

TOWN OF EVA

P.O. Box 68 • Eva, Alabama 35621 • 205/796-7360
"The Little Town With A Big Heart"

ORDINANCE 91-1

TITLE: AN ORDINANCE REGULATING AND PROHIBITING THE PARKING OF COMMERCIAL VEHICLES, HEAVY-DUTY TRUCKS & TRAILERS.

WHEREAS, the purpose of this Ordinance is to preserve the health, safety and general welfare of the citizens of the Town of Eva, motorists and pedestrians by the regulation and prohibiting of the parking of Commercial Vehicles, Heavy-Duty Trucks & Trailers therein and to preserve the health, safety and general welfare of persons and property in residential and commercial areas designed and utilized for residential and commercial use by regulating the parking of Commercial Vehicles, Heavy-Duty Trucks & Trailers.

WHEREAS, the Town Council of the Town of Eva, Alabama, also finds that Commercial Vehicles, Heavy-Duty Trucks and Trailers are a real threat to damaging the parking lots and/or streets in the Town of Eva, and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Town Council of the Town of Eva, Alabama, and it is hereby ordained and enacted by the authority of the same, that:

SECTION 1. PARKING OF COMMERCIAL VEHICLES, HEAVY-DUTY TRUCKS OR DETACHED TRAILERS IS PROHIBITED. A Person shall not park any Commercial Vehicle, Heavy-Duty Truck or Detached Trailer upon any highway, street, alley, public way or public place, unless the vehicle is at all times while so parked attached to a vehicle capable of moving the vehicle in a normal manner upon the highway, street, alley, public way or public place.

"This section shall not apply to Commercial Vehicles, Heavy-Duty Trucks or Trailers in the process of being loaded or unloaded, nor shall it apply to any Commercial Vehicle, Heavy-Duty Truck or Trailer which is disabled in such a manner and to

SECTION 2. TIME LIMIT. No Commercial Vehicle, Heavy-Duty Truck or Trailer shall be parked or left standing whether attended or unattended, upon any of the public ways in the Town of Eva for a period longer than 2 hours; provided that this section shall not authorize parking contrary to any other provisions of this Ordinance.

SECTION 3. RESPONSIBILITY. Any individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or who is in actual physical control of said vehicle, shall be held accountable.

SECTION 4. PENALTIES. Any person violating any of the provisions Ordinance shall be reported to the Morgan County Sheriff's Department and the Deputy patrolling the Town of Eva shall have the authority to arrest said violator, who, upon conviction shall be fined fifty dollars (\$50) for a first offense. Upon conviction of a second offense, such person shall be fined one hundred dollars (\$100).

SECTION 5. SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be declared by the Courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Ordinance as a whole or any part thereof, other than the parts so declared to be unconstitutional or invalid.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after the publication thereof.

ADOPTED AND APPROVED this 30th day of April,
1991.


Mayor

ATTEST:


TOWN OF EVA

P. O. Box 68
Eva, Alabama 35621

TELEPHONE 205/796-7360

I, Ginger Cobbs, Clerk of the Town of Eva, Alabama, do hereby certify that Ordinance 91-1 was published by posting a copy of the same at three public places in the Town of Eva, Alabama, viz., Eva Town Hall, Eva Post Office and B & M Food Mart, on the 12th day of April, 1991.

IN WITNESS WHEREOF, I have hereunto set my hand as Clerk of the Town of Eva, Alabama, on this 12th day of April, 1991.


Eva Town Clerk