

## ORDINANCE NO. 10-04-2019

### AN ORDINANCE ESTABLISHING TITLE 7, CHAPTER 1, SECTION 11 PROHIBITING COMMERCIAL VEHICLES WITH MORE THAN FOUR AXLES ON RESTRICTED ROADS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, the Utah State Legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

**WHEREAS**, the City of Santaquin is a fourth class city in the State of Utah and maintains a police force for the protection of the public's health, safety and welfare including the enforcement of laws for the protection of life and property; and

**WHEREAS**, the driving of large commercial vehicles with more than four (4) axles can cause significant damage to City Streets which are not built to the same standards as Public Highways constructed by the Utah Department of Transportation; and

**WHEREAS**, said damage may impact public safety and cause an undue financial burden upon the City of Santaquin; and

**WHEREAS**, the City of Santaquin now desires the passage, by ordinance, of certain regulations regarding the driving of large commercial vehicles with more than four (4) axles on any City Streets that has been designated as a restricted roads and properly identified as such with signage indicating said restriction;

**NOW THEREFORE, BE IT ORDAINED** BY THE CITY COUNCIL OF THE CITY OF SANTAQUIN, UTAH AS FOLLOWS:

**Section I. Section 7-1-10 of the Santaquin City Code is hereby enacted as set forth below.**

#### **7-1-11 Driving Commercial Vehicles With More than Four (4) Axles on Restricted Roads**

- A. No commercial truck, commercial trailer, or commercial truck-trailer combination with more than four (4) total axles shall be allowed to drive on any restricted road that has been properly identified with signage indicating said restriction.


**Section II. Contrary Provisions Repealed.** Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

**Section III. Codification, Inclusion in the Code, and Scrivener's Errors.** It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

**Section IV. Severability.** If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

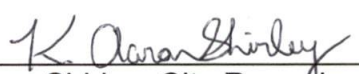
**Section V. Posting and Effective Date.** Prior to 5:00 p.m. on October 16, 2019, the City Recorder shall: (a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in City Hall. This ordinance shall become effective at 5:00 p.m. on October 16, 2019.

PASSED AND ADOPTED this 15<sup>th</sup> day of October, 2019.

  
Kirk Hunsaker, Mayor

Councilmember Elizabeth Montoya	Voted	<u>Aye</u>
Councilmember Lynn Mecham	Voted	<u>Aye</u>
Councilmember Keith Broadhead	Voted	<u>Aye</u>
Councilmember Nick Miller	Voted	<u>Aye</u>
Councilmember Chelsea Rowley	Voted	<u>Aye</u>

ATTEST:

  
K. Aaron Shirley, City Recorder

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 15<sup>th</sup> day of October, 2019, entitled

**“AN ORDINANCE ESTABLISHING TITLE 7, CHAPTER 1, SECTION 11 PROHIBITING COMMERCIAL VEHICLES WITH MORE THAN FOUR AXLES ON RESTRICTED ROADS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 15<sup>th</sup> day of October, 2019.



(SEAL)

A handwritten signature in black ink, reading "K. Aaron Shirley", is written over a horizontal line.

K. AARON SHIRLEY  
Santaquin City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted on the Santaquin City Website, Public Notices Website of the State of Utah and in the Santaquin City Hall, 275 West Main Street, Santaquin, Utah 84655, which is attached hereto on the 15<sup>th</sup> day of October 2019.

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

K. Aaron Shirley  
K. AARON SHIRLEY  
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2019, by K. AARON SHIRLEY.

My Commission Expires:

Shanna Hoffman  
Notary Public

Residing at:               Utah County

