

ORDINANCE NO. 199

pending

AN ORDINANCE TO AMEND MOUNT CARMEL MUNICIPAL CODE TITLE 15, "MOTOR VEHICLES, TRAFFIC AND PARKING", CHAPTER 6, "PARKING", BY ADDING A NEW SECTION 15-607, "HEAVY VEHICLE PARKING PROHIBITED."

WHEREAS, it is desired to control heavy vehicle parking within the corporate limits. Now therefore,

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE, AS FOLLOWS:

SECTION I. That the Code of Ordinances, TITLE 15, MOTOR VEHICLES, TRAFFIC AND PARKING, is hereby amended by adding the following section:

15-607. Heavy vehicle parking prohibited. It shall be unlawful for any person, firm or corporation owning, operating or having control of any truck or trailer or truck power unit in excess of one tone capacity, or tractor, to park the same, in lieu of offstreet or garage parking of such equipment, upon any street, avenue, alley or public way in any residential area in the Town of Mount Carmel, Tennessee.

The provisions of this section shall not be deemed to prohibit the lawful parking of such vehicles or equipment upon any street, avenue, alley or public way in the Town of Mount Carmel, Tennessee, for the actual loading or unloading of goods, wares, or merchandise, provided, however, that "loading" and "unloading" as used in this section shall be limited to the actual time consumed in such operation.

Any truck, trailer, truck power equipment or tractor parked upon any street, avenue, alley or public way in the Town of Mount Carmel, Tennessee, in violation of this section may be towed away by the Police Department, and the cost thereof charged to the owner or operator or other person having control of such vehicle or equipment. The towing of a vehicle under this section shall be in addition to, rather than in lieu of, penalties under the general penalty provision of this code.

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, Tennessee, the most restrictive shall in any cases apply.

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

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

JAMES L. DEAN, Mayor

ATTEST:

NANCY F. CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICE OF MICHAEL A. FAULK

PASSED 1ST READING: ____ Ayes ____ Nays ____ Other ____

PASSED 2ND READING: ____ Ayes ____ Nays ____ Other ____

PUBLISHED ON:

DATE: _____
NEWSPAPER: _____