

RESOLUTION NO. 1181

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS PROHIBITING THE USE OF COUNTY ROADWAYS UNDER THE JURISDICTION AND CONTROL OF THE BOARD OF COUNTY COMMISSIONERS BY COMMERCIAL TRUCKS, COMMERCIAL BUSES AND OTHER COMMERCIAL VEHICLES.

WHEREAS, it has been determined by the Board of Atchison County Commissioners, Atchison County, Kansas that commercial trucks, commercial buses, not to include school busses, and other commercial motor vehicles which use roadways under the jurisdiction and control of the Board of Atchison County Commissioners, Atchison County, Kansas; and

WHEREAS, roadways under the jurisdiction and control of the Board of Atchison County Commissioners, Atchison County, Kansas are not roadways compatible with the normal and safe movement of such commercial trucks, commercial buses and other commercial motor vehicles.

NOW, THEREFORE BE IT RESOLVED, pursuant to the provisions of K.S.A. 8-1901, 8-1912(c) the Board of County Commissioners, Atchison County, Kansas resolve as follows:

1. It shall be unlawful for any person, firm or corporation to operate a commercial truck, commercial bus or other commercial motor vehicle as defined in Section 5 of this resolution, and which has a registered gross vehicle weight in excess of 30,000 pounds, upon any roadway located within Atchison County, Kansas which is properly designated in accordance with Section 2 below and under the jurisdiction and control of the Board of County Commissioners, Atchison County, Kansas.
2. Official traffic signs giving notice of this regulation shall be erected and placed at appropriate entrances to said roadways.
3. It shall be a defense to a prosecution for violation of this resolution, that the commercial truck, commercial bus or other commercial motor vehicles, at the time of operation on said roadways, had either a point of origin or a destination, on said roadway, that could be reached by no other route.
4. An exception to this Resolution will be when a County roadway is temporarily posted as a detour for any state or federal highway.

5. a. The term "commercial" as used in this Resolution shall including any of the following uses of trucks, buses or motor vehicles: the hauling of goods or passengers for hire; the hauling of heavy equipment for hire; or vehicle required to have KCC registration or ICC registration.
b. A commercial truck, bus or motor vehicle shall also include those trucks, buses or motor vehicles requiring KCC or ICC registration.
6. Any person, firm, or corporation that violates the provisions of this Resolution is guilty of a public offense of violating a County Resolution as provided by K.S.A. 19-101d, and upon conviction for such violation shall be fined a sum not exceeding Five Hundred Dollars (\$500.00) for each separate offense.
7. Upon the effective date of this Resolution, Resolution 1124 is rescinded and shall be of no further force or effect.

This Resolution shall take effect upon publication in the official county newspaper and the posting of the appropriate official traffic signs on said roadways.

ADOPTED THIS *1st* DAY OF *October*, 1999.

BOARD OF COUNTY COMMISSIONERS
ATCHISON COUNTY, KANSAS

W. L. Voonavogel

Chairman

Russ Eckert

George Ross, Jr.

Attest:

Pauline M. Lee

County Clerk