

ORDINANCE NO. 2015-5

AN ORDINANCE REGULATING ON-STREET PARKING ON ROADWAYS WITHIN THE CITY OF FARMINGTON, ARKANSAS; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES AND FOR OTHER PURPOSES

WHEREAS, the City of Farmington, Arkansas is granted the authority under Ark. Code Ann. § 27-49-106 to adopt traffic regulations which are not in conflict with Arkansas law; and

WHEREAS, the Farmington City Council, has determined that it is in the best interest of the safety, health, and welfare of the citizens of the City of Farmington to regulate on-street parking; and

WHEREAS, the city council hereby finds that the regulation of on-street parking is necessary for purposes of ensuring adequate vehicular access for police and fire protection, and reducing traffic congestion and on-street accidents.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FARMINGTON, ARKANSAS HEREBY ORDAINS, AS FOLLOWS:

Section 1. Adoption of State Motor Vehicle Traffic Laws. The provisions of Title 27 (Ark. Code Ann. § 27-14-101 et seq.) relating to motor vehicles and the operation thereof, as amended, are hereby adopted and shall control the operation of motor vehicles, traffic signs, lights and directions, except as supplemented by the provisions of this ordinance. The same shall be controlling within the corporate limits of the city as if set forth in this ordinance in full.

Section 2. Application of Ordinance. The provisions of this ordinance prohibiting the standing or parking of a vehicle

shall apply at all times or at those times herein specified 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.

Section 3. Parking Prohibited At All Times on Certain Streets. When signs are erected on any street or part of street giving notice thereof, no person shall park a vehicle on the side or sides of any such street or part of street so designated for no parking.

Section 4. Designation and Marking of Areas Where Parking is Prohibited or Restricted. The Chief of Police may, from time to time, designate streets or portions thereof, or other areas, where the parking of vehicles is prohibited, limited or restricted, and it shall be the duty of the Chief of Police to indicate such areas by appropriate markings or signs giving notice of the prohibition, limitation or restriction.

Section 5. Designation of Bus Stops and Bus Stands; Use of Such Locations.

(A) The Chief of Police is hereby authorized to establish bus stops, bus stands and stands for other passenger common-carrier motor vehicles on the public streets in such places as he shall determine to be in the greatest benefit and convenience to the public. Such bus stops, bus stands, or other stands so established shall be designated by appropriate signs where deemed by the Chief of Police, as necessary.

(B) The operator of a bus shall enter a bus stop, bus stand or other location where passengers are normally discharged or

picked up in such manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position as close to the curb as possible, so as not to impede unduly the movement of other vehicular traffic.

(C) No person shall stop, stand or park a vehicle other than a bus in a bus stop or bus stand when such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading and unloading passengers when such stopping does not interfere with any bus waiting to enter or about to enter such zone.

Section 6. Use of Streets for Storage of Vehicles Prohibited. No person shall park, leave standing, or store, or cause to be parked, left standing, or stored, a vehicle upon any highway, street, or alley for more than seventy-two (72) consecutive hours. A vehicle shall be considered to be parked, left standing, or stored if it has not been removed from the highway, street or alley within seventy-two (72) consecutive hours. A vehicle shall be considered parked, left standing, or stored whether occupied or not.

Section 7. Parking for Maintenance and Repair Prohibited. No person shall park a vehicle upon any roadway for the principal purpose of maintenance or repairing such vehicle, except to complete repairs necessitated by an emergency.

Section 8. Parking Not to Obstruct or Impede Traffic. No person shall park any vehicle upon a highway, street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free

movement of vehicular traffic, including double parking resulting in blocked or impeded traffic flow.

Section 9. Temporary "No Parking", Special Events or Emergency Parking Signs.

A. Whenever the Chief of Police determines that an emergency traffic congestion is likely to result from the holding of public or private assemblages, gatherings, or functions, or for other reasons, he shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as he shall direct during the time such temporary signs are in place. Such signs shall remain in place only during the existence of such emergency and shall be removed promptly thereafter.

B. When signs authorized by the provisions of this section are in place giving notice thereof, no person shall operate, park or stand any vehicle contrary to the directions and provisions of such signs.

Section 10. Parking of Certain Commercial Vehicles, Trailers and Semi-Trailers Prohibited; Exceptions. No person shall park or leave standing any commercial vehicle having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more, or any commercial trailer, semi-trailer, trailer coach, or trailer bus regardless of weight, on any highway, street, or alley except as follows:

1. Any vehicle making pickups or deliveries of goods, wares or merchandise from or to any building or structure located on the restricted highway, street, or alley, or for the purpose of delivering materials to be used in the actual repair, alteration, remodeling or construction of

- any building or structure upon the restricted highway, street, or alley;
2. Any vehicle parked in connection with, and in the aid of, the performance of a service to or on a property in the block in which such vehicle is parked;
 3. Any passenger bus transporting passengers;
 4. Any vehicle owned by a city, county, state, public entity or licensed contractor engaged in the installation, maintenance, or repair of any public property, utility or highway; and
 5. Any authorized emergency vehicle.

Section 11. Use of Highways, Streets and Alleys for Placement of Dumpsters and Portable On Demand Storage Units Prohibited. No dumpsters of any kind or Portable On Demand Storage units (PODS) shall be placed or parked on any highway street or alley at any time.

Section 12. Removal of Vehicles in Violation of Ordinance. If any motor vehicle, commercial vehicle, trailer, semi-trailer, dumpster or portable on demand storage unit is placed, parked, left standing, or stored upon any highway, street, or alley in violation of this ordinance that interferes with traffic or creates a hazardous situation and the owner cannot be readily notified or the owner refuses to remove it from the highway, street or alley, the Chief of Police and the City Business Manager is hereby authorized to remove or cause the removal of same from the highway, street or alley. The owner shall be responsible for the cost of removing the vehicles.

Section 13. Parking for Recreational and Other Vehicles. A recreational vehicle or non-self propelled vehicle may only be

parked on city streets 24 hours before a recreational trip and 24 hours after a recreational trip for purposes of loading and unloading.


Section 14. Penalties. Any person violating any of the provisions of Title 27, Ark. Code Ann. § 27-14-101 et seq.), shall be punished in accordance with the applicable statute governing such offense. Any person violating any provision of this ordinance shall be fined fifty dollars (\$50). For a second conviction within one (1) year thereafter, by a fine of not more than one hundred dollars (\$100); and for a third conviction within one (1) year after the first conviction, by a fine of not more than five hundred dollars (\$500).

Section 15. Repealing Clause. All ordinances and more specifically, Ordinance No. 95-5.11 and parts of ordinances in conflict herewith are hereby repealed.

PASSED, APPROVED AND IN EFFECT this 13th day of July, 2015.

APPROVED:

By:


Ernie Penn, Mayor

ATTEST:


Kelly Penn, City Clerk