

ORDINANCE NO. 131

**AN ORDINANCE REGULATING COMMERCIAL VEHICLES
UPON THE STREETS OF UNIVERSITY HEIGHTS
AND PROVIDING PENALTIES**

SECTION 1. WEIGHT AND SIZE LIMITS.

Unless otherwise provided, no person shall operate any vehicle on a public street or highway within the City in excess of the size limits as provided in Iowa Code Chapter 321 or succeeding legislation. The City may place traffic control devices to prohibit the operation of trucks exceeding certain weight limitations on any City street or portion of a City street.

SECTION 2. PERMITS FOR EXCESS SIZE AND WEIGHT.

The police chief may, upon application and good cause being shown therefore, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law or the City over those streets or bridges named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance. The City Council shall prescribe the form required to make such application, which shall be available with the Chief of Police or City Clerk.

SECTION 3. PERMITS WITHHELD.

The University Heights City Council, its officers, and its designees reserve the right not to issue permits contemplated by this ordinance when the City Engineer indicates such issuance would be particularly detrimental to city streets.

SECTION 4. RESTRICTED OPERATION.

The Traffic Engineer may designate those heavily traveled streets which shall be closed to any class or kind of traffic that the Engineer finds to be incompatible with the normal and safe movement of traffic. The streets shall be appropriately signed to give notice of the restriction.

SECTION 5. EXEMPTIONS.

The following commercial vehicles shall be exempted from application of this ordinance:

- a. Commercial vehicles, other than dump trucks or earth-moving equipment, making deliveries or pickups or performing services at properties located adjacent to the prescribed street if the premises has no other means of access for delivery of service.
- b. School buses.
- c. Emergency vehicles.
- d. Vehicles performing trash, recycling, yard waste removal, garbage collection, or snow removal services within the City.
- e. Service vehicles incident to serving the gas, electric, telephone, cable television, water, sewer, or street systems located within the City.
- f. Public transportation vehicles.

SECTION 6. FLAG OR LIGHT AT END OF LOAD.

Whenever the load on any vehicle shall extend more than four feet (4') beyond the rear of the bed or body thereof, there shall be displayed at the end of such load, in such position as to be clearly visible at all times from the rear of such vehicle, a red flag not less than twelve inches (12") both in length and width, except between sunset and sunrise there shall be displayed at the end of such load a red light plainly visible from the rear of such vehicle under normal atmospheric conditions at least two hundred feet (200').

SECTION 7. SAVING CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

SECTION 8. EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council this ____ day of _____, 2003, and approved this ____ day of _____, 2003.

/s/

Gloria N. Jacobson, Mayor

ATTEST:
/s/

Jerry Musser, City Clerk

** The signed original Ordinances are on file with the University Heights City Attorney.

Ordinance No. 229 amends Ordinance 131 by deleting Sections 1, 2, 5, and 10, and amending Sections 3 and 4. Prior Sections prohibited any commercial vehicle from operating on the streets of the City without a permit issued by the City. The amendments allow commercial vehicles to operate on the streets of the City as long as not over the size and weight limitations provided in Iowa Code Chapter 321. A driver may apply for a permit to drive a commercial vehicle in excess of these limitations. Ordinance No. 229 also removes the Section 9, which provided a penalty for violating the ordinance. Ordinance No. 229 was passed and approved July 10, 2018, and published in the Iowa City Press-Citizen on _____, 2018.