

Motion was made by Howie [unclear], seconded by
Howie [unclear], that the following Ordinance be passed:

NO. 100

AN ORDINANCE PROHIBITING THE OPERATION OF OVERWEIGHT VEHICLES WITHIN THE TOWN OF STAGECOACH; ESTABLISHING MAXIMUM VEHICULAR WEIGHT LIMITATION; EXCLUDING CERTAIN VEHICLES FROM COVERAGE; PROVIDING FOR SPECIAL PERMITS AND BOND; PROVIDING PENALTIES FOR VIOLATION; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; AND FOR EFFECTIVE DATE.

WHEREAS, it has been determined by the Town Council that there is a need for the establishment of weight limitations with respect to vehicles traveling the streets and roadways of the Town of Stagecoach, Texas; and

WHEREAS, the rules, regulations and prohibitions herein-after established and adopted are a lawful exercise of the policy powers of the Town of Stagecoach, as established by law, and are promulgated for the purpose of preserving and protecting the public roadways within the Town and to promote the general welfare of the Town and its inhabitants;

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STAGECOACH, TEXAS:

I.

Operation of Overweight Vehicles Prohibited

Except as otherwise provided in this Ordinance, no motor vehicle, truck-tractor, trailer or semi-trailer, nor combination of such vehicles, shall be operated over, on or upon the public streets and roadways within the corporate limits of the Town of Stagecoach, Texas, having a weight in excess of the weight limitation set out in Section II hereof.

II.

Maximum Weight Permitted

No motor vehicle, truck-tractor, trailer or semi-trailer, or combination of such vehicles, including load thereon, shall exceed a gross weight of 54,700 lbs., except such vehicles, or combinations thereof, as are specifically excluded from the operation of this Ordinance and such vehicles, or combinations thereof, operated under

special permits as provided for in Section V hereof or as otherwise authorized by law.

III.

Vehicles Excluded

There is specifically excluded from the operation and effect of this Ordinance and the prohibitions hereinabove set out shall not apply to (a) vehicles owned and/or operated by, under the authority of, or at the specific request of any agency or department of the Federal, State or County government, or any political subdivision thereof and such vehicles are actually being operated in furtherance of the affairs and functions of such governmental entity or political subdivision; (b) vehicles owned and/or operated by, under the authority of, or at the specific request of any public utility serving the Town of Stagecoach, or any part thereof and such vehicles are actually being operated in furtherance of the normal business affairs of such utility; and (c) without limiting the broad classification of exclusions set out in III(a) above, any bus owned and/or operated by Magnolia Independent School District, Tomball Independent School District or any other public or private school and such vehicles are actually being operated in furtherance of the affairs and functions of such school.

IV.

Penalty For Violation

It shall be unlawful for any person, firm, corporation, receiver or association to drive, operate or move, or for the owner to cause or permit to be driven, operated or moved, on any public street or roadway within the corporate limits of the Town of Stagecoach, Texas, any vehicle, truck-tractor, trailer or semi-trailor, or combination of such vehicles, which in any respect exceeds the maximum gross weight limitations set out in Section II of this Ordinance. Any such person, firm, corporation, receiver, association or owner who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be

fined in a sum not exceeding Two Hundred and No/100 (\$200.00) Dollars, and each and every violation of such provision shall constitute a separate offense.

V.

Special Permits and Bonds

(a) The Town Council through the Mayor may issue permits limited to periods of thirty (30) days or less for the operation of overweight vehicles, or combinations thereof, which cannot be reasonably dismantled. The Mayor may exercise authority independently of the Town Council until the Town Council takes action on each request.

(b) The Town Council, in its discretion, may require a bond to be executed by an applicant in an amount sufficient to guarantee the payment of any damages to any road or bridge sustained as a consequence of the transportation authorized by the permit.

(c) A reasonable fee not to exceed \$ 100.00 shall accompany each request for a permit under Subsection (a) above.

VI.

Repeal of Conflicting Ordinances

All Ordinances or parts of Ordinances inconsistent or conflicting with the provisions of this Ordinance are hereby repealed.

VII.

Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

VIII.

Effective Date

This Ordinance shall take effect and be in full force and effect from and after its passage.

PASSED AND APPROVED this the 17th day of June,

A. D. 1986.

Mayor
George Parker
Mayor Pro Tem

Motion was made by Robert Bracy, seconded
by Fanny Buffington, that the following amendment be
passed:

No. 229

AN ORDINANCE AMENDING SECTION II AND SECTION V, ON ORDINANCE NO. 172, PASSED BY THE CITY OF STAGECOACH, TEXAS, ON JUNE 17, 1986: AMENDING THE OPERATION OF OVERWEIGHT VEHICLES WITHIN THE TOWN OF STAGECOACH; AMENDING MAXIMUM VEHICULAR WEIGHT LIMITATION; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; AND FOR EFFECTIVE DATE. AMENDING SPECIAL PERMITS AND BONDS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STAGECOACH, TEXAS:

I.

That Section 2 of Ordinance 172, passed by the City Council of Stagecoach, Texas, on June 17, 1986, be amended by deleting Section II and substituting the following in its place, to wit:

Maximum Weight Permitted

No motor vehicle, truck-tractor, trailer or semi-trailer, or combination of such vehicles, including load thereon, shall exceed a gross weight of Fifteen(15)Tons, except such vehicles, or combinations thereof, as are specifically excluded from the operation of this Ordinance and such vehicles, or combinations thereof, operated under special permits as provided for in Section V, Ordinance #172 or as otherwise authorized by law.

II.

That Section V. of Ordinance 172, passed by the City Council of Stagecoach, Texas, on June 17, 1986, be amended by deleting Section V and substituting the following in its place, to wit:

Special Permits and Bonds

(a) The Town Council through the Mayor may issue permits limited to periods of thirty (30) days or less for the operation of overweight vehicles, or combinations thereof, which cannot be reasonably dismantled. The Mayor may exercise authority independently of the City Council until the City Council takes action on each request.

(b) The City Council, in its discretion, may require a bond to be executed by an applicant in an amount, no less than Ten (10) Thousand Dollars, sufficient to guarantee the payment of any damages to any road or bridge sustained as a consequence of the transportation authorized by the permit.

(c) A reasonable fee not to exceed \$100.00 shall accompany each request for a permit under Subsection (a) above.

III.

Repeal of Conflicting Ordinances

That all Ordinances or parts of Ordinances inconsistent or conflicting with the provisions of this Ordinance are hereby repealed.

IV.

Severability

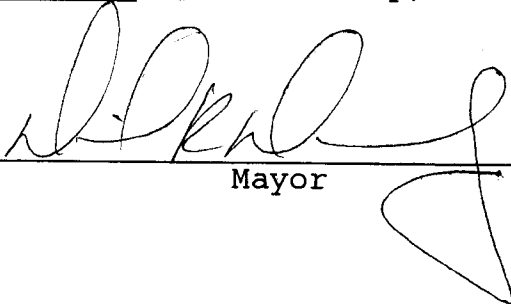
If any section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

V.

Effective Date

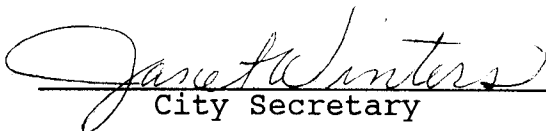
That this Ordinance shall take effect and be in full force and effective from and after its passage.

PASSED AND APPROVED this the 18th day of January, A.D. 1994.



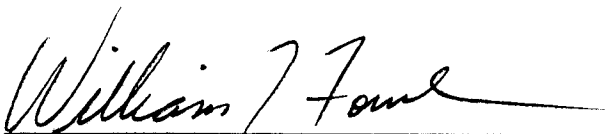
Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM AND CONTENT:



City Attorney

COPY

Motion was made by Robert Bray, seconded by Larry buffington, that the following amendment be passed:

No. 229

AN ORDINANCE AMENDING SECTION II AND SECTION V., ON ORDINANCE 172, PASSED BY THE CITY OF STAGECOACH, TEXAS, ON JUNE 17, 1986: AMENDING THE OPERATION OF OVERWEIGHT VEHICLES WITHIN THE CITY OF STAGECOACH; AMENDING MAXIMUM VEHICULAR WEIGHT; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; AND FOR EFFECTIVE DATE. AMENDING SPECIAL PERMITS AND BONDS.

POSTED THIS THE 20th DAY OF January, 1994, IN THE CITY OF STAGECOACH.

ATTEST:


CITY SECRETARY