

Sec. 82-41. Penalties.

Penalties for violation of this article shall be as follows:

- (1) Any owner or operator of any vehicle or equipment described in this article violating any provision of this article shall be guilty of a misdemeanor and shall be fined not more than \$1,000.00 on the first offense and not more than \$2,000.00 on the occasion of the second offense thereafter. On occasion of the third and all subsequent offenses of damaging parish roads, rights-of-way or bridges as described in this article, the violator shall be fined not more than \$3,000.00 or sentenced to the parish jail for a period not to exceed 30 days, or both.
- (2) In addition to the fine referred to in subsection (1) of this section, the owner and operator of such vehicle or equipment shall be obligated to pay to the Police Jury a minimum service charge of \$750.00 or the actual cost (if it is higher) involved in repairing parish roads or in the removal of mud, trash, debris or litter, which sum is greater, when the Police Jury removes mud, displaced or disturbed soil, or trash, litter or debris from any parish road or road right-of-way or repairs any parish road, as a result of a violation of this article.
- (3) No person shall be arrested, charged or prosecuted for violation of this article unless they are first warned by the parish road superintendent and given the opportunity to obtain compliance status. Failure to do so shall subject the violator to all penalties in this article. Failure to comply within three days shall create a presumption of intent to violate this article. This shall not act as a release for any damages caused. Any complaints by the general public must be directed to the parish road superintendent.

Sec. 82-42. Parish Road Fund.

All funds collected under this Ordinance are hereby appropriated to the Claiborne Parish Road Fund for use in repairing and maintaining Claiborne Parish roads and bridges.

Sec. 82-43 – 82-70. Reserved.

Sec. 82-44. Scheduled Cost of Access Permit:

COST \$100.00 annually per operating company – payable by check or money order to the Claiborne Parish Highway Department.

Operating Company is defined as – any timber, oil & gas, agriculture or other operator that access the Claiborne Parish Road System using over-weight vehicles and/or equipment during the calendar year for the purpose of harvesting and/or the transportation of goods and services including but not limited to timber, oil & gas products and by products, livestock, poultry, feed industrial equipment and such.

Over-weight Vehicle is defined as – any vehicle or piece of equipment (including trailer – loaded or unloaded) that exceeds a GVW of 45,000 lbs.

Sec. 82-45. Applications:

New applications – all applications for permits for new access permits (non-renewals) shall be filed with the Claiborne Parish Highway Department within 24 hours of accessing the Parish Road System and shall be accompanied by a personal/company check or money order in the proper amount payable (\$100.00) to the Claiborne Parish Highway Department. Applications are available on the Claiborne Parish Police Jury website located at www.claiborneparish.org or by contacting the Police Jury Office.

Renewals – all applications for renewal of access permit shall be filed with the Claiborne Parish Highway Department on or before December 1 of each year, and the remittance must accompany the renewal application.

Full-year partial-year permits – a whole year's permit fee shall be paid and collected regardless of the date of issuance. All permits are valid from date of issue until December 31 of the year of issuance.

Penalty for failure to file for renewal – should any access permit holder fail to file his application for renewal of the access permit for any ensuing year on or before December 31 of each year, a penalty of shall be imposed of \$50.00 (fifty dollars) in addition to any additional assessed penalties or service charges.