

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1278

BEING AN ORDINANCE AMENDING ORDINANCE NO. 511, MORE PARTICULARLY, THAT PORTION OF THE SAME THAT DEALS WITH OVERWEIGHT TRUCKS DESIGNATED "DELIVERIES ON RESTRICTED STREETS BY TRUCKS".

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did adopt Ordinance No. 240, 356, 668, and 765, all addressing the issue of overweight trucks and vehicles upon the streets of the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has, on several occasions, amended Ordinance No. 511 to foster the general health, safety, and welfare of the citizens of the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed with the St. John Police Chief the foregoing ordinances dealing with overweight vehicles, the penalties for the same, and the need for stricter enforcement of the same in the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, does now find that it is in the best interest of the citizens of the Town of St. John and that the general health, safety, and welfare of the citizens would be served by the further amendment of the overweight vehicle ordinances as well as the penalties for violations of the same.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, that Ordinance No. 511 and more particularly, Sec. 13-61 and Sec. 13-341 as well as all overweight vehicle ordinances previously passed and promulgated by the Town Council be amended as follows:

SECTION 1. It shall be unlawful for the driver of any truck or vehicle of ten (10) tons or greater rated capacity to drive or park upon any streets or alleys within the Town of St. John except U.S. Route 41.

SECTION 2. Town of St. John vehicles and vehicles under contract with the Town of St. John working on Town projects shall be exempted from this ordinance.

SECTION 3. All other exemptions (and exceptions) set forth in Sec. 13-61 of the St. John Town Code shall continue to apply.

SECTION 4. Penalties. The violation of any provision of this ordinance, as amended from time to time, in addition to any penalties prescribed under the applicable state law, shall be punishable as follows for each offense in a calendar year:

- A. First offense: \$250.00 fine.
- B. Second offense and each offense thereafter: \$500.00 fine.
- C. For purposes of this Penalties Section, a "second offense" and "each offense thereafter" shall apply to the second or subsequent offense

involving the same driver, the same vehicle, or the same company that owns or leases the violating vehicle in a calendar year.

BE IT FURTHER ORDAINED that all existing ordinances, or parts thereof, not in conflict with the provisions of this ordinance shall remain in full force and effect.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 27 day of January, ~~2002~~ 2003.

Aye 5 Nay _____

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA

Kristie L. Aldridge
KRISTIE L. ALDRIDGE, ~~President~~ *Member*

Gregory J. Volk
GREGORY J. VOLK

William M. Winterhaler
WILLIAM M. WINTERHALER

Michael S. Forbes
MICHAEL S. FORBES

Jerome J. Rudy
JEROME J. RUDY

ATTEST:

Sherry P. Sury
SHERRY P. SURY
Clerk-Treasurer