

**ORDINANCE NO. 372**

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 3.0207 OF  
THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA RELATING  
TO WEIGHT AND LOAD RESTRICTIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA,  
AS FOLLOWS:

Section 1: Section 3.0207 entitled “Weight and Load Restrictions” is hereby amended and re-enacted as follows:

**3.0207 WEIGHT AND LOAD RESTRICTIONS:**

No person shall operate any vehicle at any time upon any street or part of a street, with a gross weight which exceeds a number 3 restriction as adopted by the State Highway Patrol Motor Carrier Division, except as follows:

- A. Vehicles shall be permitted along those routes designated by the City Council as truck routes and indicated as such, which do not exceed in weight those limits as determined from time to time by the State of North Dakota for highways other than the Interstate System, except that designated truck route from Interstate 94, along Highway 16 to 4th Street North, thence east along 4th Street North to Central Avenue, thence South along Central Avenue to Main Street, thence from Main Street East shall be those weight limits determined from time to time by the State of North Dakota for vehicles on the Interstate System.
- B. Vehicles in excess of a number 3 restriction may be operated upon streets other than those designated as truck routes for the purpose of delivering or picking up materials or merchandise, and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.
- C. That this section shall not apply to vehicles and equipment of the City's public works and fire department.

Failure to abide by the provisions of this Section shall be violation of the Section, and shall be punishable by a fine of One Hundred Dollars and No Cents (\$100.00).

The Police Department is authorized to remove or cause to be removed any vehicle found to be in violation of this Section, and may impound and retain the same until the expense of removal,

storage, and impounding has been paid in full, together with the amount of any fine, costs, bail, or other claims of the City against the owner or any other person lawfully entitled to possession thereof within a period of thirty (30) days after the impounding, any vehicle so impounded may be sold and disposed of by the Police Department in the manner provided in Section 12.0505 of the Beach City Code, as may be amended from time to time.

For the purpose of this Section, the word "street" shall mean any street, avenue, lane, alley, drive, or any other title that indicates a street.

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected,. and other sections of this Chapter shall continue in full force and effect.

Section 4: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

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Mayor, City of Beach, North Dakota

ATTEST:

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Kim Nunberg, City Auditor

First Reading: April 16, 2012  
Second Reading: May 7, 2012  
Final Passage: May 7, 2012