

**ORDINANCE 3603**

**AN ORDINANCE OF THE NEW CASTLE**

WHEREAS, the City of New Castle has determined that it is in the best interest of public health, safety, and road maintenance that trucks weighing more than five (5) tons should not travel on certain roads, and

WHEREAS, those roads containing weight restrictions and prohibiting heavy truck traffic are listed in the New Castle City Code Title 7, Chapter 74, Schedule III.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE, that New Castle City Code Title 7, Chapter 74, Schedule III should be amended by adding the following streets thereto:

<u>STREET:</u>	<u>LOCATION:</u>	<u>MAXIMUM WEIGHT:</u>
Trojan Lane/ Parkside Dr./Q Ave.	From Memorial Dr. (SR 3) to 18 <sup>th</sup> St. (SR 103)	5 tons
Bundy Avenue	From Memorial Dr. (SR 3) to South Main St.	5 tons
Parkview Dr./M Ave.	From Memorial Dr. (SR 3) to South Main St.	5 tons

**PENALTY:** The penalty for a violation of this ordinance shall be that which is set forth in New Castle City Code Title 7, Chapter 70, Section 70.99 which provides for a penalty not exceeding \$2,500.00 for each violation and a separate offense shall be deemed committed on each day that a violation occurs or continues.

**POSTING:** All streets set forth hereinabove shall have prominent postings similar in intervals as to speed limit postings, which advise motorists of the weight limit established herein and the prohibition on heavy truck traffic.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Jim Small, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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ATTEST:

\_\_\_\_\_  
Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Jim Small, Mayor of the City  
Of New Castle, Indiana