

RESOLUTION #4-21-2013A
EMBARGO RESOLUTION
EIGHTH AVENUE NW, FIRST STREET EAST, FIRST STREET WEST

WHEREAS, Under the provisions of Chapter 321.473 of the Code of Iowa, the City Council of the City of Mount Vernon, Iowa, may prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight thereof, and

WHEREAS, deteriorating conditions are such as to produce, with heavy repeated loading, a condition which may seriously damage or destroy the roadway described and located as follows:

The portion of Eighth Avenue NW, First Street East, and First Street West, all located within the corporate limits of the City of Mount Vernon, Iowa.

NOW THEREFORE, BE IT RESOLVED, that the Mount Vernon City Council hereby establish a 40,000 lb. (20 ton) embargo weight limit on said street, and that the City Public Works Director be directed to post signs as needed and as prescribed in Chapter 321.743, Code of Iowa. The City Public Works Director is hereby authorized to remove said embargo by directions of said City Council or, in the event that said City Council is not in session, at the recommendation of the City Engineer when conditions improve such that the embargo is no longer necessary. Exemptions may be granted upon application to the City Engineer.

Motion made by _____, seconded by _____ to _____
Resolution #4-21-2014B.

Resolution #4-21-2014B. _____ on April 21, 2014, by the following roll call vote:

YES:

NO:

ABSTAIN:

ABSENT:

MOUNT VERNON CITY COUNCIL
MOUNT VERNON, IOWA

James L. Moore, Mayor

ATTEST:

Sue Ripke
Asst. Administrator/City Clerk

87 Acts, ch 162, §2

Referred to in § 321.236, 331.362

StartOfSec**321.473 LIMITING TRUCKS -- RUBBISH VEHICLES.**

Local authorities with respect to highways under their jurisdiction may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

The department may issue annual special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from a rubbish collection point to a landfill area, exceeding the weight limitation of section 321.463, but not exceeding a rear axle gross weight for two-axle vehicles of twenty-two thousand pounds for the period commencing July 1, 1978 and ending June 30, 1986 and twenty thousand pounds commencing July 1, 1986 and thereafter, and for tandem axle vehicles or transferable auxiliary axle vehicles not exceeding a gross weight on the rear axles of thirty-six thousand pounds. Annual special permits for the operation on secondary roads shall be approved by the county engineer. Annual special permits for a particular vehicle shall not be issued by the department unless prior approval is given by the county engineer of the county in which the vehicle will be operated. Annual special permits for operation on primary roads shall be approved by the state department of transportation. Compacted rubbish vehicles and vehicles which transport compacted rubbish from a rubbish collection point to a landfill area operated pursuant to an annual special permit shall be operated only over routes designated by the local authority. Annual special permits for a particular vehicle shall not be issued by the department unless approved by the local authority responsible for the roads over which the vehicle will be operated. Annual special permits approved by the issuing authority shall be issued upon payment of an annual fee, in addition to other registration fees imposed, of one hundred dollars to be paid to the department for all nongovernmental vehicles.

Any person who violates the provisions of the ordinance or resolution shall, upon conviction or a plea of guilty, be subject to a fine determined by dividing the difference between the actual weight and the maximum weight established by the ordinance or resolution by one hundred, and multiplying the quotient by two dollars. The fine for violation of a special permit issued pursuant to this section shall be based upon the difference between the actual weight of the vehicle and load and the maximum weight allowed by the permit in accordance with section 321.463.

Local authorities may issue special permits, during periods such restrictions are in effect, to permit limited operation of vehicles upon specified routes with loads in excess of any restrictions imposed under this section, but not in excess of load restrictions imposed by any other provision of this chapter, and such authorities shall issue such permits upon a showing that there is a need to move to market farm produce or to move to any farm, feeds or fuel for home heating purposes.