

ORDINANCE NO. 82

**AN ORDINANCE ESTABLISHING NO THROUGH TRUCK ROUTES
WITHIN THE CITY OF GOSHEN, ARKANSAS; DEFINING
THE TERM TRUCK; PROHIBITING TRUCKS FROM
USING NO THROUGH TRUCK ROUTES; SETTING FORTH
THE PENALTIES FOR FAILING TO COMPLY WITH THIS
ORDINANCE; AND TO DECLARE AN EMERGENCY
AND FOR OTHER PURPOSES**

WHEREAS, state law permits a municipality to control the routes on which trucks may travel; and

WHEREAS, the City of Goshen has not previously taken action to designate “no through truck” routes and thereby control truck traffic on certain city streets; and

WHEREAS, there is a need to preclude truck traffic from certain city streets which are not able to withstand the weight of truck traffic.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSHEN:

SECTION 1. There are hereby established in the City of Goshen the following “no through truck” routes: Oxford Bend and Church Street.

SECTION 2. The city council hereby authorizes the Mayor or his designee to work in such manner as the Mayor sees fit to purchase or have constructed signs or signals to mark such “no through truck” routes.

SECTION 3. All trucks shall be prohibited from using the “no through truck” routes listed in Section 1 above, except for the purpose of making deliveries or pickups within the City when it is absolutely necessary to travel the “no through truck” route and then may only do so by remaining on streets **not** designated as “no through truck” routes to the nearest point of their destination for such delivery or pickup and shall utilize the shortest and most direct route available in traveling the “no through truck” route.


SECTION 4. For the purpose of this ordinance, the word “truck” shall mean any vehicle designed or operated for the transportation of property, the body weight or combined body and load weight of which exceeds 24,000 pounds. For purposes of this ordinance, agricultural uses shall be exempted.

SECTION 5. This section shall be enforced only when appropriate signs are in place giving notice of the provisions hereof.

SECTION 6. PENALTY. Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than (\$30.00) and not more than (\$250.00) for each offense.

SECTION 7. EMERGENCY CLAUSE: Since there is no current regulations regarding the routes that trucks can take, and trucks have used city streets which are not built to withstand the loads of such vehicles, which have caused damage to those streets, it is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 9th day of December, 2008.



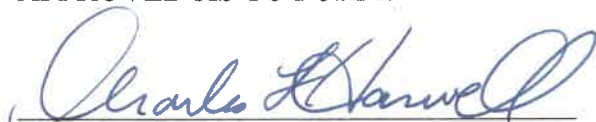
Joe Benson, Mayor

ATTEST:



Cheryl Whillock, City Recorder

APPROVED AS TO FORM:



Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Paula Anderson
Andy Bethell
Max Poye
J.J. Lockhart
Jamie Boyd

Names Of Those Voting NAY

Absent

Dr. Brian Buell

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Paula Anderson
Andy Bethell
Max Poye
J.J. Lockhart
Jamie Boyd

Names Of Those Voting NAY

Absent

Dr. Brian Buell