

ORDINANCE NO. 136

ORDINANCE RESTRICTING THE USE OF McCracken Lane

WHEREAS, McCracken Lane is a street within the Town of Mount Carmel, Tennessee, running in a general North-South direction between Carters Valley Road and Redwood Drive; and

WHEREAS, McCracken Lane is often used as a shortcut from the main arterial roadway between Carters Valley Road and Redwood Drive; and

WHEREAS, McCracken Lane 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 McCracken Lane requires the restriction of the use of McCracken Lane;

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

SECTION ONE

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 15-125. "Restricted Use of McCracken Lane." Which shall read as follows:

§15-125. "Restricted Use of McCracken Lane."

It shall be unlawful for any person to operate any motor vehicle along or upon McCracken Lane with a gross vehicle weight exceeding eight thousand (8,000) pounds.

SECTION TWO

Corporate signs prohibiting the use of such vehicles shall be immediately erected and maintained.

SECTION THREE

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 Mt. 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 effect any of the other rules, sections, or sub-sections 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.

Passed 1st Reading

Passed 2nd Reading

OCT 22, 1992

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:

Michael A. Fink
CITY ATTORNEY