

ORDINANCE 2017- 10

AN ORDINANCE ESTABLISHING TRUCK ROUTES WITHIN THE CITY LIMITS

WHEREAS, the City of Austin recognizes the importance and value in the use and necessity of semis and tractor trailers; and;

WHEREAS, the City must also take into account the required maintenance on semi traveled roadways and the safety and welfare of the general public;

WHEREAS, the City of Austin is desirous of defining areas of use and establishing rules to regulate the operation of semis within the City of Austin.

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUSTIN that there is hereby added to the Austin City Code a new Chapter to read as follows:

SECTION 1: DEFINITIONS. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PERSON. Any person, firm, partnership, association, corporation, company or organization of any kind.

TRUCK. A vehicle having three (3) axles or a vehicle over ten thousand [pounds] (10,000) gross vehicle weight, and includes semi-trailer trucks and either the tractor pulling the same, or the trailer itself. Truck includes every self-propelled commercial vehicle designed, used or maintained for the commercial transport of goods or property.

TRUCK ROUTE. A way over certain streets, as designated in this subchapter, over and along which trucks coming into and going out of the city must operate.

SECTION 2: APPLICATION OF REGULATIONS.

- A. All trucks within the city shall be operated only over and along the truck routes established in this subchapter and on the other designated streets over which truck travel is permitted.
- B. Exceptions. This section shall not prohibit:
1. Operation on street of destination. The operation of trucks upon any street where necessary to the conduct of business at a destination point, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point.
 2. Emergency vehicles. The operation of emergency vehicles upon any street in the city.
 3. Public utilities. The operation of trucks owned or operated by the city, public utilities, any contractor or materialman, while engaged in the repair, maintenance or construction of streets, street improvements, or street utilities within the city.
 4. Detoured trucks. The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established.

SECTION 3: TRUCK ROUTES ESTABLISHED. All trucks entering the city for destination points outside the city shall operate only over the following designated routes:

- A. North or south on US Highway 31.
- B. North or South on Interstate 65.
- C. East or west on State Road 256.

SECTION 4: DESIGNATED STREETS FOR TRUCK USE. In addition to those streets in the city constituting a part of a truck route as established by Section 3, the following streets, and no others, shall be used for truck traffic:

- A. Morgan Street from US Highway 31 its intersection with High Street. Travel to or from State Road 256 or US Highway 31 on High Street is prohibited.

SECTION 5: ENFORCEMENT.

- A. Maps maintained. The Clerk-Treasurer shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted. The maps shall be kept on file in the office of the City Clerk and shall be available to the public. A copy of the maps shall be furnished to the Chief of Police.

- B. Board of Public Works and Safety or its designee to maintain signs.

- 1. The Board of Public Works and Safety or its designee shall cause all truck routes and streets upon which truck traffic is prohibited to be clearly sign-posted to give notice that this chapter is in effect.
- 2. Failure to post. No person shall be charged with violating the provisions of this chapter by reason of operating a truck upon a street wherein truck travel is prohibited unless appropriate signs are posted on such streets.

SECTION 6: PENALTIES.

- A. Any person found in violation of any provision of this chapter shall be fined not less than fifty dollars (\$50.00) for the first offense, no less than one hundred dollars (\$100.00) for the second offense, and not less than two hundred fifty dollars (\$250.00) for the third or subsequent offense, with a citation being issued for each violation.

B. In addition to the citation procedure, a fine up to two thousand five hundred dollars (\$2,500.00) may be imposed upon conviction.

SECTION 7: SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective from and after its passage by the Council and after publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana on the 10th day of October, 2017 by a vote of 4 to 0.

COMMON COUNCIL OF THE CITY OF AUSTIN, INDIANA

YEA

NAY

[Signature]
[Signature]
[Signature]
[Signature]

Brandon White
Staci Mullins
Greg Goodin
Johnnie White
Joe Smith

[Signature]
[Signature]
[Signature]

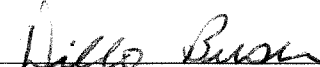
Attest:

[Signature]
Chris Fugate, Clerk-Treasurer

Presented by me to the Mayor of the City of Austin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 10th day of October, 2017 at _____:_____.m.


[Signature]
Chris Fugate, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1), this ____ day of _____, 2017 at ____:____.m.



Dillo Bush, Mayor

Attest:



Chris Fugate, Clerk-Treasurer

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