

CITY OF BELLS
ORDINANCE NO. 33 Section 29

AN ORDINANCE PROHIBITING THE USE OF PUBLIC STREETS IN THE CITY OF BELLS OF ANY VEHICLE, OR COMBINATION THEREOF WITH A GROSS LOAD LIMIT IN EXCESS OF 30,000 POUNDS, OR A SINGLE AXLE LOAD LIMIT IN EXCESS OF 18,000 POUNDS, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF, OF NOT LESS THAN TWENTY-FIVE & NO/100 (\$25.00) DOLLARS, NOR MORE THAN TWO HUNDRED & NO/100 (\$200.00) DOLLARS.

WHEREAS, there is a need for governing of load limits upon the public streets in the City of Bells, Texas, and

WHEREAS, there is a need to regulate the weights on the public streets of Bells, Texas, to prevent their damage and destruction,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLS:

SECTION I. Short Title. This Ordinance shall be known and shall be cited as the "Weight Ordinance."

SECTION II. Definitions. For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number, the plural numbers. The word "shall" is always mandatory and not merely directory.

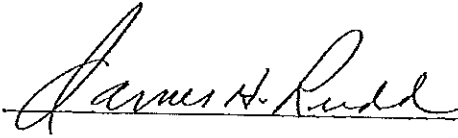
- (a) City is the City of Bells, Texas.
- (b) Public Street shall mean any street, alley, sidewalk, or highway within the incorporated City Limits of Bells, Texas, except U. S. Highway 82, U. S. Highway 69, and Farm-to-Market 1897, shall be exempt from this Ordinance, and any other such roads that may hereinafter be designated by the City Council.
- (c) Vehicle means every mechanical device, in, upon or by which any person or property is or may be transported or drawn upon a public highway, including motor vehicles, commercial motor vehicles, vehicle or combination of vehicles, truck-tractors, trailers, and semi-trailers, but excepting devices moved by human power or used exclusively upon stationary rails or tracks.

SECTION III. Any person, firm or corporation which operates or causes to operate a vehicle upon the public streets, as hereinbefore defined, of this City with a gross weight in excess of 30,000 pounds, or a single axle weight in excess of 18,000 pounds shall be in violation of the law. There is excepted herefrom vehicles temporarily operated for pickup and delivery within the City when such pickup or delivery may not be done by staying upon one of the three public highways defined herein.

SECTION IV. The City Police, City Marshall or any peace officer shall have the authority to enforce this Ordinance and said officer shall have the right and power to take any such vehicle he suspects to be operating with a weight in excess of the limit to the nearest available public scale for weighing, and such weight shall be prima facie evidence as to the true and correct weight of said vehicle.

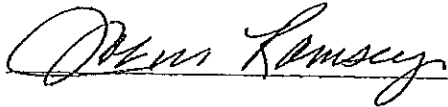
SECTION V. Penalties. Any person, firm or corporation which operates, or causes to be operated, said vehicle violating the provisions of this Ordinance shall upon conviction be fined not less than TWENTY-FIVE AND NO/100 (\$25.00) DOLLARS, nor more than TWO HUNDRED AND NO/100 (\$200.00) DOLLARS.

PASSED and APPROVED by the City Council of the City of Bellis, Texas, this 1 day of FEB., A.D. 1983.



-Mayor

ATTEST:



-City Secretary

CORRECTLY RECORDED: