



Legislation Text

File #: ORD-19:048, **Version:** 1

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO ADD SECTION 66-267 ADOPTING WEIGHT AND SIZE REQUIREMENTS FOR LARGE TRUCKS IN THE CITY OF JONESBORO AND REPEALING SECTION 66-301

WHEREAS, the City Council of the City of Jonesboro, Arkansas desires to ensure that the roadways in the City of Jonesboro are safe and in good repair; and,

WHEREAS, overloaded trucks have caused damage to the City's streets which are extremely expensive to repair; and,

WHEREAS, Section 66-301 *Truck Routes; designated* needs to be repealed and language added elsewhere within the Jonesboro Code of Ordinances to better protect our roadways; and,

WHEREAS, the City of Jonesboro is presently without an effective means to regulate overloaded trucks or to charge owners and operators of said overweight trucks for damage to roads or structures within the road rights-of-way caused by overweight trucks.

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

SECTION 1: The following language is added to the Jonesboro Code of Ordinances as Section 66-267 TRUCKS AND TRUCK ROUTES:

- (a) The Traffic Control Review Committee is authorized to determine and recommend to the City Council streets or parts of streets where truck traffic should be prohibited due to the inability of the street to withstand the weight of the trucks.
- (b) "Truck" means any Commercial Class One and All Class Two or larger trucks or trailers as defined in ACA 27-14-601(a)(3).
- (c) Any truck travelling on the city streets shall have posted in their vehicle the weight capacity as allowed by the State of Arkansas for that vehicle, at all times.
- (d) Any truck found to be in violation of the weight limits prescribed in their state permit, or in ACA 27-35-203, shall be in violation of this ordinance and shall be subject to the penalties and guidelines found in ACA 27-35-202 as if those penalties and guidelines were set out in this ordinance word for

word.

- (e) Any penalties assessed pursuant to this ordinance shall be paid to the City of Jonesboro.
- (f) Any person driving any truck upon any city street shall be liable for all damage which the street or structures within the street right-of-way may sustain as a result of any careless, negligent, or illegal operations, driving, or moving of that truck of excessive weight, even where a special permit is issued by the state permitting the weight of the load. Whenever the driver is not the owner of the truck, but is operating, driving, or moving it with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any damage.

SECTION 2: Section 66-301 *Truck Routes; designated* of the Jonesboro Code of Ordinances is hereby repealed.

PASSED AND APPROVED THIS 5TH DAY OF NOVEMBER, 2019.