

CITY OF FLORESVILLE
STATE OF TEXAS

ORDINANCE NO. 2021-002

**ORDINANCE OF THE CITY COUNCIL OF FLORESVILLE, TEXAS
AMENDING THE CITY CODE OF ORDINANCES TITLE VII TRAFFIC
CODE, CHAPTER 70 - TRAFFIC RULES, BY AMENDING ORDINANCE
NO. 190, AND ADOPTING ADDITIONAL TRUCK ROUTES WITHIN THE
CITY LIMITS OF FLORESVILLE; PROVIDING FOR A SEVERABILITY
CLAUSE; PROVIDING FOR PUBLICATION OF THIS ORDINANCE;
PROVIDING FOR PENALTIES; PROVIDING AN EFFECTIVE DATE;
AND AUTHORIZING STAFF TO SUBMIT THIS ORDINANCE AS A
SUPPLEMENT TO THE FLORESVILLE CODE OF ORDINANCES**

WHEREAS, in order to better protect its citizens and to cut back on street damage to city streets the City previously enacted Ordinance No. 190, to set out truck routes throughout the City; and

WHEREAS, the City Council may from time to time, by council action, designate truck routes within the city as may be necessary for the proper flow of traffic through the city. That Ordinance 190 contained a designated truck unit as attachment A and which said attachment will be incorporated into this Ordinance; and

WHEREAS, the city staff has recently met with Texas Department of Transportation ("TxDOT") personnel and further discuss the implementation and designation and of establishing truck routes within the City limits; and

WHEREAS, TxDOT has formally approved a plan where trucks are routed exclusively on designated U.S. or state highways or a designated TxDot highway.

NOW THEREFORE BE IT ORDAINED by the City Council of Floresville, Texas:

SECTION ONE. The Floresville Code of Ordinances, Chapter 70, Traffic Rules, Truck Routes Section 70.40, as set out in Ordinance No. 190 (11-8-2001), is amended by creation of a new section to read as follows:

Sec. 70.40. Truck Routes

(A) The following streets and highway, or portions thereof, are hereby designated as authorized truck routes, to-wit:

- (1) U.S. Highway 181 (10th street);
- (2) U.S. Highway 181 Business (Fourth street);
- (3) F.M. 536 from City limits to Bus. Loop 181 (Trail street) to Standish street to U.S. 181, however said trucks must maintain a travel route in a left direction of travel;
- (4) State Highway 97 (Hospital Blvd.) East to U.S. 181
- (5) State Highway 97 (Standish street) West to U.S. 181

(B) Furthermore, unless otherwise accepted in the following diagrams and maps attached hereto all Interstate Highway and State Highway numbered routes, within the City are designated as truck routes.

MAPS ARE INCORPORATED HEREIN AS EXHIBIT B.

(C). Through commercial vehicles. It shall be unlawful for any person to operate a through commercial vehicle upon any street, boulevard, avenue, or alley within the limits of the city, except that such commercial vehicle may travel or be operated upon any street, boulevard, or avenue designated as a U.S. or state highway, or as a truck route.

(D) Local Commercial Vehicles. It shall be unlawful for any person to operate any local commercial vehicle upon any street, boulevard, avenue, or alley within the limits of the city, except on designated U.S. or state highways or a designated truck route. A local commercial vehicle may leave any designated U.S. or state highway or a designated truck route and travel on any street, boulevard, avenue, or alley within the city for the purpose of delivering or picking up goods, wares, materials and/or merchandise. No diesel powered tractor or truck-tractor combination shall be operated on any predominantly residential street between the hours of 9:30 p.m. and 6:30 a.m.

(E) If the point of origin or destination, for commercial purposes only, for any truck is off the truck route, but is on an arterial street, then the truck may proceed by the shortest possible route, consisting of city arterial streets (defined for this purpose as those streets marked for two (2) or more lanes in each direction) to or from the nearest truck route. If the point of origin or destination is not on a truck route or a city arterial street, then the truck may proceed by the shortest possible route to or from the nearest numbered route or city Arterial Street.

(F) Signage will be installed as shown on the maps and enforcement of this section shall become effective when said traffic control signs have been installed.

(G) Maximum Vehicle Load Limit. Except as otherwise provided in this division, no person shall operate or cause to be operated on, along or over any highway, street, roadway or alley within the corporate limits of the town any commercial vehicle, truck, tractor, trailer, semitrailer, combination thereof and/or other motor vehicle with a gross vehicular weight rating of over ten thousand (10,000) pounds gross weight rating except on such highways, streets and roadways as are specifically designated as truck routes.

(H) Height Limits. No vehicle unloaded or with load shall exceed a height of thirteen (13) feet six (6) inches, including load.

(I) Width Limits. No vehicle shall exceed a total outside width, including any load thereof, of ninety-six (96) inches.

(J) Length Limits. No vehicle or combination of coupled together vehicles shall exceed an overall length of sixty-five (65) feet.

(K) Excepted from the provisions of this division are vehicles that are:

- (1) Making delivery or pickup within the town limits;
- (2) Using the shortest practicable route to or from a designated truck route within the city as set forth above in subsection (b);
- (3) Authorized emergency vehicles operating within the normal scope of their duties;
- (4) Vehicles operated by a public utility while cruising in any area of the town for the purpose of inspecting the facilities of such public utility and/or providing maintenance or service to such facilities;

(5) Vehicles owned by a municipality or other government entity.

(6) Vehicles of private businesses which are under contract to the town to provide the pickup of trash and other refuse.

(L) Parking. Local commercial vehicles or through commercial vehicle shall not be parked or left for any length of time upon any public street or public way in the city.

SECTION TWO. Hazardous Materials Cargo

It shall be unlawful for any person to park, stop or stand any vehicle, trailer, or combinations thereof which shall contain any compressed gas, flammable or corrosive material, or any material that tends to pollute the city's natural resources, within the city; provided, however, that if the point of origins or destination (for commercial purposes only) for any such vehicle shall be in the city, then such vehicle may park for only as long as necessary to transact official business.

SECTION THREE. Violations

Any person violating any provision herein shall be guilty of a misdemeanor and shall be upon conviction be fined as follows:

1st Offense: not less than fifty (\$50.00) nor more than two hundred dollars (\$200.00)

2nd Offense: not less than seventy-five (\$75.00) nor more than five hundred dollars (\$500.00)

3rd Offense: not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00).

If any violation were continuing, each days violation will be deemed a separate offense. If after the third offense, the reason for the original fine still exists, then the violation will be charged the maximum allowed by ordinance for each day the violation continues.

The City may also bring suit for injunction against any person, firm or corporation that shall a violate or threaten to violate any of the provisions of this ordinance in order to prevent a continued or threatened violation.

SECTION FOUR: Severability. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this Ordinance will continue in force if they can be given effect without the invalid portion.

SECTION FIVE. In accordance with Section 3.11 of the Floresville City Charter, this Ordinance shall become effective ten days from passage on second reading and shall be published in a newspaper of general circulation.

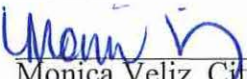
SECTION SIX. City staff is authorized to prepare this Ordinance for submission as a supplement to the Floresville Code of Ordinances.

PASSED AND APPROVED on first reading this 11th day of February, 2021.

PASSED AND APPROVED on second reading this 25th day of February, 2021.


Cecelia "Cissy" Gonzales-Dippel, Mayor

ATTEST:


Monica Veliz, City Secretary