

## Chapter 25

### TRAFFIC

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#### Article I. Signs, Signals and Markers

##### Sec. 25-1. Manual on traffic control devices.

A. The manual, and additions thereto, on uniform traffic control devices for streets and highways and the amendment, official rulings on request for interpretations, changes and experimentations, as approved by the federal highway administration as a national standard for all highways open to the traveling public in accordance with Title 23, United States Code, Section 109 (B), 109 (D), and 402 (A), under date of November 13, 1970, be and the same is hereby adopted as a manual and specifications for uniform system of traffic control devices for use upon the highways and streets within the City of Hattiesburg, Mississippi.

B. A copy of the manual on Uniform Traffic Control Devices and the amendments, official rulings on request for interpretations, changes and experimentations and all additions to said manual, be filed with the city clerk of the City of Hattiesburg, Mississippi. (Ord. 1886, secs. 1, 2, 4-6-77)

##### Sec. 25-2. Obedience to traffic ordinances required.

It shall be unlawful for any motor vehicle operator to disobey the instructions of any official traffic sign or signal placed in accordance with the provisions of this chapter, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter. (Ord. 1058, sec. 18, Dec. '46)

##### Sec. 25-3. Yellow painted curbs.

It shall be unlawful to park on any of the highways, streets, avenues or alleys of the city, where the adjacent curb is painted yellow, except in regularly designated loading and unloading zones. (Ord. 1058, sec. 29, Dec. '46)

##### Sec. 25-4. False markers or signs.

It shall be unlawful for any person to mark or paint any of the curbs of the highways, streets, avenues or alleys of the city, or to place any markers or signs on any such highways, streets, avenues, alleys or curbs, or upon any of the public sidewalks of the city, regulating or attempting to regulate, prohibit or restrict the parking of motor vehicles or the use of any such highways, streets, avenues, alleys or sidewalks for any lawful purpose whatsoever, and the

marking of all curbs, highways, streets, avenues, alleys, sidewalks and curbs, and the placing of all markers and signs relating to the parking or no-parking or restricted parking of motor vehicles on the public highways, streets, avenues and alleys shall be done only by the department of public services or other duly authorized representative of the city. (Ord. 1058, sec. 31, Dec. '46)  
**Secs. 25-5 --- 25.9. Reserved.**

## **Article II. Operation of Vehicles**

### **DIVISION 1. IN GENERAL**

#### **Sec. 25-10. One-way streets; direction of traffic; truck traffic regulations; signing.**

A. Certain streets in the City of Hattiesburg, Mississippi may be declared and designated to be one-way streets by the Traffic Committee and approved by the Mayor of the City.

B. It shall be unlawful for traffic to move on said streets except in the direction designated.

C. Whenever the Traffic Committee of the City of Hattiesburg, Mississippi, designates any street, avenue or alley for one direction of traffic only, the traffic or police department shall place and maintain a sign or marker giving notice thereof and no order so designating any street, avenue or alley shall be effective unless such sign or marker has been so placed. Signs or markers indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (Ord. 2721, sec. 1, 5/2/00; Ord. 1965, secs. 1--2, 1-10-79; Ord. 1587, sec. 1, 11-9-66; Ord. 1558, sec. 1, 11-3-65; Ord. 1540, sec. 1, 6-23-65; Ord. 1431, sec. 2, 8-29-62; Ord. 1398, sec. 1, 6-21-61; Ord. 1368, sec. 1, 9-1-59; Ord. 1335, sec. 1, 4-30-58)

#### **Sec. 25-11. Speed limits.**

A. It shall be unlawful for any person to operate a motor vehicle on any of the public streets, avenues or alleys within the city at a greater rate of speed than is reasonable and proper, having due regard to the traffic and use of such streets, avenues and alleys; or so to endanger the life or limb of any person or the safety of any property.

B. It shall be unlawful for any person to operate or drive a motor vehicle on any of the public streets, avenues or alleys within the business section of the city at a greater rate of speed than twenty (20) miles per hour.

C. It shall be unlawful for any person to operate or drive a motor vehicle on any of the public streets, highways, roads, avenues or alleys anywhere within the corporate limits of the City of Hattiesburg at a greater rate of speed than that posted, and where no speed limit is posted, then it shall be unlawful for any person to operate or drive a motor vehicle on any of the public streets, highways, roads, avenues or alleys, within the corporate limits of the City of Hattiesburg at a greater rate of speed than thirty (30) miles per hour. (Ord. 2721, sec.2, May 2, 2000, Ord. 1831, sec. 1, 11-16-74; Ord. 1058, secs. 1, 2 & 4, 12-12-46)

**Sec. 25-12. Passing school zones.**

No person running or operating or causing to be run or operated any motor vehicle, shall pass a public school in school days when school is held during the hours posted in school zones, at a greater rate of speed than fifteen (15) miles per hour. (Ord. 2721, sec. 3, 5-2-00, Ord. 1058, sec. 3, 12-12-46)

**Sec. 25-13. Left turns and "U" turns.**

The operator or driver of any motor vehicle, when turning to the left at the intersection of any of the highways, roads, streets, avenues or alleys within the city shall pass to the right, he shall remain as close as practicable to the right hand curb or right side of any such highway, road, street, avenue or alley. No hairpin or "U" turn shall be made on any of the highways, roads, streets, avenues or alleys of the city. (Ord. 2721, sec. 4, 5-2-00, Ord. 1058, sec. 10, 12-12-46)

**Sec. 25-14. Emerging from alleys.**

It shall be unlawful for the operator or driver of any motor vehicle in the city to drive a motor vehicle from an alley, driveway, or building, without stopping the motor vehicle immediately prior to driving the same onto a sidewalk or into the sidewalk area extending across the alleyway, and upon entering the street from such alley, the operator or driver of the motor vehicle shall yield the right-of-way to any motor vehicle or motor vehicles that may be then approaching on the street. (Ord. 2721, sec. 5, 5-2-00, Ord. 1058, sec. 24, 12-12-46)

**Sec. 25-15. Loads extending from vehicles.**

It shall be unlawful for the operator or driver of any motor vehicle to operate or drive a motor vehicle on, over or across any of the streets, avenues or alleys of the city with any load or portion of a load or anything whatsoever extending beyond the side or sides or ends of the body of the motor vehicle unless such load or portion of load or thing whatsoever extending over or beyond the side or sides or end or ends of the motor vehicle have affixed thereto, in a manner plainly visible to the operator or driver of a motor vehicle approaching, overtaking or passing such motor vehicle or attempting so to do, a red flag, if in the daytime, and a red light, if in the nighttime, or after dark, which flag or light shall be visible, in the manner aforesaid, for a distance of at least two hundred (200) feet. (Ord. 2721, sec. 6, 5-2-00, Ord. 1058, sec. 27, 12-12-46)

**Sec. 25-16. Driving on sidewalks.**

It shall be unlawful for the operator of any vehicle to drive the same within any sidewalk area or upon any sidewalk, except that sidewalks may be crossed at either a permanent or temporary driveway. (Ord. 2721, sec. 7, 5-2-00, Ord. 1058, sec. 30, 12-12-46)

## **DIVISION 2. TRUCK ROUTES AND CERTAIN RESTRICTIONS**

The City of Hattiesburg hereby determines that it is necessary for the public health, safety, and welfare to designate certain streets, roads, or highways located in the City as appropriate for use by commercial trucks in route to various destinations in the City or in neighboring municipalities. In recent years the metropolitan area of the City of Hattiesburg has experienced significant growth in the volume of commercial truck traffic and, as a result, has received an increasing number of complaints from residents of certain areas in the City through which the commercial truck traffic passes en route to various industrial or commercial enterprises located in the City or in neighboring municipalities. (Ord 3060, sec 2, 12/7/10)

### **Sec. 25-17. Certain commercial vehicles prohibited from using certain streets.**

It is unlawful for any person, firm, or corporation to operate or cause to be operated a commercial truck, as hereinafter defined, on any street, road, public right-of-way, or highway unless that route has been designated by this Chapter as one on which commercial truck traffic is permitted.

**A. Weight restrictions.** When signs are erected giving notice thereof, no person shall operate a vehicle with a gross weight in excess of the amount specified on such signs upon the streets where said signs are posted.

**B. Authority of Director of Public Services.** The director of public services is hereby authorized to determine and designate those streets mentioned in subsections (A) upon which load limit signs should be posted upon and to do the necessary to see that said signs are posted. (Ord. 2721, sec. 8, 5/2/00; Ord. 2051, secs. 1---3, 5-19-81)

### **Sec. 25-18. Commercial vehicle truck routes.**

1. It shall be unlawful to operate a commercial vehicle 10,000 pounds or larger on other than designated truck routes, except when making a delivery or pickup.
2. It shall be unlawful to park a commercial vehicle on any and all streets in a residential area other than those making delivery or picking up goods.(Ord. 2721, sec. 9, 5-5-00)

#### **Sec. 25-18.1. Definition, Commercial Truck; Exclusion .**

As used herein, the words “commercial truck” shall mean any motor vehicle constructed or used for the transportation of commodities, merchandise, produce, freight, animals, goods, wares, merchandise, raw materials, or materials which have been processed although the manufacturing process has not been completed or there are other steps to be completed in the manufacturing process. The words “**commercial truck**” **do not include the following:**

1. Fire truck;
2. All emergency vehicles;
3. Motor home;
4. Farm tractors and equipment;
5. Utility service vehicles or vehicles used for construction in the City while in

performance of that work;

6. Road construction and maintenance equipment being used for projects located within the City;
7. Private automobiles and pickup trucks.
8. All vehicles owned and operated by the City of Hattiesburg, or being used for contract work for the City of Hattiesburg.

(Ord. 3060, sec. 4, 12/7/10)

### **Sec. 25-18.2. Exceptions**

1. **Local Deliveries.** A commercial truck may use or travel upon a street, road, public right-of-way, or highway even though it has been designated by the City as one on which commercial traffic is prohibited if the truck is traveling to a business or residence for the purpose of delivering or picking up goods, wares, or merchandise, or for the purpose of providing services at the business or residence upon arrival. However, this exception is granted with the provision that travel along the prohibited route shall be limited to the minimum necessary to accomplish the pickup, delivery, or service call, and said vehicle shall be driven in such a manner as to leave the prohibited route as quickly as possible by the closest available truck route, as determined by the City Engineer.(Ord. 3060, sec. 5, 12/7/10)
2. **Leaving or returning to home or place of business.** Nothing herein contained shall prevent a commercial truck from leaving or returning to its customary storage location at a commercial or industrial location in the City which is located along a route on which commercial traffic has been prohibited, provided that the most direct route to and from a non-prohibited truck route is utilized, as determined by the City Engineer.(Ord. 3060, sec.6, 12/7/10)

### **Sec. 25-19. Enumeration; violation; towing.**

#### **A. The City of Hattiesburg truck routes shall be established as follows:**

1. Commercial trucks shall be operated upon the following routes in the City only except as otherwise provided in this Chapter:
  1. Highway 49.
  2. James Boykin Drive (Old Highway 42).
  3. Interstate 59.
  4. Highway 98/Highway 198, from western City limits to Highway 49.
  5. Highway 11, from southern City limits to Highway 49.
  6. James Street.
  7. Edwards Street

8. John Merle Tatum Industrial Drive.
  9. Old Airport Road, from John Merle Tatum Industrial Drive to James Street.
  10. W.L. Runnels Industrial Drive.
  11. Old U.S. Highway 98, from Highway 98 to Highway 49.  
(Ord. 3060, sec. 7, 12-7-10; Ord. 2830, Sec. 1, 8-19-03)
2. Trucks that deviate from truck routes, whether driving on or parked on City streets or parked in private drives, will be in violation of this article.
  3. Trucks that are in violation of this division and endanger the safety and welfare of others, that are causing a traffic hazard, or whose owners refuse to move them, etc., may be towed at the owner's expense. (Ord. 2830, sec. 1, 8-19-03; Ord. 2721, sec. 10, 5-2-00)

**Sec. 25-19.1. Signs, Posting**

The City shall cause all routes designated as truck routes to be post.(Ord. 3060, sec. 8, 12/7/10)

**Sec. 25-19.2. Special Permits**

The Hattiesburg Police Department shall have authority to grant a written permit in special cases that would otherwise be in violation of the provisions of this Ordinance. Such permits, however, shall not be given for more than one (1) round trip, and in no case shall a permit be valid for a period longer than ten (10) days from the date of issue. Said permit shall describe the vehicle, the time and dates of travel, and the route to be taken by the vehicle. The fee for such special permits shall not exceed \$50.00. It is the intention of this provision to provide for bona fide use of commercial vehicles and trucks outside of the truck routes where the necessity and practicality of a situation dictates a proper exception. (Ord. 3060, sec. 9, 12/7/10)

**\*\*CROSS REFERENCE: Motor Vehicle routes for transportation of explosive materials SEE Chapter 22-29**

**Sec. 25-20. Enforcement.**

The enforcement of this article shall be by the Hattiesburg Police Department or in accordance with the Municipal Offense Ticket Ordinance, being Article 5 of Section 16 in the Code of Ordinances.(Ord. 2721, sec. 11, 5-2-00)

**Sec. 25.21. Penalties/Violations.**

Any person, firm, or corporation violating the provisions of this Ordinance shall be guilty of a misdemeanor. The fine for a violation of this Ordinance shall be not less than two hundred fifty dollars (\$250.00). Increased criminal fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A “repeat violation” is a second or subsequent violation committed by a person, firm, or corporation within six months of a prior violation and for which the person, firm, or corporation admits responsibility or is determined to be responsible. The sanction for a violation of this Ordinance which is a first repeat violation shall be a fine of not less than five hundred dollars (\$500.00), plus assessments and/or 30 days in jail. The fine for a violation of this Ordinance which is a second or subsequent repeat violation shall be a fine of not less than one thousand dollars (\$1,000.00), plus assessments and/or 60 days in jail. Citations for violation of this Ordinance shall be issued by any law enforcement officer of the City of Hattiesburg.

## **Article III. Stopping, Standing or Parking**

### **DIVISION 1. IN GENERAL**

#### **Sec. 25-22. Certain places designated where parking is prohibited.**

The Hattiesburg Police Department is hereby authorize to remove a vehicle and impound from a street any vehicle within the corporate limits of the City of Hattiesburg, under the circumstances hereinafter described in following sections of this chapter. (Ord. 1058, 12-12-46; Ord. 2636, sec.1, 5-19-98)

*\*Cross reference--see section 25-58 - Art. IV Removal and impounding vehicles.*

#### **Sec. 25-23. Parking on bridges, next to fire hydrants, in alleys and on sidewalks.**

No persons shall stop, stand or park a motor or wheeled vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer on any sidewalk; in front of any public or private driveway; within an intersection; within ten (10) feet of a fire hydrant; on a crosswalk; or on any bridge; within twenty (20) feet of a crosswalk at an intersection; within thirty (30) feet of any flashing beacon, stop sign, or traffic control signal located at or on the side of a roadway or street; between a safety zone and the adjacent curb; within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings; within fifteen (15) feet of the nearest rail of a railroad crossing; within twenty (20) feet of a driveway entrance to any fire station; on the side of a street opposite the entrance of any fire station within seventy-five (75) feet of said entrance when a proper sign is posted; along side or opposite any street excavation or construction when such stopping, standing, or parking would obstruct traffic; on the road way side of any vehicle stopped or parked at the edge or curb of a street; in any alley; upon any elevated structure such as a bridge; and in a highway tunnel within the corporate limits of the City of Hattiesburg, Mississippi. (Ord. 1909, sec. 2, 10-12-77; Ord. 1830, sec. 2, 10-23-74; Ord. 1058, sec. 16, 12-12-46)

*\*Cross reference--see section 25-58 - Art. IV Removal and impounding vehicles.*

#### **Sec. 25-24. Stopping and parking on certain designated streets and alleys prohibited.**

It shall be unlawful for the operator or driver of any motor vehicle to park or to stop and permit the same to remain standing in any alley within the business district of the city for any length of time whatsoever, except that motor vehicles used for delivery purposes may park, stop or stand in an alley, for such time as may be reasonable and necessary in loading or unloading goods, wares, or merchandise in or from the trucks or other delivery vehicles from or to some person in the immediate vicinity thereof, provided however, that one hour shall be deemed a reasonable time within which such loading or unloading of the delivery trucks must be done; and it shall be unlawful for the operator or driver of any motor vehicle to drive or operate a motor vehicle into, in, through, and out of alleys so designated by the Traffic Committee and approved by the Mayor in the business district of the city. (Ord. 1105, sec. 1, 1-13-49; Ord. 1058, sec. 17, 12-12-46)

*\*Cross reference--see section 25-58 - Art. IV Removal and impounding vehicles.*

**Sec. 25-25. Loading zones.**

The department of public services of the city shall mark or cause to be plainly and appropriately marked spaces on the streets in the city, which spaces are hereby reserved and designated as places for the loading and unloading, for a period not to exceed fifteen (15) minutes and they shall cause to be so marked spaces at the intersections of the highways and streets in the business district of the city in which spaces there shall be no parking so as to permit the entrance to and from such intersections of the fire trucks of the city as well as other large vehicles.(Ord. 2552, sec. 1, 5-7-96, Ord. 1058, sec. 22, 12-12-46)

*\*Cross reference--see section 25-58 - Art. IV Removal and impounding vehicles.*

**Sec. 25-26. Bus stops.**

The department of public services of the city shall mark or cause to be plainly and appropriately marked on the streets of the city certain areas to be known as bus stops, and it shall be unlawful for the operator of any vehicle other than a bus, to stand or park in an officially designated bus stop. No bus shall stand or remain at such stops in the business area of the city longer than is reasonably necessary to load and discharge its passenger. (Ord. 1058, sec. 23, 12-12-46)

**Sec. 25-27. Peddlers prohibited from parking in certain designated places.**

A. Peddlers of merchandise of any class or character whatsoever, including fruit, vegetables, seafood, wood, or any other commodity or article, are prohibited from parking their stands, wagons, hacks, trucks, automobiles, or other vehicles of any kind containing such merchandise, on any of the streets, avenues or alleys of the city for a longer period of time than thirty minutes at any one place, and also from re-parking any such stand, wagon, hack, truck, automobile, or other vehicle containing any such merchandise, nearer than five hundred feet from any former stand occupied by such wagon, hack, truck, automobile, or other vehicle containing merchandise of a peddler or peddlers, for any length of time whatsoever.

B. It shall be unlawful for any person to sell any merchandise of any class or character whatsoever, including fruit, vegetables, seafood, wood, or any other commodity or article, from any stands, wagons, hacks, trucks, automobiles, or any other vehicle, parked, standing or being situated on any designated street, avenue or alley, or any part thereof, in the city. (Ord. 865, secs. 1---3, 1-21-32)

**Sec. 25-28. Unauthorized parking or leaving of motor vehicles on private property.**

A. It shall be unlawful for any person to park or leave or cause to be parked or left any automobile or other motor vehicle on the premises of another after having been warned not to do so by word of mouth or sign or otherwise; provided, that this section shall not apply to employees of the city or other subdivision or agency of the State of Mississippi or of the United States of America in the discharge of their official duties.

B. The presence of an unattended automobile or other motor vehicle on the premises of one who is not the owner or in control of such automobile or other motor vehicle shall create a prima facie presumption that the registered owner of the automobile or other motor vehicle parked or left or caused to be parked or left the automobile or other motor vehicle on such premises, and the burden of proof shall be upon the registered owner to show otherwise. (Ord. 1790, secs. 1---3, 4-4-73)

**Sec. 25-29. Municipal parking facilities establishment, construction and operation**



**declared necessary.**

A. The governing authorities of the City of Hattiesburg, Mississippi, determined that it is necessary to establish municipal parking facilities and hereby declares the parking spaces available along the City streets in the business district and privately-owned parking facilities are insufficient to relieve congested traffic conditions which are of such a serious nature as to be inimical to the public welfare. (Ord. 2437, sec. 1, 12-8-92)

B. In order to relieve such conditions and to promote the general welfare of the citizenry of the City of Hattiesburg, the governing authorities of the City have determined that it is necessary to establish, construct and operate municipal parking facilities for motor vehicles for members of the general public and to acquire land and property for such purpose through either purchase or lease. (Ord. 2437, sec. 2, 12-8-92)

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*Editor's Note--Ord. 2437, secs. 3--8, 12-8-92, set forth the publication requirements and appeal process for any aggrieved citizen to this ordinance.*

**Secs. 25-30 --- 25-35. Reserved.**

## **DIVISION 2. PARKING METERS**

### **Sec. 25-36. Definitions.**

"**Vehicle**" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

"**Street**" shall mean any public street, avenue, road, boulevard, highways or other public place in the City of Hattiesburg, Mississippi, and established for the use of vehicles.

"**Operator**" shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner. (Ord. 1057, sec. 1, 12-5-46)

### **Sec. 25-37. Meter zones established.**

A. The Traffic Committee is hereby authorized to establish immediately, zones which shall be indicated by appropriate lines painted on the street or curb, to be known as parking meter zones, and which zones shall be approximately twenty-two (22) feet in length, on certain streets and avenues in the city.

B. The hours shall be from 8:00 a.m. to 6:00 p.m. except on the part of Pine and Forrest Streets immediately adjacent to the United States Post Office, and that part of Forrest Street immediately adjacent to the Liberty Cafe or the Morris Building, where the parking meters shall be used twenty-four (24) hours per day. Sundays and holidays excluded.

C. And from time to time hereafter as traffic conditions require in such other streets and avenues as are selected by ordinance of the city for the location of such zones.

D. And in said parking meter zones the governing authorities of the city shall cause parking meters to be installed and shall cause parking meter spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones, which shall not exceed two (2)

hours, except that on Pine Street adjacent to the United States Post Office the time limit shall be thirty-six (36) minutes twenty-four (24) hours a day. (*Ord. 1381, sec. 1, 4-27-60; Ord. 1350, sec. 2, 12-21-58; Ord. 1343, sec. 1, 9-10-58; Ord. 1061, sec. 1, 12-19-46; Ord. 1057, sec. 2, 12-5-46*)

**Sec. 25-38. Placing meters.**

Parking meters installed in the parking meter zones established as provided in sec. 25-37 hereof shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the city and when operated shall indicate on or by its dial and pointer the duration of the period of legal parking, and on expiration of such period, shall indicate illegal or over parking. (*Ord. 1057, sec. 4, 12-5-46*)

**Sec. 25-39. Parking space to be designated.**

The Traffic Committee shall have lines or markings painted or placed upon the curb or upon the street adjacent to each parking meter for the purpose of designating the parking space for which the meter is used and each vehicle parking adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of the division to park any vehicle across any such line or marking or to park the vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings. (*Ord. 1061, sec. 2, 12-19-46; Ord. 1057, sec. 5, 12-5-46*)

**Sec. 25-40. Fees.**

When a vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this division, the operator of the vehicle shall, upon entering the parking space, immediately deposit or cause to be deposited a coin or coins of values set by the Mayor and Council, in such parking meter, and put such meter in operation, and failure to deposit such coin of such specified values and put the meter in operation shall constitute a breach of this division. Upon the deposit of such coins of such specified values and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which the parking space is located. If the vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such meter is located shall be a violation of this division and punished as hereinafter set out. (*Ord. 2637, sec1, 5-19-98; Ord. 1343, sec. 2, 9-10-58; Ord. 1057, sec. 7, 12-5-46*)

Parking Violation Officer shall attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parking in violation of the provisions of this chapter and instructing such owner or operator to report to the appropriate City office of the City of Hattiesburg in regard to such violation. Each such owner or operator receiving said notice, shall, prior to the next court date indicated, pay to the City of Hattiesburg as the penalty for (and in full satisfaction of) such violation, the sum of Five dollars (\$5.00). The failure of such owner or operator to make such payment with the time specified will subject such owner or operator to payment of an additional fifteen dollars (\$15.00) court cost; if owner or operator fails to remit the proper amount,

he/she will be billed for the balance; failure to pay will result in a warrant issued for the violator's arrest.(*Ord. 2637, sec.1, 5-19-98*)

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*\*Cross reference--Parking Violation Officers-duties. Chapter 18-78.*

**Sec. 25-41. Overtime parking---Generally.**

A. It shall be unlawful and a violation of the provisions of this division for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described.

B. It shall be unlawful and a violation of the provisions of this division for any person to permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while the meter is displaying a signal indicated that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space. (*Ord. 1057, sec. 9, 12-5-46*)

**Sec. 25-42. Same---Violations of two-hour parking requirement.**

It shall be and it is hereby declared to be unlawful for any person to cause the vehicle he or she is operating to remain parked adjacent to a parking meter for more than two (2) hours, notwithstanding said person may have placed additional coins in said parking meter after the two-hour period has elapsed.

Any Parking Violation Officer, of the City of Hattiesburg is hereby authorized and directed to attach to such vehicle violating the two-hour parking requirement, herein set out, a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this chapter and instructing such owner or operator to report to the appropriate City office of the City of Hattiesburg in regard to such violation. Any such owner or operator shall pay to the City of Hattiesburg as a penalty for and in full satisfaction of such violation, the sum of five dollars (\$5.00). The failure to make such payment shall render such owner or operator subject to the penalties hereinbefore provided for violation of the provisions of this chapter. (*Ord. 2637, sec. 2, 5-19-98; Ord. 2034, sec. 2, 10-21-80*)

**Sec. 25-43. Exceptions.**

A vehicle that displays a Purple Heart Medal recipient distinctive tag or a Pearl Harbor distinctive tag, as issued pursuant to Section 27-19-56.5 of the Mississippi Code of 1972, may be parked free of charge in any parking meter zone when the person to whom the license plate was issued is operating or occupying the vehicle. (*Ord. 2848, sec. 1, 8-03-04*).

**28-44 --- 25-48. Reserved.**

**DIVISION 3. DISABLED PARKING**

**Sec. 25-49. Purpose and objective of regulating disabled parking.**

To provide ample and convenient parking spaces within the City of Hattiesburg to ensure that Hattiesburg's disabled citizenry have increased mobility and enjoy the same standard of quality of life as Hattiesburg's able-bodied citizenry, and to provide regulations, enforcement and penalties for same. (Ord. 2299, secs. 1---3, 1-3-89; Ord. 2033, secs. 1--3, 10-21-80)

**Sec. 25-50. Definitions.**

Except where specifically defined herein, all words in Article III, Division 3, shall carry their customary meanings. Words used in the present tense include the future, and the plural included the singular.

**Disabled Persons' Parking Area** means that portion of any public parking area designated for the exclusive use of physically disabled persons as defined in Section 27-19-56, Mississippi Code of 1972, Annotated as Amended.

**Public Parking Area** means any area, even though privately owned when requested by the owner or person having responsibility for the management of said private property, which is provided in connection with a shopping center or other business establishment for the access, movement and parking of motor vehicles, and which is open to the public generally for such use. Likewise included in this definition is public parking as designated on city streets and thoroughfares. (Ord. 2299, sec. 4, 1-3-89)

**Sec. 25-51. Spaces designated.**

A. The Director of Public Services is authorized to designate specific spaces within publicly owned public parking areas, streets and thoroughfares, as disabled persons' parking areas and to cause same to be marked in accordance with sec. 25-52.

B. Private owners of public parking areas, as defined in sec. 25-50, are authorized to designate specific spaces therein as disabled person' parking areas provided that such areas must be marked in accordance with sec. 25-52 and that the expense of such marking be borne by the property owner. (Ord. 2299, sec. 5, 1-3-89)

**Sec. 25-52. Same--spaces marked.**

Each parking space within a disabled persons' parking area will be individually marked with a sign displaying the International Symbol of Access in compliance with the Uniform Federal Accessibility Standards. Additionally, the pavement of each designated space will be marked with the International Symbol of Access in reflectorized contrasting paint. (Ord. 2299, sec. 6, 1-3-89)

**Sec. 25-53. Special decal required.**

Only persons whose vehicles have a license tag bearing the special decal indicating a handicapped operator or whose vehicle dashboard contains a parking certificate bearing the International Symbol of Access shall park in designated disabled persons' parking areas. Said decal and/or certificate are to be obtained from an appropriate designated government entity as may from time to time be vested with such responsibility. (Ord. 2299, sec. 7, 1-3-89)

**Sec. 25-54. No parking in designated areas.**

No persons shall park or leave unattended any vehicle within that portion of the public parking area designated and properly marked as a disabled persons' parking area except as provided for in sec. 25-53 above. (Ord. 2299, sec. 8, 1-3-89)

**Sec. 25-55. Enforcement.**

Personnel of the Hattiesburg Police Department and/or Parking Violation Officers are authorized to enforce the provisions of Article III, Division 3, within public parking areas in the City of Hattiesburg. (Ord. 2386, sec. 1, 10-22-91; Ord. 2299, sec. 9, 1-3-89)

**Sec. 25-56. Severability.**

Should any section, clause, paragraph, provision, or part of this Article III, division 3, for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this Article III, division 3. All provisions of this Article III, division 3 shall be considered separate provisions and completely severable from all other portions. (Ord. 2299, sec. 13, 1-3-89)

**Sec. 25-57. Penalty.**

Any person who shall violate any provision of this chapter, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not to exceed five hundred dollars (\$500.00) or imprisoned for not more than ninety (90) days or both for each violation. (Ord. 2299, sec. 10, 1-3-89)

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**Article IV. Removing and impounding of vehicles illegally parked**

**Sec.25-58. Authority to remove and impound vehicles illegally parked.**

The Hattiesburg Police Department is hereby authorized to remove a vehicle and impound from a street any vehicle with the corporate limits of the City of Hattiesburg under the circumstances hereinafter enumerated:

- A. When any vehicle is left unattended on any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic;
- B. When a vehicle upon a street is so disabled as to constitute an obstruction of traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
- C. When any vehicle is left unattended upon a street or is so parked illegally as to constitute a definite hazard or obstruction of the normal movement of traffic;
- D. When any vehicle is parked illegally, including, but not limited to, being parked in a given location beyond the time period allowed by law, in any area where a sign or notice indicates that such activity may result in removal of the vehicle;
- E. When any vehicle is parked in any restricted area where properly marked.

**Sec. 25-59. Notice of removal and reason.**

That whenever any officer removes a vehicle from a street or impounds such vehicle as authorized in this chapter, and the officer knows or is able to ascertain from the registration records in the vehicle the name address of the owner thereof, such officer shall immediately give or cause to be given a notice in writing to such owner of the fact of such removal and the reason therefor and of the place on which such vehicle has been removed.

**Sec. 25-60. Penalty.**

That any vehicle removed and impounded from a street within the corporate limits of the City of Hattiesburg shall be at the owner's expense and the driver of said motor vehicle shall be guilty of a misdemeanor and punished as provided by law.

That any person violating the provisions of this chapter shall upon conviction be fined not more than \$1,000.00, or imprisoned not to exceed ninety (90) days, or subjected to such fines and imprisonment.

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