

Commissioner Williams moved for the adoption of the following:

### RESOLUTION

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, the City is charged with maintaining the health, safety and welfare of its residents, including the safe use of its streets; and

WHEREAS, the City Engineer has determined that a portion of 36<sup>th</sup> Street North between Main Avenue and 1<sup>st</sup> Avenue North, as a result of vehicular traffic and climatic conditions, has deteriorated to the extent that its present condition creates a safety hazard to vehicles and their occupants traveling upon such street; and

WHEREAS, Section 8-0924 of the Fargo Municipal Code provides that the City Commission, by resolution, may prohibit the operation of trucks or other commercial vehicles, or impose limitations as to weight, on designated streets provided such prohibitions and limitations are designated by appropriate signs placed on such streets.

NOW, THEREFORE, BE IT RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota:

1. That section of 36<sup>th</sup> Street North between Main Avenue and 1<sup>st</sup> Avenue North, shall be restricted as to use in the following manner:
  - a. The traffic side of all oversize vehicles shall be marked plainly with red flags so that the clearance width and vehicle's length are readily determinable to drivers of other vehicles. Such flags shall be a minimum 12 inches by 12 inches.
  - b. A Pilot Car is required for all movements exceeding 14 feet 6 inches in width. Pilot car shall stop oncoming traffic traveling in the opposite direction, to allow for the over width movement.

The motion for the adoption of the foregoing resolution was duly seconded by COMMISSIONER Wimmer, and upon roll call vote, the following voted in favor thereof: COMMISSIONERS Williams, Wimmer, Mahoney, Piepkorn and Walaker. The following were absent and not voting: None, and the following voted against the same: None, whereupon the resolution was declared duly passed and adopted.

CERTIFICATE

STATE OF NORTH DAKOTA    )  
  )ss.  
COUNTY OF CASS            )

I, Dennis R. Walaker, the duly elected, qualified and acting Mayor of the City of Fargo, North Dakota; and

I, Steven Sprague, the duly appointed, qualified, and acting City Auditor of the City of Fargo, North Dakota,

DO HEREBY CERTIFY:

That the foregoing is a full, true, and correct copy of the original Resolution and the whole thereof which Resolution was duly adopted by the Board of City Commissioners of the City of Fargo, North Dakota, at the meeting of the Board held August 9, 2010; and

That such Resolution is now a part of the permanent records of the City of Fargo, as filed in the office of the City Auditor.

(SEAL)



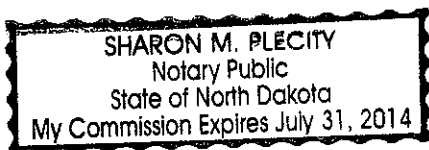
\_\_\_\_\_  
Dennis R. Walaker, Mayor  
City of Fargo, North Dakota

ATTEST:



\_\_\_\_\_  
Steven Sprague, City Auditor

On this 9 day of August, 2010, before me, Sharon M Plectricy a Notary Public in and for Cass County in the State of North Dakota, personally appeared DENNIS R. WALAKER, known to me to be the Mayor of the Board of City Commissioners and STEVEN SPRAGUE, known to me to be the City Auditor of the City of Fargo, a municipal corporation under the laws of the State of North Dakota, and they acknowledged to me that they executed the foregoing instrument.



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Notary Public  
Cass County, North Dakota  
My Commission Expires: 7-31-2014