



ORDINANCE 2017-5

AMENDING ORDINANCE 1973-5A

AN ORDINANCE ESTABLISHING TRUCK ROUTES WITHIN THE TOWN OF CLOVERDALE, INDIANA, AND MAKING IT UNLAWFUL TO OPERATE ANY VEHICLE ON RESIDENTIAL STREETS OF THE TOWN WHEN THE GROSS WEIGHT THEREOF EXCEEDS **10 TONS**, AND ESTABLISHING A PENALTY FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE, INDIANA;

SECTION 1. **DEFINITIONS**

THE FOLLOWING DEFINITIONS SHALL APPLY IN THE INTERPRETATION AND ENFORCEMENT OF THIS ORDINANCE:

- A. **"TRUCK ROUTE"**: SHALL MEAN ALL STATE OR FEDERAL HIGHWAYS OR ROADS WITHIN CORPORATE LIMITS OF THE TOWN OF CLOVERDALE AND ANY STREET WITHIN THE TOWN DULY DESIGNATED AND POSTED AS A TRUCK ROUTE.
- B. **"RESIDENTIAL STREET"**: SHALL MEAN ALL MUNICIPAL STREETS, ALLEYS, BRIDGES, AND CULVERTS WITHIN THE CORPORATE LIMITS OF THE TOWN OF CLOVERDALE OTHER THAN TRUCK ROUTES.

SECTION 2.

IT SHALL BE UNLAWFUL FOR ANY PERSON TO DRIVE OR OPERATE OR CAUSE TO BE DRIVEN OR OPERATED, ANY TRUCK OR VEHICLE, THE GROSS WEIGHT OF WHICH, WITH LOAD, EXCEEDS **10 TONS**, UPON ANY RESIDENTIAL STREET WITHIN THE TOWN OF CLOVERDALE. DRIVERS OF TRUCKS OR VEHICLES WHOSE GROSS WEIGHT, WITH LOAD, EXCEEDS **10 TONS** MAY DELIVER OR PICK UP GOODS OR PROPERTY AT PLACES WITHIN THE TOWN OF CLOVERDALE NOT LOCATED ON TRUCK ROUTES, PROVIDED SUCH TRUCKS OR VEHICLES ARE ONLY OPERATED BY THE SHORTEST WAY POSSIBLE BETWEEN A TRUCK ROUTE AND THE PLACE OF DELIVERY OR PICKUP WITHIN THE TOWN, OR AS OTHERWISE DIRECTED BY THE TOWN MARSHAL.

SECTION 3. **EXCLUSION**

DEPARTMENTS OF AND UTILITIES OWNED AND OPERATED BY THE TOWN OF CLOVERDALE AND EMPLOYEES AND PERSONS PERFORMING REPAIR OR CONSTRUCTION FOR SUCH DEPARTMENT AND UTILITIES UNDER CONTRACT WITH THE TOWN OF CLOVERDALE, WHILE ENGAGED IN THE NECESSARY PERFORMANCE OF THEIR DUTIES, ARE HEREBY EXCLUDED FROM THE PROVISIONS OF THIS ORDINANCE.

SECTION 4. OBLIGATION TO USE TRUCK ROUTES

THE OPERATOR OF A TRUCK OR ANY VEHICLE EXCEEDING **10 TONS**, UPON ENTERING THE TOWN OF CLOVERDALE, SHALL PROCEED IMMEDIATELY BY THE SHORTEST WAY POSSIBLE, TO THE NEAREST TRUCK ROUTE LEADING IN THE DIRECTION IN WHICH SUCH VEHICLE IS PROCEEDING, EXCEPT AS OTHERWISE PROVIDED IN SECTIONS 2 AND 3 OF THIS ORDINANCE.

SECTION 5. USE OF "COMPRESSION BRAKE OR JAKE BRAKE"

DUE TO THE PROXIMITY OF MAIN STREET AND RESIDENTIAL HOMES IN THE TOWN OF CLOVERDALE, THE USE OF "COMPRESSION BRAKE" OR "JAKE BRAKES" BEING USED BY COMMERCIAL TRUCKS WILL BE STRICTLY PROHIBITED IN THE TOWN OF CLOVERDALE. RESIDENTS HAVE COMPLAINED OF THE EXCESS NOISE AT ALL HOURS OF THE DAY AND NIGHT AND FOR THE PEACE AND ENJOYMENT OF OUR RESIDENTS THE TOWN WILL REDUCE THE EXCESS NOISE AS WRITTEN IN THE NOISE ORDINANCE.

SECTION 6. PENALTY

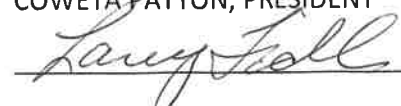
ANY PERSON VIOLATING THE ABOVE PROVISION OF THIS ORDINANCE, SHALL UPON CONVICTION THEREOF, BE FINED IN AN AMOUNT NOT LESS THAN \$500.00 (FIVE HUNDRED DOLLARS) NOR MORE THAN \$1000.00 (ONE THOUSAND DOLLARS) FOR EACH VIOLATION.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE HEREOF AND AFTER DUE PUBLICATION AS REQUIRED BY LAW.


DATED THIS 15 DAY OF June, 2017.



COWETA PATTON, PRESIDENT

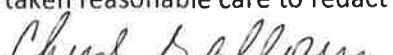


LARRY FIDLER, VICE PRESIDENT

ATTEST:


CHERYL GALLOWAY, CLERK TREASURER



I affirm, under penalties, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law 

This Document was created by Cheryl Galloway C-T