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ORDINANCE NC. 1993 - 1

AN ORDINANCE OF BUTTE COUNTY, IDAHO, SETTING SPEED AND LOAD LIMITS FOR TRUCKS AND BUSSES ON COUNTY ROADS DURING A CERTAIN PERIOD OF THE YEAR; DECLARING VIOLATION OF THE SPEED LIMIT TO BE AN INFRACTION AND VIOLATION OF THE LOAD LIMITS TO BE A MISDEMEANOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Butte County has found that during the snow melt period of the year when the county roads are wet, trucks and busses travelling on the county roads with excessive weight and/or at excessive speeds cause damage to said county roads.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BUTTE COUNTY, IDAHO:

SECTION 1: Henceforth, between February 10 and May 15, inclusive, of each and every year, it shall be unlawful for any person to drive a truck with a gross weight in excess of 8000 pounds or a bus upon any county road within Butte County in excess of thirty (30) miles per hour.

SECTION 2: Henceforth, between February 10 and May 15, inclusive, of each and every year, it shall be unlawful for any person to drive upon any county road within Butte County any vehicle with a load exceeding any or all of the following:

1) front axle gross weight in excess of 10,000 pounds;

2) gross weight of any other axle in excess of 14,000 pounds;

3) gross weight in excess of 350 pounds per inch width of tire on any one tire.

SECTION 3: Any person violating the provisions of Section 1, above shall be guilty of an infraction. The fixed penalty for violation shall be the amount which is set forth in the Idaho Code for speeding traffic infractions at the time the offense is committed.

SECTION 4: Any person violating the provisions of Section 2, above shall be guilty of a misdemeanor. The maximum possible penalty for violation shall be that set forth in §49-1013, Idaho Code, or any successor statute, at the time the offense is committed.

SECTION 5: This ordinance shall take effect upon its passage and publication one time in the Arco Advertiser. Publication of this ordinance is hereby directed.

PASSES AND APPROVED by the Board of County Commissioners, Butte County, Idaho this 9th day of March, 1993.

ATTEST:

James O. Andreason
Chairman

Judith R. Bailey
Clerk

(Seal)

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 3 consecutive weeks, commencing with

the issue dated MAR. 11, 1993

and ending with the issue dated

MAR. 25, 1993

Colleen Babcock

STATE OF IDAHO)
NTY OF BUTTE)

On this 29 day of March

in the year of 1993, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Thomas D. Lamm

Notary Public for Idaho

Residing at Arco, Id.

My commission expires: 12-30-97

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SECTION 5: This ordinance shall take effect upon its passage and publication one time in The Arco Advertiser. Publication of this ordinance is hereby directed.

PASSED AND APPROVED by the Board of County Commissioners, Butte County, Idaho this 8th day of March, 1993.

ATTEST:

JAMES O. ANDREASON
Chairman

JUDITH R. BAILEY
Clerk

Pub. Mar. 11, 18 & 25, 1993