

CITY OF DALTON GARDENS

ORDINANCE NO. 63

AN ORDINANCE DESIGNATING A TRUCK ROUTE FOR THE CITY OF DALTON GARDENS, IDAHO, DECLARING IT TO BE UNLAWFUL TO DRIVE OR OPERATE ANY VEHICLE OF A GROSS WEIGHT IN EXCESS OF FORTY-SIX THOUSAND (46,000) POUNDS ON ANY STREET IN SAID CITY EXCEPT FIFTEENTH STREET AND HANLEY AVENUE BETWEEN GOVERNMENT WAY AND FIFTEENTH STREET, OTHER THAN STREET MAINTENANCE EQUIPMENT, PROVIDING THAT THE CITY COUNCIL MAY REDUCE THE SIZE AND WEIGHT AND THE SPEED RATE PERMISSIBLE BY LAW WHENEVER THE SAME WILL CAUSE DAMAGE TO THE STREETS BY REASON OF CLIMATIC OR OTHER CONDITIONS OR WILL INTERFERE WITH THE SAFE AND EFFICIENT USE OF SUCH HIGHWAY BY THE TRAVELING PUBLIC, BY ERECTING AND MAINTAINING SUCH REGULATIONS AT EACH END OF SUCH STREET OR SECTION THEREOF OR AT ALL INTERSECTIONS WITH MAIN TRAVELED HIGHWAYS, AND MAKING IT UNLAWFUL TO DRIVE A VEHICLE IN VIOLATION OF SUCH REGULATIONS, ALLOWING FOR THE ISSUANCE OF TRIP PERMITS FOR THE PURPOSE OF MAKING DELIVERIES TO LOCATIONS IN THE CITY OUTSIDE SAID TRUCK ROUTE, ESTABLISHING A FEE FOR A TRIP PERMIT, AND LIMITING THE TIME FOR WHICH SAID PERMIT CAN BE GRANTED, AND PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DALTON GARDENS, IDAHO:

SECTION 1: "Gross weight", as defined herein, is the weight of a vehicle without load plus weight of any load thereon.

SECTION 2: It is unlawful for any person to drive or operate a motor vehicle of a gross weight exceeding forty-six thousand (46,000) pounds over any street of the City of Dalton Gardens excepting Fifteenth Street and Hanley Avenue between Government Way and Fifteenth Street other than street maintenance equipment.

SECTION 3: The Mayor and City Council may reduce the size and weight and speed rate permissible by law or ordinance whenever the size and weight and such rate of speed will cause damage by reason of climatic or other conditions or interfere with the safe and efficient use of such streets by the traveling public, by erecting and maintaining such regulations at each end of such street or sections and at the intersection of the main traveled highways, and it shall be unlawful for any person to drive or operate any vehicle in violation of such regulations.

SECTION 4: The Mayor and City Clerk are authorized to issue trip permits for the purpose of making deliveries to locations in the City not accessible by the truck route, upon application of the owner or operator of such vehicle making such delivery, for a fee of \$5.00, which trip permit shall authorize the operator of the vehicle described thereon to make deliveries to locations outside the truck route for one week.

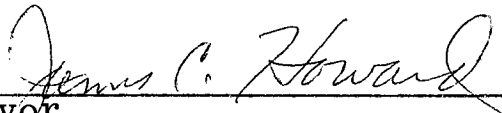
SECTION 5: It shall be unlawful for any person to violate any provision of this ordinance, and violation shall be punishable by fine not to exceed One Hundred Dollars (\$100.00) or imprisonment not to exceed thirty (30) days,

or both such fine and imprisonment.

SECTION 6: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

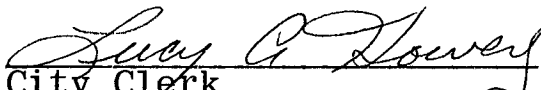
SECTION 7: This ordinance shall take effect and be in full force and effect upon its passage, approval and publication in one issue of the Coeur d'Alene Press, a newspaper of general circulation published in Kootenai County, Idaho.

Passed under suspension of the rules upon which a roll call vote was taken and duly enacted an ordinance of the City of Dalton Gardens, Idaho, at a regular meeting of the Mayor and City Council held on May 5, 1977.



Mayor

ATTEST:



City Clerk

AFFIDAVIT OF PUBLICATION

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Passed under suspension of the rules upon which a roll call vote was taken and duly enacted an ordinance of the City of Dalton Gardens, Idaho, at a regular meeting of the Mayor and City Council held on May, 1977.

James C. Howard Mayor

ATTEST: Lucy Howey City Clerk Legal No. 165 May 13, 1977

STATE OF IDAHO, } ss. County of Kootenai,

Sandra Nowlan being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Ordinance

of which the annexed is a printed copy, was published in the regular Friday issue of said newspaper for 1 consecutive day commencing on the 13th day of May, 1977, and ending on the 13th day of May, 1977 and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Sandra Nowlan

Subscribed and sworn to before me this 13 day of May 1977

Roberta Masley Notary Public for the State of Idaho, residing at Coeur d'Alene, Idaho.

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