

ORDINANCE NO. 2008-11-305

**AN ORDINANCE AMENDING SECTION 70.02 OF THE CODE OF ORDINANCES  
FOR THE CITY OF TONTITOWN, ARKANSAS,**

WHEREAS, the City council adopted Ordinance No. 2005-9-229 (passed September 12, 2005) and Ordinance No. 2007-02-283 (passed February 6, 2007) which are codified at Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas; and

WHEREAS, THE City Council has determined that it is in the best interests of the City of Tontitown, its citizens and its motorists, and for the structural preservation of City of Tontitown streets and roadways, to set a weight limit for those streets and roadways, within the city limits of Tontitown; and

WHEREAS, the City Council has determined that Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas, is not adequately protecting the citizens nor achieving the purposes for which it was enacted; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Tontitown that Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas, be amended;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:**

Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas is hereby amended to read as follows:

**SECTION 1.**

\_\_\_\_\_(A) The maximum weight limit for commercial through traffic on the streets and roadways that are within the city limits of the City of Tontitown shall be up to the discretion of the street department of the City of Tontitown, but in no event more than twenty thousand pounds (20,000 lbs.) for each vehicle, including any and all cargo, trailer, or any other loaded or attached structure. Such commercial through traffic within the city limits of the City of Tontitown shall be restricted to numbered highways.

(B) All commercial, business or industrial traffic, as well as all sanitation or garbage collection vehicles of government entities, shall use only numbered highways to access the Waste Management landfill located in Tontitown, except that such traffic may access the landfill via Klenc Road off of U.S. Highway 412.

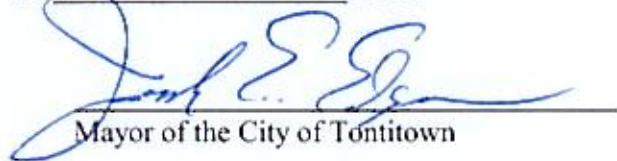
**SECTION 2.** Any person in violation of this ordinance shall be deemed guilty of a misdemeanor, punishable by a fine not to exceed \$250.00.

**SECTION 3.** This Ordinance shall apply only to commercial through traffic not having business within the City limits of Tontitown. The term "commercial through traffic" shall be defined as that traffic of a business, commercial or industrial nature or purpose passing through the City of Tontitown and having no business at a specific destination within the City limits of Tontitown. This Ordinance shall not apply to school buses, police, fire or ambulance related traffic, or vehicles owned and operated by the any governmental entity in the exercise of official governmental duties.

**SECTION 4.** The City Council, or its designee, may, but is not required to, post appropriate signs advising of the existence of this Ordinance on such City streets and at such locations as it deems appropriate.

**SECTION 5.** Any provision of any Ordinances inconsistent or in conflict with the provisions of this Ordinance is hereby revoked and abolished.

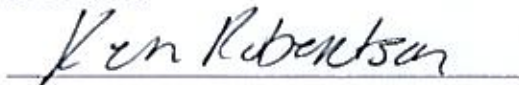
PASSED AND APPROVED THIS 4<sup>th</sup> DAY OF November 2008.

  
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Mayor of the City of Tontitown

ATTEST:

  
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Recorder - Treasurer of the City of Tontitown

SPONSOR:

  
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ORDINANCE NO. 2008-11-325

**AN ORDINANCE AMENDING SECTION 70.02 OF THE CODE OF ORDINANCES  
FOR THE CITY OF TONTITOWN, ARKANSAS,**

WHEREAS, the City council adopted Ordinance No. 2005-9-229 (passed September 12, 2005) and Ordinance No. 2007-02-283 (passed February 6, 2007) which are codified at Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas; and

WHEREAS, THE City Council has determined that it is in the best interests of the City of Tontitown, its citizens and its motorists, and for the structural preservation of City of Tontitown streets and roadways, to set a weight limit for those streets and roadways, within the city limits of Tontitown; and

WHEREAS, the City Council has determined that Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas, is not adequately protecting the citizens nor achieving the purposes for which it was enacted; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Tontitown that Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas, be amended;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:**

Section 70.02 of the Code of Ordinances for the City of Tontitown, Arkansas is hereby amended to read as follows:

**SECTION 1.**

\_\_\_\_\_(A) The maximum weight limit for commercial through traffic on the streets and roadways that are within the city limits of the City of Tontitown shall be up to the discretion of the street department of the City of Tontitown, but in no event more than twenty thousand pounds (20,000 lbs.) for each vehicle, including any and all cargo, trailer, or any other loaded or attached structure. Such commercial through traffic within the city limits of the City of Tontitown shall be restricted to numbered highways.

(B) All commercial, business or industrial traffic, as well as all sanitation or garbage collection vehicles of government entities, shall use only numbered highways to access the Waste Management landfill located in Tontitown, except that such traffic may access the landfill via Klenc Road off of U.S. Highway 412.

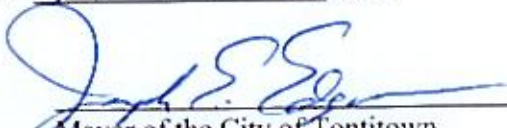
**SECTION 2.** Any person in violation of this ordinance shall be deemed guilty of a misdemeanor, punishable by a fine not to exceed \$250.00.

**SECTION 3.** This Ordinance shall apply only to commercial through traffic not having business within the City limits of Tontitown. The term "commercial through traffic" shall be defined as that traffic of a business, commercial or industrial nature or purpose passing through the City of Tontitown and having no business at a specific destination within the City limits of Tontitown. This Ordinance shall not apply to school buses, police, fire or ambulance related traffic, or vehicles owned and operated by the any governmental entity in the exercise of official governmental duties.


**SECTION 4.** The City Council, or its designee, may, but is not required to, post appropriate signs advising of the existence of this Ordinance on such City streets and at such locations as it deems appropriate.

**SECTION 5.** Any provision of any Ordinances inconsistent or in conflict with the provisions of this Ordinance is hereby revoked and abolished.

PASSED AND APPROVED THIS 4<sup>th</sup> DAY OF November 2008.

  
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Mayor of the City of Tontitown

ATTEST:

  
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Recorder - Treasurer of the City of Tontitown

SPONSOR:

  
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