

ORDINANCE NO. 402

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EARLHAM, IOWA, BY AMENDING PROVISIONS PERTAINING TO TRUCK ROUTES

BE IT ENACTED by the City Council of the City of Earlham, Iowa:

SECTION 1. SECTION MODIFIED. Section 66.05 of the Code of Ordinances of the City of Earlham, Iowa, is repealed and the following adopted in lieu thereof:

66.05 TRUCK ROUTE. Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing five tons or more, when loaded or empty, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

(Code of Iowa, Sec. 321.473)

- A. All of Sixth Street;
- B. All of Walnut Avenue;
- C. All of SW Third Street;
- D. South Chestnut Avenue from SW Third Street to SW Second Street;
- E. SW Second Street from S Chestnut Avenue to SW Walnut Avenue;
- F. North Chestnut Avenue from Sixth Street to corporate limits.

2. Deliveries Off Truck Route. Any motor vehicle weighing five tons or more, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes set out in this section to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.

(Code of Iowa, Sec. 321.473)

3. Employer's Responsibility. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.

(Code of Iowa, Sec. 321.473)

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part 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, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by Council the 10th day of September 10, 2018, and approved the 10th day of September, 2018.

Jeff Lillie, Mayor

ATTEST: _____
Mary Sue Hibbs, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

Council Member	1st Reading	2nd Reading	3rd Reading Final Passage
Fredericksen			
Griswold			
Payne			
Petersen			
Swalla			

I certify that the foregoing was published as Ordinance No. 402 on the ____ day of _____,
20____.

Mary Sue Hibbs, City Clerk