

**ORDINANCE NO. 07-01-16-356**

**AN ORDINANCE TO CONTROL TRAFFIC FLOW THROUGH  
SUBDIVISIONS**

***BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHELSEA,  
ALABAMA AS FOLLOWS:***

**§1 - Definitions:**

Whenever used in this ordinance, unless otherwise clearly indicated, the following words and phrases shall have the following meanings:

**PUBLIC PROPERTY:** any area to which the general public has access and a right to conduct business, entertainment, or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. Also, it shall include the front or immediate areas of any store, shop, restaurant, gas station or other place of business, their parking lots as well as public grounds, areas, and parks.

**SPEED LIMIT:** the maximum velocity which motorized vehicles may attain on the streets of a residential area.

**SUBDIVISION:** a neighborhood, district, place or sector occupied primarily by private residences owned by members of different families and accessed and serviced by public thoroughfares, streets, or roads including but not limited to subdivisions and housing developments.

**TRAFFIC LIGHT, SIGNAL OR SIGN:** any device used to control the flow of vehicles.

**VEHICLE:** any form of transportation which is powered by an engine or a motor including, but not limited to, automobiles, trucks, motorcycles, all-terrain vehicles and go-carts.

**§2 - Speed Limit in Subdivisions:**

It shall be unlawful for any person to operate a vehicle, in a subdivision, in excess of 25 miles per hour or the posted speed limit therein.

**§3 - Avoidance of Traffic Light or Signal:**

It shall be unlawful for any person to drive a vehicle through public property for the purpose of avoiding a traffic light, traffic signal or sign at such property.

#### **§4 - Traffic through a Subdivision:**

It shall be unlawful for any person to drive a vehicle through a subdivision for the sole purpose of securing a better position in a line of traffic by exiting a connector street, going through the subdivision and reentering the same connector road unless directed to do so by a public official.

#### **§5 - Evidence of a Violation:**

Driving a vehicle through a subdivision under the conditions stated in **§4** without stopping to visit or transact business is prima facie evidence of a violation of this ordinance.

#### **§6 - Penalty:**

It shall be unlawful to violate any of the terms and provisions of this ordinance. Any person, firm or corporation violating any of the said terms and provisions of this ordinance shall be guilty of a misdemeanor and **upon conviction** shall be punished by fines as follows:

- (a) For the first offense, the fine shall be \$25.00.
- (b) For the second offense, within 12 calendar months, the fine shall be \$100 and 20 hours of community service.
- (c) For any subsequent offense, within 12 calendar months, the fine shall be \$200 and 40 hours of community service.
- (d) The violation of this ordinance or any part thereof on more than one (1) day shall each constitute separate offenses.
- (e) The community service hours must be served within one year of the date sentence is imposed by proper authority.

#### **§7 - Authority of this Ordinance:**

This ordinance shall take precedence over any neighborhood covenants.

#### **§8 - Sections and Provisions Severable:**

If any section or provision of this ordinance shall be held invalid, such holding shall not affect any other section or provision of this ordinance, each of said sections and provisions being hereby declared severable.

**§9 - Effective date:**

This ordinance shall become effective on and after March 26<sup>th</sup>, 2007.

*ADOPTED this 20<sup>th</sup> day of March, 2007*

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S. Earl Niven, Mayor

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James V. Ferguson, Councilmember

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Donald E. King, Councilmember

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Jeffrey M. Denton, Councilmember

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Col. John Ritchie, Councilmember

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Juanita J. Champion, Councilmember

**ATTEST:**

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Becky Landers, City Clerk

I, Becky Landers, Clerk of the City of Chelsea, Alabama, hereby certify that the above Ordinance was duly adopted by the Council of the City of Chelsea, Alabama at a regular meeting held on the 20<sup>th</sup> day of March, 2007, and that same has been published in accordance with the law, on the 21<sup>st</sup> day of March, 2007.

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City Clerk