

## CHAPTER 66

# COMMERCIAL VEHICLES

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**66.01 DEFINITIONS.** For the purposes of this chapter, the following definitions shall apply:

1. “Farm tractor” means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. The same term also includes self-contained harvesting equipment commonly referred to as combines, which may or may not be designed to draw implements of husbandry.
2. “Implements of husbandry” means every vehicle which is designed for agricultural purposes and exclusively used, except as herein otherwise provided, by the owner thereof in the conduct of the owner’s agricultural operations. Implements of husbandry also include:
  - A. Portable livestock loading chutes without regard to whether such chutes are used by the owner in the conduct of the owner’s agricultural operations, provided that such chutes are not used as a vehicle on the highway for the purpose of transporting property.
  - B. Portable tanks, nurse tanks, trailers, augers, and bulk spreaders, all of which are not self-propelled and which have gross weights of less than 12 tons and are used for transportation of fertilizer and chemicals used for farm crop production.
3. “Commercial vehicle” means a vehicle or combination of vehicles designed principally to transport passengers or property of any kind if any of the following apply:
  - A. The vehicle or any combination of vehicles has a gross weight or combined gross weight of 10,001 or more pounds.
  - B. The vehicle or any combination of vehicles has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds.
  - C. The vehicle is designed to transport 16 or more persons, including the driver.
  - D. The vehicle is used in the transportation of hazardous material of a type or quantity requiring vehicle placarding.

**66.02 COMMERCIAL VEHICLES ROUTES ESTABLISHED.** The following route(s) are hereby designated as the commercial vehicle route(s) to be used by all commercial vehicles or any vehicles exceeding eight (8) feet in width, provided that such vehicles are not otherwise exempted under the provisions of this chapter:

1. U.S. Highway 65, also known as Oak Street, located within the corporate City limits.
2. Washington Avenue, from the west corporate City limits to Georgetown Road.
3. Georgetown Road, from Washington Avenue to County Road JJ Avenue.
4. Brooks Road, from west corporate City limits to South River Street.

*(Ord. 964 – Oct. 09 Supp.)*

5. South River Street, from Brooks Road to Industrial Park Road.
6. Industrial Park Road, from South River Street to Progress Road.
7. Lawler Street, from Industrial Park Road to Brooks Road.
8. Riverside Drive, from Oak Street to South Avenue.
9. South Avenue, from Riverside Drive to County Road 130<sup>th</sup> Street.
10. Cadet Road, from Oak Street to Commercial Street.
11. Commercial Street, from Cadet Road to Sherman Street.
12. Ellsworth Avenue, from South Oak Street to South River Street.
13. South River Street, from Brooks Road to Ellsworth Avenue.
14. West View Drive in its entirety.

*(#12, 13, 14 added by Ord. 964 – Oct. 09 Supp.)*

It is unlawful for any person to operate or cause or permit to be operated any commercial vehicles or other vehicles exceeding eight (8) feet in width upon any public street or road, highway or alley within the City, except upon the route above designated unless such operation is exempt under the provisions of this chapter.

Violations of this section shall be considered scheduled violations with the fine of \$50.00 for the first offense and a fine of \$100.00 for any subsequent offense. A defendant charged with a scheduled violation by information may obtain 2 copies of the information from the Court and before, deliver or mail copies, together with the defendant's admission fine, court costs and any surcharge to the Court. Such admission shall constitute a conviction and judgment in the amount of the scheduled fine, plus court costs, and any applicable surcharge.

**66.03 EXEMPTIONS.** The following vehicles or operations are exempt from the established commercial vehicle routes:

1. When the operation of such vehicle is for a commercial purpose of pickup or delivery of goods or merchandise within the City limits for other than personal use of the operator or passenger in the vehicle, provided that departure and return from the designated commercial vehicle route(s) herein shall be the most direct access thereto.
2. The purpose of vehicle operation is for refueling or obtaining repair service upon the vehicle which is being operated or towed, provided that departure and return from the designated commercial vehicle route(s) herein shall be the most direct access thereto.
3. The operation is for the purpose of parking or placing such vehicles, machinery, or equipment upon private property, if such vehicles, machinery, or equipment is permitted to be parked or placed upon such private property and the permission of the owner or possessor of such property has been previously secured. The operation of such vehicle is to park or place such vehicles or equipment within authorized truck or commercial parking zones or other places not otherwise prohibited. Departure and return from authorized route(s) herein shall be by the most direct access thereto.
4. Farm tractors and implements of husbandry are exempt from the commercial vehicle route(s).

**66.04 VARIANCE.** The highest ranking police officer on duty at the time of a request for a variance may grant a variance to any vehicle from the terms of this chapter. Such variance shall be granted for such period as shall be determined by the officer in charge, provided, however, that if the variance is for a

period longer than one hour, such variance shall be made in writing on forms provided by the office of the City Manager and shall bear the signature of the officer in charge together with specifications of the time and terms of the variance.

**66.05 LOAD LIMITS.** No truck, trailer, or semi-trailer shall be operated on or moved over or upon or allowed to stand upon any street or alley within the City if the combined weight of the same, including the load it carries, exceeds eleven (11) tons.

**66.06 NO TURNS.** It is unlawful for any person to turn a commercial vehicle, or other vehicle exceeding eight (8) feet in width, at the intersection of Highway 65 and Industrial Road in the City.

**66.07 PARKING OF COMMERCIAL VEHICLES.**

1. Parking Prohibited on Fremont Street. No person shall park a commercial vehicle as defined in this chapter on either side of Fremont Street between Estes Street and Rocksylvaniana Avenue in the City.

2. Parking Prohibited on Residential and Commercial Streets. No person shall park any commercial vehicle on any residential or commercial street within the City limits, except under the following circumstances:

A. Motor truck vehicles of the City or any public or private utility shall be exempt from the restriction during the actual time that services are being performed in the area where the vehicle is parked.

B. Vehicles which are inoperable and which condition has been reported to the police shall be exempt for a period of 24 hours after the report.

**66.08 PROHIBITED TRUCK PARKING.**

1. Washington Avenue. Parking of trucks of greater than one ton capacity is prohibited on Washington Avenue, between College Avenue and Fremont Street.

2. Main Street. Parking of trucks of greater than one ton capacity is prohibited on Main Street.

3. Estes Street. Parking of trucks of greater than one ton capacity is prohibited on Estes Street.

4. River Street. No person shall park a truck in excess of 1½-ton capacity on the west side of River Street between Washington Avenue and Railroad Street.

5. Roadside Park. No person shall stop, stand or park a truck, truck tractor, trailer or any combination thereof in excess of 6 tons in capacity in Roadside Park in the City, located at the intersection of Georgetown Road and U.S. Highway No. 20, between the hours of six o'clock (6:00) p.m. and six o'clock (6:00) a.m. of every day.

6. Fremont Street. No person shall park a truck on either side of Fremont Street between Rocksylvaniana Avenue and Iowa Street.

7. Washington Avenue. No person shall park a truck on either side of Washington Avenue between the west line of River Street and the east line of College Avenue.

**66.09 JAKE BRAKES.** The operation of a motor vehicle by using the engine back-pressure systems, commonly known as "jake braking," is prohibited.

**66.10 WEIGHT EMBARGO.** Brooks Road from South River Street to South Oak Street is embargoed for trucks weighing over 30,000 pounds. *(Ord. 964 – Oct. 09 Supp.)*