

CITY OF LAVON, COLLIN COUNTY TEXAS

ORDINANCE NO: 2001-12-10

AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS PROVIDING FOR THE CONTROL OF COMMERCIAL TRUCK TRAFFIC WITHIN THE CITY OF LAVON; ESTABLISHING TRUCK ROUTES WITHIN THE CITY OF LAVON; ESTABLISHING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; REPEALING CERTAIN ORDINANCES PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon has been presented with concerns by citizens regarding the control of commercial truck traffic in the City of Lavon;

WHEREAS, the City Council has given due and diligent thought to this concern; and

WHEREAS, the City Council believes it is in the best interest for the City of Lavon, its citizens and visitors to establish a control of commercial truck traffic within the City of Lavon.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:

SECTION 1. REGULATION COMMERCIAL TRUCK TRAFFIC

A) It shall be unlawful for any commercial vehicle, i.e., truck, truck-tractor, trailer, or semi-trailer, or combination of such vehicles with a total of three (3) or more axles, where the power unit of such vehicle or combination of vehicles has a manufacturer's rated carrying capacity in excess of three-quarters ton, to operate along the roadway sections described below:

- 1) Lake Rd between SH 78 and Meadow View
- 2) Geren Road, also known as County Road 486

B) It shall be unlawful for any commercial vehicle, i.e., truck, truck-tractor, trailer, or semi-trailer, or combination of such vehicles with a total of three (3) or more

axles, where the power unit of such vehicle or combination of vehicles has a manufacturer's rated carrying capacity in excess of three-quarters ton within any area classified as residential by the City of Lavon within the corporate limits of the city. The city shall cause to be erected traffic control signs at appropriate places within such areas, which signs shall give notice of the prohibition of commercial vehicles in such areas.

- C) This section shall not prohibit the use of the roadways or portions of roadways listed in subsections (A) and (B) by a commercial vehicle, i.e., truck, truck-tractor, trailer, or semitrailer, or combination of such vehicles, having a total of three (3) or more axles and a power unit with a manufacturer's rated carrying capacity in excess of three-quarters ton, for expeditious delivery or pick-up of material or supplies.
- D) It shall be prima facia evidence that the owner, operator, person in control of or leasee of any vehicle described in subsection (A) or (B) of this section has violated this sections if the vehicle is:
 - 1) Parked on any street on which the operation of said vehicle would be prohibited; or
 - 2) Parked on any property, whether public or private, who's access is limited to any street on which the operation of said vehicle would be prohibited.

SECTION 3. ESTABLISHING TRUCK ROUTES WITHIN THE CITY

- A) The following roads, highways or routes are established as truck routes within the City of Lavon and shall be an exception to the prohibitions set out in **SECTION 1**:
 - 1) State Highway 78
 - 2) State Highway 205
 - 3) Farm to Market Road 2755
 - 4) Farm to Market Road 6
 - 5) State Highway Business 78 (also known as S. Main ST)

SECTION 4. REPEALING CERTAIN ORDINANCES

- A) This Ordinance shall repeal the following ordinances:

- 1) Ordinance 93-5-1
- 2) Ordinance 96-10-1
- 3) Ordinance 97-10-02

B) This ordinance shall supersede in act and effect any previously passed ordinance that is in conflict with this ordinance.

SECTION 5. FINES AND FEES

- A) Any person violating any portion of this Ordinance shall be deemed guilty of a Class "C" misdemeanor and upon conviction be punishable by a fine of not less than one hundred dollars, (\$100.00) nor more than five hundred dollars (\$500.00).
- B) Each act shall constitutes a separate violation under this Ordinance and shall result in a separate fine.

SECTION 6. SEVERBILITY

It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this ordinance shall be declared unconstitutional or otherwise illegal by the valid judgement or decree of any court of competent jurisdiction, such event shall not effect any remaining the sections, paragraphs, sentences, clauses or phrases of this ordinance.

SECTION 7. EFFECTIVE DATE


This ordinance shall be in full force and effect from and after its passage and publication and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LAVON, COLLIN COUNTY, TEXAS ON THIS DAY OF ,2001.**



~~The Honorable James Albright, Mayor~~
Stephen Parker, Mayor Pro Tem

Attest:


Chris Wess, City Secretary

