

BILL NO. 91-6

ORDINANCE NO. 153

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 VIOLATION 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: No person shall operate a commercial motor vehicle in wilful or wanton disregard for the safety of persons or property.

As used in this section, the term "commercial motor vehicle" shall mean any motor vehicle designed or used to transport passengers or property if: (a) the vehicle has a gross combination weight 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 such lesser rating as determined by federal regulation; 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: Any person violating this Ordinance shall be subject to a fine up to \$500.00 or imprisonment in the Lincoln County Jail for a period not to exceed ninety (90) days, or both such fine and imprisonment.

Section 4: That this Ordinance shall take effect immediately upon its enactment and approval.

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