

# LEGAL NOTICES

## TOWN OF PICKENS, MISSISSIPPI TRUCK ROUTE ORDINANCE AND LIMITATIONS ON PARKING IN RESIDENTIAL AREAS

WHEREAS, the Mayor and Board of Aldermen of the Town of Pickens, do hereby find and determine that it is in the best interest of the citizens of Pickens to take all measures to protect and promote their health, safety, and welfare; and

WHEREAS, the governing authorities of the Town of Pickens, wish to ensure that the best interests of the citizens are served, and the Mayor and Board of Aldermen of the Town of Pickens wish to regulate truck traffic routes within the Town of Pickens, to prohibit truck traffic on other roads, degrading the conditions of the roads, and other infrastructure damages, and to limit parking of same, and provide penalties for the violation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD, AND FINDS AS FOLLOWING, TO WIT:

PURPOSE: The purpose of this Ordinance is to establish and regulate truck travel within the Town of Pickens, to prohibit truck traffic on other roads, and to provide limitations on parking said vehicles within the Town.

DEFINITIONS: "Implement of Husbandry" means every vehicle, which is designed for agricultural purpose and exclusively used by the owner thereof in the conduct of agricultural opera-

tions.

"Road" means any street, highway, or route within the Town of Pickens.

"Semi-trailer" means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Trailer" means any vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Truck" means every motor vehicle which is designed, used, or maintained primarily for the transportation of property, except a pick-up truck, or a van designed so as to carry loads of no more than one ton.

"Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and no so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

"Commercial Vehicles" means any vehicle in excess of 15,500 GVP (gross vehicle weight).

"Prohibited Vehicles" sometimes referred to herein means semi-trailer, trailer, truck, truck tractor, and commercial vehicles collectively.

"Person – Person" includes an agency, company, organization, firm, association, partnership, joint venture, corporation, lim-

ited liability company, trust or equivalent entity or a combination of any of them as well as a natural person.

### AUTHORITY FOR ORDINANCE:

The Mayor and Board of Aldermen of the Town of Mississippi, do hereby find and adjudicate that they are authorized, pursuant to § 17-1-3 of the Mississippi Code Annotated (1972) to enact an ordinance to establish and regulate truck traffic routes and parking limitations within the Town of Pickens, Holmes County, Mississippi, to prohibit truck traffic, and travel on other roads.

### RULE OF CONSTRUCTION:

Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition.

### AUTHORIZED TRUCK ROUTE:

The following road in the Town of Pickens, to the exclusion of all other roads, is hereby designated as a truck routes and classified for the use of truck travel:

1. Highway 51 (North/Southbound).

PROHIBITION AGAINST TRAVEL ON ANY ROAD OTHER THAN AUTHORIZED TRUCK ROUTE AND LIMITATIONS ON PARKING IN RESIDENTIAL AREAS:

Except as expressly permitted under this Ordinance, no person shall operate a truck or truck-tractor and semi-trailer, truck-tractor and trailer combination, or other prohibited vehicle in the Town of Pickens, Mississippi on any road other than provided in the authorized truck route.

No prohibited vehicles shall be parked

or stored in any residential area, except for when the same is actually in use for its normal purposes, or for deliveries. In addition, all parking of prohibited vehicles shall be limited to a parking area in a non-residential area that provides for the safe and convenient access for servicing fire protection.

### EXEMPTIONS:

The truck route limitations prescribed in this Ordinance shall not apply to:

- Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property; or
- Implements of husbandry incidentally moved upon a road; or
- Road repair, construction or maintenance vehicles while involved in the repair, construction, or maintenance of roads within the Town; or
- School buses, engaged in the normal purpose of picking up children to transport them to and from school; or
- Garbage service vehicles, other utility service vehicles, or mail delivery vehicles when used while in the provision of providing services to residents of the Town.

LEAVING OR RETURNING FROM USUAL PLACE OF STORAGE:

Nothing herein contained shall prevent a truck or truck-tractor, a tractor, semi-trailer, combination thereof, or other prohibited vehicles from leaving or returning to its customary storage location at the owner or operator's authorized place of storage in the Town, provided the most direct route to and

from a designated truck route is utilized, and provided the operator has avoided all low hanging utility lines, and areas wherein ingress/egress is constrained due to the width of the road.

### PENALTIES:

Violation of this ordinance will constitute a misdemeanor, and each day of violation will constitute a separate offense, for which a fine not less than \$100.00 or more than \$1000.00, and/or a jail sentence not exceeding sixty days may be imposed. Each day that a violation continues to exist shall constitute a separate offense.

### ADMINISTRATIVE LIABILITY:

No officer, agent, or employee of the Town, or member of the Board of Aldermen shall render himself personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of his duties and responsibilities pursuant to this Ordinance.

### REPEALER:

All prior enacted ordinances, and/or provisions of the same, inconsistent with this ordinance are hereby repealed.

### APPEARANCE OF TICKETS:

Local law enforcement are hereby authorized to issue appearance tickets for violation of this Ordinance.

### EFFECTIVE DATE:

This Ordinance shall take effect and be in full force and effect after its passage and publication pursuant to Mississippi law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE BOARD OF ALDERMEN FOR THE TOWN OF PICKENS that the proposed Truck Route Ordinance and Limitations on Parking is hereby approved and adopted.

This Ordinance having been reduced to writing, Alderman Marion Crayton moved to adopt the aforesaid ordinance. Alderwoman Etta Greer seconded the motion. Upon the following vote, the aforesaid Ordinance passed.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF PICKENS, MISSISSIPPI, this the 2nd day of October 2018.

Alderman Crayton	Voted: YEA
Alderwoman Jones	Voted: YEA
Alderwoman Greer	Voted: YEA
Alderman Moore	Voted: YEA
Alderman White	Voted: YEA

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the Ordinance duly adopted the 2nd day of October 2018.

/s/ William Primer, Jr.  
Mayor William Primer, Jr.  
ATTESTED BEFORE ME this 2nd day of October, 2018.

/s/ Felesia Edwards  
City Clerk, Felesia Edwards  
11-1b

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