

ORDINANCE NO. 130

ORDINANCE RESTRICTING USE OF WALNUT STREET

WHEREAS, Walnut Street is a city street within the Town of Mount Carmel, Tennessee, running a general east-west direction between the City of Kingsport (Kingsport University Center) and Independence Avenue (a street running generally in a north-south direction within the Town of Mount Carmel, Tennessee); and

WHEREAS, Walnut Street is often used as a short-cut from the main arterial roadway being U.S. Highway 11-W and that portion of Independence Avenue which connects to Carters Valley Road; and

WHEREAS, Walnut Street does not contain sufficient roadbed and subsurface materials to support large or heavy commercial vehicles; and

WHEREAS, the public health, safety, and welfare of the citizens of the Town of Mount Carmel, Tennessee, and the health, safety, and welfare of all persons traveling upon Walnut Street requires the restriction of the use of same;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE;

SECTION I

Title 15, "Motor Vehicles, Traffic and Parking", Chapter 1 "Miscellaneous" of the Mount Carmel Municipal Code should be and is hereby amended to add Section 15-124. "Restricted Use of Walnut Street." which shall read as follows:

§15-124. "Restricted Use of Walnut Street." It shall be unlawful for any person to operate any motor vehicle along or upon Walnut Street with a gross vehicle weight exceeding eight thousand (8,000) pounds.

SECTION II

LEGAL STATUS PROVISIONS

A. Conflict With Other Ordinances

In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity

If any rule, section, or sub-section of this ordinance is held by any court to be invalid or unconstitutional, the same shall not invalidate, otherwise affect any of the other rules, sections, or sub-section of this ordinance unless it clearly appears that such other rule, section, or sub-section is wholly or necessarily dependent for its operation upon the rule, section, or sub-section so held invalid or unconstitutional.

C. Effective Date

This ordinance shall become effective upon passage, the public welfare requiring it.

Passed 1st Reading 4-23-92

Passed 2nd Reading 5-28-92

Ronnie L. Davis
MAYOR

Rita J. Jones
CITY RECORDER

APPROVED AS TO FORM:
Michael A. Fark
CITY ATTORNEY