

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF PRICEVILLE, ALABAMA TO ESTABLISH TRUCK ROUTES WITHIN THE CITY LIMITS; PROHIBIT THE OPERATION UPON RESIDENTIAL STREETS OF CERTAIN TRUCKS CLASSIFIED BY LENGTH, WEIGHT, SIZE, NUMBER OF AXLES AND CARGO; SETTING FORTH LIMITED EXCEPTIONS; IMPOSING PENALTIES FOR VIOLATIONS; REQUIRING THE INSTALLATION OF ADVISORY SIGNAGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

BE IT ORDAINED by the City Council (the "Council") of the City of Priceville, Alabama (the "City") as follows:

SECTION. 1. FINDINGS.

The Council adopts the following findings of fact:

(a) The City's local and collector streets are not designed or constructed to sustain consistent traffic by large trucks and other heavy vehicles and are susceptible to damage from excessive use thereby.

(b) The City's local and collector streets are relatively narrow and their width is often further constrained by the presence of other on-street parking areas.

(c) The City's local and collector streets typically contain relatively small corner and centerline radiuses impeding the turning ability of larger vehicles.

(d) Arterial roadways within the City are designed and constructed to higher road bearing standards than the City's local and collector streets.

(e) Widespread operation of large trucks and other heavy vehicles upon the City's residential streets will likely cause extensive damage to street surfaces and require costly, repeated repairs at the City's expense and would jeopardize vehicular and pedestrian safety.

(f) Limiting truck routes established by this ordinance will provide an adequate opportunity for truck circulation while simultaneously protecting local streets.

(g) Limiting the vehicular transport of hazardous and/or radioactive materials to truck routes established by this ordinance will help to ensure a more expedient and effective emergency response in the event of an accident or spill.

(h) The regulations contained in this ordinance are a lawful and appropriate exercise of the City's police power and will serve the public health, safety and welfare.

SECTION. 2. DEFINITIONS.

The following words and phrases when used in this ordinance, have the meanings respectively ascribed to them in this Section:

(a) "City" means the City of Priceville, Alabama.

(b) "Destination Point" means a point within the City of Priceville which is the intended destination of a Truck for pick-up or delivery of goods or services, or for repairs or service to be performed on the Truck, to or from the referenced point in the normal

Except as otherwise provided in this ordinance, it is unlawful to operate a truck outside of the confines of a designated truck route.

#### SECTION. 6. EXCEPTIONS.

The prohibitions set forth in this ordinance shall not apply to the following:

- (a) The operation of any vehicle upon a street where directly and unavoidably necessary in order to access or depart from a destination point. When a destination point is not located immediately adjacent to a designated truck route, the vehicle operator shall access and/or depart from the destination point using the shortest and most direct route to and from the nearest designated truck route.
- (b) The operation of emergency and law enforcement vehicles.
- (c) The operation of any vehicle owned or operated by the State of Alabama, Morgan County, the City, a public utility or any contractor or materialmen, while directly engaged in the maintenance, repair or construction of streets, street improvements, public utilities within the City, or the business operations of entities holding a franchise to use the streets and roadways of the City.
- (d) The operation of any vehicle within and pursuant to any established temporary detour route.
- (e) The operation of any vehicle directly engaged in the disposal, collection or transport of waste, including, but not limited to residential garbage, recyclable material and/or debris, provided that this exception shall not apply to hazardous cargo or radioactive materials.
- (f) The operation of passenger buses on route to a destination point or points on or along a restricted street, including, but not limited to, mass transit vehicles and school buses.
- (g) The operation of any vehicle upon a street where directly and unavoidably necessary in order to access or depart from a destination point located on or along a restricted street for the following purposes:
  - (1) Providing a direct service to a residence or business lying on a restricted street and requiring the utilization of such vehicle for such service.
  - (2) Making pick up and deliveries of goods, wares and merchandise from or to any building or structure located on a restricted street.
  - (3) Delivery of goods, materials or services to be used in the actual and bona fide repair, alteration, remodeling, construction, removal or re-location of any building or structure located along a restricted street, as to which a building or other required permit has been previously obtained.
- (h) The operation of any vehicle transporting farm or ranch supplies, produce or animals to and from ranches or farms situated along a restricted street when accessed by the closest direct route from a designated truck route.
- (i) The operation of any vehicle for the purpose of transporting a trailer used for recreational or non-commercial purposes to and from a location on a restricted street to be used by such vehicle, when such restricted street is accessed by the closest direct route from a designated truck route.
- (j) The operation of any vehicle by a governmental agency when such vehicle is required in providing an essential government service.

## SECTION. 7. TRUCK TRAFFIC IN THE CITY.

### (a) Originating outside the City:

(1) One inside destination point. All trucks entering the City for a destination point within the City shall proceed only over an established truck route and shall deviate only at the intersection with the street upon which such traffic is permitted, nearest to the destination point. Upon leaving the destination point, a deviating truck shall return to the truck route by the shortest permissible route.

(2) Multiple inside destination points. All trucks entering the City for multiple destination points shall proceed only over established truck routes and shall deviate only at the intersection with the street upon which such traffic is permitted, nearest to the first destination point. Upon leaving the first destination point, a deviating truck shall proceed to other destination points by the shortest direction and only over streets upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the truck route by the shortest permissible route.

### (b) Inside Origin.

(1) Outside destination points. All trucks on a trip originating in the City and traveling in the City for a destination point outside the City shall proceed by the shortest direction over streets on which such traffic is permitted to a truck route as herein established.

(2) Inside destination points. All trucks on a trip originating in the City and traveling in the City for destination points in the City shall proceed only over truck routes or streets upon which such traffic is permitted in order to access truck routes nearest the destination point.

## SECTION. 8. SIGNAGE.

The Mayor is hereby authorized and directed to ensure that appropriate signage is posted and maintained advising the public of the regulations imposed by this ordinance.

## SECTION. 9. DETOURS.

The Mayor shall have the authority to designate additional temporary truck routes for the purpose of directing and controlling traffic along necessary detours or between designated truck routes and construction projects or other areas where commercial vehicles are required to be employed over extended periods of time. Such temporary routes, when so designated, shall be posted with appropriate signs as temporary truck routes, and the use of such routes shall be subject to the same conditions as set forth in this ordinance for permanent truck routes.

## SECTION. 10. PENALTY FOR VIOLATION OF ORDINANCE.

Any person violating any provisions of this ordinance, or any rule or regulation made pursuant to this ordinance shall be punished as follows:

(1) For a first conviction by a fine of not less than \$100.00

(2) For a second conviction by a fine in the amount of \$200.00

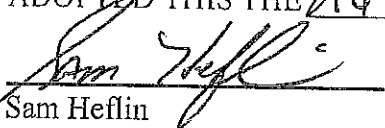
(3) For a third or subsequent conviction by a fine of \$500.00 and imprisonment for not more than thirty (30) days.

Section 11. SEVERABILITY. If any Section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other Section, clause, sentence or phrase of this Ordinance.

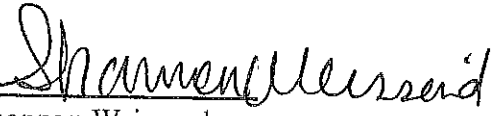
Section 12. EFFECTIVE DATE. This Ordinance and the ordinance hereby adopted shall take effect and be enforced immediately upon its adoption, approval and publication as required by law.

Section 5. PUBLICATION. The City Clerk of the City of Priceville, Alabama is hereby authorized and directed to cause this Ordinance to be posted in accordance with law.

ADOPTED THIS THE 26<sup>th</sup> DAY OF JUNE 2023.

  
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Sam Heflin  
Mayor

ATTEST:

  
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Shannon Weissend  
City Clerk