

**ORDINANCE NO. \_\_\_\_\_**

**ENTITLED: "AN ORDINANCE AMENDING CHAPTERS 10.44, WEIGHT LIMITS, WITHIN TITLE 10, VEHICLES AND TRAFFIC, OF THE MUNICIPAL CODE OF THE CITY OF CHEYENNE, WYOMING."**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That sections of Chapter 10.44, Weight Limits, of Title 10, Vehicles and Traffic, is hereby amended as set out in this Ordinance.

**10.44.010 - Commercial motor vehicle defined.**

Unless the context of this chapter otherwise requires, the term "commercial motor vehicle", when used in this chapter shall be construed to mean any truck, trailer or combination thereof, carrying or constructed to carry cargo other than personnel, for gain or for profit, and having a rated load capacity gross vehicle weight of ten thousand and one (10,001) pounds.

**10.44.020 - Purpose.**

The prevention of unnecessary wear and tear on the streets of the city and the elimination of unnecessary traffic hazards and loss of life and property resulting from such traffic hazards, caused by the unregulated and unrestricted use of the streets of the city by certain types of motor vehicles, and the maintenance of a sound, well-regulated traffic system for the people of the city are declared to be the objectives of this chapter, and the provisions of this chapter are the means to that end. In order to align the purpose and enforcement of this section, any revenue generated to the city from enforcement shall be directed by the City Treasurer to road maintenance or construction.

**10.44.040 - Thru truck restrictions upon vehicles using certain highways or bridges.**

- A. When signs are erected giving notice thereof, no person shall operate a commercial motor vehicle with a gross vehicle weight rating (GVWR) over twenty-six thousand and one (26,001) pounds, at any time upon any of the streets or parts of streets described in Schedule H, attached to the ordinance codified in this section, without a scheduled stop in such locality.
- B. The City Engineer may place a weight limit on specific bridges based upon an engineering analysis, which will be filed in the City Engineer's Office. When signs are erected giving notice thereof, no person shall operate a vehicle with a gross vehicle weight (GVR) in excess of the weight limit specified on the signs, at any time upon any bridge or parts of a bridge described in Schedule H, attached to the ordinance codified in this section, without a super heavy weight and size permit issued by the City Engineering Office.

Schedule H is adopted by reference and is on file in the offices of the city clerk, traffic engineer and police department.

Roads and bridges identified in Schedule H shall be identified by black and white regulatory signs:

**10.44.050 - Truck routes.**

In order to expedite the movement of commercial vehicle traffic within and through the city and to eliminate the traffic hazards and obstructions resulting from the unrestricted use of the streets of the city by such vehicles, the streets listed in Schedule I, attached to the ordinance codified in this section and made a part hereof, are established and designated "truck routes," to be used by commercial motor vehicles when passing through the city in the directions indicated.

Schedule I is adopted by reference and is on file in the offices of the city clerk, traffic engineer and police department.

**10.44.060 – Authority to weigh.**

The chief of police, or his designee, who has completed commercial vehicle size and weight training by the Wyoming Highway Patrol shall have the authority to require the driver of any vehicle operating on the streets within the city, which he has reason to believe is overweight, to proceed with the vehicle to an appropriate weight station or stopping place not to exceed five (5) miles from the declared route of travel, for the purpose of determining whether this chapter has been complied with, unless the vehicle has been weighed at a port of entry with the same load.

The chief of police, or designee measuring vehicle weight shall use calibrated scales and be certified in the use of such scales.

Overweight loads of a perishable nature to include hot loads or loads within one (1) mile of its destination will be allowed to proceed to the destination for off-loading after being weighed; violations and permits for perishable or hot loads will be handled following off-loading.

**10.44.070 – Size and Weight Limits.**

All vehicles operated within the city shall comply with Wyo. Stat. § 31-18-802.

**10.44.080 – Permit Application.**

- A. A person may operate a vehicle with a gross vehicle weight or size in excess of the amounts specified in 10.44.070, after receiving a special permit for operation of oversize and overweight loads. The city honors all exceptions to permits as identified in Wyo. Stat. § 31-18-804 and § 31-18-808.
- B. Permits issued by the Wyoming Department of Transportation for oversize and overweight loads are honored and accepted within the city if the load is within the

approved scope of the permit; the load may be taken onto city streets without a permit from the city except for super heavy weight and oversize loads.

- C. A super heavy weight and oversize load with a GVR in excess of one hundred sixty thousand (160,000) pounds and/or length greater than one hundred twenty (120) feet, and/or width greater than fifteen (15) feet, and/or height is greater than sixteen (16) feet shall require a permit from the City Engineer's Office in addition to any permits required by the Wyoming Department of Transportation.
  - 1. A permit under this section for a GVR exceeding one hundred sixty thousand (160,000) pounds shall not be issued until the permittee has paid all costs incurred by the city in compliance with industry standards to determine routing, structure, street capability to withstand the load and the cost incurred by sending personnel to accompany the movement of the load.
  - 2. The Engineer's Office shall issue the permit within two (2) weeks if the conditions of the permit are met.
  - 3. The Engineer's Office shall charge a permit fee of \$100 for super heavy weight and oversize loads.
- D. Permit applicants must agree to obey all state laws and ordinances of the city of Cheyenne and shall carry the permit in the vehicle or be able to show the permit in a digital form.

#### **10.44.100 – Permitted operation on non-truck-route streets.**

The operation of commercial motor vehicle over and along any city street which is not designated as a truck route, shall be allowed only for the purpose of reaching a point of destination inside the city, provided that:

- A. One Destination Point. All commercial motor vehicles having a single destination point in the city shall proceed only over an established truck route and shall deviate only at the intersection with the street upon which such traffic is permitted nearest to the destination point. A deviating commercial motor vehicle shall return to the truck route by the safest and most direct route;
- B. Multiple Destination Points. All commercial motor vehicles having multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street upon which such traffic is permitted, nearest to the first destination point. Upon leaving the first destination point, a deviating commercial motor vehicle shall return to the nearest truck route and proceed to other destination points by the shortest direction, and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating commercial motor vehicle shall return to the truck route by the safest and most direct route.

#### **10.44.110 – Operation of tracked vehicles – prohibited on city streets.**

No person shall operate any vehicle equipped with continuous tracks, at any time, upon any of the streets or parts of streets within the city of Cheyenne unless it is necessary for construction activities. All vehicles equipped with continuous tracks shall be transported to and from the location of operation.

**10.44.120 – Bypass of port of entry – prohibited.**

No commercial vehicle shall bypass any port of entry by using city streets within the city of Cheyenne.

**10.44.130 – Violation – Penalty**

It is unlawful for any person to operate or cause to be operated any vehicle within the city in violation of this chapter. Violations of this chapter are punishable in accordance with the general penalty provisions of Chapter 1.24 of the Cheyenne Municipal Code.

Section 2. That Section 10.44.040, Load restrictions upon vehicles using certain highways, of Chapter 10.44, Weight Limits, within Title 10, Vehicles and Traffic, of the Municipal Code of the City of Cheyenne, is hereby amended to adopt that amended Schedule H attached to this Ordinance as Exhibit A.

Section 3. That Section 10.44.050, Truck routes, of Chapter 10.44, Weight Limits, within Title 10, Vehicles and Traffic, of the Municipal Code of the City of Cheyenne, is hereby amended to adopt that amended Schedule I attached to this Ordinance as Exhibit B.

Section 4. This ordinance shall be in full force and effect on April 1, 2021.

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

THIRD AND FINAL READING: \_\_\_\_\_

(SEAL) Attest:

Kristina F. Jones, City Clerk Publish: Wyoming Tribune Eagle

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Marian J. Orr, Mayor

## **EXHIBIT A**

### **SCHEDULE H**

Section 10.44.040 —Thru truck restrictions upon vehicles using certain highways.

In accordance with Section 10.44.040 and/or when signs are erected giving notice thereof, no commercial motor carrier shall operate at any time upon any of the streets or parts of streets specified in this Schedule without a scheduled stop in such locality.

The load restrictions and signage will be dynamic based on pavement condition index (PCI) from the City's engineering department's pavement management program (PMP). The restrictions may change annually upon the annual update to the PMP.

Restricted routes to commercial motor carriers with a gross vehicle weight rating (GVWR) over twenty-six thousand and one (26,001) pounds:

- HR Ranch Road from Burlington Trail to Banner Drive
- Southwest Boulevard from Lincolnway to College Drive
- W 4<sup>th</sup> Street from Parsley to Cribbon
- W 5<sup>th</sup> Street from Cribbon to Deming
- E 5<sup>th</sup> Street from South Greeley Highway to Morrie Boulevard
- Etchepare Circle
- Short Road
- Prairie Avenue from Short Road to Powderhouse Road

## **EXHIBIT B**

### **SCHEDULE I**

Section 10.44.050 – Truck routes.

In accordance with Section 10.44.050 and/or when signs are erected given notice thereof, the following truck routes are established:

- I-80
- I-25
- I-85 (Warren Avenue)
- I-180 (South Greeley Highway)
- Yellowstone Road
- Dell Range Boulevard
- Storey Boulevard
- WY 212 (College Drive)
- US 30 (Lincolnway)
- Central Avenue from Yellowstone Road to I-25
- Campstool Road
- Nationway
- Morrie Avenue from 5<sup>th</sup> Street to South City limits
- 1<sup>st</sup> Street from I180 (South Greeley Highway) to Morrie Avenue