

RESOLUTION 12-2010

A RESOLUTION AUTHORIZING ROAD RESTRICTIONS

WHEREAS, Section 61-10-128, MCA, allows a local road authority by ordinance or resolution to prohibit the operation of or impose restrictions on the weight and speed of a vehicle traveling on a public highway under its jurisdiction and for which it is responsible for maintenance whenever the highway will be seriously damaged or destroyed by deterioration, rain, snow or other climatic conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and speed are reduced; and

WHEREAS, the climatic conditions during the spring of each year can cause breakup of county roads unless weights for vehicles are reduced; and

WHEREAS, the Board of County Commissioners has authority over all county roads pursuant to section 7-14-2102, MCA;

NOW THEREFORE BE IT RESOLVED as follows:

1. The County Road Supervisor shall determine those portions of road which require weight restrictions.
2. Upon designating such portions of roadway which require a weight restriction, the County Road Supervisor shall determine what weight shall be allowed on such portions of the roadway.
3. The County Road Supervisor shall erect signs at each end of that portion of the roadway affected indicating the allowed weight and designating this resolution as the authority for erecting said signs.
4. This resolution shall be effective upon the erection of such signs upon such portions of the roadway.
5. Violation of weight restrictions as provided by this resolution shall be punished as provided in Section 61-10-147, MCA. Fines and forfeited bonds shall be disposed of as provided in Section 61-10-148(2), MCA, to the County Treasurer for deposit in the county road fund.
6. This resolution shall not impose a restriction on the weight of a vehicle loaded with perishable agricultural seeds that is traveling on a public highway if:
 - a) The vehicle is being operated within its legal licensed gross vehicle weight and,
 - b) The driver has in his possession a federal or state inspection certificate issued for the load.
7. A copy of this resolution shall be sent to the Justice of the Peace and the Madison County Sheriff's Office.
8. When the County Road Supervisor determines the restriction is no longer necessary for any portion of the roadway, he shall remove signs from that portion and this resolution shall have no further effect upon that portion.

APPROVED BY THE BOARD OF COMMISSIONERS THIS 6th DAY OF APRIL, 2010.

JAMES P. HART, CHAIRMAN

MARILYN ROSS

DAVID SCHULZ

ATTEST: _____
Peggy Kaatz
Clerk and Recorder