

## **TITLE 8**

### **VEHICLES AND TRAFFIC**

#### **Chapters**

- 8.04 Adoption of State laws
- 8.08 Truck Routes
- 8.12 Emergency Vehicles
- 8.16 Non-operating Vehicles
- 8.20 Restricted Vehicles
- 8.24 Parking Meters
- 8.28 Handicapped Parking

#### **CHAPTER 8.04**

##### **ADOPTION OF STATE LAWS**

#### **Sections:**

- 8.04.01 Adoption of state laws

8.04.01 Adoption of state laws The “Uniform Act Regulating Traffic on Highways of Arkansas,” as continued in Title 75 of the Arkansas Statutes, three (3) copies of which are on file in the office of the Clerk/Treasurer, are hereby adopted as traffic rules and regulations within and for the city. Any person convicted of a violation of said statutes shall be deemed guilty of the violation of the ordinances of the city, and shall be fined or imprisoned or both in the manner set out under the state statutes.

#### **CHAPTER 8.08**

##### **TRUCK ROUTES**

#### **Sections:**

- 8.08.01 Designated by Mayor
- 8.08.02 Use required
- 8.08.03 Penalty

8.08.01 Designated by Mayor The Mayor for the city of Clarksville is hereby authorized to determine and designate streets, parts of streets, or specific lanes as truck routes, and to close street, parts of streets or specific lanes to truck and commercial vehicle traffic of more than one (1) ton capacity. (Ord. No. 146, Sec. 1.)

8.08.02 Use required All trucks and commercial vehicles of more than one (1) ton capacity shall follow designated truck routes within the city limits of the city of Clarksville, Arkansas, and unless a specific street or highway is designated by appropriate

signs placed on said streets or highways for trucks or commercial vehicles, then such streets or highways shall be closed to trucks or commercial vehicles of more than one (1) ton capacity, except that trucks or commercial vehicles making deliveries that cannot be made without traveling over closed streets shall be exempted from the provisions of this ordinance. (Ord. No. 146, Sec. 2.)

8.08.03 Penalty Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment. (Ord. No. 146, Sec. 3.)

## **CHAPTER 8.12**

### **EMERGENCY VEHICLES**

#### Sections:

- 8.12.01 Right-of-way
- 8.12.02 following prohibited
- 8.12.03 Restriction of vehicular traffic
- 8.12.04 Strict enforcement
- 8.12.05 Exempt personnel
- 8.12.06 Penalty

8.12.01 Right-of-way When any emergency vehicle is on an emergency run, a siren and/or flashing light shall be operated at all times while said vehicle is in motion. Any such moving emergency vehicle shall be entitled to and shall receive the right-of-way over all pedestrian and vehicle traffic. When the operator of any non-emergency vehicle is approached from any direction by such emergency vehicle, he shall immediately move his vehicle to the extreme right side of the street, and shall come to a full stop, remaining at such full stop until all such emergency vehicle movements have passed.

8.12.02 Following prohibited No person except as herein authorized shall follow any emergency vehicle which is operating its emergency signals.

8.12.03 Restriction of vehicular traffic No vehicular traffic (other than that of authorized personnel specified herein) shall be permitted within a three (3) block radius of any emergency, unless such vehicular movement is permitted by order of the fire, police or medical personnel in charge at the scene of such emergency. Fire, police or other authorized personnel shall have the specific authority to order all pedestrians and spectators outside said emergency area at any time.

8.12.04 Strict enforcement The provisions hereof shall be strictly enforced; members of the Police Department, the auxiliary Police Department, the Fire Department, the Volunteer Fire Department and all other duly qualified and acting law enforcement officials

shall have full and complete authority to make arrests and/or issue summons to violators, and such arrests and/or summons for any such violation shall be valid and enforceable by court order as in other cases.

8.12.05 Exempt personnel The following personnel when acting in the line of duty are specifically exempt from the provisions of this chapter:

- A. All regular and Volunteer Fire Department personnel.
- B. All regular and auxiliary police personnel.
- C. News reporting and photography personnel for public communications media
- D. Medical, nursing and ambulance personnel.
- E. Law enforcement officers, and other persons specifically authorized by the Mayor, Police Chief or Fire Chief.
- F. Public utility personnel.

8.12.06 Penalty Any person violating any of the provisions hereinabove shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

## **CHAPTER 8.16**

### **NON-OPERATING VEHICLES**

Sections:

- 8.16.01 Definitions
- 8.16.02 Prohibiting non-operating vehicles
- 8.16.03 Exceptions
- 8.16.04 Penalty for violation
- 8.16.05 Violators

8.16.01 Definitions

- A. Non-operating motor vehicles as used in this chapter means a motor vehicle with one or more of the following characteristics:
  - 1. The engine or motor is inoperative
  - 2. The wheels all of any one of them are removed
  - 3. The motor vehicle has flats on two or more tires
  - 4. Major operating components are missing such as: windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, gear box, rear end, or any parts connected with the steering geometry of the motor vehicle, the seats are removed.
  - 5. 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

- 6. The motor vehicle does not have a current Arkansas registration
  - 7. The motor vehicle does not have a current Arkansas motor vehicle inspection sticker demonstrating the vehicle has passed a safety inspection as by law required
- B. Prima facie case: it shall be a prima facie case that a motor vehicle is a non-operating motor vehicle if it does not have a current Arkansas motor vehicle inspection sticker demonstrating the motor vehicle has passed a safety inspection as by law required.
  - C. 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 carried 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.

8.16.02 Prohibiting non-operating vehicles It is unlawful to have a non-operating motor vehicle.

8.16.03 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 required.
- D. Temporarily disabled motor vehicles provided they are restored to running condition within thirty (30) days from date of disablement.

8.16.04 Penalty for violation A violation of this chapter is hereby declared to be a misdemeanor and punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) 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.

8.16.05 Violators A person shall be deemed in violation of this chapter if:

- A. Such person owns or has registered to him 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. It shall be a prima facie case that the record owner is the owner of property in question.
- D. It shall be a prima facie case that the registered owner of a motor vehicle is the owner of the motor vehicle.

## CHAPTER 8.20

### RESTRICTED VEHICLES

Sections:

8.20.01	The Trail Rules
8.20.02	Definition
8.20.03	Penalty
8.20.04	Flood levee
8.20.05	Definition
8.20.06	Penalty

8.20.01 The Trail Rules It shall be unlawful to operate a motor vehicle, motorcycle, RTV/UTV or side-by-side (Except electric bicycles (“e-bikes”)) on the mountain bike trails at Lake Ludwig (Excluding First Responders, Police, and Fire). It shall be unlawful for any person or entity to operate a motor vehicle or motorcycle on the nature trail which is situated along the Eastern and Western banks of Spadra Creek within the city limits of Clarksville, Arkansas for any reason. Scooters and bicycles (manual and electric) are permitted on the nature trail and electronic bikes are only allowed on the mountain bike trails. This provision shall not apply to first responders, law enforcement, fire department or other emergency personnel in the course of their duties or while conducting city business. (Ord. No. 22-892, Sec. 2)

8.20.02 Definition The term “motor vehicle” for the purpose of this ordinance shall mean any vehicle which is self-propelled, having a motor of combustible fuels or electric and including, but not limited to, automobiles, vans, motorcycles, RTV’s, UTV’s, or side-by-sides. (Ord. No. 22-892, Sec. 3)

8.20.03 Penalty Any person violating this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall pay a fine of not less than Twenty-Five Dollars (\$25.00) and not to exceed One Hundred Dollars (\$100.00) for each offense. (Ord. No. 22-892, Sec. 4)

8.20.04 Flood levee It shall be unlawful for any person to operate a motor vehicle upon or across the flood levee that runs along the western band of Spadra Creek within the city limits of Clarksville, Arkansas. (Ord. No. 81, Sec. 1.)

8.20.05 Definition The term “motor vehicle” for purposes of this ordinance shall mean any vehicle which is self-propelled, including, but not limited to, automobiles, jeeps, vans and motorcycles. (Ord. No. 81, Sec. 2.)

8.20.06 Penalty Any person violating this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall pay a fine of not less than Twenty-Five Dollars (\$25.00) and not to exceed One Hundred Dollars (\$100.00) for each offense. (Ord. No. 81, Sec. 3.)

## **CHAPTER 8.24**

### **PARKING METERS**

Sections:

- |         |           |
|---------|-----------|
| 8.24.01 | Operation |
| 8.24.02 | Fines     |

8.24.01 Operation The city of Clarksville and the City Council thereof by ordinance or resolution shall have the power to purchase, install, maintain, operate and control parking meters in the public streets, avenues, roads, alleys, public ways, public parks, public parking lots and places within the city of Clarksville at such designated places as the City Council may deem necessary and proper and as it may establish by resolution or ordinance; to set and collect reasonable rates, fees or charges for the use of parking places so designated and equipped with parking meters by vehicles; to regulate the period of time in which such parking places with parking meters may be used by the public for parking vehicles at such rates; to provide by ordinance penalties for the violation of parking meter regulations pursuant to the laws of the state of Arkansas, particularly Act 309 of the Acts of the General Assembly of the state of Arkansas, for the year 1939, and the Constitution of the state of Arkansas for the year 1874 as amended. (Ord. No. 400, Sec. 1.)

8.24.02 Fines From and after the passage and approval of this ordinance, the fines for parking meter violations within the city of Clarksville, Arkansas, shall be as follows:

- A. The fine for a parking meter violation shall be Fifty Cents (\$.50) if paid within twenty-four (24) hours from the date the parking ticket was issued.
- B. If said fine or penalty is not paid within twenty-four (24) hours, the fine or penalty shall be increased to One Dollars (\$1.00)
- C. If said fine or penalty is not paid within seventy-two (72) hours from the date the parking ticket was issued, the fine or penalty shall be Ten Dollars (\$10.00) and the Clarksville Police Department shall notify the owner of the vehicle, in writing, by United States mail of the fine and the possible consequences of non-payment.

- D. If said fine or penalty, as set out above, is not paid within one (1) week from the date of the mailing of the above described notification, a warrant shall be issued by the District Court, and the owner of the vehicle arrested, and upon conviction shall be fined in any amount, not less than Ten Dollars (\$10.00), nor more than Twenty-Five Dollars (\$25.00). (Ord. No. 182, Sec. 1.)

## **CHAPTER 8.28**

### **HANDICAPPED PARKING**

#### **Sections:**

- 8.28.01 Eligible persons  
8.28.02 Violations

**8.28.01 Eligible persons** All person who may wish to avail themselves of the provisions of A.C.A. 27-15-702 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. Such 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 A.C.A. 27-15-702 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. 131, Sec. 1.)

**8.28.02 Violations** Any person who shall park a vehicle in a parking space which has been set aside and designated for handicapped persons only, who is not a disabled person within the definition of A.C.A. 27-15-702, who 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 a sum of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each offense, plus applicable towing, impounding and related fees. (Ord. No. 131, Sec. 2.)

(\*\*114 through 118 intentionally left blank\*\*)