

ORDINANCE 662-04

*Const.
Traffic*

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HELENA, ALABAMA, under the authority of the Code of Alabama 1975, as last amended, as follows:

SECTION 1

It shall be unlawful for any person to drive or move any truck, vehicle, or vehicles over, on or along Old Cahaba Avenue, a public street in the City of Helena, from its intersection of Shelby County Highway 52W to the termination of Old Cahaba Avenue and Old Cahaba Place, of a size or weight except in accordance with the following provisions:

- (a) The gross weight imposed on the street or highway aforesaid by the wheels of any one axle on a vehicle shall not exceed 18,000 pounds.
- (b) For the purpose of this Ordinance, an axle load shall be defined as the total load transmitted to the street or road by all wheels whose centers are included between two parallel transverse vertical planes 40" apart exceeding across the full width of the vehicle.
- (c) Subject to the limit upon the weight imposed upon the highway or street through any one axle as set forth herein, the total weight with load imposed upon the highway or street by all the axles of the vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table: .

Distance in feet between First and last axles Vehicle or combination of Vehicles	Maximum load in pounds on all the axles
4	19,200
5	19,200
6	19,200
7	19,200
8	19,566
9	20,700
10	21,840
11	22,980
12	24,120
13	25,260
14	26,400
15	27,120
16	27,780
17	28,380

18	29,040
19	29,640
20	30,300
21	30,900
22	31,560
23	32,160
24	32,760
25	33,360
26	33,960
27	34,560
28	35,160
29	35,760
30	36,300
31	36,900
32	37,500
33	38,100
34	38,700
35	39,300
36	39,900
37	40,500
38	41,100
39	41,700
40	42,300
41	42,500
42	43,500
43 and over	43,968

- (d) For purposes of enforcement of this Ordinance, all scaled weights per axle shall be deemed to have a margin or error of 10% of the true axle gross weights.
- (e) For purposes of enforcement of this Ordinance, any vehicle utilizing a controllable axle located forward of a rear, tandem axle shall be deemed to have an additional allowance of 1,000 pounds for each axle of the rear tandem to compensate for the weight of said controllable axle. Furthermore, the use of said controllable axle to shift or equalize the load of any vehicle on all of its wheels or axles for purposes of enforcement of this ordinance is disallowed.
- (f) Provided further, that the City Engineer and the County/City Highway Department, for good cause shown, shall have the right to pose or limit any bridge to weights less than those prescribed by the Ordinance.

SECTION 2

The operation of any motor vehicle, motor truck, semi-trailer truck, trailer or other vehicle in violation of any section of this Ordinance, shall constitute a misdemeanor and the owner thereof, if such violation was with his knowledge or consent, and the operator thereof, shall upon conviction be punished by a fine of not more than \$500.00, or by imprisonment in the jail or at hard labor for a period not to exceed 6 months, or by both such fine and imprisonment, at the discretion of the recorder or the Judge.

SECTION 3

If any section, sentence, paragraph, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not effect the remaining portion of this Ordinance, and shall be construed to have been the intent of the City Council of the City of Helena to pass this Ordinance without such unconstitutional, invalid, or inoperative part therein, and the remainder of this Ordinance shall be deemed and held to be valid as if such parts had not been included therein.

This Ordinance shall take effect upon its publication as provided by law.

ADOPTED and APPROVED this 21 day of June, 20 04.



Charles W. Penhale
Charles W. Penhale, Mayor

John L. Bearden, Jr.
John L. Bearden, Jr., Council Member

ATTEST:

Peggy C. Dunaway
Peggy C. Dunaway, City Clerk

Jerry Deon Pate
Jerry Deon Pate, Council Member

Paul DeCarlo
Paul DeCarlo, Council Member

G. Mathew Pope
G. Mathew Pope, Council Member

Thomas P. Lefebvre
Thomas P. Lefebvre, Council Member

**STATE OF ALABAMA
SHELBY COUNTY
CITY OF HELENA**

I, Peggy C. Dunaway, City Clerk of the City of Helena, do hereby certify that the above is a true and correct copy of Ordinance 662-04 duly approved and adopted by the City Council of the City of Helena at its regular scheduled meeting held on June 21, 2004, and as the same appears of record in the ordinance records of said City, and approved by the Mayor on June 21, 2004.

Given under my hand and corporate seal of the City of Helena, this the 21st day of June, 2004.



Peggy C. Dunaway, City Clerk



CERTIFICATION

I, Peggy C. Dunaway, the duly appointed and acting City Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance 662-04 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three (3) public places in said City, being on the bulletin board of the Helena Municipal Building, Helena Public Library and Helena BP Coosa Mart, that said Ordinance shall become a duly lawful Ordinance of said City on the 28th day of June, 2004, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 21st day of June, 2004.


Peggy C. Dunaway, City Clerk

