

SAVE!!

ORDINANCE NO. 108

VEHICLE WEIGHT LIMITATIONS AND PENALTIES FOR VIOLATION THEREOF

The Council of the City of Lambertton does ordain:

SECTION I: Except as otherwise provided herein, no vehicle or combination of vehicles shall be operated or parked upon the streets of the City of Lambertton where the gross weight on any single axle exceeds 10,000 pounds or the gross weight on any single wheel exceeds 5,000 pounds.

SECTION II: A single axle ~~XXXXXXXXXXXX~~ is defined as including all wheels whose centers may be included within two parallel transverse vertical planes 40 inches apart.

SECTION III: Two or more wheels less than 48 inches apart on an axle shall be deemed a single wheel.

SECTION IV: The weight limitation shall not apply to a rear loading refuse compactor collection vehicle used solely for transporting solid waste on the streets of the City designated for such transportation by the City Council. The gross weight on a compactor collection vehicle transporting solid waste on such designated streets shall not exceed 22,000 pounds on a single axle, 40,000 pounds on both axles, 32,000 pounds on a tandem axle, and 50,000 pounds on three axles.

SECTION V: The weight limitation shall not apply to delivery vehicles while being operated and parked for the purpose of delivering heating fuel to the residences and other buildings upon the request of the owners or occupiers of the residences and other buildings. The gross weight on any such delivery vehicle shall not exceed 16,000 pounds on any single axle and 8,000 pounds on any single wheel.

SECTION VI: This <sup>ordinance</sup> ~~section~~ shall have no application upon the following streets:

- Broadway; Main Street from Broadway to Sixth Avenue; Birch Street; Ilex Street;
- Ninth Avenue; First Avenue from Ash Street to Juniper Street; Second Avenue
- from Birch Street to Douglas Street; Third Avenue from Birch Street to Douglas
- Street; Sixth Avenue from Main Street to Birch Street; and Douglas Street from

First Avenue to Third Avenue. No vehicle nor combination of vehicles shall be operated or parked upon the above named streets where the gross weight on any single axle exceeds 18,000 pounds or the gross weight on any single wheel exceeds 9,000 pounds.

SECTION VII: Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same at the nearest scale available and capable of weighing said vehicle. When a police officer, on weighing a vehicle and load, as above provided, determines that the weight on any axle exceeds the lawful gross weight as described herein, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver. Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing as required herein, or who fails or refuses, when directed by a police officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

SECTION VIII: The Council member designated as the Street Commissioner may, in his discretion, upon application in writing and good cause being shown therefor submitted to the Clerk, issue a special permit, in writing, authorizing the applicant to move a vehicle or combination of vehicles of a weight or load exceeding the maximum specified in this ordinance, upon any street within the City of Lambertton. The permit, if issued, may limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require the applicant to compensate for any injury or damage to any roadway or road structure. A fee of \$2.00 for each permit issued shall be charged and deposited in the General Fund of the City.

SECTION IX: Any person operating or parking a vehicle upon the streets of the City shall be liable for all damage which the street structure may sustain as the result of any illegal operation or parking when said vehicle has a gross weight in excess of the maximum weight authorized by this ordinance. When such driver is not the owner of such vehicle but is operating or parking the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage. Any person who by his willful acts or failure to exercise due care, damages any street structure shall be liable for the amount thereof. Damages under this section may be recovered in a civil action brought by the City of Lambertton.

SECTION X: Unless otherwise declared in this ordinance, a violation thereof shall be a petty misdemeanor punishable by a fine of not more than \$100.00.

Passed and adopted this 2nd day of May, 1976.

Anton Stromer  
Mayor

ATTEST:

William E. ...  
City Clerk