

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF AFTON, IOWA, 1998, BY ADDING PROVISIONS PERTAINING TO TRUCK ROUTES**

Be It Enacted by the City Council of the City of Afton, Iowa:

**SECTION 1. NEW SECTION.** The Code of Ordinances of the City of Afton, Iowa, 1998, is amended by adding a new Section 66.04, entitled Truck Routes, which is hereby adopted to read as follows:

**66.04 TRUCK ROUTE.** Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing five (5) tons or more, when loaded or empty, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

*(Code of Iowa, Sec. 321.473)*

- A. Railroad Street from Highway 169 East to dead-end;
- B. Kansas Street from Highway 169 East to Temple Street;
- C. Temple Street from Kansas Street to Filmore Street;
- D. Filmore Street from Sullivan Street to east City limits;
- E. Colfax Street from Railroad Street to Filmore Street;
- F. Webster Street from Railroad Street to Filmore Street.

2. Deliveries Off Truck Route. Any motor vehicle weighing five (5) tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

*(Code of Iowa, Sec. 321.473)*

3. Employer's Responsibility. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

*(Code of Iowa, Sec. 321.473)*

4. Exemptions. The following vehicles or operations are exempt from the established truck routes:

A. 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.

B. The purpose of vehicle operation is for refueling or obtaining repair service upon the vehicle which is being operated or towed.

C. 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. A permit must be obtained from the Clerk before parking such vehicle on private property. Said permit shall identify the most direct departure and return to the truck route, as noted on the City truck parking permit.

D. The operation of such vehicle is for loading or unloading in accordance with the provisions of Section 69.09 of this Code of Ordinances. Departure and return from authorized route herein shall be by the most direct access thereto.

Farm tractors and implements of husbandry are exempt from the truck route regulations.

5. Fine. The operator of a motor vehicle weighing five (5) tons or more, when loaded or empty, that is off the designated truck route shall be fined according to the following schedule:

A. 1<sup>st</sup> Offense: \$100.00.

B. 2<sup>nd</sup> Offense: \$250.00.

C. 3<sup>rd</sup> Offense: \$450.00, plus the truck parking permit will be revoked.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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Mayor

ATTEST:

\_\_\_\_\_

City Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_  
day of \_\_\_\_\_, 2003.

\_\_\_\_\_

City Clerk