

AN ORDINANCE BY THE BOARD OF SUPERVISORS OF FORREST COUNTY, MISSISSIPPI, REGULATING THE USE OF CERTAIN COUNTY ROADS

WHEREAS, Section 170 of the Mississippi Constitution and Section 19-3-41 of the Mississippi Code of 1972, as amended, provide the Board of Supervisors with full jurisdiction over roads, ferries and bridges of the County and all others matters of County policies: and

WHEREAS, Section 65-1-45 of the Mississippi Code of 1972, as amended, grants the Board of Supervisors regulatory powers to restrict or prohibit the use of any county road or bridge for the preservation or protection of the road or bridge from damages or the protection of the public's safety and welfare: and

WHEREAS, Section 63-3-211 of the Mississippi Code of 1972, as amended grants additional power to local authorities to enact traffic regulations: and

WHEREAS, Section 19-3-40 of the Mississippi Code of 1972, as amended, grants the Board of Supervisors power to adopt orders, resolutions or ordinances with respect to County affairs, property and finances: and

WHEREAS, in order to protect the County's roads and ditches as much as possible from unnecessary damages and prevent damages to the motoring public.

Now, therefore, be it ordained by the BOARD OF SUPERVISORS of Forrest County Mississippi as follows:

SECTION 1: The provisions of this Ordinance apply to all territory within the legal boundaries of Forrest County, Mississippi, but outside the legal corporate boundaries of the Cities of Hattiesburg and Petal, Mississippi.

SECTON 2: The following words or phrases shall have the meanings or definitions as follows:

- (a) "Prohibited vehicles" means any trucks or truck/trailer combination which have one or more axle groups consisting of two or more consecutive axles, including, but not limited to, those vehicles commonly referred to as "ten wheelers", "tandems", "eighteen wheelers", and manufactured housing "toters," wherein the towed trailer or unit exceeds the maximum width of nine and one-half (9 ½) feet per section 63-5-13 and/or where any county road or section thereof is marked at the ends of said road or section thereof with road signs stating "no wide loads", "no oversized loads" or other sign limiting the width or weight of traffic thereon at the present time.
- (b) "Prohibited area" shall mean such marked roads or section thereof in Forrest County or as designated by the Road Manager.

SECTION 3: It shall be unlawful for any prohibited vehicle to enter, park in or drive through prohibited area of Forrest County.

SECTION 4: Violation of this Ordinance shall constitute a misdemeanor, and shall be punishable, upon conviction, by a fine of \$1,000.00 and imprisonment in the County Jail not more than six (6) months, or either. Each day any such violation occurs shall constitute a separate offense.

SECTION 5: The County Road Manager shall cause to be erected appropriate signs at the entrance to the County roads or parts thereof affected by this Ordinance, and upon erection of the signs, the County Road Manager shall report same to the Board of Supervisors in writing stating the date of posting of each road.

SECTION 6: This Ordinance shall be effective from and after the date of its adoption, and shall be enforceable from and after the date the sign or signs are erected or posted on each respective road constituting part of the prohibited area as reported to the Board in writing by the County Road Manager.

SECTION 7: In addition to the penalties hereinabove provided for violation of the Ordinance, any condition caused or permitted to exist in violation of any provision of this Ordinance shall be subject to appropriate civil action, including, but not limited to, injunctive relief for abatement, damages and sanctions in any court of appropriate jurisdiction.

SECTION 8: If any section, sentence, clause, or provision of this Ordinance is declared void, unconstitutional or invalid for any reason, such portion or provision or the application or the enforceability thereof, shall be servable from this Ordinance. The remainder of this Ordinance, or all applications and the appropriate enforcement thereof, shall not be affected and shall be interpreted, if necessary, so as to give a meaning consistent with the purpose and intent of the enacted Ordinance.

SECTION 9: The Clerk of this Board is hereby authorized and directed to cause this Ordinance to be published one (1) time in a local newspaper.

The above and foregoing Ordinance, after having been first reduced to writing and discussed and considered by the Board, was moved for adoption by Supervisor Mordica

And seconded by Supervisor Stringer. The matter was put to a roll call vote as follows:

SUPERVISOR STEVE STRINGER

Yes

SUPERVISOR GENTRY MORDICA

Yes

SUPERVISOR SHARON THOMPSON

Absent

SUPERVISOR RODERICK WOULLARD

Yes

SUPERVISOR TERRI BELL

Yes

Whereupon the President of the Board declared the motion carried and the Ordinance adopted, on this the 16<sup>th</sup> day of December, 2024.



President, Board of Supervisors

ATTEST:



Clerk, Board of Supervisors

