

ORDINANCE NO. 15-4235

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA

**Section 1.** That Subsection (a) Definitions of Section 22-46 of the Code of Decatur, Alabama, is hereby amended to read as follows:

**Sec. 22-46 TRUCK ROUTES**

**“(a) Definitions**

***Local Delivery Truck*** - Any truck, as defined herein, having its origin, destination, pickup or delivery point within the City.

***Most Direct Route (Also referred to as Most Direct Path)***- the path or route from the point on the nearest Truck Route which is closest to the delivery or pick up location to the delivery or pick up location which is safe and suitable for use by the particular truck making the pick up or delivery. This definition applies in Section 22-46(c)(3)(E) *except* the path need not begin or end on the nearest Truck Route.

***Through Truck*** - Any truck, as defined herein, not having its origin, destination, pick up or delivery point within the City.

***Truck*** - Any vehicle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power and used upon the highways or streets in the transportation of passengers, property or any combination thereof determined by the Federal Motor Carrier Safety Administration, but does not include any vehicle, locomotive or car operated exclusively on a rail or rails. As used in this Section, it means any self-propelled or towed motor vehicle used on a highway or street in interstate commerce to transport passengers or property when the vehicle -

- (1) Has tandem axles, tri-axles or a larger axle configuration; or
- (2) Has a gross vehicle weight rating or gross combination weight rating or gross vehicle weight or gross combination weight, whichever is greater of 26,001 pounds (11,794kg) or more; or
- (3) Is designed or used to transport more than 8 passengers, including the driver, for compensation; or
- (4) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation.

**(b) Truck Routes Designated**

The following are designated as Truck Routes within the City of Decatur:

U.S. Highway 72A, State Highway 20, from the westernmost point of the City Limits near Trinity to the easternmost point of the City Limits at or beyond I-65;

Alabama Highway 67, Beltline Road from U.S. Highway 72A, State Highway 20 to the easternmost point of the City Limits at or near I-65 near Priceville;

U.S. Highway 31, Sixth Avenue from the southernmost point of the City Limits near Hartselle to the northernmost point of the City Limits at or beyond Calhoun Community College, Main Campus;

Interstate 65 at any point within the City Limits.

Interstate 565 at any point within the City Limits;

State Road 24 from the City Limits to Alabama Highway 67, Beltline Road;

Old Moulton Road from the outermost point of the City Limits to Alabama Highway 67, Beltline Road;

Danville Road from the outermost point of the City Limits to Alabama Highway 67, Beltline Road;

Wilson Street, NE from U.S. Highway 31, 6<sup>th</sup> Avenue to 10<sup>th</sup> Avenue NE;

Church Street, NE from U.S. Highway 31, 6<sup>th</sup> Avenue to 19<sup>th</sup> Avenue, SE;

10<sup>th</sup> Avenue NE from Church Street to Market Street;

Market Street from 10<sup>th</sup> Avenue NE to 19<sup>th</sup> Avenue SE;

19<sup>th</sup> Avenue SE from Church Street to Point Mallard Drive;

Point Mallard Drive, SE from 19<sup>th</sup> Avenue SE to Monogram Drive, SE.

Church Street NE from U.S. Highway 31 to Well Street NE;

Well Street NE from Church Street to US Highway 72A, State Highway 20.

From the date of publication of this amendment until December 1, 2015, Moulton Street, east and west bound, from the intersection with Alabama Highway 67, Beltline Road to the intersection of West Moulton Street and Gordon Drive SW. From December 1, 2015, forward, this segment will not be designated as part of the Truck Route;

From the date of publication of this amendment until December 1, 2015, Moulton Street, east bound only, from the intersection with Gordon Drive SW to U.S. Highway 31, Sixth Avenue. From December 1, 2015 forward, this segment will not be designated as part of the Truck Route ;

From the date of publication of this amendment until December 1, 2015, Gordon Drive SW, west bound only, from the intersection with U.S. Highway 31, Sixth Avenue to the intersection with Moulton Street West. From December 1, 2015, forward, this segment will not be designated as part of the Truck Route.

**(c) Presumptions and Exemptions**

- (1) Any person operating any truck on any street or highway within the City of Decatur which is not designated as a Truck Route shall have in his possession for the inspection of police officers his log book or evidence of his destination and point of origin to justify the presence of said vehicle on such street. Failure to have such log book or evidence in his possession shall not be a separate offense, but shall create a presumption that such person is unlawfully operating that vehicle.
- (2) It is presumed that the person operating any truck on any street or highway within the City of Decatur has familiarized himself with the Truck Routes and has taken the time to ascertain the most direct path from those routes to his pick up or delivery location prior to entering the City. Ignorance of the most direct route will not be a defense under this Section.
- (3) The driving of a truck upon a street or highway not designated as a Truck Route and not on the most direct path from a designated Truck Route to the point of pick up or delivery will NOT be a violation of this Section in any of the following situations:
  - (A) The pick up or delivery of merchandise at a location not situated on the designated Truck Route, provided the truck leaves and returns to the designated Truck Route by the most direct route available and at no point does the truck deviate from the most direct route;

- (B) Traveling to or from a service or repair shop for repairs or service to be performed on the truck, provided the truck leaves and returns to the designated Truck Route by the most direct route available and at no point does the truck deviate from the most direct route;
- (C) A truck shall not be required to enter or exit directly onto the designated truck route if such entry or exit would be unsafe from a traffic safety standpoint as determined by the Chief of Police or his designee;
- (D) Authorized emergency vehicles, school buses, church buses and municipal and utility service trucks, or
- (E) Both the origination point and the destination point are within the City limits, the route taken does not intersect with the designated Truck Routes at any point and the route taken is the most direct route from the origination point to the destination point.

**(d) Local Deliveries**

There are no Local Delivery routes designated within the City. Drivers of trucks within the City who are or who purport to be operating as a Local Delivery Truck, shall travel on the designated Truck Route and may only deviate from that route to proceed to and from the origination, delivery or pick up point using the most direct route possible and available.

**(e) Violations**

- (1) It shall be unlawful for any person to drive or operate any truck upon any street or highway within the City Limits of Decatur that has not been designated as a Truck Route unless it is a Local Delivery Truck engaged in a Local Delivery as defined herein.
- (2) Violation of this Section shall be punished by up to a \$500.00 fine, up to 180 days in the City Jail or both.

**(f) Signage**


The Truck Routes within the City shall be clearly designated by signs authorized by the Alabama Department of Transportation. Signage on State right of way shall be erected by the Alabama Department of Transportation and signage on City right of way shall

be erected by the City as soon as practical after passage of this Ordinance by the City Council and the Routes will be enforced 30 days after the signs are erected.

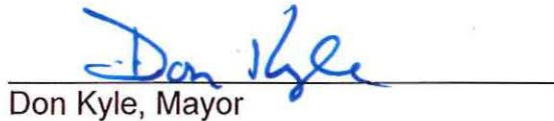
**Section 2.** This ordinance shall become effective immediately upon its approval and publication as provided by law.

**ADOPTED this 8<sup>th</sup> day of September, 2015.**

Authenticated:

  
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Stacy Gilley, City Clerk

**APPROVED this 9<sup>th</sup> day of September, 2015.**

  
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Don Kyle, Mayor