

ORDINANCE NUMBER 388

**AN ORDINANCE OF CRYSTAL SPRINGS, MISSISSIPPI, REGULATING
AND PROHIBITING TRUCK TRAFFIC IN THE CITY OUR CITY
STREETS IN CRYSTAL SPRINGS, MISSISSIPPI**

WHEREAS, the Mayor and Board of Aldermen of the City of Crystal Springs, Mississippi find as fact that the city streets and bridges were never designed or built to withstand heavy truck traffic except where designed in this ordinance; and

WHEREAS, the Mayor and Board of Aldermen of the City of Crystal Springs find that truck traffic should be regulated, designated, and/or prohibited as set forth in this ordinance; and

WHEREAS, the present truck route to Kuhlman Corporation is dangerous to the public and has become inadequate to service the size of the loads from Kuhlman Corporation to the City Limits. Kuhlman Corporation produces a unique massive industrial product which is not produced by any other industry in the City and which product must occasionally use an alternate truck route to avoid overturning its load or injuring the public. The Board finds that a special permit system for such massive deliveries to and from Kuhlman Corporation or other truck deliveries on a case by case should be implemented as an amendment to the existing truck route for the safety, health and welfare of the public; therefore

WHEREAS, the City is empowered to regulate and prohibit truck traffic for the protection of the health, safety and welfare of the City of Crystal Springs, MS, and that these regulations and prohibiting are a valid exercise of that power.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CRYSTAL SPRINGS, MISSISSIPPI AS FOLLOWS:

Section 1. The following words and phrases when used in this Ordinance shall, for the purpose of the ordinance, have the meanings respectively described to them in this section.

- (a) Truck: Shall mean all motor vehicles with more than two axles and also shall include any motor vehicle weighing more than 10,000 pounds. For the provisions of this ordinance shall not mean any type of pickup truck, school bus, fire apparatus or any emergency vehicle.
- (b) Local truck traffic: Truck traffic traveling inside the City of Crystal Springs, with a stopping or delivery point inside the City of Crystal Springs, Mississippi.
- (c) Through truck traffic: Truck traffic traveling in and through the City of Crystal Springs, Mississippi with no legitimate stopping or delivery point inside the City of Crystal Springs, Mississippi.
- (d) Truck Route: The following specifically designated and marked public streets of the City of Crystal Springs, Mississippi, upon which specified truck traffic will be permitted. Initial truck routes shall be those designated in this ordinance and

additional truck routes may be added by the Mayor and Board of Aldermen by appropriate resolution.

- (e) Through Truck Route: Designated route for trucks, traveling through the City of Crystal Springs without an intended legitimate stopping or delivery point.
- (f) Special permit: A permit by necessity for intermediate truck use of city streets where safety mandates its issuance.
- (g) Destination: Delivery points or ultimate temporary storage or resting points for local truck traffic.

Section II. From and after the effective date of this ordinance, all through truck traffic is prohibited from using the public streets of the City of Crystal Springs, MS, except for those streets designated in this ordinance.

Section III. Through truck Route: the following streets shall be the through truck route: (1) MS Highway 27, (2) U.S. Highway 51, (3) Coor Springs Road to Bradley Lane, then southerly along Jackson Street to S. Pat Harrison Drive.

Section IV. Local Truck Route: the following streets shall be the local truck route 1. All through truck route in Section III; and 2. North and South Jackson Street.

Section V. All local truck traffic must operate the truck upon local truck routes. Whenever a delivery or destination point cannot be reached using the local truck route, then the local truck traffic must use the most direct route available from the truck route to the truck destination, and then return from the point of destination to the truck route by the most direct route.

Section VI. Trucks carrying a load to or from Kuhlman Corporation which is located on Fulgham Avenue and East Railroad Avenue are authorized to use an alternative truck route whenever the load is such size that it is dangerous to use the existing truck route. The driver, owner, or operator may apply for a special permit to use an alternative truck route at City Hall.

Section VII. Upon application for an alternative truck route permit at City Hall, the Mayor or Clerk shall determine whether or not the applicant has a truck load that is supported by the City Streets, and whether the load is in fact unsafe to use on the truck routes of the City. If the application meets the criteria, then the Mayor or Clerk may issue a special permit for the use of an alternative truck route upon such finding. The special permit may be withdrawn by the City at any time upon five days notice to the holder of the permit. There shall be no charge for the special permit.

Section VIII. Any person, firm or corporation violating this ordinance shall be guilty of a misdemeanor upon conviction and punished by a fine not to exceed \$500.00, and/or 10 days in jail.

Section IX. This ordinance repeals Ordinance No. 252 and 252(R), and any amendments or revisions and any other ordinances in conflict with this ordinance.

Section X. The ordinance shall be effective 30 days from and after passage.

Alderman Thornton moved the adoption of the ordinance in its entirety, section by section vote being waived, which motion as seconded by Alderman Brown. The motion to adopt was passed by roll call vote as follows:

Alderman Thornton	voted:	Yea
Alderman Brown	voted:	Yea
Alderman Powell	voted:	Yea
Alderman Singleton	voted:	Absent and not voting
Alderman Webb	voted:	Absent and not voting

The Mayor then declared the ordinance adopted this the ____ day of _____, 2015.

Sally Garland - MAYOR

ATTEST:

KIM VAUGHN CITY CLERK