

## ORDINANCE NO. 1790

**AN ORDINANCE TO DESIGNATE THE BEGINNING AND ENDING POINTS OF GENTRY DRIVE; TO REGULATE THE TYPE OF VEHICLE ALLOWED AND RESTRICT THE SPEED AT WHICH ANY PERSON SHALL OPERATE A MOTOR VEHICLE ON GENTRY DRIVE WITHIN THE CITY OF TALLADEGA, ALABAMA AND TO PROVIDE PUNISHMENT FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, AS FOLLOWS:**

**SECTION I:** The City Council of the City of Talladega wishes to designate Gentry Drive (section of Talladega County Road 203) beginning in the East at the intersection of Ft. Lashley Avenue and continuing westerly to the intersection of Alabama Highway 275.

**SECTION II:** That it shall be unlawful for the driver or operator of any vehicle to operate a motor vehicle at a speed greater than forty-five (45) miles per hour on Gentry Drive.

**SECTION III:** That it shall be unlawful, except as designated or allowed herein, for commercial trucks to travel on Gentry Drive and to declare these streets as a “No Thru Truck Road.”

**A. DEFINITIONS**

**Commercial 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.

**No Thru Truck Road:** A road on which commercial trucks are prohibited and the road is posted “No Thru Trucks.”

**B. EXCEPTIONS**

**Exceptions to Commercial Truck Traffic:** Commercial trucks may be permitted on designated no truck roads as follows:

- 1) For the operation of authorized emergency vehicles.
- 2) For an emergency so declared by public officials or public act.
- 3) For the operation of commercial vehicles involved in the routine local pick-up, delivery, or service where the destination is located on a declared “No Thru Truck Road.”
- 4) For an owner of a commercial vehicle to drive to and from his residence.

**SECTION IV:** That the Chief of Police, the Public Works Director or their designee shall erect or cause to be erected, on each side of Gentry Drive an appropriate sign(s) indicating that the speed limit on said roadway is restricted to speed not greater than forty-five (45) miles per hour and indicating “No Thru Trucks.”

**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 5<sup>th</sup> day of January 2015.

Council President Ricky Simpson

Councilman Horace Patterson

Councilman Joe Ballow

Councilman Donnie Miller

Councilman Jarvis Elston

City Manager Brian Muenger

Attested to: Elizabeth Cheeks, City Clerk