

Motion was made by George Parker, seconded by  
M New that the following Ordinance be passed:

NO. 180

AN ORDINANCE ESTABLISHING MAXIMUM WEIGHT LIMITATIONS FOR BRIDGE ON STAGECOACH ROAD OVER LAKE HARDIN DAM; EXEMPTING CERTAIN VEHICLES; PROVIDING FOR WARNING SIGNS; PROVIDING FOR SPECIAL PERMITS AND BOND; PROVIDING PENALTIES FOR VIOLATION; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; AND FOR EFFECTIVE DATE.

WHEREAS, the bridge on Stagecoach Road traversing the Lake Hardin Dam is of such construction that it will not permit the travel of heavy vehicles and loads thereon because of the potential damage to the surface and superstructure thereof; and

WHEREAS, said bridge is in a strategic location to the inhabitants to the Town of Stagecoach and to the ability to obtain ingress and egress to the Town; and

WHEREAS, it has been determined by the Town Council that there is a need for the establishment of weight limitations with respect to vehicles traversing said bridge:

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STAGECOACH, TEXAS:

I.

Maximum Weight Permitted

Except as otherwise provided in this Ordinance, no motor vehicle, truck-tractor, trailer or semi-trailer, or combination of such vehicles, including load thereon, exceeding a weight of ~~15,000~~<sup>30,000</sup> pounds shall be operated over, on or upon the bridge on Stagecoach Road traversing the Lake Hardin Dam.

II.

Exemptions

There is specifically excluded and exempted from the operation and effect of this Ordinance and the prohibitions hereinabove set out shall not apply to (a) any vehicle of fire departments when such vehicles are actually being operated in the furtherance of the affairs and functions of said departments; (b) vehicles owned and/or operated by, under the authority of, or at the

specific request of any agency or department of the Federal, State or County government, or any political subdivision thereof, when such vehicles are actually being operated in furtherance of the affairs and functions of such governmental entity or political subdivision; (c) vehicles owned and/or operated by, under the authority of, or at the specific request of any public utility serving the Town of Stagecoach, or any part thereof, when such vehicles are actually being operated in furtherance of the normal business affairs of such utility; and (d) without limiting the broad classification of exclusions set out in II(a) above, any bus owned and/or operated by Magnolia Independent School District, Tomball Independent School District or any other public or private school when such vehicles are actually being operated in furtherance of the affairs and functions of such school.

### III.

#### Warning Signs and Installation

The Town Council shall acquire printed signs advising of the maximum weight limit herein established and shall post or cause to be posted such signs in conspicuous places on each side of the Lake Hardin Dam bridge on Stagecoach Road.

### IV.

#### Special Permits and Bonds

(a) The Town Council through the Mayor may issue permits limited to periods of thirty (30) days or less for the operation on the Lake Hardin Dam bridge of overweight vehicles, truck-tractors, trailers or semi-trailers, or combinations thereof, which cannot be reasonably dismantled. The Mayor may exercise authority independently of the Town Council until the Town Council takes action on each request.

(b) The Town Council, in its discretion, may require a bond to be executed by an applicant in an amount sufficient to guarantee the payment of any damages to the bridge sustained as a consequence of the transportation authorized by the permit.

(c) A reasonable fee not to exceed One Hundred and No/100 (\$100.00) Dollars shall accompany each request for a permit under subsection (a) above.

V.

Penalty For Violation

It shall be unlawful for any person, firm, corporation, receiver or association to drive, operate or move, or for the owner to cause or permit to be driven, operated or moved, on, over or across the Lake Hardin Dam bridge on Stagecoach Road, any vehicle, truck-tractor, trailer or semi-trailer, or combination of such vehicles, which in any respect exceeds the maximum weight limitation of <sup>30,000</sup>~~15,000~~ pounds set out in Section I of this Ordinance, unless such vehicle is specifically exempted under Section II above or unless a special permit has been obtained as provided by Section IV above. Any such person, firm, corporation, receiver, association or owner who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding Two Hundred and No/100 (\$200.00) Dollars, and each and every violation of such provision shall constitute a separate offense.

VI.

REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances inconsistent or conflicting with the provisions of this Ordinance are hereby repealed.

VII.

SEVERABILITY


If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

VIII.

EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect from and after its passage.

PASSED AND APPROVED this the 21st day of July, A. D. 1987.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
Town Secretary

APPROVED AS TO FORM AND CONTENT:

  
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William T. Fowler, Town Attorney

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THE STATE OF TEXAS §  
COUNTY OF MONTGOMERY §  
TOWN OF STAGECOACH §

I, Janet Winters, Town Secretary of the Town of Stagecoach, Texas, do hereby certify that the above and foregoing is a true and exact copy of the caption of an Ordinance duly passed and approved by the Town Council of the Town of Stagecoach, Texas, on July 21, 1987.

WITNESS MY HAND AND SIGNATURE at Stagecoach, Texas, this 21<sup>st</sup> day of July, A. D. 1987.

  
Town Secretary