

BILL NO. 91-4

ORDINANCE NO. 157

AN ORDINANCE REGULATING THE OPERATION OF A COMMERCIAL MOTOR VEHICLE WITHIN THE CITY LIMITS OF THE CITY OF FOLEY, REGULATING CARE OF OPERATION, ESTABLISHING PENALTIES FOR THE VIOLATIONS THEREOF, AND MATTERS RELATING THERETO.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY AS FOLLOWS:

Section 1: That cities of the fourth class, Foley being such, have authority under applicable state statutes to regulate the operation of any vehicles. The Aldermen of the City of Foley have authority under State Statute 79.410 to regulate the driving of any vehicle over or upon or across or along any sidewalk, street, avenue or alley inside the city limits of Foley.

Section 2: That for the purpose of this Ordinance, "commercial motor vehicle" shall mean any motor vehicle designed or used to transport passengers are property if: (a) the vehicle has a gross combination rate rating of twenty six thousand one (26,001) or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand (10,000) or more pounds; or (b) the vehicle has a gross vehicle weight rating of twenty-six thousand one (26,001) or more pounds; or (c) the vehicle is designed to transport more than fifteen (15) passengers, including the driver; or (d) the vehicle is transporting hazardous materials as defined in Section 302.700, RSMo.

Section 3: No person shall operate a commercial motor vehicle while having an alcohol concentration in his blood, breath, urine or saliva of four-one hundredths of one percent or more.

Section 4: That any person violating this Ordinance shall be subject to a fine up to \$500.00 or imprisonment in a Lincoln County Jail for a period not to exceed ninety (90) days, or both such fine and imprisonment.

Section 5: This Ordinance shall take effect immediately upons enactment and approval.

READ THREE TIMES NAD APPROVED THIS 17th DAY OF July, 1991.