

ORDINANCE NO. 734

AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS, AMENDING CHAPTER 17 OF THE EASTLAND CODE OF ORDINANCES, ESTABLISHING A SCHEDULE OF DESIGNATED STREETS UPON WHICH VEHICLES OVER A SPECIFIED WEIGHT ARE PROHIBITED AND ESTABLISHING PENALTIES.

WHEREAS, it is in the best interest of the public health, safety and general welfare to prohibit vehicles over a designated weight to travel upon certain streets in the City of Eastland; and

WHEREAS, noise can be detrimental to the integrity of residential areas and it is essential to mitigate or prevent noise impacts to avoid irreparable damage to residential neighborhoods; and

WHEREAS, vehicles of extraordinary weight and size can contribute to rapid destruction of surface streets typical to residential areas; NOW THEREFORE;

THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS, DOES ORDAIN THAT CHAPTER 17 IS HEREBY AMENDED IN THE EASTLAND CODE OF ORDINANCES TO READ AS FOLLOWS:

17-75. TRUCK ROUTES ESTABLISHED

(a) Definitions. For the purpose of this Section, the following terms, phrases, words and their derivatives shall have the meaning given in this section. When not consistent with the context, words used in the present tense include the future, words in the plural include the singular number and words in the singular number include the plural. "Shall" is always mandatory and not merely directory.

1. "City" is the City of Eastland, Texas.
2. "Deviating Truck" is a truck which leaves and departs from a truck route while traveling inside the City.
3. "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.
4. "Truck" is any vehicle designed or operated for the transportation of property, and whose body weight or whose combined body and load weight or whose rated capacity exceeds 14,000 pounds.
5. "Truck Route" is a way over certain streets, as designated in this Section, over and along which trucks coming into and going out of the City must operate.
6. "Destination point" is a location where merchandise or material is loaded or unloaded during the normal course of business.

(b) Application of Regulations. All trucks within the City shall be operated only over and along the truck routes established in this Section and on the other designated streets over which truck travel is permitted. Overnight parking of

trucks in residential areas is not permitted.

(c) Exceptions. This Section shall not prohibit:

1. Operation on Street of Destination: The operation of any trucks upon any street where necessary to the conduct of business at a destination point, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point;
2. Emergency Vehicles: The operation of emergency vehicles upon any street in the City;
3. Public Utilities: The operation of trucks owned or operated by the City, public utilities, or any contractor while engaged in the repair, maintenance or construction of streets, street improvements or utilities within the City;
4. Detoured Trucks: The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated on the street for which such detour was established.

(d) Truck Routes Established

1. Burkett Street from south city limits to South Seaman Street
2. Seaman Street from Burkett Street to north city limits
3. Main Street from east city limits to 1600 block West Main
4. Commerce Street from its intersection with 1600 block West Main to west city limits
5. College Avenue from Main Street to northwest city limits

(e) Truck Traffic in the City – Outside Origin

1. One (1) Inside Destination Point: All trucks entering the City for a destination point in the City shall proceed only over an established truck route and shall deviate only at the intersection with the street nearest to the destination point. Upon leaving the destination point, a deviating truck shall return to the truck route by the shortest permissible route.
2. Multiple Inside Destination Points. All trucks entering the City for multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street nearest to the first destination point. Upon leaving the first destination point, a deviating truck shall proceed to other destination points by the shortest direction. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route.

(f) Truck Traffic In City – Inside Origin

1. Outside Destination Point. All trucks, on a trip originating in the City, and traveling in the City for a destination point outside the City, shall proceed by the shortest direction over streets on which such traffic is permitted to a truck route as established in this Section.
2. Inside Destination Points. All trucks on a trip originating in the City, and traveling in the City for destination points in the City shall proceed as provided in Subsection (e).

(g) Maps. The City Secretary shall keep and maintain accurate maps setting out truck routes and streets upon which truck traffic is permitted; the maps shall be kept on file in the office of the City Secretary and shall be available to the public.

(h) Signs. The Director of Public Works or his designee shall cause all truck routes to be clearly sign posted to give notice that this Section is in effect.

(i) Weigh-Ins. Any duly authorized police officer of the City of Eastland, having probable cause to believe that a vehicle is violating this Section, shall have the authority to require any person driving or in control of any commercial vehicle, not proceeding over a truck route or street over which truck traffic is permitted, to proceed to any private or public scale available for the purpose of weighing and determining whether this Section has been complied with.

(j) Violation/Penalty. A violation of this Section shall be a traffic infraction, punishable by the fines and penalties set forth in Section 1-14 as amended.

A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall be effective five days after its publication.

PASSED on first reading this 17th day of March, 2008.

PASSED on second reading this 21st day of April, 2008.

Mark Pipkin, Mayor

ATTEST:

Shirley Stuart, City Secretary

APPROVED AS TO FORM:

Lois Rockefeller, City Attorney