

ORDINANCE #007-2009

CITY OF CORDOVA

STREET USAGE

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

Section I. Definition:

As used herein, the term truck shall include all types and models of trucks, including, but not limited to, motor tractors, motor tractors with trailers attached, trucks or trailers with mobile homes attached, dump trucks, dump trailers, concrete mixing trucks, fuel oil trucks, gasoline trucks, and trucks designated and constructed for special type work, use or hauling but shall not include pick-up trucks.

Section II. Truck Routes:

The following streets and avenues and parts thereof are hereby designated as through truck routes through the City of Cordova, Alabama:

Gardner's Gin Road from South Cordova City limit to Massachusetts Avenue;

Massachusetts Avenue from Gardner's Gin Road to Burlington Avenue;

Burlington Avenue from Massachusetts Avenue to First Street;

22; South on First Street from Burlington Avenue to Cordova/Parrish County Road
Cordova/Parrish County Road 22 West to City limit;

Northeast on Cordova/Parrish County Road 22 to Amory Avenue;

Amory Avenue from Cordova/Parrish County Road 22 to County Road 30;

County Road 30 from Amory Avenue to River Road;

River Road from Amory Avenue to Cordova City limit;

limit; Cordova Gorgas Road from Cordova/Parrish County Road 22 to Cordova City

Horse Creek Blvd. from Amory Avenue to Cordova City limit.

Section III. Trucks to Use Designated Routes; Exceptions:

- (a) All trucks as herein defined in Section I of this Ordinance entering the City of Cordova, Alabama destined to any point outside of the City and not taking on or discharging any goods, wares, or merchandise within the city limits shall travel exclusively on the truck routes established in this Ordinance and such trucks that have thereon goods, wares or merchandise consigned or shipped or to be delivered to businesses within the City of Cordova shall leave said truck routes at the point nearest to their destination and proceed by the most direct and shortest route to their given destination, and all trucks as herein defined leaving a given point in the City of Cordova with a destination to a point outside of the City, shall, after taking destination into consideration, proceed from such departure point by the most direct and shortest route to the designated truck routes as established in Section II and shall then travel exclusively along such designated truck routes through the City of Cordova and its police jurisdiction.
- (b) Goods, wares or merchandise as used in this section shall be defined to exclude landfill material, debris, wood, rock, stone, framing material, metal, concrete and other materials resulting from demolition removal of buildings, or other commercial or industrial activity.

Section IV. Signs to be Erected:

The mayor, or his designee, shall cause to be erected and maintained at points where through truck routes enter into the city or the police jurisdiction thereof and at all junctions, points and turns where necessary, signs and such directions at such locations as shall be approved by the Mayor, or his designee, directing truck traffic in accordance with the provisions of this Ordinance.

Section V. Trucks Not on Specified Route; Subject to Violation:

Any trucks traveling the streets of the City of Cordova, Alabama or the police jurisdiction thereof which said streets are not on the designated truck routes may be stopped by the police and the driver of the truck, at the request of the police, shall produce evidence that his load is or that he has goods, wares or merchandise consigned to a business in the City of Cordova; upon the failure of the driver to furnish such evidence, said driver shall be subject to prosecution for violating this Ordinance; provided, however, nothing contained herein would

prevent the driver from producing other types of evidence that he had a load of goods, wares or merchandise on his truck consigned to a business in the City of Cordova. The police shall operate under the powers given to them to exercise its police power over the streets of the City of Cordova and the police jurisdiction.

Section VI. Exemptions:

(a) Businesses or owners of trucks within the City of Cordova or outside the City of Cordova who desire to use the streets of the City of Cordova to discharge goods, wares, or merchandise within the City of Cordova or outside the City of Cordova shall first obtain a permit from the Mayor of the City of Cordova or his designee in order to exempt the owner of the truck or business from having to adhere and travel the truck route to and from its destination as established within this Ordinance.

(b) The business and/or owner or operator of the truck must show a justifiable reason why using the truck route would cause and create a hardship to the business. If the Mayor of the City of Cordova or his designee approves the permit, then the Mayor or his designee shall provide to the business or owner of the truck a permit to travel the streets of the city of Cordova along with a drawing, map or route of travel from which the business or owner must travel during the period of the permit.

(c) If a business and/or owner or operator of a truck fails to obtain a permit or fails to use the designated route issued with the permit and is stopped by the police, then said business and/or owner shall be guilty of violating this Article.

(d) In addition to allowing a permit to use streets and ways other than the Truck Route, the Mayor or his designee may require posting of a bond by said owner of said truck or business in an amount to be determined by the Mayor or his designee sufficient to guarantee to the City of Cordova that all costs of repair to the streets damaged by the movement of such load or loads will be paid in full.

Section VII. Revocation of Permit: The Mayor of the City of Cordova or his designee reserves the right to deny, revoke or cancel any business permit in an effort to protect the streets and property of the City of Cordova. The Mayor of the City of Cordova or his designee, when issuing the permit, shall consider the protection of the streets and the property of the City of Cordova and the business's reason or cause stating why using the truck route would cause and create a hardship to the business.

Section VIII. Liability:

(a) All trucks herein defined in this Ordinance entering the City of Cordova, Alabama shall be held liable for any damages done to the streets or City property as the result of any illegal or careless operation driving or moving of said truck.

(b) Whenever such driver is not the owner of such truck, but is operating, driving or moving the same with the express or implied permission of said owner, then said owner and driver shall be jointly and severally liable for any such damage.

Section IX. Violation:

Any person violating his Article shall be guilty of a violation and upon conviction, shall be punished by a fine of not less than One (\$1.00) Dollar and no more than Five Hundred (\$500.00) Dollars, or by imprisonment of hard labor for the City of Cordova for not more than six (6) months, or both, in discretion of the court and additionally, shall be ordered to pay court costs, and make restitution to the City of Cordova in an amount equal to the amounts owned for fines, court costs and restitution.

ADOPTED AND APPROVED THIS 10th day of November, 2009.



Mayor

ATTEST:



City Clerk