

ORDINANCE NO. 73-9

AN ORDINANCE PRESCRIBING TRUCK ROUTES IN THE CITY OF CUMBY, HOPKINS COUNTY, TEXAS, INCLUDING DEFINITIONS, DESIGNATION OF STREETS, USES REQUIRED GENERALLY, PRESCRIBING WEIGHT LIMITS OF MOTOR VEHICLES ON STREETS NOT DESIGNATED OR INCLUDED IN TRUCK ROUTE; PROVIDING THAT VEHICLES OF EXCESSIVE WEIGHT TRAVELING SUCH STREETS NOT DESIGNATED FOR TRUCK TRAVEL SHALL CONSTITUTE A PENAL OFFENSE; PROVIDING THAT EACH INCIDENT OF TRAVEL BY SUCH PROHIBITED VEHICLE SHALL BE A SEPARATE OFFENSE; PROVIDING FOR A PENALTY IN THE EVENT OF THE VIOLATION OF THIS ORDINANCE OF A FINE OF NOT LESS THAN TEN DOLLARS NOR MORE THAN TWO HUNDRED DOLLARS AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, it has come to the attention of the Board of Commissioners of the City of Cumby, Texas that the construction of various streets, all within the corporate limits of the said City, is such that the travel of motor vehicles in excess of 18,000 lb.s is harmful and injurious to the surface of said various streets and will if allowed to continue result in damage to the surface of the said streets and will further result in excessive wear and tear of the surface of said streets, and

WHEREAS, it is desirable that a designated truck route be established, and

WHEREAS, if the travel of such motor vehicles weighing in excess of 18,000 lbs. is not prohibited by law on certain streets there will result in excessive wear and tear on the surface of said various streets with the result that the cost of maintainance thereof to the citizens of Cumby will be excessive.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CUMBY, TEXAS:

SECTION 1. Definitions

The following words and phrases, when used in this article, shall, for the purpose of this article, have the meanings respectively ascribed to them as follows:

Pole Trailer. Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally of sustaining themselves as beams between the supporting connections.

Semitrailer. Every vehicle without motive power, other than pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Trailer. Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Truck Routes. Those routes which are designated by this article for the use of truck traffic.

Truck Trailer. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Truck Traffic. The operation of any combination of a truck, tractor, trailer, semitrailer or pole trailer.

## SECTION 2. Designation.

For the purposes of this article, those streets and thoroughfares within the corporate limits of the city which are enumerated as follows are hereby designated as truck routes:

<u>Route</u>	<u>Extent</u>
Interstate Highway 30	East Corporate limits to West Corporate limits
Texas FM Highway 275	South Corporate limits to North Corporate limits
Friscoe Street	Entire length
Texas FM Highway 499 (also referred to as Main Street)	Entire length
Commerce Street	Entire length
Tarrant Street	Commerce Street East to public alley intersecting Tarrant Street being 600 ft. from Commerce Street
Mill Street	Interstate Highway 30 to South City limits
Williams Street	Entire length

SECTION 3. Use required generally.

No person shall operate truck traffic upon any roads, avenues, streets, or thoroughfares within the corporate limits of the city except on those which are designated as truck routes in Section 2.

SECTION 4. Signs, markings.

The City shall erect appropriate signs and markings advising motorists of the truck routes established by this article.

SECTION 5. Alternate routes.

Whenever any street or roadway designated as a truck route is under repair, or otherwise temporarily out of use, the city traffic engineer shall be authorized to designate alternate truck routes.

SECTION 6.

That it shall be and is unlawful for the owner or operator of any motor vehicle in excess of 18,000 lbs. to travel upon and across any street not designated in Section 2 as Truck Routes all within the corporate limits of the City of Cumby, Hopkins County, Texas.

SECTION 7.

Each incident of the violation of any section of this ordinance by an owner or operator of a motor vehicle shall constitute a separate and independent offense under this ordinance.

SECTION 8.

Any person, firm, partnership or corporation who violates any provision of this ordinance or fails to comply with any provisions hereof shall be deemed guilty of a misdemeanor and, upon conviction thereof in accordance with law, shall be punished by the imposition of a fine of not less than \$10.00 nor more than \$200.00.

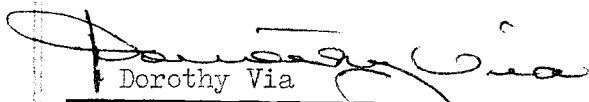
This ordinance shall be effective from and after its' passage and publication as required by law.

PASSED AND APPROVED this the 17 day of June, A.D. 1973.

APPROVED:

  
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MAYOR

ATTEST:

  
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Dorothy Via  
CITY SECRETARY