

ORDINANCE NUMBER 08-2001 TO REGULATE COMMERCIAL VEHICLE PARKING

THE VILLAGE OF MORLEY ORDAINS:

Section 1. Definitions. For the purpose of this Ordinance:

The term "Commercial Vehicle" means any Commercially Licensed vehicle having a Ten Thousand (10,000) pound or greater GVW (Gross Vehicle Weight), hereinafter referred to in this ordinance as a "Truck."

The term "Parking Lot" refers to an asphalt or bituminous surfaced public parking lot hereinafter referred to as a "Parking Lot," and is in no way intended to be construed to include gravel or concrete surfaced parking lot.

Section 2 - Rules and Regulations.

No truck shall drive through, stop, stand or park in any Parking Lot. If the driver of the truck driving through or parking in a Parking Lot can readily be determined he/she shall be held responsible to pay all fines and costs, and to remove the truck immediately. If the driver of the truck driving through or parking in a Parking Lot is indeterminable, the lessor and. Or owner of the truck shall be held responsible to pay all fines and cost, and to remove or oversee the removal of the truck within forty-eight (48) hours of receipt of a certified letter notifying them of the infraction.

If a truck that as received a citation has not been removed after twenty-four (24) hours of receiving that citation, a second citation may be attached and another citation for each subsequent twenty-four (24) period of infraction however at no time can a citation be added to a citation that was issued less than twenty-four (24), hours prior to the subsequent citation being issued.

Section 3 - Fines and Penalties.

Violation of this ordinance shall be a civil infraction and shall be punishable by a fine of One Hundred Dollars (\$ 100. 00) for each offense.

If a truck has violated this ordinance for ninety- six (96) consecutive hours, AND/OR has been observed by a Police Officer as having violated this ordinance three (3) or more times in any twelve-consecutive month period, AND/OR citation that was issued at least thirty (30) days before is unpaid, a wheel lock may be applied to the truck and instructions left on the truck in a prominent location to contact any one (1) of three (3) Village board members or employees who will each have a key and remove the lock after all fines and penalties have been paid.

Section 4 - Conflicting Provisions.

In the event of any conflict between this Ordinance and the provisions of any prior ordinances, then the provisions of this Ordinance shall take precedence.

Section 5- Severability.

The invalidity of any clause, sentence, paragraph or part of this ordinance shall not affect the validity of the remaining parts of this ordinance.

Section 6 – Saving Clause.

A prosecution which is pending on the effective date of this ordinance and which arose from a violation of an ordinance repealed by this ordinance, or a prosecution which is started within one (1) year after the effective date of this ordinance arising from a violation of an ordinance by this ordinance

and which was committed prior to the effective date of this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS AFTER PUBLICATION. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT ARE HEREBY REPEALED.

I hereby certify to the adoption of this ordinance at the _____ council meeting and cause the same to be published as required by law. Yeas: _____ Nays: _____ Ordinance declared adopted

Published _____ Effective Date _____

Margaret Carpenter, Village Clerk

Johnnie Lewis Jr., President