

AN ORDINANCE REGULATING THE WEIGHT AND LOAD OF VEHICLES, PROHIBITING VEHICLES WITH LUGS, PROVIDING FOR SEASONAL RESTRICTIONS, PROVIDING LIABILITY FOR DAMAGE TO STREETS AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

702.01 Definitions.

- A "Vehicle" is all motor vehicles, house trailers and trailers of all kinds or any object or contrivance being moved on wheels of any kind.
- B. "Single Axle" includes all wheels whose centers may be included within two (2) parallel traverse vertical planes forty (40) inches apart.

702.02 Permanent Weight Restriction.

No person shall operate any vehicle or combination of vehicles as defined by Minnesota Statutes 1967, Sections 169.01 as amended by the laws of 1971, upon any road in the City of Oak Park Heights where a gross weight on any single wheel exceeds nine thousand (9,000) pounds or where the gross weight on any single axle exceeds eighteen thousand (18,000) pounds, provided, however, that the provisions of this Ordinance shall not restrict the operation of emergency vehicles or the operation of vehicles necessary for construction, repairs, and maintenance of public streets or utilities thereon or therein; nor shall it apply to fire fighting equipment or school buses; and provided further, that the gross weight of a rear loading refuse compactor collection vehicle, used solely for transporting solid waste on the City of Oak Park Heights roads, shall not exceed twenty-two thousand (22,000) pounds on a single axle, forty thousand (40,000) pounds on both axles, thirty-two thousand (32,000) pounds on a tandem axle, and fifty thousand (50,000) pounds on three (3) axles. The provisions of this Section shall be subject to temporary frost condition restrictions contained in 702.03 of this Ordinance.

702.03 Temporary Frost Restrictions.

During the period of March 1 to May 15 of each year the Public Works Director shall have authority at his discretion to restrict or prohibit vehicular traffic on streets in the City of Oak Park Heights when frost conditions and base conditions are such that material damage may result to the street by vehicular use. He shall erect and maintain signs or barricades on the streets or portions so restricted or if said restriction is City wide temporary signs shall be erected at the main entrances to the City of Oak Park Heights.

- 702.04      Enforcement.  
If any law enforcement officer or duly authorized person has reason to believe that the weight of the vehicle and load is unlawful he 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 and may require that such vehicle be driven to the nearest public scale.
- 702.05      Removal of Excess.  
Whenever an officer, upon weighing a vehicle and load as above described, determines that the weight is unlawful such officer may require the driver to stop a vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weights to within the limits permitted by this Ordinance. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.
- 702.06      Exceptions.  
This Ordinance shall not restrict the operation of emergency vehicles or the operation of vehicles necessary for construction, repairs, and maintenance of public streets or the utilities thereon or therein.
- 702.07      Permits Required.  
The Director of Public Works shall issue limited written permits when in his discretion he feels an emergency exists or conditions are such that a limited overload will not damage the street. Such permits shall be for a given vehicle and shall state limitations on the permit. The permit shall be carried in the vehicle and presented upon demand to any police officer or public works employee.
- 702.08      Liability for Damages.  
Any person driving a vehicle upon any street or highway structure in the City of Oak Park Heights in violation of the provisions of this Ordinance and the owner of such vehicle shall be liable to the City for all damages as may be sustained as the result of such illegal operation.
- 702.09      Penalty.  
Any person who shall violate any provision of this Ordinance shall upon conviction thereof before the Washington County Court, be punished by a fine of not more than Seven Hundred Dollars (\$700.00) or by imprisonment for a period of not more than ninety (90) days, or both, for each such offense.