

ORDINANCE No. 2013-9

REVISION OF ORDINANCE 1996-10

ORDINANCE PROHIBITING CERTAIN TRUCK OR FREIGHT CARRYING VEHICLE TRAFFIC ON, COOK STREET, DEPOT STREET, CLINTON STREET, AND PARTS OF WEST ELM STREET, AND WASHINGTON STREET.

Whereas, certain streets within the Town of Millersburg are not designed to carry the weight and traffic, of heavy trucks and cargo and should be prohibited from driving on such streets to prevent excessive maintenance costs, although the Town Council recognizes the need for such trucks to drive on such streets when their destination is on such streets:

Whereas, Ind. Code 9-21-1-2 authorizes a local authority to adopt ordinances regulating traffic with respect to streets and highways under its jurisdiction.

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, AND ORDAINED by the Town Council of the Town of Millersburg, Indiana as follows:

1. Drivers are prohibited from driving trucks with payload capacity of one ton, or, pickup trucks being used for commercial transportation or the pulling of trailers, campers or other items for commercial use, to or from a business, on Cook Street, Depot Street, Clinton Street, the 300 block of West Elm Street, and Washington St. East of S.R. 13 in the Town of Millersburg.
2. Ordinance violations shall be enforced under proceedings brought pursuant to Indiana Code 34-4-32-1 et seq. in a manner similar to that of infractions with complaint and summons described in Indiana Code 9-30-3-6 issued by the Millersburg Police Department or other police agency. Any person who is found to have violated any provision of this Ordinance shall be punished by a (\$100.00) One Hundred dollar fine for each separate offense.
3. Revenues generated from fines for violations of this ordinance shall be deposited in the general fund LECE line item of the Town of Millersburg Indiana.
4. This Ordinance shall be effective from after its passage by the Town Council and publication according to law and posting of signs giving notice of the traffic regulation at the affected intersections.

IT IS ADOPTED, ESTABLISHED, AND ORDAINED THIS 19th DAY OF August, 2013.

Town Council of the Town of Millersburg, Indiana

[Signature] : Jim Winkler, Council President

[Signature] : Priscilla Hile, Council Person

[Signature] : Steve Barhydt, Council Person

ATTEST: [Signature] : Patricia Barhydt, Clerk - Treasurer