

STARKE COUNTY ORDINANCE 2010- _____

**AUTHORITY FOR TEMPORARY WEIGHT AND SPEED LIMITS
ON COUNTY HIGHWAYS, ROAD AND BRIDGES
DURING STATE OR FEDERAL HIGHWAY DETOURS**

WHEREAS, the Starke County Commissioners (the “Commissioners”) are the local governmental entity with supervisory authority over Starke County’s highways, roads and bridges, including construction, maintenance and regulation of the use thereof; and,

WHEREAS, certain Indiana State and US Federal highways traverse lands in or near Starke County, under the supervision of the Indiana Dept. of Transportation; and,

WHEREAS, when the State and Federal highways in or near Starke County are closed temporarily due to construction, maintenance, for an emergency or for any other reason, drivers of vehicles that would ordinarily travel on the State or Federal highways may instead chose to travel on Starke County Roads; and,

WHEREAS, in such circumstances, one or more Starke County roads may be subjected to greatly increased traffic, including trucks and tractor trailers carrying heavy loads, such that the County Road will suffer substantial damage to the surface and structure of the road, or of bridges and other features attendant to the roadway; and

WHEREAS, the present speed limit on County Highways is 55 miles per hour unless established lower per local ordinance or the Indiana Code; and

WHEREAS, heavy traffic traveling on the County Highway being used as an unofficial detour is likely to be unreasonably dangerous unless a lower speed limit is in place during the period it is being used as an *ad hoc* detour; and

WHEREAS, the above described circumstances are temporary conditions in specific areas of the county, but the general set of circumstances is certain to recur; and,

WHEREAS, the Commissioners desire to adopt an efficient system for managing the impacts of State and Federal Highway detours on Starke County highways, roads and bridges; and,

WHEREAS, the Board of Commissioners of Starke County finds, declares and proclaims that there is an urgent necessity requiring the adoption of this Ordinance and requiring its effectiveness upon passage.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COMMISSIONERS OF STARKE COUNTY, STATE OF INDIANA, THAT upon a resolution duly adopted by the Commissioners, portion or all of any County highway, road or bridge may be made

subject to a temporary weight and/or speed limit. All temporary speed and weight limits shall be posted by appropriate signage on the affected roads or bridges. All resolutions for a temporary weight or speed limit shall specify the starting and closing date, or in lieu of a closing date, may specify the termination of the State or Federal Highway detour.

Provided, however: weight limits pursuant to this Ordinance do not apply a school bus transporting pupils to and from schools nor do they apply to any emergency vehicle, or any ordinary activities by any local farm .

PENALTY FOR VIOLATION OF THIS ORDINANCE

1. A person who violates the speed regulations set forth in this Ordinance commits a Class C infraction.
2. A person who violates the weight limit regulations set forth in this Ordinance commits a Class C infraction and shall be fined up to (\$500.00) and all costs, including court costs, for each violation.

PASSED AND ADOPTED on this ____ day of September, 2010.

Dated: September ____, 2010.

Daniel D. Bridegroom, *president*

Kathy J. Norem, *Vice President*

Jennifer Davis, *Member*

ATTEST:

Michaelene J. Houston, *Auditor*

RESOLUTION ESTABLISHING A
TEMPORARY WEIGHT AND SPEED LIMIT
PURSUANT to ORDINANCE 2010- _____

A temporary weight and/or speed limit is hereby applied as set forth herein.

This temporary restriction is EFFECTIVE for the time period commencing _____ and ending _____ (or upon termination of the State or Federal Highway detour)

THIS temporary weight/speed limit is due to a detour on:

(specify State or Federal Highway, and portion, under a temporary detour)

A temporary **weight limit** of _____ tons is hereby applied to:

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

A temporary **speed limit** of _____ is hereby applied to:

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

(specify Starke County Road or bridge, and portion thereof, subject hereto)

PASSED AND ADOPTED on this ____ day of _____, 20____.

Daniel D. Bridegroom, *president*

Kathy J. Norem, *Vice President*

Jennifer Davis, *Member*

ATTEST:

Michaelene J. Houston, *Auditor*