

CITY OF DALTON GARDENS

ORDINANCE NO. 79

AN ORDINANCE AMENDING ORDINANCE NO. 63 OF THE CITY OF DALTON GARDENS, IDAHO, AND DESIGNATING A TRUCK ROUTE FOR THE SAID CITY, 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 PRAIRIE AVENUE FROM GOVERNMENT WAY TO BAILLIE 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~~ Prairie Avenue from Government Way to Baillie 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 regulation.

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 July 3rd, 1980.

Wend B. Nearcom  
Mayor

ATTEST:

Lucy A. Howell  
City Clerk

# AFFIDAVIT OF PUBLICATION

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Ward Newcomb  
Mayor

ATTEST:  
Lucy Howey  
City Clerk  
Legal 124  
July 10, 1980

STATE OF IDAHO,  
County of Kootenai, } ss.

*Carol Hedge* 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 *Notice*

of which the annexed is a printed copy, was published in the regular *Issue* issue of said newspaper for *1* consecutive *day* commencing on the *10* day of *July*, 19*80*, and ending on the *10* day of *July*, 19*80*, and such publication was made as often during said period as said *Issue* 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.

*Carol Hedge*

Subscribed and sworn to before me this *10* day of *July*, 19*80*.

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

LEADER 30.66