

ORDINANCE NO. 2719

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER X, SECTION 10-71 OF THE CODE OF MESQUITE BY DELETING CERTAIN PRESENT LANGUAGE AND ADDING CERTAIN LANGUAGE THEREBY PROVIDING LOAD LIMITS OF ROADWAYS AND BRIDGES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, the State Department of Highways and Public Transportation has submitted the results of their inspection and analysis of the bridges located in the City of Mesquite; and

WHEREAS, the following revisions to Section 10-71 Load Limits of Roadways and Bridges are required to enact the recommendations of the State Department of Highways and Public Transportation with respect to the establishment of safe load limits;

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

SECTION 1. Chapter X, Section 10-71 of the Code of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

Sec. 10-71. Load Limits on Roadways and Bridges.

(a) It shall be unlawful for any person to operate or cause to be operated any commercial vehicle the gross weight of which exceeds the posted load limit on any roadway or bridge listed in this section.

(b) When signs are erected giving notice to such effect, no person shall operate or cause to be operated any commercial vehicle, the gross weight of which exceeds the posted load limit, at any time upon bridges or portions of the streets described below:

1. To the list of roadways and bridges the following is deleted:

<u>Street</u>	<u>Extent</u>	<u>Load Limit</u>
(Bridge) Lawson Road	100 feet south of Clay-Mathis Road	5 tons (10,000 pounds)
(Bridge) Lawson Road	1650 feet north of Cartwright Road	10 tons (20,000 pounds)
(Bridge) Lawson Road	200 feet south of Holloman Road	10 tons (20,000 pounds)
(Bridge) Edwards Road	1100 feet northeast of Cartwright Road	6 tons (12,000 pounds)
(Bridge) Mesquite Valley Road	350 feet northeast of Quapaw Trail	5 tons (10,000 pounds)
(Bridge) Mercury Road	4500 feet southwest of Cartwright Road	10 tons (20,000 pounds)

2. To the list of roadways and bridges the following is added:

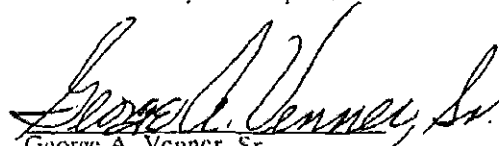
<u>Bridge Location</u>	<u>Load Limit</u>
Edwards Road at N. Mesquite Creek 0.2 Mile NE of Cartwright Road	Gross 12,000 Axle or Tandem 7,500
Lawson at N. Mesquite Creek 0.3 Mile NE of Cartwright Road	Gross 16,000 Axle or Tandem 10,000
Lawson at S. Mesquite Creek 0.7 Mile SW of Cartwright Road	Gross 10,000 Axle or Tandem 5,000
Mesquite Valley at Tributary of S. Mesquite Creek, 1.0 Mile East of Eulane Road	Gross 12,000 Axle or Tandem 7,500
Belt Line at S. Mesquite Creek 0.2 Mile S. of Bruton Road	Axle or Tandem 7,500

SECTION 2. That should any paragraph, sentence, subdivision, clause, phrase, section or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of Section 10-71 or any other provision of the Code of the City of Mesquite.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

SECTION 4. The fact that the present ordinances of the City of Mesquite do not adequately protect the safety of the inhabitants of the City creates an urgency and emergency and in the preservation of the public health, safety and welfare requires that this ordinance shall become effective immediately from and after its passage and the publication of caption, as the law and in such cases provides.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 21st day of January, 1991.


George A. Vanner, Sr.
Mayor

ATTEST:

APPROVED:


Lynn Prugel
City Secretary


B.J. Smith
City Attorney