

TOWN OF
MAGNOLIA SPRINGS
ORDINANCE NO. 2008-11

AN ORDINANCE REGULATING PARKING; GENERAL USE OF RIGHTS OF WAYS, STREETS, ALLEYS OR OTHER PUBLIC PLACES

BE IT ORDAINED BY THE TOWN OF MAGNOLIA SPRINGS, ALABAMA, AS FOLLOWS:

DIVISION ONE

PARKING

Section 1. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning;

Park and Parking means the standing or halting of a vehicle, whether occupied or not, or otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Section 2. Enforcement.

Enforcement. It shall be the duty of law enforcement or a representative of the Town of Magnolia Springs to enforce the provisions of this division and report the violation thereof by attaching to each vehicle found in violation of this division a notice stating that it has been parked in violation of this division. Such notice may include the date and hour of the violation, the make and state license number of the vehicle, and the place where the violation occurred. Such notice may instruct the owner or operator to report at a designated time to the appropriate court magistrate in regard to such violation and shall further advise the owner or operator that he may, not later than 24 hours prior to the designated time, sign the notice and mail the same, together with the fine, to the magistrate. Remittance by mail of the fine shall constitute a guilty plea and waiver of trial, whether or not the notice is signed by the owner or operator.

The Town, as its sole method of enforcement or in conjunction with all methods of enforcement available to the Town under this code or any state or federal laws, may tow vehicles in violation of this division at the owner's expense.

Section 3. Areas Where Parking is Prohibited.

No person shall park, cause to be parked or knowingly permit any vehicle which he owns to be parked in any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within 15 feet of a fire hydrant, unless in an area specifically marked out or designated for parking.
5. On a crosswalk.
6. Within 20 feet of any street excavation or obstruction when parking would obstruct traffic.
7. On the roadway side of any vehicle stopped or parked at the edge of a curb or street.

8. Upon any bridge, culvert or other elevated structure.
9. In any prohibited area when such area is marked with yellow paint and/or an official no parking sign.

Section 4. Designation of Prohibited Parking Areas or Limits on Use.

The Town Council may, from time to time, designate areas in which parking or use shall be limited or prohibited which shall be marked with yellow paint and/or an official sign.

Section 5. Violation

The violation of any provision of this division shall be punishable by a fine of not less than \$25.00 for the first offense and \$50.00 for each subsequent offense plus expenses or costs.

DIVISION TWO

CERTAIN USES AND OBSTRUCTION

Section 1. Obstruction Prohibited.

No persons shall obstruct, cause to be obstructed or knowingly permit the obstruction of the streets, roads or rights-of-way of the Town of Magnolia Springs with debris, machinery, automobiles, personal items, plants, shrubs, or trees in addition to any other obstruction that may, in the Town's sole discretion, obstruct maintenance or drainage.

Section 2. Walking

Except as otherwise stated in this code or as marked with paint and/or an official sign, pedestrians may walk on the Town's rights-of-way in a safe and reasonable manner so as not to endanger themselves or other users of the streets, roads and right-of-ways.

Section 3. Effective Date

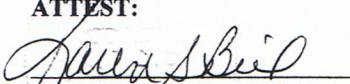
This ordinance shall become effective upon its adoption and publication.

ADOPTED and APPROVED this 28th day of October, 2008.



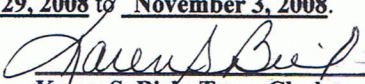
Charles S. Houser - Mayor

ATTEST:



Karen S. Biel - Town Clerk

Town of Magnolia Springs, Alabama, certificate of publication. This is to certify that Ordinance No. 2008-11, Town of Magnolia Springs, Alabama, was published by posting on at least three (3) bulletin boards in the Town from October 29, 2008 to November 3, 2008.



Karen S. Biel - Town Clerk