

CITY OF DOVER

ORDINANCE NO. 39

AN ORDINANCE OF THE CITY OF DOVER, BONNER COUNTY, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO PROVIDING FOR IMPOSITION OF SPEED, WEIGHT AND HAULING LIMITS; PROVIDING FOR IMPOSITION OF LIMITS IN AN EMERGENCY; PROVIDING FOR NOTICE OF LIMITS; PROVIDING FOR WEIGHT, SPEED AND HAULING RESTRICTIONS; PROVIDING FOR EXEPTIONS TO RESTRICTIONS; PROVIDING FOR INSPECTIONS, VIOLATIONS, AND PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. PURPOSE

The purpose of this Ordinance is to adopt provisions that help to ensure public safety, health, and welfare and to help protect public assets.

SECTION 2. IMPOSITION OF SPEED, WEIGHT AND HAULING LIMITS BY CITY COUNCIL

- (a) From time to time impending danger to the roads of the City of Dover due to unusual and extreme weather conditions requires the immediate operation and effectiveness of this Ordinance.
- (b) Whenever, in the judgement of the City of Dover City Council, the operation of vehicles upon roads over which the City of Dover has jurisdiction will cause damage in the road in question by reason of the climatic weather or the condition affecting the safe or efficient use of the road, then the City of Dover City Council shall have the authority to make and enforce regulations reducing the otherwise permissible size, weight or speed of vehicles operated on said roads for such periods as may be necessary for protection of the road or for public safety. The limitations shall be imposed depending upon the moisture, temperature, heaves and severity of frost or other conditions of the road.

SECTION 3. IMPOSITION OF LIMITS BY CITY COUNCIL OR PUBLIC WORKS ADMINISTRATOR IN AN EMERGENCY

- (a) The provisions and restrictions contained in this Ordinance shall have immediate force and effect upon a duly adopted Motion and Resolution of the City of Dover City Council at any regular or special meeting.

- (b) The Public Works Administrator is hereby empowered to impose the restrictions contained in this Ordinance when, in his/her professional judgement, road or weather conditions are such that immediate damage to City roads or danger to the traveling public will occur if such restrictions are not imposed. Such imposition of the restrictions in this Ordinance by the Public Works Administrator shall be for a period not in excess of thirty (30) calendar days, or until the next regular meeting of the City of Dover City Council, whichever is shorter.

SECTION 4. NOTICE OF IMPOSITION OF SPEED, WEIGHT AND HAULING LIMITS BY CITY COUNCIL

- (a) When imposing the limits and restrictions of this Ordinance, the City of Dover Public Works Administrator shall cause signs to be erected and maintained at each end of an affected road, or at intersections with main traveled ways, so as to reasonably give notice to the road user. Such signs shall designate the limitations of weight or speed of the vehicles using and traveling upon the road.
- (b) When such signs are posted with red indicators, it shall indicate that the restrictions imposed by this Ordinance are in force. Signs posted with green indicators shall indicate that the restrictions imposed by this Ordinance are not in force.

SECTION 5. WEIGHT RESTRICTIONS

Unless otherwise ordered, vehicles using City roads when this Ordinance is in effect shall be limited the three hundred (300) pounds per inch, one hundred eighteen (118) pounds per centimeter of tire width times the number of tires per axle. The tire width shall be determined by the manufacturer's description marked on the sidewall of the tire.

SECTION 6. SPEED RESTRICTIONS

When this Ordinance is in effect, the maximum allowable speed for all vehicles traveling upon City controlled roads shall be twenty-five (25) miles per hour, except for emergency vehicles while making emergency runs.

SECTION 7. HAULING RESTRICTIONS

When conditions are such that weight restrictions do not provide necessary protection of the roads then the City may

eliminate all types of hauling on roads. Notice and Exceptions shall be provided as stated elsewhere in this Ordinance.

SECTION 8. EXCEPTIONS TO WEIGHT LIMITS, ONE-TIME USE PERMITS

- (a) The vehicle weight restrictions of this Ordinance shall not apply to emergency vehicles and school buses operating upon the City roads.
- (b) The City Council may issue weight exemptions for special classes of vehicles and users of City roads.
- (c) The Public Works Administrator may issue a one-time trip permit to allow for vehicles to exceed the weight restrictions imposed by this Ordinance for the purpose of providing for vehicle trips which are essential to life, health and safety. Such permit shall be made in writing specifying the nature of the trip, the vehicle to be used and the date and time limit of the trip.

SECTION 9. INSPECTIONS, VIOLATIONS, PENALTY

- (a) The operator of a vehicle using roads referred to herein shall submit his vehicle to a peace officer immediately upon request for the purpose of inspection or weighing the vehicle for the purpose of enforcing compliance with this Ordinance. Failure to submit the vehicle as aforementioned shall further be in violation of this Ordinance and is punishable as set forth.
- (b) Any person found to have violated any provisions established by this Ordinance by a Court of competent jurisdiction shall be deemed guilty of a misdemeanor, punishable as set forth at 49-1013 of the Idaho Code.

SECTION 10. SEVERABILITY

The provisions of this Ordinance are hereby declared to be individually severable. Should a Court of competent jurisdiction declare that any provision of this Ordinance is invalid, it shall not affect the validity of the remaining provisions.

SECTION 11. EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its passage, approval and publication of one (1) issue of the Bonner County Daily Bee.

