

Introduced by: Councilwoman-at-Large Greene

AN ORDINANCE BANNING COMMERCIAL TRUCKS FROM ENTERING UPON AND TRAVELING ALONG FROST AVENUE, WITHIN THE CITY OF BERKELEY, MISSOURI

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

- Section 1.** The City Council finds that Frost Avenue is an Urban Collector Street serving residential areas and is not engineered to safely carry large commercial trucks, in excess of 19,500 pounds.
- Section 2.** The Council further finds that the use of Frost Avenue by Class 6 commercial trucks, “*Exhibit B*,” in the recent past has created a nuisance for residents of the area and has endangered persons traveling along this street.
- Section 3.** The Council further finds that Frost Avenue provides no convenient access for commercial truck traffic moving throughout the City of Berkeley or servicing any commercial establishment along the Frost Corridor.
- Section 4.** The City Council hereby declares that all Class 6 commercial trucks, or trucks greater than 19,501 pounds, are hereby banned and prohibited from utilizing Frost Avenue from North Hanley to the City of Ferguson border. The Director of Public Works shall post prohibited signs, see “*Exhibit A*.”
- Section 5.** Exemption. School buses are exempt from this ban.
- Section 6.** This ordinance shall be in full force and effect from and after its date of passage and approval.
- Section 7.** Standard Penalty. Any person violating any provision of this Code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any Code adopted herein by reference is guilty of a misdemeanor or ordinance violation, and upon conviction, unless another penalty is specifically provided, shall be subject to a fine of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00), or to imprisonment not more than ninety (90) days, or both, and may be adjudged to pay the costs of prosecution.

1st Reading this _____ day of _____ 2020

2nd Reading this _____ day of _____ 2020

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2020

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as To Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Anthony	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Greene	Aye ___	Nay ___	Absent ___	Abstain ___
Mayor Deinbo	Aye ___	Nay ___	Absent ___	Abstain ___

“Exhibit A”



**COMMERCIAL TRUCKS
PROHIBITED
ON FROST
PENALTY
\$1000.00 FINE
ORDINANCE NO.**

“Exhibit B

