

**ORDINANCE NO. 2025-03**

**AN ORDINANCE OF THE TOWN OF CROSS TIMBER, TEXAS ESTABLISHING VEHICLE WEIGHT CAPACITIES ON CERTAIN PUBLIC ROADS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Cross Timber, Texas is a Type B general law municipality operating pursuant to the laws of the State of Texas, including Chapter 23 of the Texas Local Government Code; and

**WHEREAS**, the Town of Cross Timber deems it necessary to adopt this ordinance restricting vehicles in excess of 12,000 pounds on streets within the corporate town limits unless specifically authorized.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CROSS TIMBER, TEXAS, THAT:**

**SECTION 1  
DEFINITIONS**

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them by this section. All terminology used in this Ordinance and not specifically defined herein, shall retain its meaning in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body or if not defined therein the latest volume of Merriam-Webster's Collegiate Dictionary.

- 1.01 Gross weight. The total mass of a vehicle when loaded including the weight of the vehicle, fuel, passengers, livestock, cargo, trailer weight and all other parts of the vehicle.
- 1.02 Person. Any person, firm, partnership, association, corporation, company, political subdivision, or other organization of any kind.
- 1.03 Semi-trailer. A vehicle designed or used with a motor vehicle so that part of the weight of the vehicle and its load rests on or is carried by another vehicle.
- 1.04 Street. Any paved or unpaved surface of road, highway, alley or other public way designated or used for public vehicular traffic and the right-of-way for same, including but not limited to adjoining sidewalks, drainage ditches and utility easements; provided, however, that this definition does not include state highways.
- 1.05 Town. The Town of Cross Timber, Texas.

- 1.06 *Trailer.* A vehicle that is designed or used to carry a load wholly on its own structure; and is drawn or designed to be drawn by a motor vehicle.
- 1.07 *Truck-tractor.* A vehicle that is designed and used primarily for drawing another vehicle and is not constructed to carry a load other than a part of the weight of the vehicle and load to be drawn.
- 1.08 *Vehicle.* Any automobile, truck, semitrailer, camper, van, trailer, truck-tractor or any device - in both moving and stationary modes, irrespective of condition - or any combination of any of same connected in any manner for traveling together as a unit that is capable of transporting persons, goods, property, commodities, freight or waste.

## **SECTION 2 PROHIBITION OF HEAVY VEHICLES**

- 2.01. No vehicle, truck-tractor, trailer, or semi-trailer, nor any combination of such vehicles, having a gross weight in excess of 12,000 pounds, shall be operated over, on, or upon any street within the corporate town limits of the Town of Cross Timber.
- 2.02. Notwithstanding Section 2.01, this Ordinance shall not prohibit the following vehicles in excess of 12,000 pounds from operating within the corporate town limits of the Town of Cross Timber:
- (a) any vehicle that is operating over, on, or upon a state highway and is in compliance with the regulations of Chapter 621 of the Texas Transportation Code, as amended;
  - (b) any vehicle that is operating over, on, or upon a state highway and that meets an exception listed in Chapter 622 of the Texas Transportation Code, as amended, and that is in compliance with same;
  - (c) any emergency vehicle; or
  - (d) any vehicle for which the operator has obtained specific written authorization from the Town Secretary or their designee, which authorization shall include the specific route that the vehicle may travel within the Town.
- 2.03. It shall be unlawful and constitute a Class C misdemeanor for any person, firm, corporation, receiver, or association to violate any provision of this Ordinance.

## **SECTION 3 CUMULATIVE**

This ordinance shall be cumulative of all provisions of ordinances of the Town of Cross Timber, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 4 SEVERABLE**

It is hereby declared to be the intention of the Town Council that the phrases, clauses,

sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the town council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5  
PENALTY**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense.

**SECTION 6  
SAVINGS PROVISION**

All rights and remedies of the Town of Cross Timber are expressly saved as to any and all violations of the provisions of any ordinances affecting or establishing vehicle weight capacities on certain public roads which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7  
PUBLICATION**

The Town Secretary is hereby directed to post or publish in the official newspaper of the Town, the caption, penalty clause, publication clause and effective date clause of this ordinance as authorized by Section 52.012 of the Texas Local Government Code. If the official newspaper is a weekly newspaper, publication shall be in one issue.

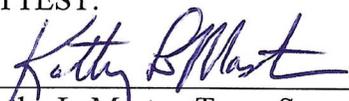
**SECTION 8  
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS 12<sup>th</sup> DAY OF June, 2025.**

  
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Patti Meier, Mayor

ATTEST:

  
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Kathy LaMaster, Town Secretary