

ORDINANCE NO. 2000-14

AN ORDINANCE OF THE TOWN OF TALTY, TEXAS, PROHIBITING THE PARKING OR STORAGE OF COMMERCIAL MOTOR VEHICLES; PROVIDING EXCEPTIONS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TALTY, TEXAS:

SECTION 1. That no person shall park or store, or cause, suffer or permit the parking or storage of a commercial motor vehicle within the limits of the Town of Talty, Texas, except as hereinafter provided. As used herein, the term “commercial motor vehicle” shall mean a motor vehicle or combination of motor vehicles used to transport persons or property that (1) has a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight rating of more than 10,000 pounds; (2) has a gross vehicle weight rating of 26,001 or more pounds; (3) is designed to transport 16 or more passengers, including the driver; or (4) is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F.

SECTION 2. That this Ordinance shall not apply to any business in which the parking of commercial motor vehicles is temporary for the purpose of loading or unloading goods or merchandise for the period reasonably required to load or unload such goods or merchandise, or to businesses in which the parking of commercial motor vehicles is required temporarily for the purposes of service or repair.

SECTION 3. That any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the Town of Talty, Texas, shall be subject to a fine not to exceed the sum of Five Hundred (\$500.00) Dollars for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense

SECTION 4. That should any word, phrase, paragraph, section or portion of this Ordinance be held to be invalid, unenforceable, void or unconstitutional, the same shall not affect

the validity of the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the Town Council of the Town of Talty, Texas, this the _____ day of _____, 2000.

APPROVED:

MAYOR

ATTEST:

TOWN SECRETARY

APPROVED AS TO FORM:

TOWN ATTORNEY

(36638)

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THE PARKING OR STORAGE OF COMMERCIAL MOTOR VEHICLES;
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