

ORDINANCE 347

AN ORDINANCE REGULATING THE TRANSPORT OF ANHYDROUS AMMONIA IN AND THROUGH THE CITY OF ROLLA, NORTH DAKOTA; PROVIDING FOR DESIGNATED ROUTES THROUGH THE CITY FOR TRANSPORT OF ANHYDROUS AMMONIA; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, NORTH DAKOTA:

SECTION 1. DEFINITIONS

For the purpose of this article:

(A) The term "vehicle" shall include any vehicle, trailer, or semitrailer propelled by mechanical, motor or muscular power.

(B) Tank truck: Any motor vehicle used for the transportation of Anhydrous Ammonia, which for such purpose is provided with a tank or tanks mounted on the frame or chassis of such vehicle.

(C) Tank trailer: Any vehicle without its own motive power but drawn by a motor vehicle, used for the transportation of Anhydrous Ammonia, and which for such purpose is provided with a tank or tanks mounted thereon.

(D) Tank semitrailer: A vehicle of the trailer type having one or more axles and two or more wheels, so designed and used in conjunction with a motor vehicle that some parts of its own weight and that of its own load rests upon or is carried by another vehicle; used for the transportation of Anhydrous Ammonia and for which purpose is provided with a tank or tanks mounted thereon.

(E) Anhydrous Ammonia tank: Any vehicle, tank truck, tank trailer, or tank semitrailer which can be used to store, haul or dispense Anhydrous Ammonia.

SECTION 2. TRANSPORTATION OF ANHYDROUS AMMONIA

The following approved routes shall pertain to any vehicle, tank truck, tank trailer, tank semitrailer, or Anhydrous Ammonia tank, which is carrying Anhydrous Ammonia.

(1) Any vehicle, tank truck, tank trailer, tank semitrailer and Anhydrous Ammonia tank which has been loaded or filled with Anhydrous Ammonia shall be allowed to traverse to be within the city limits, only upon the following approved routes:

North Dakota State Highway No. 30  
North Dakota State Highway No. 5 and 281  
Front Street South  
4th St. NE to 5th Ave.  
5th Ave. N.E. from 4th Street N.E. to Highway No. 30

(2) No Anhydrous Ammonia tank shall be parked or permitted to stand anywhere in the municipality, provided that the standing of such vehicle made necessary by mechanical trouble, traffic conditions, accident, or in obedience to the direction of a policeman or traffic signals shall not be considered a violation of this section.

### SECTION 3. REGULATION OF VEHICLES

(A) Regulations concerning tank trucks, tank trailers, Anhydrous Ammonia tanks, and tank, semitrailers. Every tank, truck, tank trailer and tank semitrailer operated within the corporate limits of the city shall be in good repair, clean and free from leaks, and must conform to the Department of Transportation regulations.

(B) If a vehicle is required to be lighted pursuant to the applicable laws of the State of North Dakota, then every tank truck, tank trailer, and tank semitrailer operated within the corporate limits of the city shall be equipped only with electric lights, and lighting circuits shall have suitable over-current protection with fuses and automatic circuit breakers and the wiring shall have sufficient carrying capacity and mechanical strength and shall be suitably secured, insulated and protected against physical damage.

### SECTION 4. POLICE POWER DEFINED

This ordinance is declared to be an exercise of the police power directly affecting and designed to promote the peace, safety, public health and well-being of the people of this city.

### SECTION 5. SAVING CLAUSE

If any portion of this ordinance shall be judged unconstitutional or contrary to the laws of the State of North Dakota, such section shall not invalidate the remaining portions of this ordinance, and it is hereby expressly declared that remaining portions of this ordinance would have been adopted notwithstanding the invalid portions thereof, and it is hereby expressly declared that all of the remaining portions of this ordinance would have been adopted notwithstanding the invalid portions thereof, and that such portions not declared unconstitutional or contrary to the laws of the State of North Dakota shall remain in full force and effect.

SECTION 6. PENALTY

The maximum penalty for any person, co-partnership or corporation violating any of the provisions of this ordinance, shall upon conviction thereof be a fine of not more than Three Hundred Dollars (\$300.00) or imprisonment in the county jail not exceeding thirty days (30 days) or by both such fine and imprisonment.

SECTION 7. REPEAL OF CONFLICTING ORDINANCE.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. EFFECTIVE DATE OF ORDINANCE.

This ordinance shall be in force and take effect from and after its passage and publication as provided by law.

First Reading: August 17, 1988

Second Reading: September 1, 1988

Final Reading and Passage: September 1, 1988

Dennis Neameyer  
Mayor, Rolla, ND

ATTEST:

Mary Nordmark  
City Auditor

