

CITY OF ANNETTA SOUTH ORDINANCE NO. 030

AN ORDINANCE ESTABLISHING WEIGHT LIMITS FOR TRUCKS, TRAILERS AND OTHER VEHICLES USING DESIGNATED STREETS WITHIN THE CITY OF ANNETTA SOUTH, TEXAS: DECLARING VIOLATIONS OF THIS ORDINANCE A NUISANCE: PROVIDING A PENALTY FOR THE VIOLATION OF THE ORDINANCE: CONTAINING A SAVING CLAUSE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNETTA SOUTH, TEXAS:

SECTION I

The following words shall have the following meanings, respectively, as used in this ordinance:

(a) "Gross Weight" shall mean the gross weight of all vehicles joined together and moved as a unit, including the contents thereof.

(b) "Residential Street" shall mean any street, or any part of a street, where the property abutting both sides of the street is zoned for residential purposes, that is, having property abutting on both sides zoned "A" One Family, "B" One Family, "C" Multiple Family, or "D" Multiple Family, or any combination thereof under the zoning classifications of the City.

SECTION II

It shall be unlawful for any person, firm or corporation to operate, drive, move or place, or cause to be operated, driven, moved or placed upon, any of the streets within the City of Annetta South as designated in this ordinance, any tractor-trailer, truck-trailer, semi-trailer, pole-trailer or any other vehicle, or any combination thereof, having a gross weight in excess of the maximum permissible weight for the residential street of fifteen tons (30,000 lbs.), except as follows:

(a) On State Farm to Market Road 5, which shall be the maximum permissible gross weight of vehicles as provided by State Law. State Farm to Market Road 5 shall be designated as a "Truck Route" for the City of Annetta South.

SECTION III

The following vehicles, under the stated circumstances only, shall be exempt from the gross weight limitations imposed by this ordinance:

(a) School buses, while engaged in the official business of collecting and discharging passengers.

(b) Ambulances, fire fighting equipment, rescue vehicles and wreckers, while engaged in responding to emergency calls or in the regular course of their business.

(c) Vehicles of the City of Annetta South, its contractors or designees, while engaged in the installation and/or maintenance of public streets or municipal utilities or appurtenances.

(d) Vehicles of other public utilities, or their contractors, while necessarily engaged in the installation and/or maintenance of its public utilities.

(e) Other vehicles necessarily making deliveries or pickups of property, goods, garbage and trash or materials to premises abutting such streets, while engaged in the regular course of business of the vehicle owner or operator.

(f) Farm vehicles necessary in the regular course of agriculture activities.

SECTION IV

The Town Marshal, the Town Secretary or Mayor of the City of Annetta South having reasonable cause to suspect that a vehicle on any street within the City is of a greater weight than permitted by this ordinance, shall have the right and authority to direct the owner or operator of such vehicle to move the same to any public or private scale for the purpose of weighing such vehicle and its contents. It shall be unlawful for any owner or operator of a vehicle to fail or refuse to comply with the order and direction of the Town Marshal, Town Secretary or Mayor of the City of Annetta South to take such vehicle to a public or private scale for weighing.

SECTION V

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00) for each offense. Each day that an offense or violation continues shall be deemed to constitute a separate offense.

SECTION VI

Every section, and every provision of every section, of this ordinance is hereby declared to be a separate section or provision, and the holding of any section or provision, or any part thereof, unconstitutional, invalid or unenforceable for any cause or reason whatsoever, shall not affect the validity of any other section or provision hereof.

SECTION VII

This ordinance shall be in full force and effect immediately upon its passage and approval, and publication as by law provided.

PASSED AND APPROVED by the City Council of the City of ANNETTA SOUTH, Texas, this 9th day of March, 1989.

APPROVED:

Harry C. Baker
Mayor

ATTEST:

John W. Styrsky
Secretary

