specific purpose set forth in this chapter, said expenditures to be limited to improving and maintaining,
- F. The revenues collected and deposited in the overweight vehicle fund shall be utilized exclusively for the improvement and maintaining of City of Portage Roadways and shall not be utilized for any other purposes, including the payment of salaries or fringe benefits for employees;
- G. The overweight vehicle fund herein created shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Portage City Council; and
- H. If and when a subsequent ordinance is passed to terminate the life of the overweight vehicle fund the fund balance existing, if any at the time, and if not otherwise provided for by ordinance, should be transferred to the general fund.

Enforcement.

- A. Enforcement of this chapter shall be by the Portage Police Department.
- B. It shall be the duty of the Porter County prosecuting attorney, to whom the Portage Police Department shall report any violations of the provision of this chapter, to cause proceedings to be commenced against the person violating the provisions of this chapter and to prosecute to final termination.

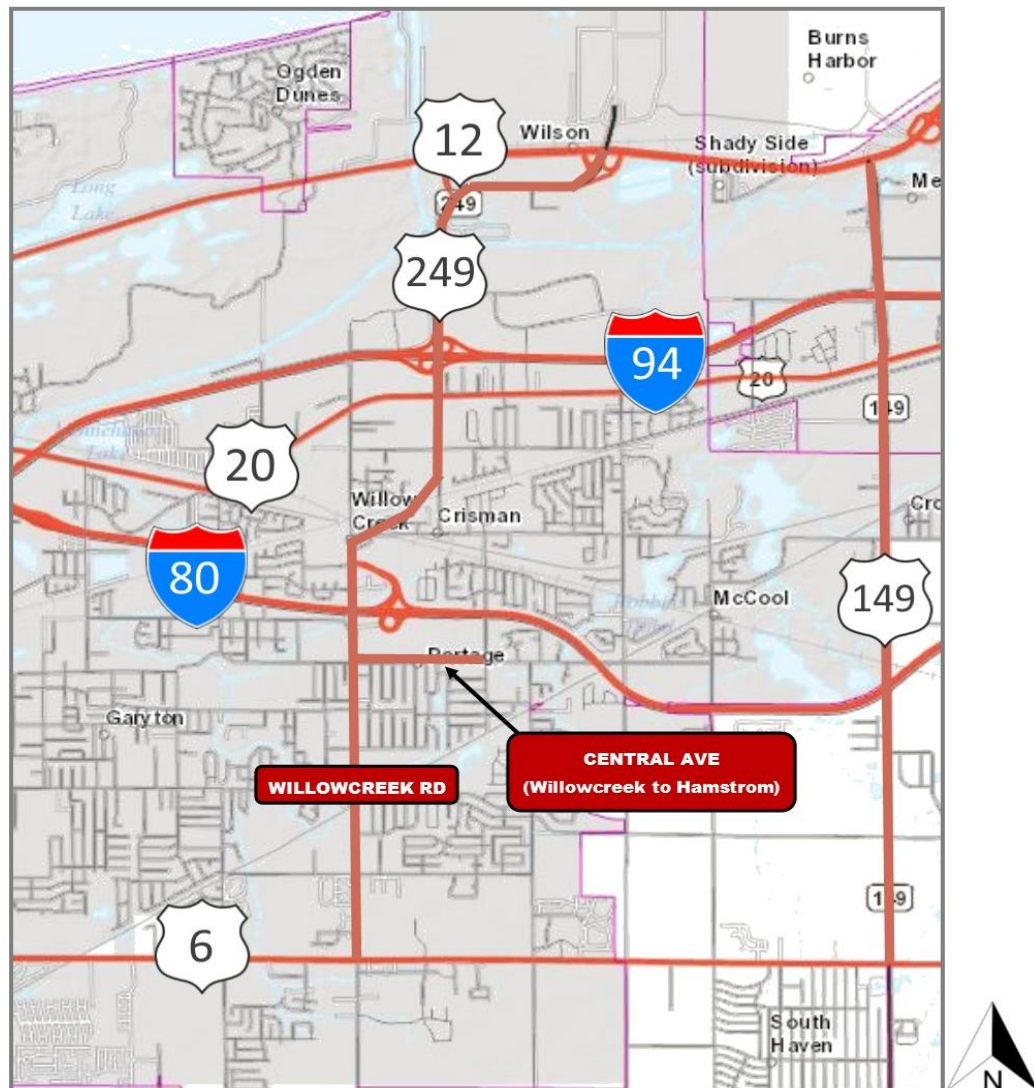
Violations – Penalties.

Violation of any posted sign regulating traffic weight limits of vehicles utilizing public rights-of-way in Portage shall be an infraction and, upon conviction, shall be punishable as follows:

- A. For a violation of a posted vehicular weight limit, court costs and a fine as set forth in the following schedule:
  1. Overweight without a special permit: Zero to four thousand (4,000) pounds overweight, three hundred dollars (\$300.00).

2. Over four thousand (4,000) pounds overweight; Five hundred dollars (\$500.00) plus one hundred dollars (\$100.00) additional fine for each one thousand (1,000) pounds or portion thereof above four thousand (4,000) pounds overweight.
  3. Overweight with Special Permit. Any owner or operator of a vehicle which is operated on public rights-of-way in violation of the weight limits imposed under a special permit granted by the Portage Street Department shall, upon a finding thereof, be subject to the payment of costs and a fine pursuant to the schedule set forth in subsection (A)(1) and (2) of this section as if no special permit had been granted.
  4. Other Violations. Any other violation of the terms and conditions of a special permit granted by the Portage Street Department shall, upon a finding thereof, be subject to the payment of court costs and a fine of no less than three hundred dollars (\$300.00) and no more than ten thousand dollars (\$10,000.00).
- B. Overweight permits are to be issued on forms acceptable to the Portage City Council.

— Unrestricted Roads - No Permit Required



CITY OF PORTAGE, INDIANA - FROST LAW GUIDANCE