



AN ORDINANCE: By Public Services & Safety Committee
Re: Amending Code §16-5(a) relating to the definition of vehicles restricted to heavy traffic routes and §16-69(c) prohibiting commercial motor vehicle parking in residential zones with an exception for school buses.

ORDINANCE NO. 2012-11
Introduced: September 19, 2012
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Section 16-5(a) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(c) *Intent.* No person shall operate or move a vehicle, except a motor bus, which is not equipped with pneumatic tires or ~~has a combined~~ is a commercial vehicle ~~load weight exceeding 6,000 pounds~~ as defined at Code §26-550(1)(g) on any highway not part of the designated heavy traffic route except for the purpose of obtaining orders for, or moving or delivering supplies or commodities to or from a place of business or residence which has an entrance thereon; provided in no event shall the weight of a vehicle and load on any street not defined or designated as a heavy traffic route exceed the limitations pertaining to Class "A" highways or deliveries on Class "B" highways established by the Wisconsin Statutes.

Section 2. Section 16-69(c) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(c) *Parking heavy vehicles in residential districts.* No operators of a motor truck, truck-tractor, trailer, or semi-trailer or any other commercial vehicle or combination of commercial vehicles as defined at Code §26-550(1)(g) ~~other than motorbuses weighing more than 6,000 pounds~~ shall park such vehicle on any highway other than a routed State Trunk Highway in any residential district, defined as R-1, R-2, M-1 and M-2 on the Official Zoning District Map, except for such time as is reasonably necessary to facilitate the loading or unloading of the vehicle. Notwithstanding the foregoing, in order to facilitate the efficient transportation of students to schools, school buses may be

parked in any residential district, on streets where parking is otherwise permitted.

Section 3. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 4. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Ramos/Hillstrom
Adopted: October 15, 2012
Approved: October 15, 2012
Published: October 22, 2012

Approved:



George Scherck, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
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