

ORDINANCE NUMBER 2009-17

AN ORDINANCE OF THE CITY OF HAMILTON PROHIBITING THE USE OF WIRELESS HANDSETS TO COMPOSE, READ OR SEND TEXT MESSAGES WHILE OPERATING A MOTOR VEHICLE IN PRESCRIBED SCHOOL ZONES DURING THE HOURS OF 7:00 AM TO 9:00 AM, AND 2:00 PM THROUGH 4:00 PM, MONDAY THROUGH FRIDAY, DURING SCHOOL HOURS:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, ALABAMA, AS FOLLOWS:

Section 1. This Ordinance shall be known as the "Driving While Texting Law".

Section 2. The city Council finds that: the use of mobile phones also known as "cellular phones" has increased in popularity during the last several years; that the use of these phones to compose, read or send text messages while operating a motor vehicle has become more prevalent and presents a hazard on the roadway, especially in the presence of minor pedestrians.

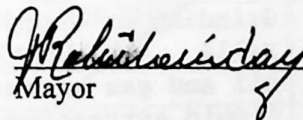
Section 3. This Ordinance would ban motorists from using wireless handsets to compose, read or send text messages while operating a motor vehicle on the public streets during the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., Monday through Friday, during normal school hours.

Section 4: No person shall use a wireless handset to compose, read or send text messages while operating a motor vehicle on the public streets during the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., Monday through Friday, during normal school hours.

Section 5: A violation of any provision of this Ordinance shall constitute an offense and be punishable by a fine not exceeding \$50.00 for each single offense. Each such violation shall constitute a separate and distinct offense.

Section 6: This ordinance hereby adopted shall take effect and be in force beginning on November 1, 2009.

ADOPTED AND APPROVED THIS 5<sup>TH</sup> DAY OF OCTOBER, 2009.

  
Mayor

I, Jan Williams, City Clerk of the City of Hamilton, certify that the foregoing Ordinance number 2009-17 is a true and correct copy of that certain Ordinance adopted by the City of Hamilton, on this 5<sup>th</sup> day of October, 2009.

WITNESS, my hand this 5<sup>th</sup> day of October, 2009.

(SEAL)

  
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City Clerk