

1994-01-01

IC 9-20-1-3

ORDINANCE

WHEREAS, the Board of County Commissioners of Starke County, Indiana, is responsible for formulating county road policy consistent with the statutes of the State of Indiana; and,

WHEREAS, the citizens of Starke County depend on the daily use of county roads for the normal flow of community services including mail delivery, school bus service, home-to-job travel, and home-to-market travel; and

WHEREAS, the load carrying capacities on road foundations are greatly reduced during and following the spring thaw, when the frost is leaving the ground; and

WHEREAS, vehicular wheel loads that exceed the load carrying capacity of road pavements and road foundations during the spring thaw can produce serious destruction and damage to the road pavements and road foundations, thereby causing inconvenience to the travelling public and necessitating excessive and expensive road repairs and maintenance; and

WHEREAS, the Board of County Commissioners of Starke County desire to reduce the road damage and destruction to reduce the inconvenience to the travelling public, and to conserve the repair and maintenance funds for the general improvement of the county highway system for the benefit of the travelling public;

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Starke County, Indiana, to-wit:

That, until and subject to further notice of this Board, for and at all times during a period of ninety (90) days commencing on February 1, of each year beginning in 1994, it shall be unlawful to operate, or cause to be operated, upon any public road or public highway of the County system of Starke County, Indiana, excepting therefrom any roads or highways that are included in the State Highway System of the State of Indiana, or the Federal Highway System of the United States of America, any vehicle or combination of vehicles having a total gross weight, with load, exceeding the following:

- 4 - wheel vehicles over 6,000 pounds gross
- 6 - wheel vehicles over 15,000 pounds gross
- 10 - wheel vehicles over 25,000 pounds gross

except for deliveries to and from houses and establishments located on said roads, which vehicles during such delivery shall be exempt therefrom.

Said restrictions shall be in full force and effect only during those times that the county roads are posted with notice of the same, by Order of the County Commissioners.

Individuals for whom these restrictions would be detrimental, may obtain, from the County Highway Superintendent of Starke County, Indiana, a written permit allowing said individual to operate or cause to be operated upon said County Highway System any lawful vehicle or vehicle combination, having a total gross weight, with load, in excess of the limitations of weight set forth hereinbefore in this ordinance, and being otherwise lawful. The application for this permit must be in writing. The County Highway Superintendent is to exercise sound discretion in deciding whether the circumstances of the applicant are sufficient to merit the granting of a permit to the applicant. The Starke County Highway Superintendent may put any conditions upon the permit that he feels is necessary.

FURTHER, PROVIDED, HOWEVER, that all such permittees with each such separate excess weight so specially permitted, shall operate and move said specially permitted weight load only upon the roads and highways of said county highway system on the route and as directed in writing by said County Highway Superintendent in granting such written permit.

THE PENALTIES, for violation of this ordinance shall be those as made and provided for such cases by the laws of the State of Indiana.

SO ADOPTED THIS 4th DAY OF April, 1994.

BOARD OF COMMISSIONERS OF THE
COUNTY OF STARKE

Clifford Allen
Clifford Allen, President

Pamela Fletcher
Pamela Fletcher, Member

Donald Risner
Donald Risner, Member