

## CHAPTER 16

### Article V

#### STONE ROAD VEHICLE WEIGHT RESTRICTION FROM EAST GRANBY TOWN LINE TO INTERSECTION OF TRADEPORT DRIVE

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WINDSOR:

Chapter 16, Article V, of the *Windsor Code* is adopted to read as follows:

#### **Sec. 1- Intent and Purpose**

The Council of the Town of Windsor finds and declares that:

(a) Findings.

(1) A portion of Stone Road, which is a public street, beginning at Tradeport Drive and continuing south and west and ending at the East Granby town line, has geometry and construction characteristics that require unique safeguards.

(2) The road has severe curves, limited sightlines, unique roadside character and was constructed using outdated methods and materials.

(3) In order to prevent the further deterioration of the road, to protect the surface of the road, to ensure the safe and ready movement of emergency vehicles, to reduce the public expense of maintenance and repair, and to prevent injury to people and property utilizing or residing near Stone Road.

(4) It is necessary to institute a maximum allowable tonnage limit per vehicle on this portion of Stone Road.

b) The purpose of this chapter is to establish a tonnage limit that shall be the maximum amount of weight consistent with the safe and ready movement of vehicles and the health, safety and welfare of the public and contiguous properties.

#### **Sec. 2 – Definitions**

For the purpose of this chapter, the following words and phrases shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular and words in the singular include the plural.

(a) *Emergency vehicles* – includes Windsor Volunteer Fire department vehicles,

Windsor Police Department vehicles, Windsor Volunteer Ambulance vehicles and other emergency vehicles and ambulances of municipal departments or public service companies as are designated or authorized by the commissioner of the state department of motor vehicles.

### **Sec. 3 – Tonnage Limitation**

- (a) Vehicles exceeding 26,000 lbs. GVWR shall be prohibited from traveling on this portion of Stone Road unless exempted in Section 4.

### **Sec. 4 – Exceptions**

This article shall not prohibit:

- (a) The operation of emergency vehicles on Stone Road;
- (b) The operations of trucks owned and operated by the town, public service companies, or contractors engaged in the repair, maintenance or construction of roadway improvements or utilities on, under or over Stone Road;
- (c) Any vehicle owned and operated by the United States or the State of Connecticut in the proper performance of their duties;
- (d) School buses;
- (e) A commercial vehicle driving to and from the vehicle owner's property located along or only accessible by this portion of Stone Road;
- (f) Local pick up, delivery, and services to establishments or residences located along or only accessible by this portion of Stone Road.

### **Sec. 5 – Violations; penalties**

Any person in violation of any of the provisions of this article shall be fined one hundred dollars (\$100.00) for each offense. Each day any such violations continue shall constitute a separate offense.

### **Sec. 6 - Savings Clause**

The enactment of this Ordinance shall not operate as an abatement of any action or proceeding previously taken, now pending, or taken prior to the effective date of this Ordinance. All said actions and proceedings are hereby ratified to be continued.


**Sec. 7 – Severability**

All provisions of the *Town Code* in conflict herewith are hereby repealed and that if for any reason, any word, clause, paragraph, or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein which is in conflict with the *Connecticut General Statutes* is hereby repealed, it being understood that said statutes shall take precedence over this Ordinance.

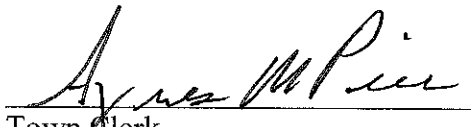
**Section 8 - Effective Date**

This Ordinance shall become effective ten (10) days after publication in a newspaper having circulation in the Town of Windsor.

APPROVED AS TO FORM:

  
Vincent W. Oswecki, Jr.  
Town Attorney

ATTEST:

  
Town Clerk

Distributed to Town Council:	<u>9/2/08</u>
Public Hearing Advertised:	<u>9/5/08</u>
Public Hearing:	<u>9/15/08</u>
Adopted:	<u>9/15/08</u>
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