

# CHAPTER 13

## MOTOR VEHICLES AND TRAFFIC\*

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### ARTICLE I. IN GENERAL

#### Section 13-1. Definitions.

Wherever in this Chapter the following terms are used, they shall have the meaning respectively ascribed to them in this Section:

***Authorized emergency vehicle***: Every vehicle of the Fire Department (fire patrol), every police vehicle, every vehicle operated as the official vehicle of each coroner ranger and every such ambulance and emergency vehicle of municipal department or public service corporations as are designated or authorized by the City Council or the Chief of Police.

***Crosswalk***: That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

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\***Cross Reference** --- Alcoholic beverages, Ch. 3; animals and fowl, Ch. 5; aviation, Ch. 6; fire prevention and protection, Ch. 9; food and food establishments, Ch. 10; recreation, Ch. 17; railroads, Ch. 21; streets and sidewalks, Ch. 23; purchases for municipal vehicles, §2-87; moving buildings, §7-26 *et seq.*; parades and unusual vehicles, §16-6; vehicles transporting loose materials, §24-7.

**State Law Reference** --- Power of City to adopt traffic regulations, Miss. Code 1972, 1§63-3-209, 63-3-211.

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***Curb:*** The lateral boundary of a street used for vehicles whether marked by curbing or not so marked.

***Intersection:*** The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) streets or highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

***Motorcycle:*** Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor.

***Motor vehicle:*** Every vehicle which is self-propelled.

***Official traffic control devices:*** All signs, signals, markings and devices, not inconsistent with this Chapter, placed or erected by authority of the City Council or an official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

***Official traffic control signal:*** Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

***Pedestrian:*** Any person afoot.

***Roadway:*** That portion of a highway improved, designed or ordinarily used for vehicular travel.

***School zone:*** Any area within the City of Laurel, Mississippi, situated near a school and designated by a posted sign as a school zone, which shall identify the zone with the word "SCHOOL" and prescribing the maximum speed within such a zone when children are present.

***Skateboard:*** A short narrow board having a set of four wheels mounted Under it, ridden in a standing or crouching position and often used to perform stunts.

***Skateboarding:*** To ride or perform stunts on a skateboard.

***Speed Hump:*** an artificial ridge (a rounded protuberance) set crosswise into the surface of a street to make the operators of vehicles decrease speed. Speed humps will be considered on a case-to-case basis determined by the Safety

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Officer and Traffic Maintenance Department official in regards to safety issues, correct installment and stripping, the variations of street designs and measurements in the City, and shall recommend to the governing authority any specific requirements for a speed hump.

**Stop:** When required, means the complete cessation from movement.

**Street or highway:** The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

**Traffic:** Pedestrians, ridden or herded animals, vehicles, structures and other conveyances either singularly or together while using any highway for purposes of travel.

**Vehicle:** Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway except devices moved by human power or used exclusively upon stationary rails or tracks.

*Source: Code 1969, §41-57(1---18); Ordinance No. 795-1977, §1, 10-18-77; Ordinance 1570-2010, §13-1, 11-16-2010, Ordinance 1580-2011, 8-17-2011*

**Section 13-2. Jumping or Hanging on Vehicles.**

It shall be unlawful for any person to jump on or off or to hang on any motor vehicle while in motion on the streets of the City.

*Source: Code 1969, §§41-22, 41-23*

**Section 13-3. Manner of Riding.**

It shall be unlawful for any person to ride, or to permit another person to ride, on any vehicle upon any portion thereof not designated or intended for the use of passengers when the vehicle is in motion. This Section shall not apply to an employee engaged in the necessary discharge of his duty or within truck bodies in space intended for merchandise.

*Source: Code 1969, §41-24*

**Section 13-4. Roller Skates, Toy Vehicles.**

It shall be unlawful for any person to skate with roller skates, skateboards or roller blades on the streets or sidewalks or to ride in any coaster, toy vehicle or

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similar device upon any roadway.

*Source: Code 1969, §38-24*

**Section 13-4.1 Skateboards.**

It shall be unlawful for any person to use skateboards or perform stunts on A skateboard on the streets, sidewalks, and City owned property in the Central Business District.

It shall be the duty of the Police Department to enforce the provisions of this article. In the event the usage of skateboards or performing stunts on a skateboard in disclosed areas are observed, the police officer shall confiscate the skateboard until the amount of fine is paid. The fine for a first offense is \$25.00; second offense is \$50.00; and third offense is \$75.00. Thereafter, the offense will be prosecuted by the issuance of a Municipal Offense Ticket for a violation of a municipal law. Each day a violation occurs shall constitute a separate offense.

*Source: Ordinance 1580-2011, 8-17-2011*

**Section 13-5. One-way Streets.**

The Police Department may designate one-way streets in the City from time-to-time by posting appropriate signs.

*Source: Code 1969, §41-151*

**Section 13-6. Pedestrians.**

- (a) The Traffic Maintenance of the Police Department is in charge of streets is hereby authorized to establish and to designate and shall thereafter maintain, or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks, at intersections where in his opinion there is particular danger from vehicular traffic to pedestrians crossing the roadway, and at such other places as he may deem necessary.
- (b) Between adjacent intersections at which traffic control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk or in an unmarked crosswalk at the intersection.

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*Source: Code 1969, §41-114*

**Sections 13-7 --- 13-20. Reserved.**

**ARTICLE II. OPERATION OF VEHICLES GENERALLY\***

**Section 13-21. Right Turn Signals.**

The Police Department is hereby empowered to designate and mark certain intersections where, due to safety reasons, it shall be unlawful to turn right except upon a green traffic signal or light. Such intersections shall be marked by a sign or signs attached to the electrical traffic control device bearing the words "**No Right Turn On Red.**"

*Source: Ordinance No. 736-1976, §1, 2-3-76*

**Sections 13-22 --- 13-35. Reserved.**

**ARTICLE III. SPEED\*\***

**Section 13-36. Generally.**

Unless a greater or lesser speed is designated by an appropriate sign posted by the Police Department, no person shall operate a motor vehicle in excess of thirty (30) miles per hour.

*Source: Code 1969, §41-58*

**State Law Reference** --- Alteration of speed limits by local authorities, Miss. Code 1972, §63-3-511

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\***State Law Reference** --- Operation of vehicles generally, Miss. Code 1972, §63-3-601 et seq.

\*\***State Law Reference** --- Alteration of speed limits by local authorities, Miss. Code 1972, §63-3-511.

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**Section 13-37. School Zones.**

In a school zone from 7:00 a.m. to 8:30 a.m. and from 2:30 p.m. to 4:00 p.m. no vehicle shall be operated at a greater speed than that posted on a school zone sign. School zone is defined to include licensed head start and day care centers as well as public and private schools.

*Source: Code 1969, §4-58; Ordinance No. 795-1977, § 3, 10-18-77 amended by Ordinance No. 1297-1997, 7-7-97*

**Section 13-38. Reduced Speed Limit Areas Noted.**

The governing authority has hereby authorized that Arco Lane and Westhill Drive speed limits be reduced from thirty (30) miles per hour to fifteen (15) miles per hour. Speed limit signs shall be posted in accordance with the law and all other applicable rules and regulations. In addition to reduce speed limit awareness, the speed limit on West 18<sup>th</sup> Street between 7<sup>th</sup> and 5<sup>th</sup> Avenue shall be reduced from thirty (30) miles per hour to fifteen (15) miles per hour.

*Source: Ordinance No. 1417-2002, 9-3-02; Ordinance No. 1428-2003, 3-18-03; Ordinance No. 1513-2008, 5-20-08; Ordinance No. 1570-2010, §13-38, 11-16-2010*

**Sections 13-39 --- 13-50. Reserved.**

**ARTICLE IV. STOPPING, STANDING AND PARKING\***

**Section 13-51. Definition.**

The word “*street*” in this article shall mean any public street, avenue, alley, road, boulevard, highway or other public place located in the City of Laurel, Mississippi, and established for use by vehicular traffic.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-52. Enforcement.**

It shall be the duty of the Police Department to enforce the provisions of this article. In the event a vehicle is parked in violation of this article, the police officer observing such violation shall attach to such vehicle a notice that such vehicle has been parked in violation of this article and giving notice as to the fine for such

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\*Cross Reference --- Parking in mobile home parks, §13-33.

State Law Reference --- Stopping, standing and parking, Miss. Code 1972, §63-3-901 et seq.

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violation as is provided in this article, together with instructions as to the manner in which such fine may be paid. Any police officer being advised by a member of the public that a violation exists, shall investigate said incident and if a violation exists shall issue such notice. Such notice so attached shall constitute notice to the operator of such vehicle that a violation has occurred, and unless the fine specified in the notice is paid within the time specified in the notice, the Chief of Police or any other police officer of the City designated by the Chief of Police shall cause an affidavit charging such violation to be filed in the Municipal Court against the registered owner of such vehicle.

No police officer, elected official, Clerk of the Court, employee of the Court, prosecutor, public defender or member of the Municipal Court is to interfere with this process by removing, destroying, interrupting, setting aside, deterring due process or passing to file any such notice. The action of the Judge in carrying out the duties of the Court is exempt here from. Any interference including failure to issue such notice or affidavit as provided herein shall be a misdemeanor punishable by up to ninety (90) days in jail or up to Five Hundred Dollars (\$500.00) fine. All such notices are to be numbered and original filed and accounted for with a quarterly report of action, presented to the City Council.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-53. Presumption in Reference to Illegal Parking.**

In any prosecution charging a violation of any provision of this article, proof that the particular vehicle described as having been parked in violation of this article, together with proof that the Defendant charged with the violation was at the time of such violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-54. Fines.**

Any person convicted of a violation of this article shall be punished by fines as follows:

- (1) For a violation of Section 13-55, 13-56, 13-59 (b), 13-60 or 13-61, a fine of not less than Five Dollars (\$5.00), nor more than Twenty-five Dollars (\$25.00) for the first offense and not less than Twenty-five

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Dollars (\$25.00) for any repeat offense.

- (2) For a violation of Section 13-57, 13-58, 13-62 or 13-63, a fine of Twenty-five Dollars (\$25.00), provided however, that if such fine is paid within seventy-two (72) hours after the violation occurs, said fine shall be One Dollar (\$1.00) or if paid after the seventy-two (72) hours have expired, but within one hundred sixty-eight (168) hours, the fine shall be Five Dollars (\$5.00).

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-55. Parking Lots.**

It shall be unlawful for the operator of a vehicle to stop, stand or park such vehicle in any of the following public places, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic-control sign or signal:

- (1) Within a driveway of any parking lot; or
- (2) Outside a designated parking bay within a parking lot. Parking bays shall be designated by white lines painted on the surface of the parking lot; and,
- (3) In a designated loading zone.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-56. Prohibited at All Times.**

The parking of any vehicle is prohibited at all times where designated by an appropriate sign posted by the Police Department.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-57. Parking Limitation Between 8:00 a.m. and 5:00 p.m.---  
Generally.**

- (a) The operator of a vehicle shall not park such vehicle for longer than the posted time between the hours of 8:00 a.m. and 5:00 p.m. of any day except Sunday in any parking lot or other place where the parking limit is indicated by a sign reading “**Parking Limit**” and the designated time.

- (b) The Police Department shall post parking zones in accordance with City Council designation.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-58. Same---Yates Avenue.**

The designated parking spaces on the south side of Yates Avenue between Fifth Avenue and the new Yates Avenue parking lot are reserved for vehicles conducting official City business. The persons using said spaces shall be operating their vehicles to go and come from said parking spaces and have conducted their official duties, or business for the City.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-59. Angle Parking---Generally.**

- (a) Upon recommendation of the Police Department, the City Council may at its discretion determine upon what streets angle parking shall be permitted and shall mark or sign such streets or cause the same to be marked or signed.
- (b) Upon recommendation of the Police Department, the City Council may designate the marking of the streets by lines parallel and perpendicular to the curb as to indicate the space to be occupied by a vehicle. It shall be unlawful when a street is so marked, for any person to park a vehicle so as to occupy any part of two (2) or more spaces so indicated for each vehicle.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-60. Manner of Parking.**

Except when necessary in obedience to traffic regulations of official traffic-control devices, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side of the wheels of the vehicle within twelve (12) inches of the edge of the roadway; provided, however, upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs.

*Source: Ordinance No. 1185-1991, 7-17-91*

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**Section 13-61. Intersections in the City.**

No person shall park a vehicle on any of the streets of the City nearer any street intersection than the markers designated for such intersection and fixed on such street.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-62. Parking Time Limit---Generally.**

Except as is otherwise provided by Ordinance, no person shall park a vehicle on any of the streets or in any City-owned parking lot of the City, for more than twenty-four (24) hours, without a special parking permit which shall be specifically controlled.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-63. Commercial Vehicle Loading Zones.**

Upon recommendation from the Police Department, the City Council may establish and designate certain areas in and along the streets and alleys of the City for use by commercial vehicles as loading zones. Such areas shall be designated by the posting of a sign in such area or by marking the curb adjacent to such area with yellow markings. Such areas when so designated may be used by vehicles only for the limited purpose of loading and unloading cargo for a period of not more than fifteen (15) minutes at any one time (1) or the actual time required to accomplish the loading or unloading of cargo whichever is longer.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-64. Towing Vehicles.**

In addition to the other penalties provided for in this article, in the event that a vehicle is parked in violation of any provision of this article, the Police Department is hereby empowered to cause such vehicle to be towed away and removed from the area where illegally parked to some suitable place within the City of Laurel, where it may be claimed by its owner upon payment of towing and removal costs.

*Source: Ordinance No. 1185-1991, 7-17-91*

**Section 13-65. Servicing Vehicles.**

No part of any street, City owned parking lots, and/or City owned parks shall

be used by any person for the purpose of servicing automobiles, trucks, tractors or any other motor vehicles, nor shall any portion of the streets be used for any other purpose. Servicing of vehicles shall include changing of oil and/or lubricants to vehicles, adding or removing parts to vehicles, and any other activity that may be defined as maintenance to a vehicle. This shall not apply in cases of emergency where any such vehicle has run out of gasoline, oil, grease or water, or suffered any other accident or casualty so as to make it necessary that such service be rendered on the street in order for said vehicle to be removed.

*Source: Ordinance No. 1185-1991, 7-17-91, Ordinance No. 1574-2011 § 13-65, 2-24-2011*

### **Section 13-66. Parking Inoperable Vehicles.**

It shall be unlawful for any person to park any damaged or inoperable vehicle on any of the streets of the City for a longer period of time than twelve (12) hours.

*Source: Ordinance No. 1185-1991, 7-17-91*

### **Section 13-67. Unlawful to Park on Sidewalk or Pedestrian Right-of-Way.**

It shall be unlawful for any person to park any motor vehicle on or across any sidewalk or other designated pedestrian right-of-way or to otherwise obstruct by any means any sidewalk or other designated pedestrian right-of-way.

*Source: Ordinance No. 1115-1988, § 1, 4-5-88*

## **DIVISION 1. HANDICAPPED PARKING ZONES\***

### **Section 13-68. Established.**

The Police Chief of the City of Laurel and/or the Traffic Signal Supervisor of the City of Laurel are hereby authorized to establish handicapped parking zones within the City of Laurel as provided by Miss. Code 1972, §27-19-56.

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\***State Law Reference** --- Special license tags or plates; disabled persons; windshield placard; enforcement of parking restrictions, Miss. Code 1972, §27-119-56.

**Sources** --- Laws, 1979, Ch. 352; 1983, Ch. 379; 1987, Ch. 493; 1988, Ch. 410; 1989, Ch. 372, §1; 1992, Ch. 316, §1; 1993, Ch. 586, §1; 1995, Ch. 344, § 2, eff from and after July 1, 1995.

**Cross References** --- Prohibition against suspending or revoking a person's driver's license for violating laws and Ordinances in regard to parking of vehicles, except as provided in this section, see §21-23-19; Decals, generally, see §27-19-31; Imposition of standard State assessment in addition to all Court imposed fines or other penalties for any misdemeanor violations, see §99-19-73.

**Editor's Note** --- Ordinance No. 1089-1987, §§ 1---3, adopted 1-20-87, did not specify manner of codification, but was included as Ch. 14, §§ 14-68---14-70, at the editor's discretion.

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*Source: Ordinance No. 1089-1987, § 1, 1-20-87*

**Sections 13-69 --- 13-75. Reserved.**

**ARTICLE V. TWO-WHEELED MOTOR VEHICLES**

**Section 13-76. Helmets.**

All persons operating or riding upon two-wheeled and three-wheeled motor vehicles, including but not limited to motorcycles, motorized bicycles, commonly called "motor bikes," and motor scooters operated on the streets of the City shall wear, during such operation, use and occupancy, helmets as required by State law.

*Source: Code 1969, §41-173; Ordinance No. 621-1972, § 1, 7-5-72*

**Section 13-77. Where Permitted.**

No person shall operate a two- or three-wheeled motor vehicle such as is described in Section 14-76 on any public property within the City except on streets, avenues, roads, boulevards, highways or other public places established and maintained for the use of other motor-powered vehicles.

*Source: Ordinance No. 620-1972, § 1, 7-5-72*

**Section 13-78. Passengers.**

A person operating a vehicle such as described in Section 14-76 shall ride only upon the permanent and regular seat attached thereto. Such operator shall not carry any other person nor shall any other person ride thereon unless such vehicle is designed to carry more than one (1) person, in which event, a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to such vehicle in a position to the rear or side thereof.

*Source: Code 1969, § 41-174*

**Sections 13-79 --- 13-90. Reserved.**

**ARTICLE VI. TRUCK ROUTES**

**Section 13-91. Definitions.**

The words and terms used in this article shall have ascribed to them the following meanings:

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**Truck:** Any motor truck, tractor or trailer whose combined weight of body and load exceeds ten thousand (10,000) pounds G.V.W. (gross vehicle weight).

**Truck route:** The local streets and highways within the corporate limits of the City designated as provided in this article.

*Source: Ordinance No. 716-1975, 5-13-75; Ordinance No. 772-1977, § 1, 4-27-77*

**Section 13-92. Use---Required.**

It shall be unlawful for any person to operate a truck within the corporate limits of the City, except upon the designated truck route.

*Source: Ordinance No. 712-1975, 4-8-75*

**Section 13-93. Same---Exceptions.**

Trucks having cargo to be delivered within the City and trucks which must load cargo within the City may leave the truck route for the purpose of such delivery or loading, taking the shortest route from the truck route to the point of such delivery or loading. Streets signed to exclusively prohibit trucks, however, shall not be used. The necessary operation of Postal Service, Military, Fire, Police or City maintenance trucks shall not be prohibited from use of streets other than those designated by Ordinance as the City's truck route.

*Source: Ordinance No. 712-1975, 4-8-75*

**Section 13-94. Signs, Markers.**

The Police Department may designate the truck route through the City by appropriate road markers or signs.

*Source: Ordinance No. 712-1975, 4-8-75*

**Section 13-95. Truck Routes Designated.**

The following designated local streets and highways within the corporate limits of the City of Laurel, Mississippi, are as follows:

- U.S. Highway 84 West from the city limits east to the intersection of Mississippi Highway 15 – 16<sup>th</sup> Ave.;
- All of Warehouse Drive;
- 7<sup>th</sup> Street from Warehouse Drive to the intersection of U.S. Highway 11 –

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Ellisville Boulevard;

All of Harrison Boulevard;

Queensburg Avenue from the intersection of Harrison Boulevard north to Johnson Avenue and Maple Street from Johnson Avenue north of Jefferson Street;

Jefferson Street from Maple Street east to the intersection of Interstate 59;

All of Royal Street;

Mississippi Highway 15 South from the city limits north to the intersection of Interstate 59;

U.S. Highway 84 East from the city limits to the intersection of U.S. Highway 11 – Meridian Avenue;

U.S. Highway 11 North – Meridian Avenue from U.S. Highway 84 (Chantilly Street) north to the city limits;

Mississippi Highway 15 North from the city limits south to the intersection of Interstate 59;

U.S. Highway 11 South – Ellisville Boulevard from the city limits north to Royal Street; and,

Interstate Highway 59 from city limits to city limits.

*Source: Ordinance No. 716-1975, 5-13-75; Ordinance No. 772-1977, § 1, 4-27-77*

**Sections 13-96 --- 13-99. Reserved.**

**ARTICLE VII. HORSE-DRAWN CARRIAGE TOURS**

**Section 13-100. General.**

No person shall operate or cause to be operated for hire any horse-drawn carriage for the purpose of conducting tours within the City except horse-drawn carriages as provided in this article.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-100, 4-3-01*

**Section 13-101. Route Limitations.**

Horse-drawn carriages may operate on all streets within the Carriage District defined as:

15<sup>th</sup> Street on the north boundary; 1<sup>st</sup> Avenue on the east boundary; 9<sup>th</sup> Avenue on the western boundary; Central Avenue on the south boundary; plus Mason Park; the depot; Daphne Park and Short 7<sup>th</sup> Avenue; and areas pre-approved for special events/occasions, with the exception of any public way determined by the City as

requiring restrictions.\*

**Section 13-102. Drivers.**

All drivers of horse-drawn carriages shall have a current automotive vehicle driver's license and demonstrate to the Inspection Department and/or the Police Department his or her competence in handling horse-drawn carriages if requested to do so.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-102, 4-3-01*

**Section 13-103. Tour Guide.**

All tours on horse-drawn carriages should be conducted by a tour guide who has general knowledge of historical and landmark areas and structures within the Carriage District.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-103, 4-3-01*

**Section 13-104. Hours.**

Carriage tours or rides may be conducted from dawn until dusk and other times as pre-approved with the Chief of Police.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-104, 4-3-01*

**Section 13-105. Passenger Loading and Designated Loading Areas.**

No person shall operate or cause to be operated for hire any horse-drawn carriage for the purpose of conducting tours within the historic district except by assignment to a designated passenger loading site. The operator receiving such assignment may pick up and discharge passengers only at such assigned sites as provided hereafter. Such general, daily passenger loading zones shall be designated by the City with due regard to the safety, the convenience of patrons and sanitation, and shall be made subject to the approval of the City Council. The designations of passenger loading zones shall be maintained in the office of the City Clerk and the Laurel Police Department.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-105, 4-3-01*

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\* Prior to such restriction, a recommendation shall be made by the Police Department and the planning departments, and final approval by the Mayor and City Council. Such limitation shall be designated in the office of the City Clerk. Such limitation shall be designated and spread on the Minutes of the City Council.

**Section 13-106. Design Standards.**

Horse-drawn vehicles should be authentically styled passenger carriages consistent with the historical background of the City. Submit picture with application (certificate of appropriateness). See Section 13-109.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-106, 4-3-01*

**Section 13-107. Diapering Apparatus Required.**

It shall be unlawful for any person, firm, corporation or other entity to utilize any horse for the purpose of pulling any carriage on city streets unless such animal is equipped with diapering apparatus that prevents the droppings of such animal from being deposited or otherwise left on city right-of-way. It shall be the responsibility of the person, firm, corporation or other entity utilizing any animal for the purpose of pulling a carriage to see that the diapering apparatus is maintained in working order.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-107, 4-3-01*

**Section 13-108. Horse-Drawn Carriage Maintenance.**

- (a) Every horse-drawn carriage for hire operated in the City shall be kept in a clean and sanitary condition and in such condition of repair as may be reasonably necessary to provide for the safety of the public and for continuation in satisfactory operation.
- (b) It is the joint responsibility of the certificate holder and of the driver to maintain the appearance and safety of the horse-drawn carriage for hire and equipment, and failure to comply may result in the suspension or revocation of the certificate for public convenience and necessity and/or the driver's permit.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-108, 4-3-01*

**Section 13-109. Certificate of Appropriateness Required; Fee.**

No horse-drawn carriage shall operate without a duly issued permit and without having first paid the fee as set forth in Section 13-117. The permit must be securely affixed to the vehicle in a visible location approved by the Inspection Department.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-109, 4-3-01*

**Section 13-110. Application and Inspection.**

- (a) An applicant for a permit shall provide the City Clerk with the following information for each certified carriage:
  - (1) Adequate identification of the applicant and horse-drawn carriage;
  - (2) Color photographs of all four sides of the vehicle or, in the discretion of the Laurel Police Department;
  - (3) Certificate of proof of liability insurance in an amount of not less than One Hundred Thousand Dollars (\$100,000.00) per person; Three Hundred Thousand Dollars (\$300,000.00) combined single limit and One Hundred Thousand Dollars (\$100,000.00) property damage coverage. Such coverage shall remain in force at all times, and the City must be provided with at least thirty (30) days notice prior to the cancellation thereof. A copy of this provision shall be furnished to the insurance carrier who must be qualified to do business in Mississippi, at the time such coverage is obtained by the applicant;
  - (4) Satisfactory proof of annual health inspections of the horse or horses to be used in drawing the vehicle;
  - (5) After approval, but prior to issuance, a current City Privilege License. See 13-117;
  - (6) Evidence of satisfactory annual safety and appearance inspection of tack and equipment, including devices that prevent droppings from being left on City streets; and
  - (7) Statement setting forth in detail permanent arrangements for hydration and waste disposal.
  
- (b) Upon receipt and preliminary approval of the information as set forth hereinabove, the City Clerk shall submit the application to the Inspection Department as to whether the application should be approved. In acting upon and evaluating any application, the Inspection Department shall consider the standards and other criteria as set forth in this article and may consult the Police Department when necessary.
  
- (c) Any person or company denied a permit shall have the right of appeal to the Mayor and City Council in the manner provided for in this article, and appeals thereafter to the Circuit Court for the Second Judicial District of Jones County in a manner provided for by law.

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*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-110, 4-3-01*

### **Section 13-111. Transferability.**

A permit required by this article shall be issued as to a specific carriage or carriages and for a specific owner and is not transferable and shall be subject to such restrictions and limitations as to the number of carriages using a passenger loading zone and other restrictions and limitations as may be necessary in the interest of safety, sanitation and promotion of tourist use and enjoyment. The permit remains the property of the City and must be surrendered upon expiration or revocation. This section shall not prohibit, however, the transfer between immediate family members (spouse, adult child) of ownership in such permit, provided application is made to the Mayor and City Council for such approval is received from such body. Such new owner shall be required, however, to meet the normal requirements as to re-application and renewal and other provisions of this article.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-111, 4-3-01*

### **Section 13-112. Limited Issuance.**

The Mayor and City Council have determined from an investigation of persons presently operating carriages subject to this article that there exists at present a need for not more than five (5) permit holders based upon existing usage, traffic use in the designated passenger loading zones and statistics as to the number of tourists visiting the City.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-112, 4-3-01*

### **Section 13-113. Suspension or Revocation.**

- (a) Failure to abide by the provisions of this article or any of the Ordinances of the City or laws of the State of Mississippi in any manner affecting or regulating the operation of the carriage for which the permit is issued, or the failure to maintain the required liability insurance shall be grounds for the suspension or the revocation of a permit issued under this article.
- (b) If a permit should be suspended or revoked, the holder thereof shall first give written notice by certified mail or the right to appear before the Inspection Department and show cause, if any, why the permit should not be suspended or revoked. Such suspension or revocation, however, shall take place immediately and remain in effect pending

hearing the City Council, which should be requested in writing after final ruling of the Inspection Department.

- (c) In the event of an emergency, or to prevent a breach of the peace or conduct by a permit holder which is injurious to persons or property or otherwise annoying, harassing or distracting to tourists or other persons at or near the designated passenger zone areas, the Chief of Police shall have the authority to remove any permit holder or operator from the premises for a period not to exceed twenty-four (24) hours. Three (3) repeated violations by permit holder of this section shall constitute a basis for suspension or revocation of its certificate.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-113, 4-3-01*

**Section 13-114. Term; Expiration.**

All permits shall be granted for a period of one (1) year; provided however, upon strict compliance with each and all of the provisions as set forth hereinabove and current proof of liability insurance, the certificate shall be renewed.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-114, 4-3-01*

**Section 13-115. Operations and Restrictions upon Operations, Drivers and Employees.**

In addition to other requirements, restrictions and limitations upon operations by persons receiving a permit under the provisions of this article, such persons shall conduct operations and activities in a safe and sanitary manner and in a manner conducive to tourism development within the City. Specifically:

- (a) All drivers of horse-drawn vehicles shall be at least eighteen (18) years of age, having good eyesight and not be subject to any infirmity of body or mind which might render him or her unfit for the safe operation of the vehicle, and be able to operate a horse-drawn vehicle in a safe and prudent manner. Each driver of a horse-drawn carriage shall, while on duty, do the following:
  - (1) Conduct himself or herself in a reasonable and prudent manner;
  - (2) Not consume alcoholic beverages or drugs while operating a carriage and not be under the influence of alcoholic beverages

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- or drugs in any amount while operating such horse-drawn carriage;
- (3) Not solicit passengers in a loud or annoying tone of voice and not obstruct the movement of any person or follow any person for the purpose of soliciting patrons. In this regard, actions of any permit holders, their drivers, employees, agents, representatives or other personnel in violation of this section or any other section hereunder shall be deemed a violation by the permit holder and shall be grounds for revocation of the permit.
  - (4) Not permit any unauthorized person to operate any horse-drawn carriage under the driver's control;
  - (5) Empty diapers of all excrement when half (1/2) full and at the beginning of each trip in an appropriate receptacle and manner, and in accordance with all federal and state laws;
  - (6) Keep all routes and carriage stands clean and free of animal excrement;
  - (7) Travel at a pace not faster than a slow trot in conformation with § 65-7-41 Miss. Code Ann. And display the appropriate slow-moving vehicle emblem pursuant to § 63-7-91 Miss. Code Ann.;
  - (8) Not leave any horse-drawn vehicle unattended at any time and shall keep the interior of the vehicle clean at all times;
  - (9) Report all accidents to the owner, the permit holder and to the police department immediately;
  - (10) Each driver shall wear uniforms or other suitable or presentable clothing, have an identification badge or name plate in plain view at all times; this provision shall be applicable to all permit holders, drivers, employees, representatives or agents;
  - (11) Display company name, telephone number, rates and passenger capacity in plain view on the carriage only.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-115, 4-3-01*

**Section 13-116. Rates.**

Prior to commencement of operations hereunder, all permit holders shall be required to file with the City Clerk a schedule of rates to be charged for transportation of person under this article. Such rates, as filed, shall conform to the rate schedule set forth on the carriage or carriages of the permit holder, and shall not be altered or changed except by the filing of a new rate schedule with the City Clerk.

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No rate schedule, if changed, shall take effect until after ten (10) working days after such change is made with the City Clerk, and such notice shall be filed during regular working hours, being 8:00 a.m. until 5:00 p.m. Monday through Friday. In no event shall the rates charged by a permit holder be changed or altered except in conformity with this section. Nothing herein shall prevent the charging of group rates of a lesser amount for groups of five (5) or more.

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-116, 4-3-01*

**Section 13-117. Fees.**

(a) Privilege License/Permit for Tour Companies

0-3 Employees	\$20.00
4-10 Employees	30.00
Over 10 Employees	30.00
Plus \$3.00 each additional Employee up to \$150.00	

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, §13-117, 4-3-01*

**Sections 13-118 --- 13-125. Reserved.**

*Source: Ordinance No. 1386-2001, Ch. 13, Art. VII, 4-3-01*

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