

ORIGINAL

ORDINANCE NO. 2008- 07- 01

**AN ORDINANCE PROHIBITING THE USE OF PUBLIC STREETS
AND ADJACENT RIGHTS-OF-WAY BY UNLICENSED MOTORIZED
VEHICLES EXCEPT FOR EMERGENCY PARKING OF DULY LICENSED
MOTORIZED VEHICLES AND PRESCRIBING PENALTIES FOR
VIOLATIONS**

THIS ORDINANCE IS ADOPTED by the Town Council of Newton as an exercise of its Police Powers to protect the health, safety and welfare of the public. The Council notes that on many occasions, unlicensed motorized vehicles have used public streets and rights-of way endangering the health, safety and welfare of the public. These vehicle have also caused ruts, ditches and other surface irregularities which affect proper groundwater drainage and causes an unsafe condition for persons lawfully using the rights-of-way, therefore:

BE IT ORDAINED BY THE Town council of the Town of Newton, Alabama, as follows:

Section 1- It shall be unlawful to drive or otherwise operate any unlicensed motorized vehicle on or upon the public streets or the adjacent rights-of-way to the public streets, to include road shoulders, ditches and medians within the corporate limits of the Town of Newton, with the exception of emergency parking or mechanical failure. Prohibited vehicles include but are not limited to unlicensed automobiles, trucks, motorcycles, all terrain vehicles [ATV's], four wheelers, three wheelers, go carts, golf carts and dirt bikes.

Section 2- This Ordinance does not prohibit the operation of riding lawn mowers while being used to cut grass or to pull a cart or trailer containing garden supplies, fertilizer and related items, or moving trash or debris to a proper place for disposal.

Section 3- Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction therefore be punished by the imposition of a fine as determined by the Municipal Court Judge.

BE IT FURTHER ORDAINED. that this ordinance shall become effective upon its passage and publication as provided by law.

ADOPTED and APPROVED this the 15th day of July, 2008.

ATTEST:

Lina Dickerson
Town Clerk

TOWN OF NEWTON

Jean M. Watson
Mayor

Jerry Boyd
Council Member

Jeffy Jordan
Council Member

Dennis Lee
Council Member

Wayne Marsh
Council Member

Council Member