

ORDINANCE 2023-12

AN ORDINANCE AMENDING CHAPTER 66, LOAD AND WEIGHT RESTRICTIONS, OF THE CODE OF ORDINANCES OF THE CITY OF ELKADER, IOWA, 2022

Be it enacted by the Council of the City of Elkader, Iowa, that Chapter 66, Load and weight restrictions, is amended as follows:

SECTION I

CHAPTER 66 LOAD AND WEIGHT RESTRICTIONS

66.05 TRUCK ROUTES.

Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing five tons or more, when loaded or empty, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

(Code of Iowa, Sec. 321.473)

A. From City limits on Second Street NW, southerly to West Bridge Street, on West Bridge Street to First Street SW, on First Street SW to Strawberry Point Road, thence southerly to State HWY 13

B. High Street NE and High Street SE in their entirety

2. Deliveries Off Truck Route. Any motor vehicle weighing five tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload, and return by the most direct route to its point of departure from said designated route.

(Code of Iowa, Sec. 321.473)

3. Employer's Responsibility. The owner or any other person employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

(Code of Iowa, Sec. 321.473)

4. Any person who violates this section shall, upon conviction or a guilty plea, be subject to a fine of \$250 for the first offense and \$500 for the second offense.

5. The City may determine the weight of the vehicle by the weight stated on the vehicle registration, by weighing the vehicle, or by any other competent means.

6. This chapter shall not apply to Fire Department vehicles or equipment or ambulances responding to an emergency, or vehicles or equipment owned by the City, County or State that are engaged in maintenance activities, snow/ice removal efforts, or storm/natural disaster clean-up efforts.

(Code of Iowa, Sec. 321.471)

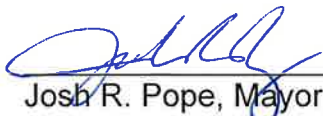
SECTION II

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjunction shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION III

This Ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 9th day of Oct, 2023.


Josh R. Pope, Mayor

ATTEST:


Jennifer K. Cowser, City Administrator/Clerk

I certify that the foregoing was published as Ordinance No. 2023-12 on the 18th day of October, 2023.


Jennifer K. Cowser, City Administrator/Clerk

First Reading	Y	N	Second Reading	Y	N	Third Reading	Y	N
9/25/2023			10/9/2023			10/23/2023 10/19/23		
Lane	+		Lane	+		Lane	+	
Henning	+		Henning	+		Henning	+	
Hauber	+		Hauber	+		Hauber	+	
Grau			Grau			Grau		
Schmidt	+		Schmidt	+		Schmidt	+	