

Montgomery County Board of Commissioners

Ordinance 2016 -19

Ordinance Amending Title VII: Traffic Code, Chapter 70, Schedule 1. Weight Limits to Prohibit the Use of Vehicles with a Gross Weight of Greater Than Five (5) Tons on County Road 625 East, From Indiana Highway 32 to Indiana Highway 47

Whereas, Chapter 70 of the Montgomery County Code provides a Weight Limit Schedule which prohibits the use of vehicles with a gross weight of greater than five tons on certain roads contained in the county highway system; and

Whereas, the Montgomery County Board of Commissioners ("Commissioners") discovered that numerous vehicles with a gross weight of greater than five tons are being driven on County Road 625 East ("CR 625 E"), Montgomery County, Indiana; and

Whereas, the use of these vehicles are typically used in an effort to travel to and from Indiana Highway 47 and Indiana Highway 32; and

Whereas, the operation of these vehicles are hazardous to the infrastructure and roadway of CR 625 E; and

Whereas, the operation of these vehicles presents a danger to other operators of motor vehicles traveling on CR 625 E between Indiana Highway 47 and Indiana Highway 32; and

Whereas, because the use of vehicles with a gross weight of greater than five tons presents these serious dangers, the Commissioners made an emergency declaration prohibiting the use of these vehicles on CR 625 E between Indiana Highway 47 and Indiana Highway 32 on May 23, 2016; and

Whereas, the Commissioners find that it is in the best interest of public safety to amend Chapter 70 Schedule 1. Weight Limits, Section (C) to include CR 625 E between Indiana Highway 47 and Indiana Highway 32 as a road contained in the county highway system which the use of vehicles with a gross weight of over five tons is prohibited.

It is therefore ordained that Chapter 70, Schedule 1, Section (C) is amended shall read as follows:

"(C) No vehicle with a gross weight over five tons shall be allowed to travel upon

County Road 150 South between State Road 47 and State Road 231, County Road 150 South between State Road 231 and Ladoga Road, or Country Road 625 East between Indiana Highway 47 and Indiana Highway 32, with local deliveries and agricultural vehicles and machinery used for farms along these portions of County Roads 150 and 625 excepted. The County Highway Director shall cause signs to be placed at appropriate locations to inform the public of this restriction.

(1) The violation of this Ordinance shall be subject to monetary fines in the following amounts:

- | | | |
|-----|--|--------|
| (a) | First violation: | \$100 |
| (b) | Second violation within 12 months | \$250 |
| (c) | Each subsequent violation within a 12 month period | \$500" |

It is further ordained that any other provision of the Montgomery County Code which is not expressly amended by this ordinance shall remain in full force and affect.

It is further ordained that this ordinance shall become effective immediately upon the signing of a majority of the Montgomery County Board of Commissioners.

It is therefore ordained this 11 day of July, 2016

Montgomery County Board of Commissioners


James Fulwider, President

Phil Bane, Vice-President


Terry Hoekersmith, Member

Attest:


Jennifer Andel, Auditor