

## **Chapter 15 TRAFFIC AND MOTOR VEHICLES**

### ARTICLE I - - MOTOR VEHICLES

### ARTICLE II. - TAXICABS AND AMBULANCES

### ARTICLE III - - GUTHRIE J. SMITH PARK

### ARTICLE IV. - PARKING FOR PHYSICALLY HANDICAPPED

## **ARTICLE I - MOTOR VEHICLES**

### Division I - - Rules and Regulations

### DIVISION II. - PARKING AND STOPPING

### Division III - - Motorcycle Regulations

### Division IV - - Abandoned Vehicles

### DIVISION 5. - SPEED REGULATIONS

### DIVISION 6. - TRUCK REGULATIONS

## **Division I - Rules and Regulations**

### § 15-1 Definitions

### § 15-2. Applicability of state law.

### § 15-3 Unlawful to Run Red Light; Exception

### § 15-4 Signals to be Obeyed; Right Turn on Red Permitted

### § 15-5 Right Turn on Red Prohibited - When Sign Posted

### § 15-6 Traffic - When Controlled by Police Officer

### § 15-7 Right-Of-Way

### § 15-8 Muffler - Required

### § 15-9 Allowable Tolerance of Noise; Exception

### § 15-10. Anti-noise provisions cumulative.

### § 15-11. Penalty for violation.

### § 15-12. Driving over fire hose prohibited.

### § 15-13. Damaging traffic signs—prohibited.

### § 15-14. Pedestrians crossing streets; regulations; penalty.

### § 15-15. Test for intoxication approved.

### § 15-16. Penalty for violation of article.

### § 15-16.1. Dynamic brake systems or devices except when device is operated or engaged for the purpose of aversion of imminent danger to life, limb, or property.

**§ 15-1 Definitions**

In the interpretation of this article relating to the regulation of traffic in the City of Fayette, Alabama, the following definitions shall be observed, unless the context shows another sense to be intended. Words in the plural include the singular and words in the singular number include the plural number whenever the context warrants.

- a. The word "chauffeur" shall apply to any person operating a motor vehicle for hire, or as the employee of the owner thereof.
- b. The word "curb" shall mean the lateral boundary of a street used for vehicles, whether marked by curbstones or not so marked.
- c. The word "driver" shall apply to a rider, driver or leader or a horse, or to a person who pushes, draws, propels, operates or is in charge of a vehicle.
- d. The word "horse" shall apply to any draft animal or beast of burden.
- e. The terms "loop area," or "down town section" shall apply to that portion of the City of Fayette in the territory bounded as follows:
  - 1. Beginning at a point sixty (60) feet east of the south line of Block 20, according to the J.S. James survey of the Town of Fayette, Alabama, and running west along the north line of Luxapelila Street to the southeast corner of Block 22;
  - 2. Then south along the west edge of Peyton Street and west edge of Johnston's Park to the southeast corner of Block 11;
  - 3. Then south to the south line of the Southern Railway Company's right-of-way;
  - 4. Then east along the south line of Southern Railway Company's right-of-way to a point due south of the southwest corner of Block 7;
  - 5. Then north along the west line of Block 7, to the northwest corner of said Block 8;
  - 6. Then north sixty (60) feet;
  - 7. Then west to the southwest corner of Block 19;
  - (8) Then north along the west edge of Block 19 to the northwest corner of said Block 19;
  - (9) Then north sixty (60) feet to the point of beginning.
- (f) The term "parked" shall apply to vehicles left standing by the owner or driver thereof for a time longer than is necessary to take on or discharge passengers or freight.
- (g) The word "person" includes individuals, partnerships and corporations.
- (h) The term "public vehicle" is any vehicle for which a charge or recompense is made for use thereof, or any vehicle publicly offered for the transportation of persons or property.
- (i) The terms "safety zone" and "loading station" shall apply to that part of the street alongside of railway car tracks marked off by stanchions, by a platform or by painted or otherwise designated space.
- (j) The word "street" includes alleys, avenues, parkways, boulevards, bridges and every public way in the City of Fayette.
- (k) The term "traffic officer" shall apply to any person designated by the mayor or the chief of police to direct or control the traffic upon the streets of the City of Fayette, or to any policeman.
- (l) The word "vehicle" includes equestrians, horses and everything on runners or wheels, except invalid chairs and baby carriages.

(Ord. of 4-4-27, § 1)

**§ 15-2. Applicability of state law.**

In addition to all other provisions of law relating to the speed and operation of motor vehicles in the city, there is hereby adopted by the City of Fayette, Alabama, all laws of the State of Alabama, and all rules and regulations of the State of Alabama Department of Transportation pertaining to the control of traffic and motor vehicles on highways, that are misdemeanors under the state laws and a violation of such laws, rules and regulations in the City of Fayette, or in the police jurisdiction thereof, shall be violations of this chapter.

(Ord. of 2-17-75, § 5; Ord. No. 1997-07, § 1, 8-18-97)

**§ 15-3 Unlawful to Run Red Light; Exception**

It shall be unlawful for any person to drive or operate any vehicle into the intersection of any two (2) or more streets, at which any traffic light signal device is in operation, when the red light is displayed in, or against, the path or direction of his travel, except as provided in the following succeeding section.

It shall be lawful for the driver of any ambulance or vehicle of the police or fire departments, while answering an emergency call and while sounding sufficient danger alarm, to enter and cross such intersections while the red light is displayed in the path or direction of his travel.

(Ord. of May 20, 1940, § 2.)

**§ 15-4 Signals to be Obeyed; Right Turn on Red Permitted**

It shall be unlawful for any person to drive a vehicle by or past a traffic light showing red in the direction from which the vehicle is approaching, or to fail to bring such vehicle to a stop promptly when directed by a police officer so to do, or to fail to bring such vehicle to a stop promptly when signaled so to do by the sounding of a siren or the flashing of a red or blue blinker signal by any police officer; provided, however, the driver of a vehicle, after stopping at a traffic light showing red, may make a right turn, but shall yield the right-of-way to pedestrians and other vehicular traffic proceeding as directed by the signal at the intersection.

(Ord. of Oct. 7, 1974, § 1; for similar state law, see: Code of Alabama § 32-5-58.)

**§ 15-5 Right Turn on Red Prohibited - When Sign Posted**

The chief of police is authorized to prohibit any such right turn against a red traffic light at any intersection after determining, on the basis of a traffic investigation, that such right turn is not reasonable or safe under the conditions found to exist at such intersection. This prohibition shall be effective when a sign is erected at such intersection giving notice thereof.

(Ord. of Oct. 7, 1974, § 1.)

**§ 15-6 Traffic - When Controlled by Police Officer**

Vehicles shall be brought to a stop, or moved, on signal from any member of the police force at any intersection of streets, and vehicles shall stand, or move, as directed by the police officer at theatres or public gatherings or under unusual conditions.

(Ord. of Apr. 4, 1927, § 16.)

**§ 15-7 Right-Of-Way**

Every person, operating a motor vehicle, as herein defined, upon a public street or highway within the city or police jurisdiction therein, shall have full access to the right-of-way to the lane occupied by said vehicle and shall exercise due care when passing a standing vehicle or one passing in the same direction.

(Ord. of June 3, 1974, § 5 ; for similar state law, see: Code of Alabama, §§ 32-5-110, 32-5-112.)

**§ 15-8 Muffler - Required**

Every motor vehicle shall, at all times, be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. A motor vehicle, which produces a sound level of eighty-eight (88) decibels or more on the 'A' scale, shall be deemed to make or create excessive or unusual noise.

(Ord. of June 3, 1974, § 7(a); for similar state law, see: Code of Alabama, §§ 32-5-76, 32-5-216.)

**§ 15-9 Allowable Tolerance of Noise; Exception**

The following provisions apply to vehicles in operation:

- a. No arrest shall be made in cases where the noise limit is exceeded by less than a two (2) decibel tolerance.
- b. The provisions hereinabove shall apply to the operation of all motor vehicles, both upon the public streets and highways within the city and on other public or private places. It shall be unlawful for any person to operate a motor vehicle either upon or off the public streets without complying with the provisions hereinabove, except, however, this shall not apply to motor vehicle races, field events or competitive meets on private property where such events are otherwise a lawful and permitted use of the property.

(Ord. of 6-3-74, § 7)

**§ 15-10. Anti-noise provisions cumulative.**

The provisions of the sections hereinabove are cumulative to any other procedure, now authorized by law, for the accomplishment of the objective herein before stated.

(Ord. of 6-3-74, § 10)

**§ 15-11. Penalty for violation.**

Any person, violating any of the provisions of the sections hereinabove shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars (\$500.00), or be imprisoned in the city jail for a period not exceeding twenty (20) days or be both so fined and imprisoned. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punished as such hereunder.

(Ord. of 6-3-74, § 8)

**§ 15-12. Driving over fire hose prohibited.**

Any person, who drives or causes to be driven, any vehicle over or across any hose of any fire department, or over or across any hose used for conducting water from any fire engine or plug or hydrant,

shall be guilty of a violation of this section and must, on conviction, be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

(Ord. of 4-6-27, § 30; Ord. No. 2003-03, § 1, 1-23-03)

**§ 15-13. Damaging traffic signs—prohibited.**

It shall be unlawful for any person to willfully, carelessly or wantonly, overturn, drive any vehicle against, over or upon, remove, displace, break, damage, dislocate or otherwise interfere with any traffic sign, standard, stanchion, marker or other traffic device.

(Ord. of 4-6-27, § 50)

**§ 15-14. Pedestrians crossing streets; regulations; penalty.**

Pedestrians shall cross the highways and streets only at intersections thereof, except that they may cross at the place indicated therefor in the middle of the block on Temple Avenue between Columbus Street on the south and Luxapalilla Street on the north, and, in crossing any street at the intersection thereof with another Street, shall pass over that part of the street as is indicated within the line of the sidewalk projected, and not diagonally; provided, this section shall only apply within the "loop area" and from Luxapalilla Street to Walker Street on Temple Avenue of the City of Fayette.

Any violation of this section shall be punished as provided by this article.

(Ord. of 10-4-37)

**§ 15-15. Test for intoxication approved.**

By Resolution 1999-14, the Draeger Alcotest MK III was designated as the instrument to be used for alcohol breath testing in the City of Fayette and its police jurisdiction by the City of Fayette Police Department. The breath test shall remain as the chemical test to be used by the Police Department of the City of Fayette, Alabama and the Draeger Alcotest MK III breath testing instrument is designated as the official City of Fayette Police Department method to be used in revealing the chemical content in cases involving the consumption of alcohol.

(Ord. of 1-20-75, § 1; Ord. No. 2003-03, § 2, 1-23-03)

**State law reference—** Code of Alabama, §§ 32-5-190—32-5-194

**§ 15-16. Penalty for violation of article.**

The court, trying any person for violation of this article, shall, upon conviction of such person, have the power to fine and imprison him and to sentence him to hard labor upon the streets or public works of the city; and, in the event the fine and cost are not presently paid, to require the offender, or person in default to work out the fine and cost under the direction of the city authorities; provided that no fine shall exceed five hundred (\$500.00) dollars and no sentence to imprisonment or hard labor shall exceed six (6) months and that no female shall be required to work on the streets of the city.

(Ord. of 4-6-27, § 63)

**§ 15-16.1. Dynamic brake systems or devices except when device is operated or engaged for the purpose of aversion of imminent danger to life, limb, or property.**

- (a) It shall be unlawful for any person to operate or engage any motor vehicle with a dynamic braking device which is not properly muffled so as to limit the emission of noise arising from the operation of

said device, unless and except when such device is operated or engaged for the purpose of the aversion of imminent danger to life, limb, or property.

- (b) It shall be unlawful for any person to operate or otherwise engage within the city any device which when attached to or placed upon any motor vehicle, engine, or mechanical device amplifies or increases the noise emitted by said vehicle, engine, or device above the level of noise emitted by the vehicle, engine, or device in its original factory design, unless and except when such device is operated or engaged for the purpose of the aversion of imminent danger to life, limb, or property.
- (c) Any individual violating any provision of this section shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not less than fifty dollars (\$50.00) and no more than one hundred fifty dollars (\$150.00) or by imprisonment in the county jail for not more than six (6) months or by both such fine and imprisonment.

(Ord. No. 2000-12, §§ 1, 2, 4, 9-5-00)

## **DIVISION II. PARKING AND STOPPING**

[§ 15-17. Parallel parking.](#)

[§ 15-17.1. Angle parking.](#)

[§ 15-17.2. Unlawful designation of prohibited parking.](#)

[§ 15-18. Penalty for violation.](#)

[§ 15-19. Stopping, standing or parking prohibited in specified place generally.](#)

[§ 15-19.1. Parking not to obstruct traffic.](#)

[§ 15-19.2. Parking on streets where improvements are in progress.](#)

[§ 15-19.3. Parking on roadway for certain purposes prohibited.](#)

[§ 15-19.4. Use of streets by businesses for purposes of storage of vehicles.](#)

[§ 15-19.5. Vehicle not to extend more than eighteen feet from curb.](#)

[§ 15-19.6. Times parking regulations effective.](#)

[§ 15-19.7. Overtime parking.](#)

[§ 15-20. Regulations not exclusive.](#)

[§ 15-21. Parking signs or yellow curbs required.](#)

[§ 15-21.1. Parking of any truck-tractor, trailer or truck prohibited.](#)

[§ 15-22. Parking in alley—Prohibited; exception.](#)

[§ 15-23. Penalty for violation.](#)

[§ 15-24. Parking in prohibited zone.](#)

[§ 15-25 Prohibited Parking in Designated Areas](#)

[§ 15-26 Parking Lot - Definitions](#)

[§ 15-27 Traffic Laws Enforceable in All Parking Lots](#)

[§ 15-28. Parking areas included.](#)

[§ 15-29. City not responsible for maintenance of all parking lots and areas.](#)

[§ 15-30. Stopping, standing or parking in loading zones.](#)

[§ 15-31. Application for loading zone.](#)

[§ 15-32 Loading Zones - Approval of Council Needed](#)

**§ 15-17. Parallel parking.**

Except as otherwise provided by law or ordinance, every vehicle stopped or parked upon a roadway, where there are adjacent curbs, shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen (18) inches of the right-hand curb; provided, that upon a one-way roadway in a residential district, other than upon a through street, parallel parking where permitted may also be accomplished by a vehicle being stopped or parked with the left-hand wheels of such vehicle parallel to and within eighteen (18) inches of the left-hand curb. It shall be unlawful for any person to park a vehicle in violation of this section.

(Ord. of 1-20-47, § 1; Ord. No. 2003-03, § 3, 1-23-03)

**§ 15-17.1. Angle parking.**

- (a) The city engineer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets.
- (b) On those streets which have been signed or marked by the city engineer for angle parking, it shall be unlawful for any person to park or stand a vehicle other than between the markings so provided and at the angle to the curb or edge of the roadway indicated by such signs or markings.

(Ord. No. 2003-03, § 4, 1-23-03)

**§ 15-17.2. Unlawful designation of prohibited parking.**

It shall be unlawful for any person to paint any part of a public way yellow, to place any sign indicating parking in a public parking place is prohibited, or to place any barrier hindering the parking of vehicles in any public parking place.

(Ord. No. 2003-03, § 5, 1-23-03)

**§ 15-18. Penalty for violation.**

Any person found to be in violation of this division shall, upon conviction, be punished by a fine of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00) and/or may be imprisoned or sentenced to hard labor for the city for a period not exceeding six (6) months.

(Ord. of 1-20-47, § 2; Ord. No. 2003-03, § 6, 1-23-03)

**§ 15-19. Stopping, standing or parking prohibited in specified place generally.**

It shall be unlawful for any person to stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places or portions thereof:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within fifteen (15) feet of an intersection.
- (4) Within fifteen (15) feet of a fire hydrant.

## Chapter 15 TRAFFIC AND MOTOR VEHICLES

- (5) On a crosswalk.
- (6) Within twenty (20) feet of a crosswalk at an intersection except at intersections where traffic is controlled by a police officer or traffic-control device.
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of the roadway.
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the city engineer or street superintendent indicates a different length by signs or markings.
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing.
- (10) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when properly signed posted.)
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street. (Double parking).
- (13) Upon any bridge or other elevated structure upon a highway.
- (14) At any place where official signs prohibit parking or stopping or the curb is painted yellow.
- (15) On any median or other area of a street not improved as a roadway.
- (16) On the area between any roadway and the sidewalk adjacent thereto.

(Ord. of 4-6-27, § 34; Ord. No. 2003-03, § 7, 1-23-03)

### **§ 15-19.1. Parking not to obstruct traffic.**

It shall be unlawful for any person to park any vehicle upon a street in such a manner or under such conditions as to leave available less than fifteen (15) feet of the width of the roadway or hinder the free movement of vehicular traffic.

(Ord. No. 2003-03, § 8, 1-23-03)

### **§ 15-19.2. Parking on streets where improvements are in progress.**

It shall be unlawful for any person to park any vehicle on any street, alley or other public way upon which paving or grading or other municipal improvements are in progress, where to do so will interfere with the work or be attended with danger to the traveling public.

(Ord. No. 2003-03, § 9, 1-23-03)

### **§ 15-19.3. Parking on roadway for certain purposes prohibited.**

It shall be unlawful for any person to park a motor vehicle, trailer or semi trailer upon any street, alley or other public way of the city for the principal purpose of displaying such vehicle for sale or washing, servicing or repairing such vehicle, except repairs necessitated by an emergency.

(Ord. No. 2003-03, § 10, 1-23-03)

**§ 15-19.4. Use of streets by businesses for purposes of storage of vehicles.**

It shall be unlawful for any person engaged in any business of selling, leasing, hiring, renting or repairing motor vehicles, or for any agent, employee or servant of any such person, to store or park or cause or permit to be stored or parked on any street, alley or other public way in the city any such vehicle kept or held for sale, lease, hire, rent or repair.

(Ord. No. 2003-03, § 11, 1-23-03)

**§ 15-19.5. Vehicle not to extend more than eighteen feet from curb.**

Unless otherwise permitted by law, it shall be unlawful for any person to park any vehicle on any street or to permit or suffer any vehicle to be parked on any street when any part of such vehicle or any load or thing thereon, or anything forming a part thereof, or any trailer attached thereto, extends more than eighteen (18) feet from the curb.

(Ord. No. 2003-03, § 12, 1-23-03)

**§ 15-19.6. Times parking regulations effective.**

The provisions of any ordinance or other regulation prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times specified in such ordinance or regulation or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device. Those provisions of any ordinance or other regulation limiting the length of time that parking is permitted shall be effective only between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, and shall not apply on any Saturday, Sunday or municipal holiday, unless a specific provision indicates otherwise.

(Ord. No. 2003-03, § 13, 1-23-03)

**§ 15-19.7. Overtime parking.**

It shall be unlawful for any person to stop, stand or park a vehicle in any parking space for a period of time in excess of any time limit established for such space.

(Ord. No. 2003-03, § 14, 1-23-03)

**§ 15-20. Regulations not exclusive.**

The provisions of any ordinance or regulation imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

(Ord. of 10-4-37; Ord. No. 2003-03, § 15, 1-23-03)

**§ 15-21. Parking signs or yellow curbs required.**

Whenever by this chapter or any other ordinance of this city a parking time limit is imposed or parking is prohibited on designated streets, the city engineer shall erect appropriate signs or paint curbs yellow giving notice thereof.

(Ord. of 4-4-27, § 12; Ord. No. 2003-4, § 16, 1-23-03)

**§ 15-21.1. Parking of any truck-tractor, trailer or truck prohibited.**

- (a) No person shall park, cause to be parked or knowingly permit a truck-tractor motor vehicle, with or without a trailer thereto attached, or any truck having three (3) axles, or more, which he owns or operates or which is under his control to be parked upon any street located within the corporate limits of the city or within the police jurisdiction thereof.
- (b) No person shall park, cause to be parked or knowingly permit a trailer, with or without a truck-tractor thereto attached, which he owns or operates or which is under his control to be parked upon any street located within the corporate limits of the city or within the police jurisdiction thereof.
- (c) The presence of any such motor vehicle described in subsection (a) or any trailer parked upon any said public street shall raise a prima facie presumption that the registered owner of such motor vehicle or trailer committed or authorized the parking violation, and the burden of proof shall be upon the registered owner to show otherwise.
- (d) The words park or parking when used in this section shall, for the purpose of this section, mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading goods or merchandise or passengers.

(Ord. No. 1991-8, §§ 1—4, 11-4-91)

**§ 15-22. Parking in alley—Prohibited; exception.**

It shall be unlawful for any person, firm or corporation to park any motor vehicle, except for the purpose of loading and unloading, in that certain alley which runs north and south in Block 18 of the J. S. James Survey of the Town of Fayette, Alabama, which lies between Temple Avenue on the west and Four Acre Street on the east, Columbus Street on the south and Luxapalilla Street on the north within the City of Fayette, Alabama.

(Ord. of Mar. 18, 1957, § 1)

**§ 15-23. Penalty for violation.**

Any person, firm or corporation, violating the next preceding section, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one dollar (\$1.00) and not more than ten dollars (\$10.00) in the discretion of the court trying the case.

(Ord. of Mar. 18, 1957, § 3)

**§ 15-24. Parking in prohibited zone.**

It shall be unlawful for any person or operator to cause, allow, permit or suffer any vehicle to be parked at a fireplug or to park a vehicle in any manner other than in the manner prescribed by this article.

(Ord. of Feb. 1, 1965.)

**§ 15-25 Prohibited Parking in Designated Areas**

No person shall park a motor vehicle in any designated area when said prohibited area is properly marked with yellow paint and/or sign-posted under penalty provided by law.

(Ord. of Feb. 17, 1975, § 4.)

**§ 15-26 Parking Lot - Definitions**

The terms used herein are defined as follows:

- a. Parking Lot - Shall mean and include any lot where motor vehicles may be driven by the owner, left parked or standing and removed by the owner at his pleasure.
- b. Private Parking Lot - Shall mean a parking lot owned by a private individual or corporation and may be operated so as to be used exclusively by those persons designated by the said owner.
- c. Public Parking Lot - Shall mean a parking lot available for the use of the entire public, upon the satisfaction of the particular parking lot requirements.
- d. Quasi-Public Parking Lot, Street or Highway - Shall mean any parking lot, street or highway owned and maintained by a private individual or corporation for the use of customers, tenants or employees. The said owner may preclude the use of these parking lots, streets or highways by those members of the public not presently participating in trade with the owner.

(Ord. of Oct. 15, 1973, § 1.)

**§ 15-27 Traffic Laws Enforceable in All Parking Lots**

All state laws regarding traffic enforceable within the city, and traffic ordinances of the City of Fayette, Alabama, now in effect or hereafter enacted, in addition to being enforceable within the police jurisdiction of said city and upon the public streets and highways thereof, shall be enforceable in and on all public, quasi-public or private parking lots, streets and highways in the city.

(Ord. of 10-15-73, § 2)

**§ 15-28. Parking areas included.**

Such parking lots, streets and highways shall include, but not be limited to, parking areas and lots adjacent to, surrounding or servicing public restaurants, shopping centers, drive-in movies, athletic stadiums, auditoriums, trailer parks and all other parking areas and lots of whatsoever kind which are quasi-public or private in nature.

(Ord. of 10-15-73, § 3)

**§ 15-29. City not responsible for maintenance of all parking lots and areas.**

Nothing herein contained, however, shall be construed to compel the City of Fayette, its police department or any of its other departments to maintain such quasi-public or private parking areas and lots, or to install or maintain any traffic or parking control devices therein or thereon, or to provide police or other personnel for such traffic or parking control.

(Ord. of 10-15-73, § 4)

**§ 15-30. Stopping, standing or parking in loading zones.**

No person shall stop, stand or park a vehicle for any purposes or length of time other than for the expeditious loading or unloading of passengers or materials, in any place marked as a loading zone.

(Ord. of 2-21-61, § 5a; Ord. No. 2003-03, § 17, 1-23-03)

**§ 15-31. Application for loading zone.**

The owner of any business establishment located within the City of Fayette, Alabama, can make written application, in letter form, addressed to the mayor and city council of the city and filed with the city clerk at city hall, requesting that a loading zone be established in connection with his or her business, and stating in said application whether or not said business establishment has off-street parking facilities, and agreeing in said application that, if the mayor and council create the loading zone so sought, the owner of said business agrees not to park his or her personal vehicle in said space, except when said vehicle is being used for the loading and unloading of merchandise, etc.

(Ord. of Feb. 21, 1961, § 5b.)

**§ 15-32 Loading Zones - Approval of Council Needed**

Upon the filing of said application with the city clerk, the clerk shall bring said application to the attention of the city council at its next regular meeting. The mayor and council shall consider each application so filed and when, in the council's opinion, said application should be granted, record will be made of said fact and a loading zone will be established and marked off with yellow paint and a sign specifying "Loading Zone" shall be installed. Any loading zone so established can be changed at any time by the council without notice to the applicant if the owner of the business establishment uses said loading zone for his personal use or for any reason unsatisfactory to the council.

(Ord. of Feb. 21, 1961, § 5b.)

**Division III - Motorcycle Regulations**

[§ 15-33 Motorcycles - Definitions](#)

[§ 15-34 License Required for Operation of Motorcycle](#)

[§ 15-35 Motorcycle - Seating Requirements](#)

[§ 15-36 Helmet - Required, Specifications](#)

**§ 15-33 Motorcycles - Definitions**

The terms used herein are defined as follows:

- a. Motor Drive Cycle - Shall mean every motorcycle, including every motor scooter, with a motor not to exceed two hundred (200) cc displacement, and every bicycle with a motor attached.
- b. Motorcycle - Shall mean every motor vehicle designed to travel on not more than three (3) wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as defined in title 36, section 1, of the Code of Alabama, 1940, as amended. (Ord. of June 3, 1974, § 1; for state laws regulating motorcycles, see; Code of Alabama, tit. 36, §§ 129-142.)

**§ 15-34 License Required for Operation of Motorcycle**

It shall be unlawful for any person, under the age of sixteen (16) years, to drive or operate any motorcycle or motor-driven cycle, as herein defined, upon the streets or highways of the city, unless said person holds a valid license from the State of Alabama to drive such cycle and while operating said vehicle in accordance with the laws of the state pertaining to the same.

(Ord. of June 3, 1974, § 2(c).)

### **§ 15-35 Motorcycle - Seating Requirements**

Any person, operating a motorcycle, shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event, a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator; provided, however, that it shall be unlawful for any person to ride, as a passenger on a motorcycle, unless said cycle is equipped, in addition to permanent passenger seats as herein provided, with permanently attached footrests for use by said passenger.

(Ord. of June 3, 1974, § 5(a); for state law regulating riding on motorcycles, see: Code of Alabama, tit. 36, § 58(29).)

### **§ 15-36 Helmet - Required, Specifications**

It shall be unlawful for any person to operate, or ride as a passenger, upon any motorcycle, motor scooter or any other two-wheel motorized vehicle on a public highway, road or street in the city, while not wearing a protective helmet. The protective helmet shall:

- a. Be specifically designed for motorcycle riders and passenger use, and shall meet the minimum regulations of the USA standards set forth in Z-90 regulations of 1966;
- b. Have a hard exterior shell of non-shatterable material, resistant to impact and penetration;
- c. Have a firmly secured shock absorbent cradle for the head, designed to support the helmet and maintain separation between the head and outer shell. Materials used in this portion of the protective helmet shall be of durable quality and with characteristics that will not undergo appreciable alteration under the influence of aging, or of the circumstances or use to which the helmet is normally subjected. Materials commonly known to cause skin irritation or disease shall not be used for those parts of the assembly which come in contact with the skin;
- d. Contain an impact-resistant, absorbent padding or cushioning material of substantial thickness in all areas where the head is in close proximity with or may contact the outer shell; and
- e. Have a permanently attached adjustable chin strap that will hold the helmet securely in place. A rider must, at all times while the motorized vehicle is in motion, have the chin strap firmly in place on or under the chin.

(Ord. of June 3, 1974, § 5.)

### **Division IV - Abandoned Vehicles**

[§ 15-37 Abandoned Vehicles - Definitions](#)

[§ 15-38 Abandonment of Vehicles - Prohibited](#)

[§ 15-39 Leaving Wrecked, Junked Vehicle on Street - Prohibited](#)

[§ 15-40 Disposition of Wrecked or Discarded Vehicle](#)

[§ 15-41 Impounding of Discarded Vehicle](#)

[§ 15-42 Sale of Impounded Vehicles](#)

[§ 15-43 Redemption by Owner](#)

[§ 15-44. Penalties for violation.](#)

[§ 15-45. Provisions cumulative.](#)

**§ 15-37 Abandoned Vehicles - Definitions**

- a. Person - Shall mean any person, firm, partnership, corporation, association, company or organization of any kind.
- b. Property - Shall mean any real property within the city, or police jurisdiction thereof, which is not a street or highway.
- c. Street or Highway - Shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- d. Vehicle - Shall mean a machine propelled by power, other than human power, designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck trailer, motorcycle, tractor, buggy and wagon.

(Ord. of Oct. 15, 1973, § 1.)

**§ 15-38 Abandonment of Vehicles - Prohibited**

No person shall abandon any vehicle within the city or the police jurisdiction thereof. It shall be presumed that any vehicle which has been left at any place, on a street or highway within the city, for a period of seventy-two (72) hours consecutively, is an abandoned vehicle.

(Ord. of Oct. 15, 1973, § 2.)

**§ 15-39 Leaving Wrecked, Junked Vehicle on Street - Prohibited**

No person shall leave any partially dismantled, non-operating, wrecked or junked vehicle on any street or highway within the city.

(Ord. of Oct. 15, 1973, § 3.)

**§ 15-40 Disposition of Wrecked or Discarded Vehicle**

No person, in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than seventy-two (72) hours; and no person shall leave any such vehicle on any property within the city for a longer time than seventy-two (72) hours; except that these provisions shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city.

(Ord. of Oct. 15, 1973, § 4.)

**§ 15-41 Impounding of Discarded Vehicle**

The chief of police, or any member of his department designated by him, is hereby authorized to remove, or have removed, any vehicle left at any place within the city which reasonably appears to be in violation of the next preceding sections, lost, stolen or unclaimed. Any vehicle, so taken up and removed, shall be stored in a suitable place provided by the city to protect it from deterioration. A permanent record, giving the date of the taking of each vehicle, the place where found and taken and a description of the vehicle, shall be kept by the chief of police.

(Ord. of Oct. 15, 1973, § 5.)

### **§ 15-42 Sale of Impounded Vehicles**

At least every six (6) months, the chief of police shall sell, at public auction to the highest bidder for cash, the vehicle or vehicles, herein authorized to be removed and taken up and which shall have been taken up and stored for a period of three (3) months or more, the sales to be made after notice of the time and place therefor shall have first been given by publication once a week for two (2) successive weeks in a newspaper of general circulation published in the city. The first publication shall be at least twenty (20) days before the sale. Each vehicle shall be sold separately and a notation, in the storage record book, shall be made of the amount received for each vehicle. The person, making the sale, shall have the right to reject any and all bids if the amount bid be unreasonably low, and shall also have the right to continue the sales, from time to time, if no bidders are present. After deducting and paying all expenses incurred in the removal, taking up, storing, maintaining and selling of the vehicle or vehicles, the balance, if any, shall be paid into the general fund of the city.

(Ord. of Oct. 15, 1973, § 6.)

### **§ 15-43 Redemption by Owner**

The owner of any vehicle, taken up and stored, as herein provided, may redeem the same, at any time prior to its sale, by paying the reasonable expense of taking the vehicle in charge, its maintenance and storage and a pro rata of the cost of publication.

(Ord. of 10-15-73, § 7)

### **§ 15-44. Penalties for violation.**

Any person, violating any of the provisions of this article, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the city jail for a period not exceeding twenty (20) days or be both so fined and imprisoned. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

(Ord. of 10-15-73, § 8)

### **§ 15-45. Provisions cumulative.**

The provisions of this article are cumulative to any other procedure now authorized by law for the accomplishment of the objective hereinbefore stated.

(Ord. of 10-15-73, § 10)

## **DIVISION 5. SPEED REGULATIONS**

[§ 15-46. Speed limits.](#)

[§ 15-47. Speed limits in other areas.](#)

[§ 15-48. Speed limits for new territory.](#)

[§ 15-49. Penalty for violation.](#)

**§ 15-46. Speed limits.**

- (a) No person shall operate a motor vehicle at a greater speed than fifty-five (55) miles per hour in the following listed zones of the city:
- (1) On U.S. Highway No. 43 (Alabama Highway No. 18), beginning at a point 1,000 feet east of 6th Avenue S.E. (m.p. 30.68), thence easterly along U.S. Highway No. 43 (Alabama Highway No. 18) to the east city limit (m.p. 31.10), a distance of 0.42 miles.
  - (2) On Alabama Highway No. 171, beginning at the South city limit (m.p. 33.65), thence northerly along Alabama Highway No. 171, to Alabama Highway No. 159 (m.p. 34.69), a distance of 1.04 miles.
- (b) No person shall operate a motor vehicle at a greater speed than forty-five (45) miles per hour in the following listed zones of the city:
- (1) On Alabama Highway No. 18, beginning at west city limit (m.p. 27.43), thence easterly along Alabama Highway No. 18, to 10th Street N.W. (m.p. 28.68), a distance of 1.25 miles.
  - (2) On Alabama Highway No. 18, beginning at 5th Avenue S.E. (m.p. 30.43), thence easterly along Alabama Highway No. 18, to a point 1,000 feet east of 6th Avenue S.E. (m.p. 30.68), a distance of 0.25 miles.
  - (3) On Alabama Highway No. 96, beginning at the west city limit (m.p. 30.03), thence easterly along Alabama Highway No. 96, to Alabama Highway No. 18 (m.p. 31.01), a distance of 0.98 miles.
  - (4) On Alabama Highway No. 159, beginning at the south city limit (m.p. 29.10), thence northerly along Alabama Highway No. 159, to Alabama Highway No. 171 (m.p. 30.03), a distance of 0.93 miles.
  - (5) On Alabama Highway No. 171, beginning at Alabama Highway No. 159 (m.p. 34.69), thence northerly along Alabama Highway No. 171, to Temple Avenue (m.p. 35.00), a distance of 0.31 miles.
  - (6) On U.S. Highway No. 43 (Alabama Highway No. 171), beginning at 19th Street N.W. (m.p. 37.40), thence northerly along U.S. Highway No. 43 (Alabama Highway No. 171), past the north city limit (m.p. 38.64), m.p. 39.59 (within police jurisdiction), a distance of 2.19 miles.
- (c) No person shall operate a motor vehicle at a greater speed than thirty-five (35) miles per hour in the following listed zones of the city:
- (1) On Alabama Highway No. 18, beginning at 10th Street N.W. (m.p. 28.68), thence easterly along Alabama Highway No. 18, to 5th Avenue S.E. (m.p. 30.43), a distance of 1.78 miles.
  - (2) On Alabama Highway No. 171, beginning at Temple Avenue (m.p. 34.70), thence northerly along Alabama Highway No. 171 to Alabama Highway No. 18 (m.p. 35.48), a distance of 0.78 miles.
  - (3) On U.S. Highway No. 43 (Alabama Highway No. 171), beginning at Alabama Highway No. 18 (m.p. 35.48), thence northerly along U.S. Highway No. 43 (Alabama Highway No. 171), to 19th Street N.W. (m.p. 37.40), a distance of 1.92 miles.
- (d) No person shall operate a motor vehicle at a greater speed than fifteen (15) miles per hour on the following streets in the city:
- (1) On Third Avenue N.W. from Columbus Street (Alabama Highway No. 18) to 4th Way N.W.
- (Ord. of 2-17-75, § 1; Ord. of 12-3-79, § 1; Ord. No. 1997-07, § 2, 8-18-97; Ord. No. 2000-11, §§ I—III, 7-24-00; Ord. No. 2002-05, § 1, 9-19-02)

**State law reference**— Authority of cities to fix speed limits, Code of Ala. 1975, § 11-94-4.

**§ 15-47. Speed limits in other areas.**

On streets and alleys where the speed limit has not been established and set by the city council, no person shall operate a motor vehicle at a greater speed than thirty-five (35) miles per hour on any streets or alleys not specifically mentioned or set out herein.

(Ord. of 2-17-75, § 2; Ord. No. 1997-07, § 3, 8-18-97)

**§ 15-48. Speed limits for new territory.**

Speed limits, as described above, shall apply so long as the city limits remain as they are this date. In the event the limits are extended, this article shall be revised to properly cover the new territory.

(Ord. of 2-17-75, § 3)

**§ 15-49. Penalty for violation.**

Any person, violating any provision of this article, shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars (\$500.00), or may be imprisoned in the municipal jail or sentenced to hard labor for the city, for a period of time not exceeding thirty (30) days, or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than five hundred dollars (\$500.00), or may be imprisoned in the municipal jail or sentenced to hard labor for the city for a period not exceeding six (6) months, or by both fine and imprisonment.

(Ord. of 2-17-75)

**DIVISION 6. TRUCK REGULATIONS <sup>[1]</sup>**

[§ 15-49.1. Definitions.](#)

[§ 15-49.2. Exception.](#)

[§ 15-49.3. Routes; designated.](#)

[§ 15-49.4. Penalty for violation.](#)

**§ 15-49.1. Definitions.**

[The following words, terms and phrases when used in this article shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.]

*Heavy truck* as used in this division shall mean and include any tractor-trailer, truck-trailer, trailer, road-trailer, semitrailer, pole trailer or any type of motor vehicle having three (3) or more axles. The above definition shall not include a boat trailer, motor home or utility trailer, as hereinbelow defined.

*Utility trailer* shall mean and include a trailer primarily designed to be drawn by a passenger car or pickup truck, including luggage trailers, folding or collapsible camping trailers and other small trailers of similar size and function.

(Ord. No. 1994-02, § 2, 4-4-94)

**§ 15-49.2. Exception.**

This division shall not apply to the movement, parking or standing of heavy trucks for the purpose of:

## Chapter 15 TRAFFIC AND MOTOR VEHICLES

- (1) Expeditiously loading or unloading passengers, freight or merchandise;
- (2) Street construction, maintenance and repair equipment;
- (3) Trucks, equipment, trailers and vehicles engaged in repairing or extending public services or utilities;
- (4) Taking on fuel at a service station or facilities located off a designated truck route and traveling to and from such facility; and
- (5) Trucks owned by the United States, or any agency thereof; the State of Alabama; or any county or city; nor shall the provision of this section apply to implements of husbandry temporarily propelled or moved upon the streets of the city.

(Ord. No. 1994-02, § 3, 4-4-94)

### § 15-49.3. Routes; designated.

- (a) It shall be unlawful for any person to operate a heavy truck, as defined in [section 15-49.1](#), on any street or highway within the city except on streets or highways designated as truck routes as hereinafter described.
- (b) The term "truck routes" shall mean and include the following designated streets and highways:
  - (1) State Highway # 96.
  - (2) State Highway # 18.
  - (3) State Highway # 159.
  - (4) State Highway # 171.
  - (5) U.S. Highway # 43.
  - (6) 10th Street, N.W., lying between Temple Avenue, north, and State Highway # 18.
  - (7) County Highway # 35.

(Ord. No. 1994-02, §§ 1, 4, 4-4-94)

### § 15-49.4. Penalty for violation.

Any person violating the provisions of this division shall be guilty of a misdemeanor and punishable as provided by law.

(Ord. No. 1994-02, § 5, 4-4-94)

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#### FOOTNOTE(S):

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**Editor's note**— Ord. No. 1994-02, adopted April 4, 1994, repealed § 15-49.1 in its entirety. Former § 15-49.1 derived from Ord. No. 1985-01, §§ 1—4, adopted Nov. 4, 1985 and pertained to similar provisions now set out as §§ 15-49.1—15-49.4, as enacted by Ord. No. 1994-02, §§ 1—5. ([Back](#))

## **ARTICLE II. TAXICABS AND AMBULANCES**

[§ 15-50. Taxicab defined.](#)

[§ 15-51 Taxicabs - Franchise or Permit Required](#)

[§ 15-52 Taxicabs - Application for Permit](#)

[§ 15-53 Investigation by Chief of Police](#)

[§ 15-54 Permit - Authority of Council to Grant](#)

[§ 15-55 Unlawful to Make False Statements in Application](#)

[§ 15-56 Permit - Duties of Holder](#)

[§ 15-57 City Council - Right to Revoke or Suspend Permit and License](#)

[§ 15-58 Unlawful for Convicted Felon to Operate Taxicab](#)

[§ 15-59 Penalty for Violation](#)

[§ 15-60 Taxicab Fares Set](#)

[§ 15-61 Rate Card to be Visible](#)

[§ 15-62 Receipt Available Upon Request](#)

[§ 15-63 Insurance Required](#)

[§ 15-64 Ambulances - Insurance Required](#)

### **§ 15-50. Taxicab defined.**

The word "taxicab" or "taxi," as herein used, shall mean any motor vehicle engaged in a business of carrying passengers for a reward and having a seating capacity of not more than seven (7) persons including the driver.

(Ord. of 3-19-62, § 2)

### **§ 15-51 Taxicabs - Franchise or Permit Required**

It shall be unlawful for any person, firm, copartnership or corporation to transport persons for hire by any motor vehicle commonly known as a taxicab or taxi, within the corporate limits of the City of Fayette, Alabama, or its police jurisdiction, without first obtaining a franchise or permit, as hereinafter provided, to engage in such business.

(Ord. of Mar. 19, 1962, § 1.)

### **§ 15-52 Taxicabs - Application for Permit**

Any persons, firm, co-partnership or corporation, desiring to operate a taxicab business or to drive a taxicab in the City of Fayette, Alabama, or its police jurisdiction, shall first make a written application therefor upon a form to be furnished by the clerk of said city, and which application shall be filed with the clerk and may be received by him only if properly filled in.

(Ord. of Mar. 19, 1962, § 3; for authority of cities to regulate taxicabs, see: Code of Alabama, tit. 37 § 720.)

### **§ 15-53 Investigation by Chief of Police**

The application, hereinabove referred to, shall be referred to the chief of police of the city by the city clerk for investigation. The chief of police, with the assistance of other police officers of the City of Fayette, shall make a comprehensive investigation of the applicant as to its or his financial responsibility, equipment to be used in the operation of taxicabs, moral standing, whether or not previously convicted for any crime involving moral turpitude, violation of the prohibition laws, traffic violations and such other matters as may involve the ability of the applicant to properly operate a taxicab or taxicabs within the City of Fayette.

(Ord. of Mar. 19, 1962, § 4.)

### **§ 15-54 Permit - Authority of Council to Grant**

After making such investigation and the police officers of the City of Fayette are satisfied that the applicant is a fit and proper person safely to operate and to cause the operation of a taxicab or taxicabs in the city and, in all other respects, has complied with the provisions of regulations of the city as cited in this chapter, said police officers shall so report, in writing, to the clerk of the city. The application shall then be referred to the council of the City of Fayette, Alabama, for the granting or refusal of said permit. No application shall be referred to the city council by the city clerk unless a majority of the police officers of the City of Fayette, then employed, shall recommend the granting of such permit or franchise; provided, that in the event said application is not recommended to the city council by said police officers within ten (10) days from the date said application is referred by the clerk to the chief of police of the city, said applicant may, in writing by stating the facts, apply directly to the city council for such permit. No application shall be considered by the council, individually or collectively, until such application is filed with the city clerk, as herein provided, and referred by the city clerk to the chief of police for investigation, as hereinabove provided.

(Ord. of Mar. 19, 1962, § 5.)

### **§ 15-55 Unlawful to Make False Statements in Application**

No person, firm, co-partnership or corporation who makes any false statement in the application for a permit shall be granted a permit to drive, or to have a taxicab or taxicabs driven for him on the streets of the city.

(Ord. of Mar. 19, 1962, § 6.)

### **§ 15-56 Permit - Duties of Holder**

Any permit, which may be granted to any person, firm, co-partnership or corporation for the privilege of operating a taxicab or taxicabs or have a taxicab or taxicabs operated for them, is subject to suspension or revocation, or both. It shall be the duty of the person, firm, copartnership or corporation to whom such franchise or permit is granted:

- a. To employ careful drivers of reasonably good moral character;
- b. Not to employ drivers who are known to be, or suspected to be engaged in the violation of any laws involving moral turpitude or laws against the use of intoxicating liquors or habitual violators of traffic laws; and
- c. Not to employ as a driver of any taxicab, or to permit any taxicab to be operated by, any person who has, during the preceding five (5) years, been convicted of any felony, any crime involving moral turpitude or the violation of any law regulating the use of intoxicating liquors.

(Ord. of Mar. 19, 1962, § 7.)

### **§ 15-57 City Council - Right to Revoke or Suspend Permit and License**

A permit or franchise, may be revoked or suspended for a breach of any of the duties hereinabove granted, imposed on the holder of such permit. It shall be the duty of the police officers of the City of Fayette, upon receiving information of any violation by any driver or operator of any taxicab, to report such violation or supposed violation, in writing, to the city council of Fayette, Alabama. The council shall appoint three (3) of their number as a committee to investigate such charge and may revoke or suspend such franchise or permit or may, at their discretion, revoke the license of the driver for any such violation; if, in their opinion, it will be in the public interest that such permit or franchise be revoked or the license of such driver be revoked or suspended. It shall be the duty of the city council to suspend or revoke any permit or franchise, granted under authority of this article, whenever the city council is satisfied that it will be to the interest of the public welfare, whether the holder of such permit or franchise or any driver or operator of any taxicab be convicted of the violation of any law herein referred to or not. The operation of taxicabs upon the streets of the city is a mere privilege and not a right.

(Ord. of Mar. 19, 1962, § 7.)

### **§ 15-58 Unlawful for Convicted Felon to Operate Taxicab**

It shall be unlawful for any person, who has been convicted of any felony, or any crime involving moral turpitude or public drunkenness or driving while intoxicated or any prohibition law within the preceding five (5) years, to drive or operate a taxicab in the City of Fayette or its police jurisdiction.

(Ord. of Mar. 19, 1962, § 8.)

### **§ 15-59 Penalty for Violation**

Each violation of the provisions hereinabove imposed shall be punishable by a fine of not less than ten (\$10.00) dollars nor more than five hundred (\$500.00) dollars or by a sentence of not more than six (6) months hard labor for the City of Fayette, one or both.

(Ord. of Mar. 19, 1962, § 10.)

### **§ 15-60 Taxicab Fares Set**

The fare which shall be charged for taxi service furnished within the City of Fayette shall be as follows: for the first mile or fraction thereof, the charge shall be \$1.50; for each additional mile, or fraction thereof, the charge shall be 95 cents; for passengers delaying taxicabs at their request, the charge shall be \$5.70 per hour or 95 cents for each ten minutes or fraction thereof. A five minute delay shall be permitted passengers without charge. When more than one fare is carried in the same party, there shall be an extra charge of 50 cents for each person over two.

(Ord. of Mar. 19, 1962, § 11; amended by Ord. # 1983-6, Oct. 17, 1983.)

### **§ 15-61 Rate Card to be Visible**

Every taxicab shall carry in it, at all times, an approved rate card issued for the vehicle. The rate card shall contain, in legible type, the name of the vehicle, owner, class of the vehicle, serial number of the vehicle, if any, the date of issuance, and a complete schedule of rates of fare used as ordained by the City Council of the City of Fayette, Alabama.

Such rate card shall be mounted under a transparent cover in the rear compartment of the interior of the taxicab in such a position that it can be easily read by the occupants of the taxicab.

(Ord. of Mar. 19, 1962, § 12.)

### **§ 15-62 Receipt Available Upon Request**

The driver of the taxicab shall, if requested, deliver to the person paying for hire of the same at the time of payment a correct receipt therefor. Upon this receipt shall be legibly printed, or written, the name of the owner, the method of identifying the taxicab or its driver, all items for which a charge is made, total amount paid and the date of payment.

(Ord. of Mar. 19, 1962, § 13.)

### **§ 15-63 Insurance Required**

No person, firm or corporation shall operate any motor vehicle for the transportation of passengers for hire or in which passengers are offered to be carried for hire, upon the streets of the City of Fayette, Alabama, unless the owner thereof shall have given bond with corporate surety qualified to do business as surety or guaranty company in the State of Alabama, payable to the city, conditioned that the owner shall pay and satisfy all damages to all persons both as to bodily injuries or as to property damages, proximately caused or occasioned by the wrongful or negligent operation of a motor vehicle, or unless a liability insurance policy conditioned to pay such damages caused or occasioned by wrongful or negligent operation of such motor vehicle shall have been issued and kept in force by an insurance company qualified to write such insurance in the State of Alabama.

The limits of liability on the bond as referred to herein or under insurance policy as referred to herein shall be not less than \$10,000 for injury or damage of property arising out of any one accident, nor less than \$20,000 for bodily injury to each person but may be subject to a limit of \$40,000 for all bodily injuries arising out of any one accident.

No bond or insurance policy executed in accordance with the requirements of this section shall be cancelled or otherwise terminated at any time prior to its expiration date, for any reason, until there has been filed with the City of Fayette by the surety or insurance company a notice to such effect at least fifteen (15) days prior to the date of such termination or cancellation.

(Ord. of Mar. 19, 1962, § 14; amended by Ord. # 1983-6, Oct. 17, 1983.)

### **§ 15-64 Ambulances - Insurance Required**

No ambulance, as defined under the provisions of Section 22-18-1, 1975 Code of Alabama, shall be operated for ambulance purposes and no person, firm or corporation shall operate any ambulance for ambulance purposes within the corporate limits of the City of Fayette unless the owner thereof shall have previously been issued a policy of liability insurance conditioned to pay damages to all persons, both as to bodily injuries and as to property damages, proximately caused or occasioned by the wrongful or negligent operation of such ambulance in an amount of not less than \$100,000 per person; \$300,000 per occurrence as to bodily injuries; and \$100,000 as to property damage.

The provisions of this section shall not apply to volunteer rescue squads that are members of the Alabama Association of Rescue Squads, Inc., and which furnish ambulance services to the public.

(Ord. # 1981-1, Aug. 17, 1981.)

## **ARTICLE III - GUTHRIE J. SMITH PARK**

[§ 15-65 Westernmost Street Named; Designated One-Way](#)

[§ 15-66 Southernmost Street Named; Designated One-Way](#)

[§ 15-67 Easternmost Street Named; Designated Two-Way](#)

[§ 15-68 Northernmost Street Named; Designated Two-Way](#)

[§ 15-69 Speed Limit Set in Park](#)

**§ 15-65 Westernmost Street Named; Designated One-Way**

The Westernmost street which runs North and South shall be designated as 2nd Avenue, N.E. and the flow of traffic shall be one-way only in a South direction from the point where said street intersects 22nd Street, N.E. to the point where said street intersects 21st Street, N.E.

(Ord. # 1982-3, May 17, 1982, § 1.)

**§ 15-66 Southernmost Street Named; Designated One-Way**

The Southernmost street which runs East and West shall be designated as 21st Street, N.E. and the flow of traffic shall be one-way in an Eastern direction from the point where said street intersects 2nd Avenue, N.E. to the point where said street intersects 4th Avenue, N.E.

(Ord. # 1982-3, May 17, 1982, § 2.)

**§ 15-67 Easternmost Street Named; Designated Two-Way**

The Easternmost street which runs North and South shall be designated as 4th Avenue, N.E. and shall be a two-way street.

(Ord. # 1982-3, May 17, 1982, § 3.)

**§ 15-68 Northernmost Street Named; Designated Two-Way**

The Northernmost street which runs East and West shall be designated as 22nd Street, N.E. and shall be a two-way street.

(Ord. # 1982-3, May 17, 1982, § 4.)

**§ 15-69 Speed Limit Set in Park**

The speed limit on all streets and avenues located in Guthrie J. Smith Park, in the City of Fayette, Alabama, shall be fifteen (15) miles per hour.

(Ord. # 1982-3, May 17, 1982, § 5.)

**ARTICLE IV. PARKING FOR PHYSICALLY HANDICAPPED**

[§ 15-70. Reserved.](#)

[§ 15-71. Providing parking spaces for handicapped persons.](#)

[§ 15-72. Identifiable physically handicapped to use spaces.](#)

[§ 15-73. Reserved.](#)

[§ 15-74. Like spaces may be designated in private parking area.](#)

[§ 15-75. Unlawful to park in spaces without permit.](#)

[§ 15-76. Penalty for violation.](#)

**§ 15-70. Reserved.**

**Editor's note—**

Ord. No. 2003-03, § 18, adopted Jan. 23, 2003, repealed [§ 15-70](#), which pertained to definitions and derived from Ord. No. 1983-1, § 1, adopted Feb. 7, 1983.

**§ 15-71. Providing parking spaces for handicapped persons.**

The city engineer is hereby authorized to designate marked parking spaces for the exclusive parking of motor vehicles of handicapped persons.

(Ord. No. 1983-1, § 2, 2-7-83; Ord. No. 2003-04, § 19, 1-23-03)

**§ 15-72. Identifiable physically handicapped to use spaces.**

Any physically handicapped person who has been issued a distinctive license plate decal and a special identification placard displaying the international symbol of access by the Judge of Probate of Fayette County, Alabama, or by a like authority in any other county of the State of Alabama, under the provisions of § 32-6-231, 1975 Code of Alabama, to use such designated parking spaces, may use such parking spaces upon prominent display of such permit on the vehicle so using such designated parking space.

(Ord. No. 1983-1, § 3, 2-7-83)

**§ 15-73. Reserved.**

**Editor's note—**

Ord. No. 2003-03, § 20, adopted Jan./Feb./March/etc. X, 200X, repealed § X, which pertained to the revocation of a physically handicapped permit and derived from Ord. No. 1983-1, § 4, adopted Feb. 7, 1983.

**§ 15-74. Like spaces may be designated in private parking area.**

With the consent of the property owner, the city engineer is also authorized to designate certain parking spaces in privately owned parking lots and authorize such spaces to be posted as parking for the handicapped under the provisions of this chapter. The parking spaces so designated in privately owned parking lots shall be subject to all regulations provided in this chapter.

(Ord. No. 1983-1, § 5, 2-7-83; Ord. No. 2003-03, § 21, 1-23-03)

**§ 15-75. Unlawful to park in spaces without permit.**

It shall be unlawful for any person to stop, stand or park a vehicle in a parking space designated for the handicapped unless authorized by state law.

(Ord. No. 1983-1, § 6, 2-7-83; Ord. No. 2003-03, § 22, 1-23-03)

**§ 15-76. Penalty for violation.**

Any person violating the provision of this article shall be guilty of as Class C misdemeanor as defined and punished by the laws of the State of Alabama.

(Ord. No. 1983-1, § 7, 2-7-83)