

ORDINANCE NO. 2015-4

**AN ORDINANCE REGULATING OPERATION OF TRACTOR-SEMITRAILER COMBINATION TRUCKS IN THE CITY OF CENTER POINT, ALABAMA**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTER POINT, ALABAMA, as follows:**

**Section 1 Findings.** The City Council of the City of Center Point, Alabama (the "City") makes the following findings as the basis for the undertakings on its part herein contained:

(a) The City Council finds that operation of tractor-semitrailer combination trucks (hereinafter "Large Trucks") on 24<sup>th</sup> Avenue N.W., 23<sup>rd</sup> Avenue N.W., and 20<sup>th</sup> Avenue N.W., all located within the City of Center Point is dangerous to citizens traveling on those streets, increases expenses for maintenance of those streets, and is disruptive to residential areas near those streets;

(b) The City Council finds a reduction in the number of Large Trucks on 24<sup>th</sup> Avenue N.W., 23<sup>rd</sup> Avenue N.W., and 20<sup>th</sup> Avenue N.W., all located within the City of Center Point will promote and protect the health, safety, and welfare of the citizens of the City; and

(c) Section 32-1-3 of the *Code of Alabama 1975*, grants to the City the authority to regulate the operation of Large Trucks on streets located in the City.

**Section 2 Truck Prohibition on Designated Streets.** It shall be unlawful for any person, firm, or corporation to operate any Large Trucks over and along those portions of the streets designated below:

- 20<sup>th</sup> Avenue N.W. from Center Point Parkway to the City Limits;
- 23<sup>rd</sup> Avenue N.W. from Center Point Parkway to the City Limits; and
- 24<sup>th</sup> Avenue N.W. from Center Point Parkway to the City Limits.

**Section 3 Exception to Prohibition.** The prohibition of Large Trucks on designated streets shall not apply for the purpose of making deliveries, loading or servicing on the designated streets. When such deliveries, loading or servicing are being made by Large Trucks, the drivers may operate on a street where Large Trucks are prohibited for the purpose of making a delivery, loading or servicing, by proceeding by the most direct route and then returning by the most direct route.

**Section 4 Posting of Signs.** Signs notifying drivers of the regulation and prohibition of truck traffic on designated routes complying with applicable provisions of the *Code of Alabama 1975* shall be erected and maintained at the end of each affected street.

**Section 5 Penalties.**

(a) Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00) and/or six (6) months in jail.

(b) Each violation of this ordinance shall constitute a separate offense.

(c) This section shall not serve to limit any other remedies available to the City in law or equity.

**Section 6 No Conflict with Federal or State Law.** No portion of this ordinance shall be construed in such a manner which is inconsistent with any federal, State or local law or regulation.

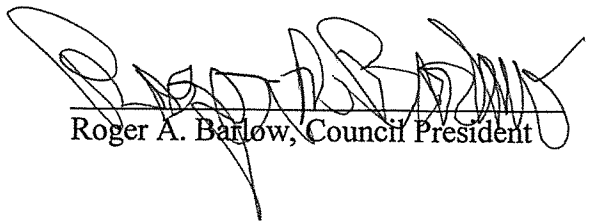
**Section 7 Effect of Headings.** The section headings herein are for convenience only and shall not affect the construction hereof.

**Section 8 Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Center Point, Alabama, which are inconsistent with the provisions of this ordinance, are hereby expressly repealed.

**Section 9 Severability.** If any section, sentence, paragraph, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this ordinance, and it shall be construed without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance shall be deemed and held to be valid as if such parts had not been included therein.

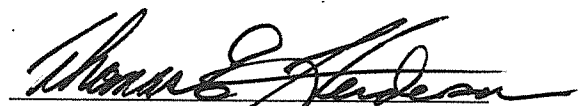
**Section 10 Effective Date.** This ordinance shall become effective immediately upon its adoption and approval by the Mayor and City Council of the City and posting as required by Alabama law.

ADOPTED this 24<sup>th</sup> day of September, 2015.

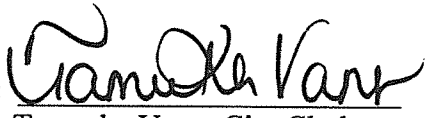


Roger A. Barlow, Council President

APPROVED this 24<sup>th</sup> day of September, 2015.



Thomas E. Henderson, Mayor

ATTESTED:   
Tameeka Vann, City Clerk