

ORDINANCE NO. 2024- 006

AN EMERGENCY ORDINANCE TO LIMIT WEIGHT AND COMMERCIAL TRUCK TRAFFIC ON BRIDGE NUMBER 51 ON MCGALLIARD ROAD AT KILLBUCK CREEK IN DELAWARE COUNTY, INDIANA

WHEREAS, the County has experienced a bridge issue on Bridge 51 over Killbuck Creek on McGalliard Road that needs to be rehabilitated; and

WHEREAS, Bridge 51 has sustained some damage that needed to be repaired and rehabilitated, but the cost of the complete bridge replacement would exceed the amount available in the cumulative bridge fund; and

WHEREAS, the County will apply for funds from the Federal Highway Administration to assist with the repairs, but the process is time consuming; and

WHEREAS, the repair work is completed to allow passenger vehicle to travel across the bridge as well as emergency vehicles, but a weight limit needs to be placed on the bridge until such time as the bridge has been reconstructed; and

WHEREAS, the County intends to restrict the use of the bridge to a limit of three (3) tons only weight limit for traffic over Bridge 51 over Killbuck Creek and McGalliard Road in the western part of Delaware County.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Delaware County, Indiana, that:

SECTION 1:

Delaware County Code section 5-2-8 shall be amended to include the following language:

LOAD LIMIT: There shall be a “3 Ton Weight Limit on bridge 51 and McGalliard Road as it crosses Killbuck Creek” from now until rescinded by the County Commissioners.

SECTION 2: Penalty

- A.** In the event that a person, firm or entity shall violate this Ordinance, the fine shall be no less than \$500 for the first violation for the company, owner or vehicle. Each subsequent event shall cause the fine

to increase to \$1,000 for the second offense; \$1,500 for the third offense; and \$2,000 for each subsequent offense.

B. Each offender shall be responsible to the County for the expenses incurred in enforcing this ordinance, including reasonable attorney fees for prosecution and collection of the fine.

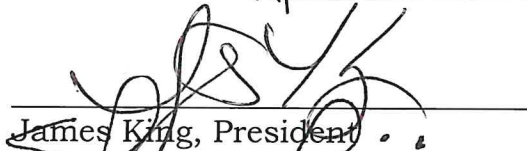
SECTION 3: No severability.

No provision of this Ordinance shall be severed from any other provision or provisions of this Ordinance. If any single provision of this Ordinance is held unconstitutional or invalid, the entire Ordinance shall also be deemed unconstitutional or invalid.

SECTION 4: Effective Date.

This Ordinance shall take effect upon adoption and publication as required by law.

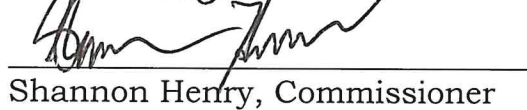
PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA ON THIS, THE 15 DAY OF April, 2024.



James King, President



Sherry Riggan, Commissioner



Shannon Henry, Commissioner

Attest:



Edward Carroll, Auditor
Delaware County, Indiana