

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF BATESVILLE, MISSISSIPPI, REGULATING
THE USE OF VEHICLES ON THE PEDESTRIAN LANE OF
HOUSE-CARLSON DRIVE

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as follows:

SECTION 1. Definitions.

- (a) "Pedestrian Lane". Pedestrian Lane means that portion of the House-Carlson Drive that is set aside and designated for pedestrian traffic.
- (b) "Vehicle". Vehicle means any means of carrying or transporting something or someone and includes but is not limited to any such means that has at least one (1) wheel. Excluded from this definition are wheelchairs and bicycles.
- (c) "Wheelchair". Wheelchair means a chair mounted on wheels for the use of persons needing assistance in order to move about.
- (d) "Bicycle". Bicycle is a means of human transportation with two (2) wheels tandem, handlebars for steering, a saddle seat, and pedals by which it is propelled.

SECTION 2. It shall be unlawful for any person to place or operate a vehicle at the Pedestrian Lane.

SECTION 3. Any person adjudicated by a Court of competent jurisdiction to be in violation of this ordinance shall be guilty of a misdemeanor and shall be fined the sum of Two Hundred Fifty Dollars (\$250.00) for the first offense, the sum of Five Hundred Dollars (\$500.00) for the second offense, and the sum of Five Hundred Dollars (\$500.00) and forfeiture of the vehicle for the third and subsequent offenses. In addition, such person found guilty shall be assessed the amount of any and all damages to the Pedestrian Lane resulting from his or her violation of this ordinance in an amount up to the jurisdictional limit of the court of competent jurisdiction. Such an assessment of damages shall not preclude the City of Batesville from seeking additional damage against the offender in a court of competent jurisdiction.

SECTION 4. This ordinance is for the immediate and temporary preservation of the public peace, health, and safety and shall be made effective from and after its passage by a unanimous vote of all members of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as provided by Section 21-13-11 of the Mississippi Code of 1972, and all amendments thereto.

ORDAINED, APPROVED, AND ADOPTED on this the 2nd day of August, 2016.