



# CITY OF OWENS CROSS ROADS ORDINANCE NO. 22-031

---

## AN ORDINANCE TO ESTABLISH PARKING REGULATIONS FOR MOTOR HOMES, RECREATION VEHICLES, AND UTILITY WORK TRAILERS

### THE CITY COUNCIL OF OWENS CROSS ROADS HEREBY ORDAINS:

The City hereby finds that motor homes, recreation vehicles, and utility work trailers can create a visual impairment when driving, biking or walking which in turn causes endangerment to individuals. The purpose of this ordinance is to secure the community safety and general welfare of the residents and property owners of Owens Cross Roads by regulating the parking of these vehicles.

#### Unlawful Act

It shall be unlawful for the owner, operator, and/or occupant of any motor home, recreation vehicle to park on any public street. This law includes exceptions for the following: a) packing a motor home or recreation vehicle – may be parked for up to five (5) days; b) repair on motor homes or recreation vehicles – may be parked up to fourteen (14) days.

It shall be unlawful for utility work trailers to be parked on any public street for longer than necessary for the job it is being used. This law does not apply to periodic work trailers, delivery vehicles, or other means of transport and/or delivery being used for singular package or material delivery.

#### Enforcement

**A. Violation Warning Notice.** After inspection by a Law Enforcement Officer (further known as LEO), if any vehicle is determined to be in violation of this ordinance, a Violation Warning Notice will be posted to the front door of the property of said violation. The notice shall give the property owner seven (7) days from the date of the notice to move said vehicle.

**B. Failure to Comply.** If the vehicle is not relocated within seven (7) days the LEO shall issue a violation of ordinance citation, subject to payment of a civil fine of not less than \$50.00, plus applicable costs and fees for each violation as authorized by the City of Owens Cross Roads Municipal Ordinance Violations. This citation will be due within 30 days along with compliance of ordinance violation.

1. Repeat offenses under this ordinance shall be subject to increased fines as provided by this Section. As used in this Section, “repeat offense” means a second (or any subsequent) violation of the same requirement or provision of this Ordinance within any three (3)

year period for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this Ordinance shall be as follows:

- a. The fine for any offense which is a first repeat offense shall be not less than \$125.00 plus court costs.
  - b. The fine for any offense which is a second repeat offense shall be not less than \$250.00 plus court costs.
  - c. The fine for any offense which is a third repeat or any subsequent repeat offense, shall be not less than \$400.00 each plus court costs.
  - d. Upon fourth repeat offense, the vehicle will be towed at the owner's expense.
2. Each day on which any violation of this Ordinance occurs or continues constitutes a separate offense subject to separate sanctions.
  3. If there is any evidence of retaliation by any offender against any complainant or witness, such evidence shall be communicated to the Municipal Court. In sentencing any violator, the Municipal Court or Magistrate shall first examine the evidence of retaliation, and if such be shown, shall consider such acts, including the amount of property damage, and sentence the violator accordingly; such sentence may include restitution for any damage.

**Declaration of Nuisance**

Any violation of this Ordinance is hereby declared to be a nuisance and the City may seek enforcement of the Ordinance by citation or other appropriate legal action, as against a nuisance, at the expense of the property owner, including reasonable attorney fees.

**Effective Date**

This ordinance shall be published as required by law and shall take effect immediately after its approval and publication.

**ADOPTED AND APPROVED THIS 29<sup>th</sup> DAY OF DECEMBER 2022.**

**MAYOR:** *Tony Craig*  
**TONY K. CRAIG**

**City of Owens Cross Roads, Alabama, certificate of publication.**

This is to certify that Ordinance No. 22-031, City of Owens Cross Roads, Alabama, was published by posting on the City website, and on FIVE (5) bulletin boards within the City.

**ATTEST:** *Christie D Eason*  
**CHRISTIE D. EASON, CITY CLERK**

