

AN ORDINANCE RESTRICTING TRUCK TRAFFIC ON CERTAIN STREETS WITHIN THE CITY LIMITS OF HAMILTON, MISSOURI, FIXING PENALTIES FOR VIOLATIONS, AND ESTABLISHING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS:

SECTION 1: Subchapter E, Restricted Routes, is amended in Section 76.1000 of the City Code as follows:

SECTION 76.1000. PROHIBITION AGAINST TRAVEL ON CERTAIN STREETS BY COMMERCIAL VEHICLES.

Except as expressly permitted under this ordinance no person shall operate any commercial motor vehicle in the City Limits of Hamilton, Missouri on the following Streets:

- 1) **ER Penney Street from the intersection with North Davis Street to the intersection with North Ardinger Street.**
- 2) **East McGaughey Street from the intersection with North Davis Street to the intersection with North Burress Street.**
- 3) **Willis Street**

provided that commercial vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter. In addition, with permission of the City Administrator, non-local commercial construction vehicles may use these streets for limited authorized time periods.

The term "**Commercial motor vehicle**" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property:

- (a) If the vehicle has a gross combination weight rating or gross combination weight of twenty-six thousand one or more pounds, whichever is greater, inclusive of a towed unit which has a gross vehicle weight rating or gross vehicle weight of more than ten thousand pounds, whichever is greater;
- (b) If the vehicle has a gross vehicle weight rating or gross vehicle weight of twenty-six thousand one or more pounds, whichever is greater;
- (c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or
- (d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. Section 1801, et seq.);

The term "**non-local commercial construction vehicles**" shall be defined as semi-trucks and trailers, commercial trucks in excess of (½) one-half-ton capacity and commercial trailers in excess of one thousand six hundred (1,600) pounds which are providing construction or landscaping services, or delivery of materials and equipment for construction and landscaping services to properties where construction is progressing.

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that

might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 10th day of October 2018.

Travis Trospen, President
of Board of Aldermen

Approved on this 10th day of October 2018.

Winford Gilliam, Mayor

Attest: _____
Debra Davis, City Clerk