

ORDINANCE 297

AN ORDINANCE AMENDING THE CITY CODE OF BUFFALO, IOWA
BY MODIFYING AND REPEALING CERTAIN PROVISIONS IN
TITLE II, DIVISION 1, CHAPTER 2, ARTICLE 7 OF
THE CITY CODE REGARDING VEHICLE
LOAD AND WEIGHT RESTRICTIONS

BE IT ENACTED by the City Council of the City of Buffalo, Iowa, that certain provisions in Article 7 of Chapter 2, Division 1 of Title II of the City Code of Buffalo, Iowa, shall be amended as follows:

Section 1.

2.1-2.0701 TEMPORARY EMBARGO. The City Council may declare by ordinance or resolution a limit or restriction on the weight of vehicles to be operated on a street or highway within the City limits, for a period of not to exceed ninety (90) days in any one calendar year, when it appears that the street or highway by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the permitted weight of vehicles is reduced. This section shall not apply to implements of husbandry as defined by state law or implements of husbandry loaded on hauling units for transporting the implements to locations for purposes of repair. The City shall erect and maintain signs which designate the ordinance or resolution and the weight limit or restrictions imposed, at each end of the designated street or highway. No vehicles shall be operated in violation of such signs.

2.1-2.0702 PERMITS FOR EXCESS WEIGHT. The Police Chief for the City of Buffalo may, upon application in writing and for good cause shown, issue special permits during the periods weight restrictions under 2.1-2.0701 are in effect, to permit the limited operation of vehicles upon specified routes with loads in excess of such weight restrictions or limitations. Such permits shall be issued upon a showing of a need to move to market farm produce of the type subject to rapid spoilage or loss of value, or to move any farm feeds or fuel for home heating purposes.

2.1-2.0703 LOAD LIMITS UPON CERTAIN STREETS. Iowa Highway No. 22, within the Buffalo City limits is hereby closed to all truck traffic with a gross vehicle weight of ten (10) tons or more, with the following exceptions:

- a. Trucks traveling from the east corporate limits of the City of Buffalo may pick up or unload cargo at any point from one hundred (100) feet from the center line of Dodge Street east to the east corporate limits.

Weight restrictions on these vehicles shall be governed by state law.

- b. Any truck may use Iowa Highway No. 22 west of Dodge Street provided it does not exceed the weight restriction imposed by this section, or it is in the process of disposing of its cargo within the corporate limits of the City. Weight restrictions on any truck disposing of its cargo within the meaning of this section shall be governed by state law.

2.1-2.0704 LOAD LIMITS ON BRIDGES AND CULVERTS. Upon a finding by the City of Buffalo that a bridge or culvert does not meet established standards set forth by state and federal authorities, the City Council may, by ordinance or resolution, impose limitations for an indefinite period of time on the weight of vehicles traveling upon any such bridge or culvert located upon a highway under the City's sole jurisdiction. Such ordinance or resolution shall not apply to implements of husbandry as defined by state law, or to implements of husbandry loaded on hauling units for transporting the implements to locations for purposes of repair. Upon enacting any such ordinance or resolution, the City shall erect and maintain signs designating the ordinance or resolution and the weight limits imposed, at each end of that portion of any bridge or culvert affected thereby. No vehicle shall be operated upon or over a bridge or culvert in violation of such signs. The Buffalo Chief of Police may, upon written application and for good cause shown, issue special permits allowing the operation over a bridge or culvert of vehicles with weights in excess of the restrictions imposed under the ordinance or resolution, but not in excess of any other load restrictions imposed by Iowa Code Chapter 321.

Section 2.

The City Code of Buffalo, Iowa, Sec. 2.1-2.0705, regarding overweight and overlength trucks, is hereby deleted and repealed.

Section 3.

A person who violates the provisions of any vehicle weight limitation or restriction established by ordinance or resolution pursuant to this chapter 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 (100), and multiplying the quotient by two dollars (\$2.00).

Section 4.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5.


If any section, subsection, sentence, clause, or phrase of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, subsection, sentence, clause, or phrase hereof not adjudged invalid or unconstitutional.

Section 6.

This ordinance shall become effective upon publication as required by law.

APPROVED by the City Council of the City of Buffalo, Iowa, this 07 day of December, 1992.

APPROVED and signed by the Mayor of the City of Buffalo, Iowa, this 07 day of December, 1992.


Betty O. Walters, Mayor,
City of Buffalo, Iowa

ATTEST:


Carol A. Bernauer, City Clerk

*Voted down by Council
on 01-04-93.*