

Ordinance # 458-01

**AN ORDINANCE TO REGULATE WEIGHT LIMITS OF MOTOR
VEHICLES OPERATED UPON PUBLIC WAYS WITHIN
CORPORATE BOUNDARIES**

Be it ordained by the Mayor and Board of Aldermen of the City of Sumner, Illinois

Section I- Purpose and Authority

The purpose of this rule is to prevent damage to city roads, streets, and highways which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of Village roads, streets, and highways, and to reduce the public expense of their maintenance and repair.

Section II- Definitions

The definitions contained in the Illinois Motor Vehicle Code shall govern the construction of words contained in this rule. Any words not defined therein shall be given their common and ordinary meaning.

Section III- Restrictions and Notices

(a) The municipal officers may impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town roads, streets and highways to which the restriction shall apply.

(b) Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of 10 tons or 20,000 pounds on any way or bridge so posted unless otherwise exempt as provided herein.

(c) The notice shall contain, at a minimum, the following information: The name of the road, street, or highway, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the municipal officers.

(d) The notice shall be conspicuously posted at each end of the restricted portion of the road, street, or highway in a location clearly visible from the travel way. Whenever restrictions expires or is lifted, the notices shall be removed wherever posted. Whenever restriction is revised or extended notices shall be removed and replaced with new notices.

(e) No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Section IV-Exemptions

The following vehicles are exempt from this rule:

- (a) Any two-axle vehicle while delivering home heating fuel.
- (b) Any vehicle while engaged in highway maintenance or repair under the direction of the state or city.
- (c) Any emergency vehicle, such as fire fighting apparatus or ambulances, while responding to an emergency.
- (d) Any school transportation vehicle while transporting students.
- (e) Any public utility vehicle while providing emergency service or repairs.
- (f) Any vehicle whose owner or operator holds a valid permit from the Municipal Officers as provided herein.

Section V-Permits

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the Municipal Officers for a permit to operate on a posted street, road, or highway notwithstanding the restriction. The Municipal Officers may issue a permit only upon all of the following findings:

- (a) No other route is reasonably available to the applicant.
- (b) It is a matter of economic necessity and not mere convenience that the applicant use the street, road, or highway.
- (c) The applicant has tendered cash, a bond or other suitable security to the City in the amount sufficient, in this judgment, to repair any damage to the road, street, or highway which may reasonably result from the applicant's use of same.

Even if the Municipal Officers make the foregoing findings, they need not issue a permit if they determine the applicant's use of the way could reasonable be expected to create or aggravate a safety hazard or cause substantial damage. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways.

In determining whether to issue a permit, The Municipal Officers shall consider the following:

1. The gross registered weight of the vehicle.
2. The current and anticipated condition of the way.
3. The number and frequency of vehicles trips proposed.
4. The cost and availability of materials and equipment for repairs.
5. Extent of the use by other exempt vehicles
6. Such other circumstances as may, in their judgment be relevant.

The Municipal Officers may issue permits subject to reasonable conditions, including but not limited to restrictions on the actual load weight and the number of frequency of vehicle trips, which shall be clearly noted on the permit.

Section VI-Administration and Enforcement

This rule shall be administered and may be enforced the City Mayor or their duly authorized designee.

Section VII- Penalties

Any violation of this ordinance shall be a civil infraction subject to a fine of not less than \$100 and no more than \$500. Each violation shall be deemed a separate offense. In addition to any fine, the City may seek restitution for the cost of repairs to any damaged street, road or highway and reasonable attorney fees and costs.

Passed by the Board of the City of Sumner on this the 8th day of May, 2001

Betty L. Buan
Mayor of Sumner

Blanche Piper
City Clerk

State of Illinois
County of Lawrence
City of Sumner

I, Blanche Pipin, City Clerk of the City of Sumner, Illinois do hereby certify that the above and foregoing ordinance entitled:

**"AN ORDINANCE TO REGULATE WEIGHT LIMITS OF MOTOR VEHICLES
OPERATED UPON PUBLIC ROADWAYS WITHIN
CORPORATE BOUNDARIES"**

was duly passed by the Board of the City of Sumner on this the 8th day of May, 2001, and was afterwards on the same day and date was duly approved by the Mayor of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City of Sumner, Illinois this the 8th day of May, 2001.

Blanche Pipin
City Clerk

Corporate Seal