

ORDINANCE NO. 1792

AN ORDINANCE TO REPEAL ORDINANCE NO. 1605 IN ITS ENTIRETY; AND TO CREATE AND ESTABLISH DESIGNATED TRUCK ROUTES IN AND THROUGH THE CITY OF TALLADEGA; TO PROVIDE DEFINITIONS, EXEMPTIONS AND PENALTIES FOR THE VIOLATION THEREOF. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, AS FOLLOWS:

SECTION I: DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section.

Commercial Truck (Truck): Any motor vehicle having a weight of 26,000 pounds Gross Vehicle Weight (GVC) or more including the load carried, or having more than two axles. Also, including but not limited to any vehicle carrying hazardous materials or solid waste. Commercial trucks shall not include vehicles carrying or designated to carry passengers, all governmentally owned or leased vehicles, public utility vehicles, motor homes or recreational vehicles or vehicles used exclusively to transport personal possessions or family members for non-business purposes.

Truck Route means a way over certain streets and highways, designated as a truck route by appropriate city, state or federal signs, over and along which trucks coming into and going out of the city shall operate.

Deviating Truck means a truck which leaves from, or enters, a truck route while traveling inside the city.

SECTION II: TRUCK ROUTES ESTABLISHED

The City Council of the City of Talladega establishes truck routes to include the following highways and streets:

- 1) Alabama Highway 21
- 2) Alabama Highway 77
- 3) U.S. Alternate 231
- 4) Alabama Highway Bypass 275
- 5) Talladega County Road 203 from City Limits to Alabama Highway Bypass 275 (excludes section from Bypass 275 to Alabama Highway 21 called Gentry Drive)
- 6) Haynes Street
- 7) Sloan Avenue
- 8) All City Streets co-located on the aforementioned highways

SECTION III: OPERATION OF TRUCKS

All Commercial Trucks in the city shall be operated only over and along the truck routes established by this Ordinance, and on other streets over which truck travel is permitted by the terms of this Ordinance as follows:

- 1) A deviating truck shall operate inside the city only for the purpose of loading and unloading, proceeding to or from a truck route upon originating or terminating a trip. Drivers of Commercial Trucks shall request, in advance, assistance from the police department whenever this is needed due to length of truck, width of truck, or type of cargo being hauled; and
- 2) All Commercial 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 feasible direction over streets to a truck route as established by this Ordinance.

This article shall not prohibit:

- 1) The operation of emergency vehicles upon any street in the city;
- 2) The operation of trucks owned or operated by the city, public utilities, or any contractor, while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the city; or
- 3) The operation of trucks upon any detour established by the police department in any case.

SECTION IV: That the Chief of Police, the Public Works Director or their designee shall erect or cause to be erected appropriate sign(s) indicating the designated truck routes.

SECTION V: Any person who shall be convicted of violating any provision of this ordinance shall, upon conviction, be punished by a fine of not less than One (\$1.00) Dollar, nor more than Five Hundred (\$500.00) Dollars, or by imprisonment in that jail wherein persons sentenced to imprisonment by the Municipal Court of the City of Talladega are imprisoned for not less than Ninety (90) days, or both at the discretion of the Court trying the case.

SECTION VI: All ordinances or parts of ordinances to conflict with this ordinance are hereby repealed.

SECTION VII: All sections of this ordinance are hereby declared to be severable; and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION VIII: This ordinance shall take effect immediately upon its passage and publication, as provided by law.

ADOPTED AND APPROVED this 22nd day of January 2015.

Councilman Jarvis Elston

Councilman Joe Ballow

Councilman Horace Patterson

Councilman Donnie Miller

City Manager Brian Muenger

Attested: Elizabeth Cheeks, City Clerk