

TRAFFIC AND PARKING ORDINANCE

ORDINANCE NO. 2017-01-03

AN ORDINANCE TO CONTROL THE FOLLOWING: EVADING OF TRAFFIC DEVICES, PARKING, PARKING LOTS, ROAD SIGHT OBSTRUCTION, FREE PASSAGE OF VEHICLES, ETC. WITHIN THE CITY OF TAYLOR, ALABAMA AND TO PROVIDE A PENALTY THEREOF.

WHEREAS, The City Council of the City of Taylor, Alabama recognizes that certain traffic and parking issues within the City could affect the health, safety and welfare of the citizens of the City, and

WHEREAS, The Mayor, City Council and Chief of Police discussed certain traffic, parking and sign distance obstruction within the City during the Administrative meeting of December 20, 2016, and

WHEREAS, The Mayor and City Council recognized the certain danger to pedestrians as well as traveling motorist upon the residential and roadways of the City of Taylor, Alabama, and

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, ALABAMA, AS FOLLOWS:

SECTION 1. Evading Traffic Regulations by Crossing Premises of Another.

Unless specifically directed by someone with authority to do so for the purpose of alleviating the congestion of traffic, it shall be unlawful to drive a vehicle across the premises of another, even though such premises may be a parking lot, service station, shopping center, or similar business, or any other private or public property for the purpose evading traffic signs, traffic signals, markings or other traffic regulations and control devices.

It shall be presumed that if the driver of a motor vehicle crosses a parking lot, service station, shopping center or similar business, or any other private or public property, without coming to a complete stop at an appropriate location for transacting business upon such property at a business or other establishment thereon, that the drive of such vehicle did cross such property for the purpose of avoiding a traffic light/signal, traffic sign, markings or other traffic regulations and control devices.

SECTION 2. Manner of Driving Vehicles in Certain Parking Lots.

It shall be unlawful for any person to drive any automobile, truck, motor scooter or other self-propelled vehicle upon or through any parking lot carelessly and heedlessly in willful or wanton disregard for the safety of persons or property in a manner so as to endanger any person or property.

SECTION 3. Vehicles Heavier Than One Ton; Prohibited and Permitted Parking.

It shall be unlawful for any person, firm or corporation to stop, stand or park a trailer, tractor, truck or other motor-operated vehicle heavier than a one-ton pickup truck at any time on the public streets in residential sections of the city, except while the operator of such vehicle is actually engaged in loading or unloading lawful contents to or from such vehicle, and except during an emergency or in compliance with the law or the direction of a police officer or other traffic control device or markings.

SECTION 4. Parking in Violation of Yellow Painted Curb or of Signs.

No persons shall park a motor vehicle, trailer, tractor or truck in any prohibited area when such area is properly marked by curbs painted yellow or notice is given by installed signs to persons engaged in maintenance or construction of streets, drainage or utilities, properly authorized by the city nor to the driver of any ambulance while picking up or discharging any ill, injured or deceased person.

SECTION 5. Parking Spaces Designated for Physically Handicapped.

- (a) The _____ is hereby authorized to designate marked parking spaces within any private parking lot in the city limits, serving the general public and having 25 spaces or more, within any city block or upon any city property for the exclusive parking of motor vehicle driven by or in use by physically handicapped persons.
- (b) Parking spaces for the handicapped will be designated by the international parking sign for the handicapped.
- (c) Permits for the parking of vehicles operated by physically handicapped persons in parking spaces designated for such purpose are those permits issued by the Judge of Probate or license commissioner, as set out and regulated by Code of Ala. 1975, 32-6-231.
- (d) It shall be unlawful for;
 - (1) Any person to park any vehicle not displaying the permit in an area designated for handicapped parking; or
 - (2) For the registered owner of a vehicle to allow his vehicle to be so parked.
- (e) Proof that the vehicle was registered to such person on the day of the violation shall be prima facie evidence that such registered owner is responsible for such act.

SECTION 6. Sight Distance Triangles; Visual Obstructions.

- (a) At any intersection of two public or residential streets, a 55-foot sight distance triangle must provide for an unobstructed view across the triangle formed by joining points measured 55 feet distant along the property line from the intersection of two streets.
- (b) Within the area of the triangle there must be no sight obscuring wall, fence, sign, foliage or berming higher than 24 inches above the curb grade or, in the case of trees, foliage lower than eight feet.
- (c) Vertical measurement must be made from the flowlines of the two streets forming the triangle or if no gutter exists from the edge of the nearest traveled way.
- (d) Objects that may be located in the triangular area are items such as hydrants, utility poles, utility junction boxes and traffic control devices. These must be located to minimize visual obstruction. for rounded property corners, the triangular area must be between the property lines extended and diagonal line joining the points on the property lines, 55 feet from the point of their intersection.
- (e) Subsections (a)-(d) also apply to intersections of public roads and streets.

SECTION 7. Failure to Remove Visual Obstructions.

- (a) Should the owner or person in charge of any premises fail or refuse to remove any obstruction prohibited an Section 6 of this ordinance within ten days after written notice by the city or duly authorized representative, such owner or person shall be guilty of an offense against the city. A notice shall be sent by certified mail or by personal service.
- (b) If such owner or person in possession of such premises shall fail or refuse to remove any such obstruction within ten day after such written notice, such obstruction shall be removed by the city under the supervision of the Mayor. The cost of such removal shall constitute a charge and lien on the property and be due by such owner or person in possession, or both.

SECTION 8. Parking on Public or Residential Streets.

The City shall place upon any residential street or roadway signs prohibiting or restricting the stopping, standing, or parking of vehicles on any street where in its opinion, as evidenced by regulations, such stopping, standing or parking is dangerous to those using the streets or roadways or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic and safety of persons.

Every vehicle stopped or parked upon a two-way street shall be so stopped or parked with the right-hand wheel parallel to and within 18 inches of the right-hand curb or edge of the street.

Every vehicle stopped or parked upon a street shall be parked parallel to the curb or edge of the street in the direction of authorized traffic movement, with its right hand wheels within 18 inches of the right hand curb or edge of the street.

SECTION 9. Free Passage of Other Vehicles.

No person shall stop, park, or leave standing any vehicles, whether attended or unattended, upon any resident street or roadway when it is practicable to stop, park, or leave such vehicle off the street or roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such street or roadway.

Any provision of this section shall not apply to any vehicle or to the driver of any vehicle engaged in the business of carrying passengers for hire, or any federal, state or municipal authority while stopped to pick up or discharge passengers, or any vehicle engaged in the official delivery of the United States mail, or any vehicle in the business of picking up or delivering merchandise, or any emergency vehicle-fire or rescue.

SECTION 10. Penalty of Violation.

Any person or persons, firm, corporation violating any section of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished for such violation by a fine not exceeding \$500.00 and may be imprisoned and sentenced to hard labor upon the streets of public works of said city not exceeding six months. Each day any violation of this Ordinance shall constitute a separate offense.

SECTION 11. Severability.

The sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable so that if any section, subsection, paragraph, sentence, clause and phrase of this or any provision adopted by reference is declared unconstitutional or invalid by valid judgement a court of competent jurisdiction, such judgement shall not affect the validity of any other section, subsection, paragraph, sentence clause and phrase.

SECTION 12 Effective Date.

The provisions of this Ordinance No. 2017-01-03 shall become effective immediately upon the passage and approval thereof by the City Council of the City of Taylor, Alabama, and the publication and/or posting thereof as required by Alabama law.

DONE, ORDERED and APPROVED this the 26th day of JANUARY, 2017.

ORDINANCE NO 2017-01-03 (cont't)

CITY OF TAYLOR, ALABAMA

BY:

Billy M. Snell, Jr.
Mayor Billy M. Snell, Jr.

Marcus Davis
Marcus Davis, Council Member

Mike Strickland
Mike Strickland, Council Member

Sharon S. Loff
Sharon S. Loff, Council Member

Merritt Carothers
Merritt Carothers, Council Member

Kenneth Thompson, Jr.
Kenneth Thompson, Jr. Council Member

Attest:
Barbara B. Benton
City Clerk

Upon motion by Council member DAVIS and motion seconded by Council member MERRITT the votes for Ordinance No. 2017-01-02 were as follows:

Ayes: 6 Nays: 0

Mayor Snell voiced that said Ordinance had PASSED.

I hereby certify that the following Ordinance was posted in three public places within the City of Taylor, Alabama, to-wit: Taylor City Hall, Taylor Grocery and Taylor Senior Center, beginning this the 4th day of JANUARY, 2017.

Barbara B. Benton
Barbara B. Benton, City Clerk