

ORDINANCE NO. 79-30
AN ORDINANCE WITH RESPECT TO VEHICLE
WEIGHT LIMITS IN THE VILLAGE OF CHATHAM

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS,
as follows:

Section 1. No vehicle shall be operated or caused to enter the streets of the Village of Chatham in violation of the limits herein established.

Section 2. Weight Limits: The maximum gross weight of a vehicle on the road surface through any two (2) wheels on the same axle of any vehicle shall not exceed Sixteen Thousand (16,000) pounds, nor shall the gross weight exceed Eight Hundred pounds per inch (800lbs./1") in width of tire upon such wheels; provided further, that the gross weight, including the weight of the vehicle and maximum load, shall not exceed Twenty-four Thousand (24,000) pounds.

Section 3. During the months of February, March and April of each year the gross weight of any vehicle operated on the streets of the Village shall not exceed (16,000) pounds.

Section 4. Weighing of a Vehicle; Reducing Load: Any peace officer having reason to believe that the weight of a vehicle and load is in excess of the limits allowed by this ordinance is authorized to require the driver to stop and submit to a weighing of the same, either by means of a portable or stationary scale; the officer may require that such vehicle be driven to the nearest scale. Whenever an officer, upon weighing a vehicle and load determines that the weight is in excess of the limits prescribed by this ordinance, the officer shall require the driver of the vehicle to stop the vehicle in a suitable place and that the vehicle remain standing until such portion of the load is removed as may be necessary to effect compliance with the limits established by this ordinance. Any material so unloaded shall be cared for by the owner or operator of the vehicle at the sole risk of such owner or operator.

Section 5. Violation; Fine: The owner or operator of any vehicle who knowingly operates or permits the operation of any vehicle in violation of this ordinance shall, upon conviction thereof, for the first offense be fined not more than One Hundred Fifty Dollars (\$150.00) and for the second offense within a period of One (1) year shall be fined not less than One Hundred Fifty Dollars (\$150.00) nor more than Two Hundred Fifty Dollars (\$250.00) and for the third offense within a period of One (1) year after date of such first offense, shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than Three Hundred Fifty Dollars (\$350.00).

Section 6. Special Overload Permit: The Superintendent of Village Operations, in his discretion, may issue a special permit in writing authorizing the applicant to operate or move a vehicle of a size, weight or load exceeding the limits established by this ordinance. When such permit is sought for overweight, the application shall describe the load to be moved and the vehicle to be used therefore, and shall state with reasonable specificity, reason why the load cannot be moved in compliance with the limits of this ordinance.

The Superintendent of Village Operations is authorized to limit the number of trips and specific streets on which such load and vehicle or vehicles may be transported and may otherwise prescribe the limits of operation of such vehicle when necessary to assure against damage to the street foundations, surfaces or structures. The Superintendent of Village Operations may require such bond, undertaking or other security as may be necessary to compensate the city for injury or damage to any street or road structure.

Section 7. Local delivery and pick-ups: The weight limits established by this ordinance shall be in effect at all times; provided, however, that any vehicle exceeding Sixteen Thousand (16,000) pounds gross weight required to make a delivery or pick-up at a place of residence or business along said streets may do so, but said vehicle shall move along the streets from nearest point of entry to the place of pick-up or delivery and shall leave said street at the nearest intersecting street to said point of delivery or pick-up. The load limitations herein prescribed shall not pertain to public passenger vehicles or common carriers.

Section 8. Use of Cleats or Lugs Prohibited: No vehicle shall be operated at any time over or upon the streets of the Village if such vehicle has on the periphery of any of the road wheels, any block, stud, flange, cleat, ridge, lug or any projection of metal or wood radially beyond the tread or traffic surface of the tire. However, this section shall not be construed to prohibit the use of tire chains during the months of December, January, February or March.

Section 9. Liability for Damage to Streets: Any person driving any vehicle, object or contrivance upon any streets of the Village shall be liable for all damages which the street or structure may sustain as a result of any violation of this ordinance.

A. Whenever the operator or driver of such vehicle is not the owner thereof, but is driving or moving the same with the express or implied permission of the owner, the owner and driver or operator shall be jointly and severally liable for any such damages.

B. Such damages may be recovered in a civil action brought by the Village.

Section 10. Approval of Limitation: Upon the approval of such limitations by the Board of Trustees, the Superintendent of Village Operations shall erect, or cause to be erected and maintained, signs designating the weight limitations at each end of that portion of any street affected by this ordinance.

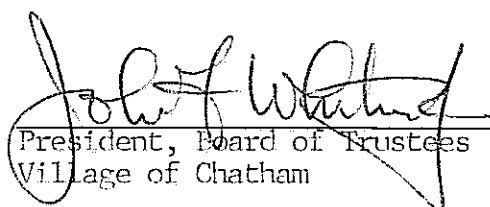
Section 11. The word "Load", when used in this ordinance, means the weight transmitted to the road by the wheels of a vehicle being the weight of such vehicle plus the weight of its contents, if any.

Section 12. This ordinance shall be in full force after its passage, approval, publication and erection of the signs required by law.

PASSED Oct. 9, 1979

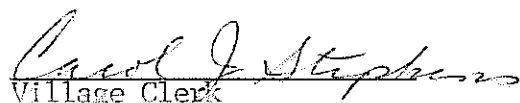
APPROVED Oct. 9, 1979

PUBLISHED _____, 1979



President, Board of Trustees
Village of Chatham

ATTEST:



Village Clerk