

**RESOLUTION NO. 13-06-44**

**RESOLUTION ADOPTING AND APPROVING A SUMMARY PUBLICATION FOR ORDINANCE 2013-03, AN ORDINANCE AMENDING, CHAPTER 34 TRAFFIC, ARTICLE III PARKING, DIVISION 1, SECTION 66 TRUCKS OF THE WYOMING CITY CODE**

Council Member **J. ZERWAS** offered the following Resolution, Seconded by Councilmember **NANKO/YEAGER** and moved its adoption:

**WHEREAS**, the City of Wyoming is a political subdivision, organized and existing under the laws of the State of Minnesota; and,

**WHEREAS**, the City has adopted the City of Wyoming Ordinance, No. 2013-03 an ordinance amending Chapter 34 of the City Code containing 2 pages; and

**WHEREAS**, the City Council has determined that publication of the title of the ordinance and a summary of the ordinance would clearly inform the public of the intent and effect of the ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Wyoming hereby directs the City Clerk to cause to be published in the Forest Lake Times the following notice:

**NOTICE OF ADOPTION OF THE CITY OF WYOMING ORDINANCE NO. 2013-03 AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 34 TRAFFIC, ARTICLE III PARKING, DIVISION 1, SECTION 66 TRUCKS OF THE WYOMING CITY CODE**

**TO WHOM IT MAY CONCERN:**

**NOTICE IS HEREBY GIVEN** that on the 16th day of July 2013, the City Council of the City of Wyoming adopted an Ordinance amending Chapter 34 of the City Code. The new Ordinance is entitled:

**ORDINANCE NO. 2013-03, AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, AMENDING, CHAPTER 34 TRAFFIC, ARTICLE III PARKING, DIVISION 1, SECTION 66 TRUCKS OF THE WYOMING CITY CODE, ADDING WEIGHT RESTRICTIONS FOR TRUCKS AND REGULATION OF CITY OF WYOMING ROADS**

**NOTICE IS FURTHER GIVEN** that said ordinance was passed in order to implement the goals and policies established in the City of Wyoming Code. The Ordinance protects the roads of the City of Wyoming, weight regulations, regulating use of roads and providing for the administration and enforcement of such regulations.

**NOTICE IS FURTHER GIVEN** that a printed copy of the entire ordinance and zoning map is available for inspection by any person during the City Clerk's regular office hours in the City Hall located at 26885 Forest Boulevard, Wyoming, Minnesota. Furthermore, proof of publication of the title and summary shall be recorded in the ordinance book of the City Wyoming within 10 days of publication of the title and summary.

The motion for adoption of the foregoing Resolution being duly seconded was put to a vote of the members:

*Voting Aye: Elmore, Nanko/Yeager, Peterson, J.Zerwas and S.Zerwas*

*Voting Nay: NONE*

*Abstain: NONE*

Hereupon said Resolution was declared duly passed and adopted this 18th day of July 2013.

---

Eric Peterson, Mayor

ATTEST:

This Document Drafted by:  
The City of Wyoming  
26885 Forest Boulevard  
Wyoming, Minnesota 55092

---

Craig J. Mattson, City Administrator

**CLERK'S CERTIFICATE**

I, the undersigned, being the duly qualified and acting Clerk/Administrator of the City of Wyoming, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing copy of Resolution No. 13-07-44 of the City Council of the City of Wyoming on the date therein indicated with the original thereof on file in my office and that the same is a full, true, and correct copy thereof, as adopted by the Wyoming City Council on 16th day of July, 2013.

**WITNESS** my hand this 18th of July, 2013.

---

Craig J. Mattson, City Administrator/Clerk

The foregoing was acknowledged before me this 18th day of July 2013 by Craig J. Mattson City Administrator/Clerk of the City of Wyoming, a Minnesota municipal corporation, on behalf of the City.

---

Robb Linwood, Notary Public

## **Sec 34-66 – Trucks**

### **(d) Permanent weight restrictions.**

- (1) Except as otherwise provided in this ordinance or as posted, no vehicle having an axle weight in excess of five tons shall use or travel upon any road under the jurisdiction of the city. The public works Superintendent shall post any roads under the jurisdiction of the city which have a weight limit of less than five tons per axle with appropriate signs.
- (2) The restrictions imposed in (1) do not apply to municipal vehicles, public safety vehicles, septic trucks, delivery trucks with a residential delivery address on the posted city road, garbage or recycling vehicles while on their collection routes, school buses or agricultural equipment servicing adjacent property.

### **(e) Seasonal Weight Restrictions.**

- (1) The public works Superintendent shall determine the seasonal weight restrictions to be applied to all roads under the jurisdiction of the city and the dates during which such limitations shall apply. The public works Superintendent shall post city roads with signs indicating the applicable weight limitations and make that information available through such other means as may be appropriate, including on the city's website.
- (2) The restrictions imposed in subdivision (1) do not apply to municipal vehicles, public safety vehicles, septic trucks, delivery trucks with a residential delivery on the posted city road, garbage or recycling vehicles while on their collection routes, school buses or agricultural equipment servicing adjacent property. All such vehicles and equipment shall be posted tons per axle during the period of seasonal weight limits.

### **(f) Administrative regulation of roads.**

- (1) The public works Superintendent shall monitor the condition of all roads under the jurisdiction of the city. Whenever the public works Superintendent determines that the use of any city road has or is likely to endanger public health or safety or that such use has or may damage or destroy the road due to any condition, including but not limited to road deterioration, rain, snow, climatic conditions, or soil or subsurface conditions, the public works Superintendent may regulate, restrict, or prohibit traffic on the road. The public works Superintendent may set conditions or limitations on the use of the road to protect public health and safety or to prevent damage to the road, including requiring that a letter of

credit or other financial guarantee be posted to compensate the city for damage to the road, establishing haul routes and restricting hours of operation. Any person aggrieved by a decision of the public works Superintendent regarding regulation of traffic under this section may appeal that decision to the city council. The city council may continue, modify or terminate the regulations as it deems appropriate in order to protect public health and safety and to prevent or minimize damage to city roads.

**(g) 915.09. Minnesota Statutes, Chapters 168, 169 and 171 adopted by reference.**

(1)

Except as otherwise provided in this ordinance, the regulatory and procedural provisions of Minnesota Statutes, Chapter 168, Chapter 169 and Chapter 171, as amended, are hereby incorporated herein and adopted by reference.

**(h) Violations and liabilities for damages.**

(1)

Any person violating this ordinance shall be guilty of a misdemeanor for each such violation. In addition to the driver or operator, the owner of any vehicle operated with the owner's permission or consent shall also be liable for any violation of this ordinance. Any person who violates a duly established weight or other vehicle restriction shall be liable to the city for the full amount of the damages caused by such violation.