

ORDINANCE NO. 535

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, CREATING CHAPTER 75, "TRUCK ROUTES," OF THE CITY'S CODE OF ORDINANCES; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Glen Rose, Texas ("City") possesses the power to designate commercial truck traffic routes in the City to protect the health, safety and general welfare of the residents of the City and to preserve and protect functionality and integrity of the City's roads; and

WHEREAS, the City Council of the City of Glen Rose ("Council") has determined that it is in the best interests of the City and its residents to designate certain roads as "No Trucks" roads, and to provide for Chapter 75, "Truck Routes," to the City Code of Ordinances to provide for same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLEN ROSE, TEXAS:

SECTION 1. Chapter 75 of the Code of Ordinances is hereby created and shall be designated "Truck Routes" and shall read as follows:

§ 75.01 PURPOSE.

To protect the health, safety and general welfare of the residents of the City and to preserve and protect functionality and integrity of the City's roads, streets and highways by designating commercial truck traffic routes in the City.

§ 75.02 DEFINITIONS

For purposes of this Chapter, when not inconsistent with the context, words used in the present tense include the future tense, words in the plural include the singular, and words in the singular include the plural, and the use of any gender shall be applicable to all genders whenever the sense requires. Words not defined in this section shall be given their common and ordinary meaning.

Commercial truck. Any motor vehicle having a weight of 13 tons gross vehicle weight rating (GVWR) or more including the load carried, also including but not limited to, any vehicle carrying hazardous materials or solid waste. Commercial trucks shall not include vehicles carrying or designated to carry passengers, all governmentally owned or leased vehicles, public utility vehicles, motor homes, recreational vehicles or vehicles used exclusively to transport personal possessions or family members for nonbusiness purposes.

Truck route. A road, street and/or highway on which commercial trucks are allowed and which is designated and posted as a “truck route.”

§ 75.03 UNLAWFUL ACTS/EXEMPTIONS

(a) It shall be unlawful to operate a commercial truck on the following roads, streets or highways located in the City:

Street Segment	Extent
Grace Street	From Elm Street to NE Barnard Street

(b) The provisions of this section shall not apply to:

- (1) Emergency vehicles operating in response to any emergency call;
- (2) A vehicle traveling to or from areas served directly by the roads, streets and/or highways listed in this section for the purpose of providing repair or maintenance service or loading or unloading goods, wares or merchandise, provided such vehicle is operated over the shortest possible route, and the operator of such vehicle has in his immediate possession evidence of the local destination and point of origin;
- (3) An owner and/or operator of a commercial truck driving to and from his residence;
- (4) Commercial trucks owned and/or operated by and/or on behalf of a governmental entity, a public utility and/or any contractor or materialman, while engaged in the repair, maintenance or construction of roads, streets and/or highways, and/or road, street and/or highway improvements and/or utilities within the City;
- (5) Commercial trucks owned and/or operated by and/or on behalf of a governmental entity while engaging in and/or performing official, authorized government-related business; and
- (6) Commercial trucks operating upon a City or state officially designated detour.

§ 75.04 ESTABLISHING NO TRUCK ROUTE(S)

The director of public works, or his/her designee, shall maintain accurate maps setting out no truck routes on streets upon which no truck traffic is permitted. The maps shall be kept on file in the office of the City secretary and shall be available to the public.

§ 75.05 POSTING OF RESTRICTIONS

Signs indicating the “no truck route(s)” provided herein shall be placed or caused to be placed by the director of public works, or his/her designee, at the most advantageous points to be conspicuous to approaching vehicular traffic. The signs shall be permanently affixed to a stationery post or installed on permanent buildings or walls or as otherwise approved. The signs shall in no way be obstructed from view and shall comply with applicable state laws.

§ 75.06 PENALTY PROVISION

Any person, firm, corporation or business entity violating this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00). The City retains all legal rights and remedies available to it pursuant to local, state and federal law.”

SECTION 2. Repeal of Conflicting Ordinances. This Ordinance, upon its enactment and effective date, shall repeal all conflicting ordinances relative to conflicts of interest.

SECTION 3. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Glen Rose hereby declares that it would have passed this Ordinance each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

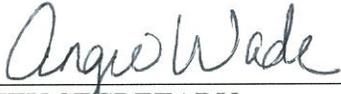
SECTION 4. Effective Date. This Ordinance shall take effect immediately after its passage and publication of the caption as the law and Charter in such cases provide.

DULY PASSED by the City Council of Glen Rose, Texas on the 11th day of August, 2014.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

