

TITLE 8

VEHICLES AND TRAFFIC

Chapters:

- 8.04 Abandoned Vehicles
- 8.08 Truck Routes
- 8.10 Careless and Imprudent Driving
- 8.12 Adoption of State Laws
- 8.16 Handicapped Parking
- 8.20 Non-Operating Vehicles
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CHAPTER 8.04

ABANDONED VEHICLES

Sections:

- 8.04.01 Abandoned or improperly parked vehicle-removal authorized; charges; lien
- 8.04.02 Sale of unclaimed vehicles

8.04.01 Abandoned or improperly parked vehicle-removal authorized; charges; lien.

Any vehicle which hereafter shall have been illegally parked on or in the streets, alleys, or other public ways of the city or has obstructed the movement of traffic thereon, for a period of forty-eight (48) hours or more shall be presumed to have been abandoned by its owner and/or operator, and the Marshal or his designated representative, shall be authorized to remove said vehicle therefrom. In such event, the actual towing expense, not to exceed the sum of Fifteen Dollars (\$15.00), together with storage charges of One Dollar (\$1.00) per day, shall be paid in full by the person claiming said vehicle before it shall be released; and the Marshal shall have a possessory lien upon said vehicle until said charges have been fully paid.

8.04.02 Sale of unclaimed vehicles. In the event such vehicle is not claimed within thirty (30) days after confiscation, the Marshal may sale said vehicle at public sale for cash to the highest and best bidder to satisfy the lien. Notice of such sale shall be given by publication once a week for two (2) consecutive weeks in a local newspaper. The proceeds from such sale shall first be applied to pay all costs, including towing, storage, and publication expenses, and the balance, if any thereby, shall be paid to the City Recorder to be applied to the General Fund.

CHAPTER 8.08**TRUCK ROUTES****Sections:**

8.08.01	Truck routes-Designated
8.08.02	Stopping, standing and parking
8.08.03	Penalties and towing of vehicles
8.08.04	Application of provisions
8.08.05	Parking prohibited at all times on certain streets
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8.08.07	Signs required for enforcement
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8.08.09	Designation of parking restriction hours
8.08.10	General list of prohibited locations
8.08.11	Near hazardous or congested places
8.08.12	On narrow streets
8.08.13	On one-way roadways
8.08.14	In alleys
8.08.15	Advertising or working on vehicle
8.08.16	Designation of loading zones
8.08.17	Standing in freight curb loading zones
8.08.18	Designation of public carrier stops and stands

8.08.01 Truck routes-designated. Truck routes for all motor vehicles having a capacity of one (1) ton and over, and proceeding through the city, are hereby established and designated as follows: U. S. Highway 62; Arkansas Highway 311; and Arkansas Highway 103, all such vehicles are hereby prohibited from using any other street, alley or road while proceeding through the city, except that it shall not be prohibited for any truck to use any street, alley, or road for the purpose of picking up or delivering cargo.

8.08.02 Stopping, standing and parking State law references: Stopping, standing and parking A.C.A. 27-51-1301 et seq; power of city to regulate the standing and parking of vehicles, A.C.A. 27-49-106; street and parking revenue bonds, A.C.A. 14-302-111 et seq. (Ord. No. 565.)

8.08.03 Penalties and towing of vehicles The violations of any provision of this section, or any regulations promulgated under this section, shall constitute a misdemeanor and shall be punishable by fine as follows:

- A. Improper parking in a no-parking or loading zone shall be punishable by fines of not less than Twenty-Five Dollars (\$25.00) and assessed court costs in the amount of Seventy-Five Dollars (\$75.00).

- B. The Police Department of the city of Green Forest, Arkansas, and all members thereof assigned to traffic duty, are hereby authorized to remove and tow away or have removed and towed away by commercial towing service any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle.
- C. Vehicles towed for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such vehicle upon payment of all reasonable costs of removal, storage and administrative processing. The storage facility shall have a lien on the vehicle for the cost of removal, storage and processing. No storage or towing entity shall be deemed an agent or employee of the city, but shall be considered an independent contracting party.
- D. When removal of a vehicle from either public or private property is authorized by order of any member assigned to the Green Forest Police Department, the owner of the vehicle will be responsible for all towing costs. Such costs shall be incurred upon the dispatch by the towing company. (Ord. No. 565.)

8.08.04 Application of provisions The provisions of this section prohibiting the standing or parking of a vehicle shall apply at all times or at those times specified in this article or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device. The provisions herein imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places at specified times. (Ord. No. 565.)

8.08.05 Parking prohibited at all times on certain streets When signs are erected on any street or part of a street giving notice thereof, no person shall park a vehicle on the side or sides of any such street or part of such street so designated for no parking between the hours specified by the signs, except on Sundays and public holidays. (Ord. No. 565.)

8.08.06 Stopping, standing or parking during certain hours on certain streets When signs are erected on any street or part of a street in each block giving notice thereof, no person shall stop, stand or park a vehicle on any such street or part of a street in each block so designated for longer than the time period indicated on such signs between the hours of 6:00 p.m. and 6:00 a.m. (Ord. No. 565.)

8.08.07 Signs required for enforcement Whenever by any provisions of this article, a parking time limits is imposed or parking is prohibited on any street or part of a street, the Police Department, State Highway Department or Public Works Department shall erect appropriate

signs on such street or part of a street giving notice thereof, and no such regulation shall be effective unless such signs are erected and in place on the side or sides of the street or part of a street where parking time is limited or prohibited at the time of any alleged offense. (Ord. No. 565.)

8.08.08 Parking common carriers, trucks, tractors or trailers at night or for repairs No person shall park a truck, tractor or trailer with a capacity greater than one (1) ton, or the chassis thereof, on any street between the hours of 10:00 p.m. and 7:00 a.m., nor shall any person use any street for the purpose of repairing or reconditioning any such truck, trailer or any common carrier, or any part thereof, except when such repairs shall be necessitated by an emergency. (Ord. No. 565.)

8.08.09 Designation of parking restriction hours The Chief of Police, City Council or the Mayor may determine the location of parking zones in which parking shall be limited to specific lengths of time, or prohibited, and determine the times of day during which such restricted parking shall be enforced, and place and maintain appropriate signs indicating the limitations and stating the hours during which the limitations are applicable. The installation of such zones shall be subject to the following conditions:

- A. Zones designated by ordinance for specifically indicated time limits shall not be affected.
- B. No person shall park any vehicle in any limited parking zone located in the city for longer than the period prescribed and posted by sign thereof, at any time between the hours so designated, and, if the hours are not designated, no longer than the time indicated, except Sundays and public holidays. (Ord. No. 565.)

8.08.10 General list of prohibited locations No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

- A. In front of or within ten feet of a mail box.
- B. In front of any place of assembly during the period of public assemblage therein, or of a principal exit or entrance to a school, hotel, theater, hospital or public building unless parking is specifically allowed by the designation of parking spaces or signage.
- C. In any designated fire lane or fire zone marked by either a posted sign indicating designation as a fire lane or marked by visible red stripes indicating a fire lane or fire zone.

- D. In any lane or zone marked by either a posted sign indicating a loading zone or lane, or a loading zone or lane marked by visible yellow stripes to indicate a loading zone or lane, unless the vehicle parked in the loading zone or lane is parked for the purpose of permitting the operator to make a delivery of goods or pickup of materials and does not remain parked in the loading zone or lane for longer than fifteen minutes at any time. (Ord. No. 565.)

8.08.11 Near hazardous or congested places The City Council, Mayor or Chief of Police may determine and designate by proper signs, places in which stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay in traffic. When official signs are erected at hazardous or congested places, as authorized in this section, no person shall stop, stand or park a vehicle in the area so designated. (Ord. No. 565.)

8.08.12 On narrow streets The City Council Mayor or Chief of Police may cause signs to be erected indicating no parking upon either or both sides of any street when such parking would, in their opinion, interfere with traffic or create a hazardous situation. When official signs prohibiting parking are erected upon streets as authorized in this section, no person shall park a vehicle upon any such street in violation of any such sign. (Ord. No. 565.)

8.08.13 On one-way roadways If a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left side of such one-way roadway, unless signs are erected to permit such standing or parking. The City Council, Mayor or Chief of Police may determine when standing or parking may be permitted upon the left side of any one-way roadway and erect signs giving notice thereof. (Ord. No. 565.)

8.08.14 In alleys No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (Ord. No. 565.)

8.08.15 Advertising or working on vehicle No person shall park a vehicle upon any roadway for the principal purpose of:

- A. Displaying the vehicle for sale or advertising
- B. Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency. (Ord. No. 565.)

8.08.16 Designation of loading zones The City Council, Mayor or Chief of Police may determine the location of passenger and freight curb loading zones, and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions shall be effective. (Ord. No. 565.)

8.08.17 Standing in freight curb loading zones No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zone are in effect. In no case shall the stop for loading and unloading of material exceed thirty minutes. (Ord. No. 565.)

8.08.18 Designation of public carrier stops and stands The City Council, Mayor or Chief of Police may establish bus stops, bus stands, taxicab stands or stands for other passenger common-carrier motor vehicles on the public streets in such places as they shall determine to be of the greatest benefit and convenience to the public. Such bus stops, bus stands, taxicab stands, or other stands shall be designated by appropriate signs where deemed by the local authority as necessary. (Ord. No. 565.)

CHAPTER 8.10

CARELESS AND IMPRUDENT DRIVING

Sections:

8.10.01 Careless and imprudent driving

8.10.01 Careless and imprudent driving. It shall hereafter be unlawful for any person to operate a motor vehicle on the streets or alleys of the city in a careless or imprudent manner so as to endanger or to manifest an indifference toward the property, safety or well-being of others, or to operate a motor vehicle in such a manner as to cause a breach of the peace.

Chapter 8.12ADOPTION OF STATE LAWSSections:

- 8.12.01 Adopted by reference
- 8.12.02 Violation of ordinance
- 8.12.03 Penalty
- 8.12.04 Adoption of technical codes
by reference
- 8.12.05 Penalties
- 8.12.06 Supplemental Criminal Code

8.12.01 Adopted by reference. Pursuant to the jurisdictional authority granted by Arkansas Statutes Annotated Section 43-1405 (Repl. 1977), the City of Green Forest, Arkansas, hereby adopts by reference the criminal laws of the State of Arkansas relating to traffic offenses, misdemeanors and violations as now enacted, or as may hereafter be enacted by the State of Arkansas and as codified in the Annotated Statutes of the State of Arkansas. (Ord. No. 364, Sec. 1)

8.12.02 Violation of ordinance. A breach of any State Law relating to traffic offenses, misdemeanors or violations which occurs within the corporate limits of the City of Green Forest is hereby declared to be a breach of the ordinances of this city and may be prosecuted as a breach of an ordinance of said city and said breaches may be charged or alleged by reference to the proper Arkansas Statutes Annotated citation or by reference to this ordinance. (Ord. No. 364, Sec. 2)

8.12.03 Penalty. The penalty for a conviction under said traffic laws or criminal laws relating to misdemeanors and violations shall be the same as is prescribed by State Law as presently enacted or as hereafter modified or amended. (Ord. No. 364, Sec. 3)

8.12.04 Adoption of technical codes by reference. That the Criminal Code, Motor Vehicle Code, Alcoholic Beverage Code and Controlled Substance Code of the State of Arkansas are hereby adopted by reference by the city pursuant to the provisions and authority of Ark. Stat. Ann. Sec. 19-2421, et seq., and all prosecution of any provisions of the foregoing codes shall be by reference to this ordinance as required by the provisions of Ark. Stat. Ann. Sec. 19-1102 and Sec. 43-1405, et seq. (Ord. No. 395, Sec. 1)

8.12.05 Penalties. From and after the adoption of this ordinance, violation of any provision of an ordinance of the city, specifically including the technical codes adopted by reference herein, may result in the levy of a fine or penalty of not to exceed Five Hundred Dollars (\$500.00) for any one (1) specified

offense or violation or double such sum for each repetition of such offense or violation. Provided, violations which are considered to be continuous in respect to time shall result in a fine or penalty of not to exceed Two Hundred Fifty Dollars (\$250.00) for each day the violation shall be unlawfully continued and provided further, that any fine, penalty or sentence imposed by the City Court for a violation of this ordinance shall not exceed the fine, penalty or sentence prescribed for similar offenses against the laws of the state of Arkansas; that the foregoing authority and limitations shall be in full compliance with the provisions of Ark. Stat. Ann. Sec. 19-2408, et seq. (Ord. No. 395, Sec. 2)

8.12.06 Supplemental Criminal Code. That the code known as the "Green Forest Code of Offenses" three (3) copies of which are on file in the city Clerk/Treasurer's office is hereby adopted by reference as the supplemental Criminal Code for the city of Green Forest, Arkansas. (Ord. No. 414, Sec. 1)

The Green Forest Code of offenses shall hereafter be used to supplement the Arkansas Statutes in all criminal prosecutions in the city. This code is not intended to repeal any of the offenses now made punishable by state law or ordinance of the city of Green Forest. (Ord. No. 414, Sec. 2)

CHAPTER 8.16

HANDICAPPED PARKING

Sections:

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|---------|-------------|
| 8.16.01 | Eligibility |
| 8.16.02 | Violation |

8.16.01 Eligibility. All persons who may wish to avail themselves of the provisions of Ark. Stats. Ann. Sec. 75-266.19 through 75-266.29, in regard to public parking areas or to avail themselves of the provisions of this ordinance shall apply for and obtain from the state of Arkansas the identifying decal known as the "International Symbol of Access" which shall be displayed on the lower left corner of the license plate of the vehicle registered to the handicapped person. Only those persons who are disabled within the definition of Ark. Stats. Ann. Sec. 75-266.22 and have properly obtained an identifying decal which is properly displayed on the vehicle or an individual who is found to be disabled by the Veterans Administration and who legally displays the "Disabled Veterans" license plate shall be permitted to park in parking spaces which shall be designated for handicapped persons on either public or private parking areas. (Ord. No. 362, Sec. 1)

8.16.02 Violation Any person who shall park a vehicle in a parking space which has been set aside and designated for handicapped persons only and who is not a disabled person within the definition of Ark. Stats. Ann. Sec. 75-266.22 and does not have either the proper identifying decal displayed on his or her license plate or who does not display a "Disabled Veterans" license plate shall be guilty of a misdemeanor and upon conviction shall be fined the sum of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each offense plus applicable towing, impound and related fees. (Ord. No. 362, Sec. 3.)

CHAPTER 8.20

NON-OPERATING VEHICLES

Sections:

8.20.01	Definitions
8.20.02	Prohibiting non-operating vehicles
8.20.03	Exceptions
8.20.04	Penalty
8.20.05	Violators

8.20.01 Definitions Non-operating motor vehicles as used in this chapter means a motor vehicle with one or more of the following characteristics:

- A. The engine is inoperative;
- B. The wheels, all or any, are removed from the vehicle;
- C. The vehicle has flat tires on two or more tires;
- D. Major operating components are missing such as windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, gear box, rear end, any parts connected with the steering geometry of the motor vehicle, or the seats are removed;
- E. Any of the major operating components such as those listed in item (a)(4) above are in such damaged condition so as to make the motor vehicle useless;
- F. The motor vehicle does not have a current Arkansas registration.

- G. Motor vehicle means a car, automobile, truck, bus, omnibus, tractor truck, or other vehicle licensed to travel upon the roads of Arkansas, or subject to licensing for travel or intended as a carrier for goods and persons from point to point which uses motive power derived from a motor or engine, especially an internal combustion engine, or rotary engine and a wankle. (Ord. No. 546, Sec. 1.)

8.20.02 Prohibiting non-operating vehicles It is unlawful to have a non-operating motor vehicle. (ord. No. 546, Sec. 2.)

8.20.03 Exceptions Nothing in this chapter shall be construed so as to apply to:

- A. Any motor vehicle that can be started and moved under its own power on demand;
- B. Motorcycles and motor bikes;
- C. Antique automobiles, provided the vehicle has an antique license as by law require; and
- D. Temporarily disabled motor vehicles provided they are restored to running condition within thirty (30) days from date of disablement. (Ord. No. 546, Sec. 3.)

8.20.04 Penalty A violation of this chapter is hereby declared to be a misdemeanor and punishable by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00) or by a jail sentence of one (1) to ten (10) days. Each day a non-operating motor vehicle is upon the premises of a person shall constitute a separate offense. (Ord. No. 546, Sec. 4.)

8.20.05 Violators A person shall be deemed in violation of this chapter is:

- A. Such person owns or has registered to him or her a non-operating motor vehicle that is in a prohibited area within the terms of this chapter;
- B. Such person owns property that non-operating motor vehicles are placed, parked or found resting on in a prohibited area within the terms of this chapter;
- C. Such person is the record owner of the property in question;
- D. Such person is the registered owner of the motor vehicle in question. (Ord. No. 546, Sec. 5.)

CHAPTER 8.24**OUTDOOR SHIELDED LIGHTING****Sections:**

- 8.24.01 Cost prohibitive
- 8.24.02 Exemption

8.24.01 Cost prohibitive After a comprehensive review of the additional costs involved in replacing existing non-shielded light fixtures with shielded fixtures, while factoring in the projected additional energy costs of operation such shielded fixtures and determining what the additional net cost to the city would be, the Green Forest City Council hereby determines that the cost of acquiring shielded outdoor lighting fixtures will be cost prohibitive. (Ord. No. 579, Sec. 1.)

8.24.02 Exemption The city of Green Forest, Arkansas hereby expressly intends to avail itself of the exemption from the requirements of the Act pertaining to the purchase of shielded outdoor lighting fixtures. (Ord. No. 579, Sec. 2.)