

Town of Mercer, Maine

Ordinance Restricting Gross Heavy “Through” Vehicles

Section 1. Purpose and Authority

The purpose of the “Ordinance Restricting Gross Heavy “Through” Vehicles” (hereinafter, the Ordinance) is to promote the health, welfare, and safety of the public; to prevent damage to town ways and bridges in the Town of Mercer by vehicles of excessive weight; to lessen safety hazards and the risk of injury to the traveling public; to extend the life expectancy of town ways and bridges; and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to Town Meeting authorization of Article 38 on March 1 2008, and under the authority of Maine Revised Statutes Annotated.

Section 2. Definitions

**Gross Weight Limit is the combined weight of the vehicle and its load.
Total Gross Weight Limit is = 30,000 pounds**

“Through” = Any road(s) or combination of roads, that will travel through the Town of Mercer, with no destination in the Town of Mercer.

Section 3. Restrictions and Notices

**Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross weight in excess of 30,000 pounds (GVW). Notice shall be given by erecting at each end of the “Through” roads a permanent sign listing the gross weight limit and restriction.
“Through” roads include, but are not limited to, Ladd Road, Beech Hill Road, Elm Street, Main Street, Rome Road, or two or more of those roads in combination.**

Section 4. Exemptions

**Vehicles that are exempt from this Ordinance are:
State of Maine vehicles, authorized emergency vehicles such as fire or police vehicles, ambulances, or Emergency Response vehicles.**

Section 5. Administration and Enforcement

This Ordinance shall be administered and may be enforced by the Municipal Officers or their duly authorized designee such as road commissioner, Code Enforcement officer, Constable, or County or State law enforcement officer.

Section 6. Penalties

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$2000.00. Each violation shall be Deemed a separate offense. All fines must be paid in full within 30 days of notice. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

Section 7. Amendments

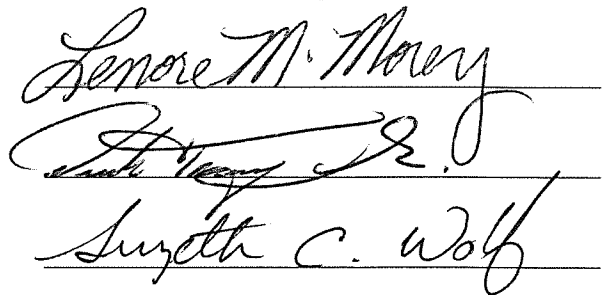
This Ordinance may be amended by the Board of Municipal Officers at any properly noticed meeting.

Section 8. Effective Date

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance shall take affect immediately upon enactment by the municipal officers.

Dated May 1, 2008

Board of Municipal Officers

Three handwritten signatures in cursive script are written over horizontal lines. The first signature is 'Lenore M. Morey', the second is 'John J. [unclear]', and the third is 'Suzeth C. Wolf'.

Attest: A true copy of an ordinance entitled
"Town of Mercer, Maine Ordinance Restricting Gross Heavy "Through"
Vehicles" as certified to me by the Municipal Officers of Mercer
on the 1st day of May, 2008.

Yolanda Violette
Signature

Yolanda Violette, Town Clerk of Mercer