

CITY OF OAK RIDGE
KAUFMAN COUNTY, TEXAS

ORDINANCE 34-14
PROHIBITION OF COMMERCIAL TRUCKS
ON CERTAIN ROADS

**AN ORDINANCE OF THE CITY OF OAK RIDGE, TEXAS,
CREATING “NO COMMERCIAL TRUCK ROUTES” PROVISIONS;
REPEALING CONFLICTING ORDINANCES; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Oak Ridge, Texas (“City”), possesses the power to designate no commercial truck traffic routes in the City to protect the health, safety and general welfare of the residents of the City and to preserve and protect functionality and integrity of the City’s roads; and

WHEREAS, the City Council of the City of Oak Ridge (“Council”) has determined that it is in the best interests of the City and its residents to designate certain roads as “No Commercial Trucks” roads, and to provide for “No Commercial Truck Routes” provisions.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF OAK RIDGE, TEXAS:**

SECTION I

The City’s “No Commercial Truck Routes” provisions are hereby adopted and shall read as follows:

PART 1: PURPOSE

To protect the health, safety and general welfare of the residents of the City and to preserve and protect functionality and integrity of the City’s roads, streets and highways by designating no commercial truck traffic routes in the City.

PART 2: DEFINITIONS

For purposes of this Ordinance, when not inconsistent with the context, words used in the present tense include the future tense, words in the plural include the singular, and words in the singular include the plural, and the use of any gender shall be applicable to all genders whenever the sense requires. Words not defined in this part shall be given their common and ordinary meaning.

Commercial truck. Any motor vehicle having a weight of 13 tons gross vehicle weight rating (GVWR) or more including the load carried, also including but not limited to, any vehicle carrying hazardous materials or solid waste. Commercial trucks shall not include vehicles carrying or designated to carry passengers, all governmentally owned or leased vehicles, public utility vehicles, motor homes, recreational vehicles or vehicles used exclusively to transport personal possessions or family members for nonbusiness purposes.

No Commercial Truck route. A road, street and/or highway on which No commercial trucks are allowed and which is designated and posted as a “no commercial truck route.”

PART 3: UNLAWFUL ACTS/EXEMPTIONS

(a) It shall be unlawful to operate a commercial truck on the following roads, streets or highways located in the City:

Street Segment	Extent
CR 138 (Wilson Rd.)	From the south end of the TA Truck Stop heading south on CR 138 (Wilson Rd.) and ending at State Highway 34.

(b) The provisions of this part shall not apply to:

- (1) Emergency vehicles operating in response to any emergency call;
- (2) A vehicle traveling to or from areas served directly by the roads, streets and/or highways listed in this part for the purpose of providing repair or maintenance service or loading or unloading goods, wares or merchandise, provided such vehicle is operated over the shortest possible route, and the operator of such vehicle has in his immediate possession evidence of the local destination and point of origin;
- (3) An owner and/or operator of a commercial truck driving to and from his residence located on a restricted road;

- (4) Commercial trucks owned and/or operated by and/or on behalf of a governmental entity, a public utility and/or any contractor or materialman, while engaged in the repair, maintenance or construction of roads, streets and/or highways, and/or road, street and/or highway improvements and/or utilities within the City;
- (5) Commercial trucks owned and/or operated by and/or on behalf of a governmental entity while engaging in and/or performing official, authorized government-related business; and
- (6) Commercial trucks operating upon a City or state officially designated detour.

PART 4: ESTABLISHING NO TRUCK ROUTE(S)

The City's Code Enforcement Officer, or his/her designee, shall maintain accurate maps setting out no-truck routes on streets upon which no truck traffic is permitted. The maps shall be kept on file in the office of the City secretary and shall be available to the public.

PART 5: POSTING OF RESTRICTIONS

Signs indicating the "no through commercial trucks," "no commercial trucks turning" route(s) provided herein shall be placed or caused to be placed by the City's Code Enforcement Officer, or his/her designee, at the most advantageous points to be conspicuous to approaching vehicular traffic. The signs shall be permanently affixed to a stationery post, or as otherwise approved. The signs shall in no way be obstructed from view and shall comply with applicable state laws.

PART 6: PENALTY PROVISION

Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00). The City retains all legal rights and remedies available to it pursuant to local, state and federal law."

SECTION II.

Repeal of Conflicting Ordinances. This Ordinance, upon its enactment and

effective date, shall repeal all conflicting ordinances relative to conflicts of interest.

SECTION III.

Severability. Should any part, subpart, section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Oak Ridge hereby declares that it would have passed this Ordinance 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 or invalid.

SECTION IV.

Effective Date. This Ordinance shall take effect immediately after its passage and publication of the caption as the law in such cases provide.

DULY PASSED by the City Council of Oak Ridge, Texas on the 24th day of November, 2014.

APPROVED:

Al Rudin, Mayor

ATTEST:

Jan Shedd, City Secretary