

ORDINANCE TO REGULATE WEIGHT LIMITATIONS OF MOTOR VEHICLES ON THE STREETS OF THE CITY OF ROCKPORT, INDIANA AND THE REPEAL OF ORDINANCES INCONSISTENT THEREWITH

WHEREAS, Common Council of the City of Rockport, Indiana deems it appropriate to establish new weight limitations for motor vehicles traveling on the streets of the City of Rockport, Indiana and to repeal all ordinances inconsistent with the provisions of this Ordinance No. 2010-2.

BE IT ORDINANED BY THE COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA, that:

Section 1. General Weight Limitations: Except as otherwise provided herein, it shall be unlawful to operate or cause to be operated on the streets of the City of Rockport, Indiana any vehicle or combination of vehicles when said vehicle or combination of vehicles have weight in excess of one or more of the following limitations:

- A. Total gross weight with load---18,000 pounds;
- B. Total weight with load per tandem axle---9,000 pounds.

Section 2. Exceptions to General Weight Limitations:

A. The weight limitations provided in Section 1 above shall not apply to local traffic, meaning traffic making use of a street of the City of Rockport, Indiana to travel to and from a local destination for the purpose of making a legitimate delivery within the boundaries of the City of Rockport, Indiana. However, it shall be unlawful as to said local traffic for any vehicle or combination of vehicles to have weight in excess of one or more of the following limitations:

- 1. Total gross weight with load---80,000 pounds

2. Total weight with load per tandem axle---40,000 pounds

B. The weight limitations provided in Section 1 of this Ordinance No. 2010-2 do not apply to vehicles transporting farm commodities on that portion of Lincoln Avenue from the south corporate limits to Main Street, on that portion of Main Street between Lincoln Avenue and Fifth Street, and on that portion of Fifth Street to the north corporate limits (all of the foregoing formerly being Indiana State Road 45). Farm commodities include grain, logs, woodchips, bark, sawdust, and bulk milk. However, it shall be unlawful for motor vehicles transporting farm commodities to operate or cause to be operated on the above-described portions of Lincoln Street, Main Street, and Fifth Street any vehicle or combination of vehicles when said vehicle or combination of vehicles have weight in excess of one or more of the following limitations:

1. Total gross weight with load---80,000 pounds
2. Total weight with load per tandem axle---40,000 pounds

In order for vehicles transporting farm commodities to fall within this exemption provided in Section 2. B. of this Ordinance No. 2010-2, such vehicles or combination of vehicles must have a local destination within the city limits of the City of Rockport, Indiana or within a two mile buffer zone uniformly surrounding the city limits of the City of Rockport, Indiana.

Section 3. Fines and Penalties: A violation of the weight limitations provided in this ordinance carries a penalty as follows:

A. A Class C Infraction if the total of all excesses of weight is not more than five thousand (5,000) pounds over the prescribed weight;

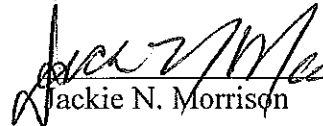
B. A Class B Infraction if the total of all excesses of weight is more than five thousand (5,000) pounds but less than ten thousand (10,000) pounds over the prescribed weight; and

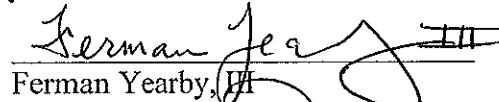
C. A Class A Infraction if the total of all excesses is more than ten thousand (10,000) pounds over the prescribed weight.

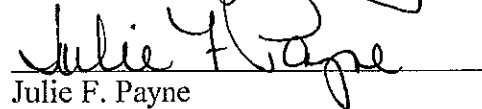
A person or entity which violates this ordinance shall be responsible for payment of court costs.

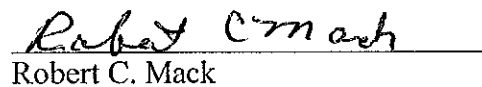
ADOPTED this 5th day of April, 2010. This ordinance shall be in full force and effect upon and after its passage, approval, and publication in accordance with law.

Common Council:


Jackie N. Morrison

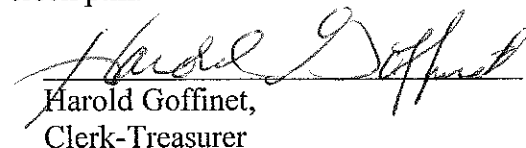

Ferman Yearby, III


Julie F. Payne


Robert C. Mack


Connie L. Hargis

Presented by me to the Mayor of the City of Rockport, Indiana on the 5th day of April, 2010 at 7:05 o'clock p.m.


Harold Goffinet,
Clerk-Treasurer

Approved and signed by me this 5th day of April, 2010 at 7:06

o'clock p.m.



Nedra A. Groves, Mayor
City of Rockport