

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 Outdoor Shielded Lighting
- 8.24 Vacating Streets

CHAPTER 8.04

ADOPTION OF STATE LAWS

Sections:

- 8.04.01 Adoption of state laws
- 8.04.02 Amendments

8.04.01 Adoption of state laws. The "Uniform Act Regulating Traffic on Highways of Arkansas", as contained in Title 75 of the Arkansas Statutes are hereby adopted as traffic rules and regulations within and for the city of Bald Knob, Arkansas: except those provisions of said Uniform Act which by their terms could have no application to first class cities, and excepting such portions as are hereinafter deleted or amended. Any person convicted of a violation of the Ordinance as adopted by the city shall be fined, imprisoned, or both in the manner set out under the state statutes. (Ord. No. 86-3, Sec. 1.)

8.04.02 Amendments Any duly enacted amendments affecting the Act set forth herein shall, from the date of effective enactment, become a part of this ordinance without any further action on the part of the governing body of this city and shall become a part of this ordinance. All laws or parts of laws in conflict therewith shall be null and void and no longer enforceable. (Ord. No. 86-3, Sec. 2.)

CHAPTER 8.08

TRUCK ROUTES

Sections:

8.08.01	Truck routes - Designated
8.08.02	Weight of vehicles operating
8.08.03	Weight of vehicles parking
8.08.04	Moving and delivering
8.08.05	Fine

8.08.01 Truck routes - Designated. Truck routes for all motor vehicles having a capacity of one ton and over, and proceeding through the city, are hereby established and designated as follows:

All such vehicles are hereby prohibited from using any other street, alley or road while proceeding through the city.

8.08.02 Weight of vehicles operating No vehicles of a weight of more than 12 tons shall be operated upon any street in the city of Bald Knob, White County, Arkansas, except the following, to-wit:

- A. U.S. Highway 367/167 (Highway Avenue)
 - B. South Elm Street
 - C. South Hickory Street
- (Ord. No. 88-11, Sec. 1.)

8.08.03 Weight of vehicles parking No vehicles of a weight of more than 12 tons shall be allowed to park at any time in the city (except to make deliveries to merchants). However, they shall be allowed to park in designated parking areas on the streets described in Section 1 above. (Ord. No. 88-11, Sec. 2.)

8.08.04 Moving and delivering Farm vehicles being used to haul produce and moving vans or other vehicles being used to move and deliver furniture or other home related items may use said prohibited streets for the purpose of moving or delivering furniture or hauling produce. (Ord. No. 88-11, Sec. 3.)

8.08.05 Fine Any person operating a vehicle of more than 12 tons in violation of this ordinance shall, upon conviction, be fined an amount of not less than \$50.00 nor more than \$100.00 for each violation. (Ord. No. 88-11, Sec. 4.)

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 red 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 by members of the Police Department.

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 Prohibition
- 8.16.02 Exceptions
- 8.16.03 Owner
- 8.16.04 Violators
- 8.16.05 Penalties
- 8.16.06 Definitions

8.16.01 Prohibition From and after the passage of this ordinance, it is hereby declared to be unlawful for any person, firm, corporation, partnership or other entity to have or maintain a non-operating motor vehicle as hereinafter after defined on any property located within the city limits of the city of Bald Knob, Arkansas. (Ord. No. 0-03-07, Sec. 1.)

8.16.02 Exceptions

- A. Any motor vehicle which can be started and moved under its own power on demand provided it has current license plates, current registration, and insurance.
- B. Antique automobiles, provided such automobile is at least 25 years old and is restored to operating condition and has antique auto tags affixed on the vehicle.
- C. Travel trailers provided they have current license plates, current registration and insurance. (Trailer parks are the only place in the city where people may live in travel trailers).
- D. Temporarily disabled motor vehicles provided they are restored to running condition within ten (10) days from the date of disablement.

- E. Any vehicle located in a Commercial Zone but not limited to garages, retail/wholesale vehicle dealerships, or any business primarily conducting the repair and/or rebuilding vehicles.
- F. Non-operating motor vehicles which are located upon the property of any person provided such vehicles are located within a completely enclosed structure so as to be shielded from view from the neighbors and street.
(Ord. No. 0-03-07, Sec. 2.)

8.16.04 Owner It shall be a prima facie case that the registered owner, (whether title has been transferred to the registered owner or not) is the owner of motor vehicle and that the recorded owner of any real property is the owner of such real property. (Ord. No. 0-03-07, Sec. 3.)

8.16.04 Violators A person shall be deemed in violation of the prohibitions of this ordinance if:

- A. Such person owns, holds title or has registered to him a non-operating motor vehicle that is in a prohibited area within the provisions of this ordinance.
- B. Such person owns or is currently buying under agreement or contract or rents property upon which non-operating vehicles are placed, parked or found resting on blocks in a prohibited area within the meaning of this ordinance.
- C. Such persons will have a warning violation for abandoned or junked vehicles posted on said vehicles. The warning will state that the violation must be corrected within five (5) days. All vehicles must be in running condition and have current tags and insurance. Also that the next notice after five days will be a citation with a court date. Citations will be presented in person or by certified mail. (Ord. No. 0-03-07, Sec. 4.)

8.16.05 Penalties The violation of this ordinance is hereby declared to be an unclassified misdemeanor and shall be punishable upon conviction by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) per vehicle, per day, that a non-operating vehicle is or remains upon the property of a person in violation of this ordinance or if a person upon conviction fails to abate the existing non-compliance, said vehicle or vehicles may be impounded and after thirty days, if recovery costs are not paid by owner, sealed bids will be taken on vehicles and sold to cover all costs of impoundment. (Ord. No. 0-03-07, Sec. 5.)

8.16.06 Definitions The following terms shall have the meaning hereinafter set forth for purposes of this ordinance:

- A. For purposes of this ordinance the term “non-operating motor vehicles” shall mean a motor vehicle which has one or more of the following characteristics:
1. The engine of the motor vehicle is inoperative;
 2. The wheels, or any one of them are removed;
 3. The motor vehicle has flats on two or more tires;
 4. Major operating components of the automobile are missing or in such damaged condition so as to make the motor vehicle useless. For purposes of this subparagraph, “major operating components” shall mean and include, but shall not be limited to, windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, engine, gear box, rear end, disassembled parts or abandoned or discarded components.
 5. The motor vehicle does not have a current Arkansas license plate and registration.
 6. Abandoned vehicles shall mean any motor vehicle to which the last registered owner of record thereof has relinquished all further dominion and control and/or any vehicle which is inoperable. There shall be a presumption that the last registered owner thereof has abandoned such vehicle, regardless of whether the physical possession of the vehicle remains in the technical custody or control of such owner, if it has remained inoperable or (if the owner has relinquished dominion or control of such vehicle for seventy-two (72) hours.)
 7. Person shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.
- B. For purposes of this ordinance the term “motor vehicle” shall mean a car, automobile, truck, bus, tractor truck, motor home, travel trailer, motorcycle, motorbike or other vehicles licensed to travel upon the roads of the state of Arkansas or subject to licensing for travel, or intended as a carrier for goods and persons from point to point. (Ord. No. 0-03-07, Sec. 6.)

CHAPTER 8.20

OUTDOOR SHIELDED LIGHTING

Sections:

- 8.20.01 Monthly increase
- 8.20.02 Cost prohibitive
- 8.20.03 Exemption

8.20.01 Monthly increase The City Council finds that the city has 391 street lights. A monthly increase of \$243.32 would be assessed. The projected annual increase to the city would be \$2,919.84 to acquire shielded lighting. A rate schedule is attached to this document. (Ord. No. 2006-5, Sec. 1.)

8.20.02 Cost prohibitive The City Council hereby determines that the cost of acquiring shielded outdoor lighting fixtures will be prohibitive. (Ord. No. 2006-5, Sec. 2.)

8.20.03 Exemption The city of Bald Knob 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. 2006-5, Sec. 3.)

CHAPTER 8.24

VACATING STREETS

Sections:

- 8.24.01 Vacating streets

8.24.02 Vacating streets

- Ord. No. 85-08 East 5th Street between Lot 11, Block 38 & Block 40
- Ord. No. 96 Pine Street
- Ord. No. 109 Part of Moody St. between Blocks 13 & 16 in McKay Heights
- Ord. No. 116 Part of Moody St lying between McKay and Collison Ave.
- Ord. No. 134 Part of Hickory St in Beinert's First Addition

Ord. No. 136	Part of Hickory St. between Blocks 23 & 55 in Beinert's First Addition
Ord. No. 140	Part of Brandon St. in C.G. McKay Heights Addition
Ord. No. 144	Part of E. 2 nd St. of Walnut St otherwise deeded to Miss. Pacific RR
Ord. No. 147	Alley between Lots 7.8.9.10.11 and 12 of Brown Addition
Ord. No. 149	Pine Lane, West Hill Addition
Ord. No. 150	Part of Arch St. between Lots 6, Block 4 of Holfords First Addition
Ord. No. 152	Part of unnamed street S of Lot 1, Block 2 in Widow Holford's Addition
Ord. No. 159-B	Part of Maple Dr. of West Hill Addition
Ord. No. 164	Penny Street
Ord. No. 166	McKay Ave. & Collison Ave. in McKay Addition
Ord. No. 84-3	Alley in Block 7, Holford's Addition
Ord. No. 85-4	Oak St. between Lots 29 & 36 in Bienert's Addition
Ord. No. 2012-8	16 ft. alley from Cleveland St. of Holford Second Addition
Ord. No. 0-16-10	All of the alley which runs in a northwesterly to southeasterly direction through the center of Block 30 of the Bald Knob Original Town from 3rd. street to 4 th street.