



# City of Saginaw

**Meeting Date:** 6/05/2018

**Staff Contact:** Rick Trice, P.E.  
Director of Public Works

**Agenda Item:** 5  
(CC-0618-03)

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**SUBJECT:** Consideration and Action regarding Ordinance No. 2018-07, amending the Code of the City of Saginaw, Chapter 94 “Traffic and Vehicles”, repealing Section 94-132 and creating new Section 94-132 providing for weight limits, repealing Section 94-136 and creating new Sections 94-136 through 94-142, providing for definitions, compliance, designated routes, and exceptions

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## **BACKGROUND/DISCUSSION**

Staff has determined that the City Code’s current provisions regarding designated truck routes and allowable loads is in need of update. The recommended ordinance will set the maximum gross vehicle weight on streets that are not designated as truck routes at 10,000 pounds (5 tons).

The designated truck routes for commercial vehicles are:

1. Saginaw Boulevard (U.S. Business 287)
2. Blue Mound Road (F.M. 156)
3. Bailey Boswell Road – from F.M. 156 to Old Decatur Road
4. Longhorn Road – from Old Decatur Road to Saginaw Boulevard
5. Industrial Boulevard – from Saginaw Boulevard to F.M. 156
6. Old Decatur Road – from Bailey Boswell Road to Marine Creek Parkway
7. Fairmount Street
8. Sansom Boulevard
9. E. McLeroy Boulevard
10. Burlington Road
11. Minton Road
12. Jarvis Road
13. Defiel Road
14. Brenda Lane
15. Zephyr Road
16. Triad Boulevard

17. Watson Road

18. Lawson Road

19. Any improved road, not previously listed, that has industrially zoned property fronting both sides of the roadway.

The ordinance also provides for exceptions and justifications for departure from truck routes.

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends adoption Ordinance No. 2018-07 amending the Code of the City of Saginaw, Chapter 94 "Traffic and Vehicles", providing for weight limits, definitions, compliance, designated routes, exceptions and penalties.

Attachments

Proposed Ordinance

**CITY OF SAGINAW  
ORDINANCE NO. 2018-07**

**TRUCK ROUTES ESTABLISHED**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF SAGINAW, CHAPTER 94 “TRAFFIC AND VEHICLES”, REPEALING SEC. 94-132 AND CREATING NEW SEC. 94-132 PROVIDING FOR WEIGHT LIMITS, REPEALING SEC. 94-136 AND CREATING NEW SECTIONS 94-136 THROUGH 94-142, PROVIDING FOR DEFINITIONS, COMPLIANCE, DESIGNATED ROUTES, AND EXCEPTIONS; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.**

**WHEREAS**, the City of Saginaw, Texas is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City of Saginaw, Texas finds that streets are designed and built to handle specific types of traffic; and

**WHEREAS**, the City finds that commercial vehicles, due to their size and weight can cause damage to streets that are not designed for commercial traffic and pose additional risks to the health, safety and welfare of the public; and

**WHEREAS**, the City Council has determined that in the interest of safety, it is necessary to regulate and establish designated truck routes on public streets and highways in the corporate limits of the City of Saginaw, Texas pursuant to the rules, regulations and limitations imposed by law;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:**

**SECTION 1.**

“**Sec. 94-132. Established**” is hereby repealed in its entirety and replaced by **Sec. 94-132.** to read as follows:

**Sec. 94-132. – Weight Limits Established**

Gross weight limits of trucks, trailers and other vehicles, including the contents, using the

public streets within the city are hereby established as follows:

(1) On all streets and thoroughfares within the city that are officially designated as truck routes, the gross weight limit shall be the same as that provided by the Texas Transportation Code § 621.101 for public roads and highways outside the limits of incorporated towns and cities.

(2) On all streets and thoroughfares within the city not officially designated as truck routes, the gross weight limit shall not exceed 5 tons (10,000 pounds).

(3) Exceptions to Section 94-132 are defined in Section 94-142.

## SECTION 2.

“**Sec. 94-136. Truck Routes Designated**” is hereby repealed in its entirety and replaced by **Sec. 94-136.** through **Sec. 94-142.** to read as follows:

### “**Sec. 94-136 – TRUCK ROUTES**”

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Commercial vehicle.** any vehicle, with a gross vehicle weight in excess of 10,000 pounds or carrying capacity exceeding one ton and used for the delivery of passengers, tools, materials, or livestock. A "Recreational vehicle", herein, is not considered a commercial vehicle.

**Recreational vehicle.** personal vehicles such as boats and boat trailers, watercraft and watercraft trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers and the like, and all-terrain vehicles.

**Trailer.** a device without motive power designed for carrying persons, animals, or property on its own structure and to be drawn by a vehicle with motive power. The term shall include, but not be limited to, semitrailer, utility trailer, travel trailer and boat trailer.

**Truck.** "commercial vehicle."

**Truck routes.** routes which are designated in this article for the use of truck traffic.

**Truck traffic.** the operation of any commercial vehicle including but not limited to truck, truck tractor or combination of any truck, truck tractor, trailer, or semitrailer that are considered commercial vehicles. The operations of "recreational vehicles" are not considered to be truck traffic.

**Vehicle.** every device in, upon, or by which any person or property is or may be transported or drawn upon water, a street or road including devices moved by an engine, a motor, a motor vehicle or by human or animal power. Vehicle includes a trailer. Devices used exclusively upon

stationary rails or tracks are not considered vehicles.

**Sec. 94-137 – Compliance.**

No person shall operate truck traffic upon any roads, avenues, streets or thoroughfares within the city, except on those which are designated as truck routes in section 94-138, with the exceptions as set forth in sections 94-139 and 94-140.

**Sec. 94-138 Designated Routes.**

For the purposes of this article, the following streets and thoroughfares within the city are designated as truck routes:

1. Saginaw Boulevard (U.S. Business 287)
2. Blue Mound Road (F.M. 156)
3. Bailey Boswell Road – from F.M. 156 to Old Decatur Road
4. Longhorn Road – from Old Decatur Road to Saginaw Boulevard
5. Industrial Boulevard – from Saginaw Boulevard to F.M. 156
6. Old Decatur Road – from Bailey Boswell Road to Marine Creek Parkway
7. Fairmount Street
8. Sansom Boulevard
9. E. McLeroy Boulevard
10. Burlington Road
11. Minton Road
12. Jarvis Road
13. Defiel Road
14. Brenda Lane
15. Zephyr Road
16. Triad Boulevard
17. Watson Road
18. Lawson Road
19. Any improved road, not previously listed, that has industrially zoned property fronting both sides of the roadway.

**Sec. 94-139 Proceeding Directly to Routes.**

If any truck traffic originating within the city shall have, as its point of origin, a point located off a designated truck route, it shall proceed to the nearest point on a designated truck route by the most direct route as possible. If such traffic shall originate outside the city and enter the city at a point which is not on a designated truck route, it shall proceed to the nearest point on a designated truck route by the most direct route possible.

**Sect. 94-140. Departing from Routes.**

(1) Truck traffic restricted to the streets designated as truck routes may depart from such truck routes, where it is necessary for the immediate loading or unloading of property at locations situated off designated truck routes. However, such truck traffic shall not leave any designated truck route until it has reached a point on some designated truck route which is nearest the applicable place of loading or unloading by the most direct route possible. After leaving a designated truck route to load or unload, truck traffic may continue off truck routes to as many points of destination as necessary. However, if in the course of making necessary stops for loading and unloading the truck traffic shall cross a designated truck route, the truck traffic shall not again leave any designated truck route until it has reached a point on some designated truck route which is nearest to the next place of loading and unloading by the most direct route possible.

(2) When, under section 94-139, truck traffic originates off a designated truck route, whether inside or outside the city, and the destination of the truck traffic is nearer the origin or point of entering the city, as the case may be, than is the nearest point on a designated truck route by the most direct route possible, it shall not be necessary to proceed to the nearest designated truck route.

(3) Driving to a place of business in a commercially zoned area for the purpose of loading or unloading shall be a defense for driving on a non-designated truck route.

(4) The City Manager may cause to be erected signs upon the streets which are not truck routes, which signs shall be the type to conform to the Manual on Uniform Traffic Control Devices.

(5) The City Manager may cause to be erected signs upon the streets to direct trucks to truck routes, which signs shall be the type to conform to the Manual on Uniform Traffic Control Devices.

(6) When a street or roadway designated as a truck route is under repair or otherwise temporarily out of use, the City Manager is authorized to designate alternate truck routes.

**Sec. 94-141. Justification of Departure.**

A person operating any commercial vehicle including but not limited to truck, truck tractor

or combination of any truck, truck tractor, trailer, or which is not designated as a truck route by this article shall have in his possession for the inspection of police officers his log book, delivery slips or other evidence of his destination and point of origin to justify the presence of the vehicle on a street or roadway other than a designated truck route.

**Sec. 94-142. Exceptions to Section 94-135.**

- (1) Emergency vehicles.
- (2) Vehicles operated by a public utility while cruising in an assigned area for the purpose of inspecting the facilities of the public utility and/or providing maintenance service to such facilities.
- (3) Municipal and county vehicles performing city and county business and services, school buses and church buses.

**SECTION 3.**

That this ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 4.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.**

That all rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto regarding management of the public rights-of-way that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined

not more than Five Hundred Dollars (\$500.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 7.**

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

**SECTION 8.**

This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

**PASSED AND APPROVED ON** this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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TODD FLIPPO, MAYOR

ATTEST:

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JANICE ENGLAND, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

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BRYN MEREDITH, CITY ATTORNEY