

ORDINANCE

[To Establish City of Prattville Code of Ordinances Chapter 54. - Streets, Sidewalks and Other Public Places, Article I. - In General, Sections 80-81. - Parking of Recreational Vehicles/Trailers on Street.]

BE IT ORDAINED by the City Council of the City of Prattville that the City of Prattville Code of Ordinances, Chapter 54, Article I., Sections 80-81 are hereby established to read as follows:

Sec. 54-80. - Definitions

Recreational Vehicle-As defined in the Zoning Ordinance.

Utility Trailer-Defined as an unpowered vehicle towed by a powered vehicle, whether or not open or enclosed.

Truck Tractor- Defined as every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Travel Trailer- Defined as a vehicle without motive power, designed and constructed as a camping vehicle or a temporary dwelling, living or sleeping place for recreational and/or vocational use which is drawn by any motor vehicle.

Semi Trailer- Defined as every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and some part of its load rest upon or are carried by another motor vehicle.

Trailer- Defined as every vehicle without motive power designed to carry persons or property wholly on its own structure and to be drawn by another motor vehicle.

Self-Propelled Camper or House Cars- Defined as a self-propelled motor vehicle designed and used primarily for mobile living quarters. The living quarters on self-propelled campers or house cars are constructed as an integral part of the motor vehicle and are not detachable. Self-propelled campers or house cars are commonly known as motor homes or recreational vehicles.

Sec. 54-81. - Parking of Recreational Vehicles, Boats, Trailers, etc. on Public Streets or Rights-Of-Way Restricted, Exceptions, Penalties.

(A) Prohibition. It shall be unlawful within the corporate limits of the City of Prattville to park a recreational vehicle, boat/boat trailer, utility trailer, truck tractor, travel trailer, semi trailer, trailer, self-propelled camper or other type of similar wheeled conveyance on any public street or right-of-way.

(B) Exceptions.

(1) Limited Use: For the purposes of this section, parking as restricted by Section (a) above shall not be prohibited where the recreational vehicle, boat/boat trailer, utility trailer or other type of similar wheeled conveyance is being parked on a public street for the limited purpose of active loading or unloading. This exception shall only apply while the owner or operator of the recreational vehicle, boat, utility trailer or other type of similar wheeled conveyance is actively engaged in said task.

(2) Emergency Vehicles: The prohibitions of this ordinance shall not apply to authorized emergency vehicles parked while emergency personnel are engaged in answering a call or rendering assistance. Authorized emergency vehicles shall include police and fire vehicles, as well as ambulances.

(3) Mobile Food Vendors: The prohibitions of this ordinance shall not apply to mobile food vendors who are duly licensed with the City of Prattville and are in compliance with Sections 38-335 through 38-342 of the City of Prattville Code of Ordinances.

(C) Penalties, Hearing, Enforcement.

(1) Any person or property owner found to have parked, have allowed others to be parked or having a parked vehicle in violation of this ordinance shall be subject to a fine of Fifty Dollars (\$50.00). Each calendar day in which a violation hereunder continues or re-occurs shall constitute a separate violation.

(2) The Chief of Police of the City of Prattville, or his duly appointed designee, shall be charged with the enforcement of this ordinance. For each violation, a citation shall be given to the person in violation and/or posted on the recreational vehicle, boat/boat trailer, utility trailer or other type of similar wheeled conveyance found to be parked in violation of this ordinance. The property owner or registered owner of said recreational vehicle, boat/boat trailer, utility trailer or other type of similar wheeled conveyance shall have thirty (30) calendar days within which to enter a guilty plea and pay the said fine.

(a) Failure to pay Fine. If the fine is not paid within the prescribed thirty (30) calendar days, a summons shall issue from the municipal court commanding the presence of the property owner or registered owner of the offending recreational vehicle, boat/boat trailer, utility trailer or other type of similar wheeled conveyance in municipal court to defend the prosecution of the said violation.

(b) Failure to Appear. If the property owner or registered owner does not appear at the time and place prescribed in the summons, and fails to enter a guilty plea and pay the fine before the prescribed time, the Municipal Court may issue a warrant for the arrest of the property owner or registered owner, who may be fined up to Fifty Dollars (\$50.00) and held for up to five (5) days in jail.

(c) Hearing. A hearing shall be held by the Municipal Court at the time and place prescribed in the summons. Upon a determination by the Municipal Court that a violation has occurred, the Court shall order the property owner or person found to have been in violation of this section to pay the fine set out in paragraph (C)(1) above. The Municipal Court shall have the additional authority to impose any court costs which may be allowable by Alabama law upon a conviction after hearing or upon receiving a guilty plea after the issuance of the summons.

(d) Failure to Pay Court Ordered Fine and Costs. If, after the hearing, the Municipal Court orders the payment of the fine and/or costs as set out above, and the person so ordered to pay fails to pay the said amounts, the Municipal Court may enforce said order in accordance with Rule 26.11 of the *Alabama Rules of Criminal Procedure* as well as any other law, whether state, federal or local which may empower the court to enforce said order.

(3) Enforcement. The Chief of Police for the City of Prattville, or his duly authorized Officers, shall have the authority to enter upon private property for the purpose of ticketing an offending recreational vehicle, boat, utility trailer or other type of similar wheeled conveyance found parked in violation of this ordinance.

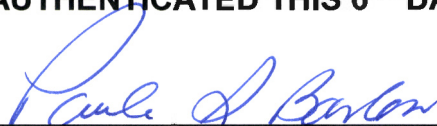
THIS ordinance shall become effective upon its passage and execution as provided by law.

ADOPTED THIS 6TH DAY OF DECEMBER, 2022.



By: Lora Lee Boone, President
Prattville City Council

AUTHENTICATED THIS 6TH DAY OF DECEMBER, 2022.



By: Paula G. Barlow
City Clerk

APPROVED:


By: Bill Gillespie, Jr.
Mayor