

## CHAPTER 12-17 TRUCK ROUTE SYSTEM

### 12-17-1

#### DESIGNATION

The following chapter shall be known as the "Brandon City Truck Route System."

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §118,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

### 12-17-2

#### DEFINITIONS

For the purpose of this article, the terms defined in this section shall have the following meanings:

**TRUCKS** Any motor vehicle of a gross weight of more than 10,000 pounds and which is designed or operated for the transportation of property, including a vehicle directly connected to a trailer.

**MOTOR VEHICLE:** All machines propelled by any power other than muscular used upon the streets or highways for the transportation of property.

**TRAILER:** A vehicle of the trailer type, without a power unit of its own, designed and used in conjunction with a motor vehicle for the transportation of property.

**TRUCK ROUTE:** Streets and highways designated as truck routes by the City Council.

**STREETS:** All other streets with the City which are not designated as truck routes.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §119, 5/18/87.  
Ordinance No. 417, 4/1/08.

**Authority:**

SDCL §§, 32-22

### 12-17-3

#### TRUCK ROUTES

The City Council, by resolution, may designate streets and highways within the City of Brandon as truck routes.

Truck routes will be enforced by the weight limits imposed by Section § 12-17-9. Any motor vehicle exceeding such limits is in violation of this title, unless such vehicle meets an exception as provided by this title.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §120,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

## 12-17-4

### SEASONAL WEIGHT LIMITS

The City's public works department may, by order, prohibit the operation of any trucks upon any street or highway within the City or impose any weight restrictions deemed necessary by such department for a period of time not to exceed ninety (90) days in any given calendar year. The prohibition or restriction shall be based upon a reasonable belief that normal use of such streets or highways is not in the public's interest or may damage such streets or highways. The order will not become effective until signs are erected and maintained at each end of the affected portion of such street or highway.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §121,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

## 12-17-5

### DETOURS

Trucks may operate on any officially established detour of a truck route or street unless such detours are posted prohibiting such operation by trucks.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §122,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

## 12-17-6

### POSTING

All truck routes upon which truck traffic is permitted will be posted accordingly.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §123,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

## 12-17-7

### OPERATION OF TRUCKS

A truck, as defined, may not operate on any City street or highway other than designated truck routes, unless otherwise permitted by this article.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §124,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

## 12-17-8

### OWNER'S RESPONSIBILITY

In addition to the driver or operator, the owner of any truck being operated with such owner's permission and/or consent is liable for any violation of this ordinance.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §125,  
5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2,  
32-12-7.

## 12-17-9

### LOAD LIMITS

Trucks may operate on any designated truck route as long as the gross vehicle weight

complies with the requirements of state law.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §126, 5/18/87.  
Ordinance No. 287, 3/8/00.  
Ordinance No. 417, 4/1/08.

**Authority:**

SDCL §§ 32-22

## 12-17-10

### **POLICE AUTHORITY**

Any police officer has the authority to require any person driving or in control of any truck to proceed to any public or private scale for the purpose of weighing and determining whether such truck is in violation of this ordinance or any other code provision. Such authorities may issue a citation to any motor vehicle that exceeds the limits imposed by this ordinance. Such authorities may detain such vehicles until the weight of such vehicles meets the limits imposed by this ordinance.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §127, 5/18/87.

**Authority:**

SDCL §§ 9-31-1, 9-31-2, 32-12-7.

## 12-17-11

### **EXCEPTIONS TO THE USE OF TRUCK ROUTES**

- A. A truck arriving at the end of any designated truck route may be driven over the most direct course to the nearest truck route which extends in the same general direction.
- B. The Chief of Police shall have the authority, for cause or upon request, to issue temporary permits for trucks to operate over routes not established as truck routes by the City Council, or to deviate from the provisions of this ordinance relating the operation of trucks. Such actions of the Chief of Police shall be subject to review and modification or cancellation by the City Council.
- C. The provision of this ordinance relating to the operation of trucks shall not apply to emergency vehicles of the police department, fire department, or health department, nor any public utility vehicles where actually engaged in the performance of emergency duties necessary to be performed by said departments or public utilities, nor any vehicle owned by or performing work for the United States of America, the state, its political subdivisions, or the City.
- D. Any contractor or material men, while engaged in the repair, maintenance or construction of City streets or City improvements, provided that these vehicles shall only use the City streets within the immediate work area and shall only use the shortest route from the truck route to the work area.
- E. Whenever any truck route has been established and identified, any person driving a truck having a gross weight of 10,000 pounds or more shall drive such truck on such routes and none other, except when it is impracticable to do so or where it becomes necessary to traverse another street or streets to a destination for the purpose of loading or unloading commodities, or for the purpose of towing a disabled or damaged motor vehicle to or from public or private property, and then only by such deviation from the nearest truck route

as is reasonably necessary.

- F. All trucks must follow the weight limits set out in Section 12-17-9 except when necessary to conduct infrequent business to a specific destination point. In that event, such trucks must use the shortest route possible from the street on which such truck can comply with Section 12-17-9 to the necessary destination point. This subsection does not permit an exception to Section 12-17-9 nor does it exempt garbage trucks, recycling collector trucks, or other trucks used to deliver or pick up items from customers located on a regular established route.

**Legislative History:**

Ordinance No. 35, 5/24/76;  
Ordinance No. 165, §128, 5/18/87.  
Ordinance No. 287, 3/8/00.  
Ordinance No. 417, 4/1/08.

**Authority:**

SDCL §§ 32-22