

PROWERS COUNTY ORDINANCE NO. 2002 - 1

AN ORDINANCE REQUIRING A PERMIT AND REGULATING THE MOVEMENT OF EXCESS SIZE AND WEIGHT VEHICLES, OIL RIGS, AND ALL APPURTENANCES ON COUNTY ROADS AND HIGHWAYS AND PROVIDING FOR LIABILITY ON THE PART OF ANY PERSON CAUSING DAMAGE TO COUNTY ROADS, HIGHWAYS AND BRIDGES.

Be it ordained by the Board of County Commissioners of Prowers County:

1. The Administrator of this County may, in said Administrator's discretion, upon receiving an application in writing and good cause being shown therefore, issue a designated permit in writing authorizing the applicant to operate or move excess size and weight vehicles, oil or gas drilling rigs, attendant vehicles and all appurtenances thereto upon any road or highway under the jurisdiction of Prowers County, if such vehicles or combinations of vehicles are of a size or weight of vehicle or load exceeding the maximum specified in C.R.S. Title 42, Article 4, Part 5 or otherwise not in conformity with the provisions of said Part. Agricultural implements are not subject to this ordinance.

2. The application for any such permit shall specifically describe the vehicle or vehicles including make, model and VIN number and load to be operated or moved and the particular highways or roads for which the permit to operate is requested, and whether such permit is for a single trip or for continuous operation and the time of such movements.

3. In granting such permit the Administrator may in said Administrator's discretion limit the number of trips or establish seasonal or other time limitations within which the vehicles described may be operated on the highways and roads indicated, or otherwise limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

4. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any sheriff's officer, police officer, agent of Prowers County granting such permit, or other officer authorized by law, and no person shall violate any of the terms or conditions of such designated permit.

5. The Administrator shall collect a fee for each designated permit issued based upon the following schedule, to-wit:

- a. If the weight of the vehicle and load is equal to or less than 125,000 pounds, no permit or fee shall be required.
- b. Single trip oversize/overweight \$15.
- c. Annual oversize \$100.

- d. Annual overweight \$100.
- e. Annual oversize/overweight \$200.
- f. The permit for oil or gas drilling rigs will be \$125 for each trip to and \$125 for each trip from a drilling site.
- g. If a person operating a vehicle, rig or other object causes damage to said highway, road or highway or road structure and is the holder of a valid permit, said person shall be liable for the actual cost of repair resulting from such damage. If said person is not the holder of a required permit, said person shall be liable for the actual cost of repair for said damage together with a penalty equal to one hundred percent of the actual cost of repair for such damage.

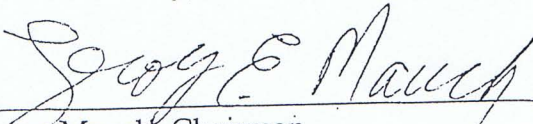
6. Any person driving, operating or moving upon or over any County highway, road or highway or road structure any vehicle, object or contrivance in such manner so as to cause damage to said highway, road or highway or road structure shall be liable to Prowers County for all damages which said highway, road or highway or road structure may sustain as a result thereof, including the penalty above described if applicable.

7. Violation of this Ordinance is punishable pursuant to C.R.S. 42-4-510 (12).

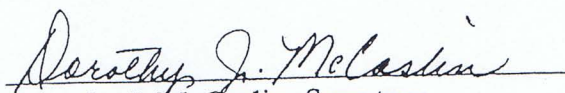
8. This Ordinance shall be effective thirty (30) days after date of publication.

Passed by the Board of County Commissioners of Prowers County, Colorado and signed this 29th day of April, 2002.

The Board of County Commissioners of
Prowers County, Colorado


Leroy Mauch, Chairman

Attest:


Dorothy J. McCaslin, Secretary