

ORDINANCE 2023 - 23

SHORT TITLE: AN ORDINANCE OF THE BOARD OF COMMISSIONERS, COUNTY OF ADAMS, STATE OF INDIANA, WHICH DESIGNATES VARIOUS COUNTY ROADS OR PARTS OF COUNTY ROADS AS NO TRUCKS THOROUGHFARES PURSUANT TO THE POWERS VESTED IN THE BOARD OF COMMISSIONERS, COUNTY OF ADAMS, STATE OF INDIANA UNDER INDIANA CODE 9-21-1-3(8) AND INDIANA CODE 9-21-4-7

WHEREAS, Indiana Code 9-21-1-2 authorizes a County to adopt by Ordinance traffic regulations with respect to streets and highways under the County's jurisdiction; and

WHEREAS, Indiana Code 9-21-1-3(8) and Indiana Code 9-21-4-7 authorizes the County to restrict the use of County Highways by certain vehicles; and

WHEREAS, Indiana Code 9-21-4-3 authorizes the County to place and maintain traffic control devices upon highways under its jurisdiction which are necessary to indicate and to carry out local traffic ordinances or to regulate, warn or guide traffic; and

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana has determined that it is necessary for safety and maintenance purposes to restrict truck traffic on certain County Roads or portions thereof

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, COUNTY OF ADAMS, STATE OF INDIANA as follows:

1. Purpose. The purpose of this Ordinance is to designate county roads or parts of county roads as No Trucks Thoroughfares pursuant to the powers vested in the Board of Commissioners of the County of Adams, State of Indiana under Indiana Code 9-21-1-2, Indiana Code 9-21-1-3(8) and Indiana Code 9-21-4-7(11). A further purpose of this Ordinance is to authorize the erection of official traffic control devices necessary to carry out the intent of this ordinance and to establish a civil penalty for violation of the terms hereof.

2. Repeal. The former version of this ordinance being ordinances 2018-2 and 2022-8 shall remain in full force and effect and is only amended by this Ordinance as specifically stated herein.

3. Definitions.

a. **Through Traffic.** Traveling county roads without a commercial reason to stop.

b. **Truck.** A commercial vehicle having more than two axles.

4. Removal of Previously Designated No Truck Thoroughfares. The following No Truck Thoroughfares are hereby removed from this ordinance as the construction that necessitated said ordinance and designation has concluded:

CR 300W Winchester Rd to SR 124

CR 500W Winchester Rd to SR 124

5. Designation of No Truck Thoroughfares. Section 5 of Adams County Board of Commissioners Ordinance 20 18-2 and 2022-8 are hereby amended and restated as follows: No trucks shall be operated on the following county roads, or portions thereof, hereby designated as No Truck Thoroughfares:

CR 300 S CR 700 West to CR 500 West

CR 500W SR 124 to CR 800 South

CR 450 W SR 218 to CR 500 South

CR 400 W SR 116 to CR 500 South

CR 300 W SR 218 to SR 116

CR 500 S U.S. 27 to CR 500 West

CR 700 S SR 116 to US 27

CR 800 S SR 116 to CR 400 West

Linn Grove Rd SR 116 to CR 700 South

CR 200 West Winchester Rd to SR 224

Piqua Road CR 850 N to CR 700 E

Monmouth Road Piqua Road to Decatur City Limits

Winchester Road CR 1200 N to Decatur City Limits

CR 900 N Winchester Road to U.S. 27/33

CR 850 N U.S. 27/3 3 to Piqua Road

CR 400 N U.S. 27 to CR 100W

CR 450 N U.S. 27 to CR 100W

CR 150N U.S. 33 to Indiana State Road 101

CR 100 E Decatur City Limits to S.R. 124

CR 200 E Salem Road to S.R. 124

Salem Road Decatur City Limits to U.S. 33

CR 000 Monroe Town limits to Covered Bridge Rd.

Covered Bridge Rd. U.S. 27 to CR 000

CR 100W Decatur City Limits to CR 400 N

CR 200 W Winchester Road to S.R. 124

CR 350 W U.S. 27/33 to Winchester Road

CR 400 W Winchester Road to S.R. 124

Salem Road CR 200Nto U.S. 33

Polk Street Monroe City Limits to U.S. 27

CR 700 E U.S. 224 to Harrison Center Road

CR 1050 S Geneva City Limits to CR 000

CR 1100 S CR 000 to CR 500 E

CR 500 E CR 1100 S to CR 1200 S

CR 1200 S CR 500 E to CR 700 E or State Line.

6. Exemptions. No person operating a truck shall be permitted to operate such vehicle on the above mentioned county roads at any time unless the use of such a road is required and necessary and cannot be avoided in making a local delivery, sale or pick up of property to be transported on a truck in the normal course of business and such use is made by utilizing the shortest point of access from the nearest authorized truck route or highway.

7. Erection of Official Traffic Control Devices. The Adams County Highway Superintendent is hereby authorized and directed to place traffic control signs designating such roads as No Trucks Thoroughfares, which traffic control signs and the placement thereof shall comply with and shall follow the Indiana Manual on Uniform Traffic Control Devices.

8. Penalty for Violation. A person who disregards the above designated county roads or portions thereof, as No Trucks Thoroughfares and who operates a truck on such a road for purposes other than making a local delivery, sale or pick-up violates this ordinance and commits a Class C infraction pursuant to Indiana Code 9-21-4-19 and a judgment of up to five hundred dollars (\$500.00) may be entered for such a violation plus costs pursuant to Indiana Code 34-28-5-4.

9. Deposit of Fines into General Fund. All fines assessed and collected for a violation of this ordinance shall be deposited into the County General Fund.

10. Effective Date. Due to an emergency, herein declared by the Board of Commissioners, County of Adams, State of Indiana, this ordinance shall be deemed effective immediately upon its adoption by the Board of Commissioners of the County of Adams, State of Indiana, and publication as required by law and the signing of such roads herein declared as No Trucks Thoroughfares.

ADOPTED by the Board of Commissioners, County,of Adams, State of Indiana, this 24th day of October, 2023, by a vote of 3 ayes and 0 nays.

BOARD OF COMMISSIONERS
COUNTY OF ADAMS

Stan Stoppenhagen, District # 1

Steve Bailey, Commissioner, District #2

Steve Kuhn, Commissioner, District #3

Attested by: Tony Mellencamp, Auditor of the
County of Adams, State of Indiana