

ORDINANCE NO. 169

AN ORDINANCE REGULATING THE PARKING OF CERTAIN VEHICLES ON CITY STREETS IN THE CITY OF CARLISLE, ARKANSAS; PROVIDING A PENALTY THEREFORE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARLISLE, CARLISLE, ARKANSAS

SECTION I. DEFINITIONS: This Ordinance shall apply to truck tractor and trailers defined as follows:

A. Truck Tractor shall be defined for the purposes of this Ordinance as every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

B. Trailer shall be defined for the purposes of this Ordinance as every vehicle without motive power designed for carrying passengers or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

C. Semitrailer shall be defined for the purposes of this Ordinance as every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

D. Street shall be defined for the purposes of this Ordinance as the entire width between property lines or every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic.

E. Park shall be defined for the purposes of this Ordinance as to stand a vehicle whether occupied or not, for a period of time greater than is reasonably necessary for the actual loading and unloading.

F. Gross Weight shall be defined for the purposes of this Ordinance as the total weight of any vehicle or combination of vehicles and the load or loads thereof as defined by this ordinance.

G. Traffic Signs shall be defined for the purposes of this Ordinance as all signs approved by the United States Department of Transportation, Federal Highway Administration manual on Uniform Traffic Control Devices for Streets and Highways, signs designated by the State Highway Commission

and special signs designated by the mayor or the city council for the city of Carlisle to inform and protect the public. For purposes of this Ordinance signs designated NO TRUCKS shall mean and include truck tractor, trailer and semitrailer.

SECTION II. OBEDIENCE TO POLICE: Members of the Police Department and designated auxillary or part time police officers assigned to traffic duty, are hereby authorized to direct all traffic in accordance with the provisions of this Ordinance or in emergencies as public safety or convenience may require and it shall be unlawful for any person to fail or refuse to comply with a lawful order, signal or direction of a policeman.

SECTION III. SIGNS AND SIGNALS: It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by the authority of the mayor and council or in accordance with the laws of the state excepting on the direction of a police officer. In addition each driver of any type of a motor vehicle shall obey all signs and signals, directing traffic, giving information about special speed zones, hazardous conditions, road work, parking and any other special directions.

SECTION IV. EXEMPTION: The provisions of this Ordinance regulating the moving and parking of vehicles shall not apply to vehicles while actively engaged in installing, repairing or otherwise improving streets or street pavement not to vehicles parked or traveling to or from an area for the purpose of actual loading and unloading of people or things provided that the vehicle occupies the space for a period no longer than is reasonably necessary for the actual loading and unloading of people and things.

SECTION V. TRAFFIC NOT TO BE OBSTRUCTED: No vehicle shall be operated or allowed to remain on the street in such a manner as to form an unreasonable obstruction to the traffic thereon.

SECTION VI. UNATTENDED VEHICLE: No vehicle shall be left unattended while the motor is running. Whenever any police officer finds a vehicle unattended on any street where such a vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

SECTION VII. TRUCKS PROHIBITED ON CERTAIN STREETS: It shall be unlawful to drive any truck as defined herein except for the purposes of making a delivery on any street within the city of Carlisle, a part of or

enclosed by residential property, where a sign appears designating NO TRUCKS is posted.

SECTION VIII. LIMITED LOAD STREETS: It shall be unlawful to operate any vehicle on any street in the city of Carlisle designated by the city council where the gross weight on the surface of the road through any axle of any vehicle exceeds 12,000 lbs., where a sign indicates such limitation, it shall be unlawful to operate a vehicle in excess of such weight and such street, except for the purpose of making a delivery or picking up a load. In such case such a vehicle may be driven on such street for not more than the minimum distance necessary for the purpose of making a delivery or picking up a load.

SECTION IX. PARKING RULES: At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a policeman or traffic control device:

- A. In any intersection.
- B. In a crosswalk.
- C. Parking motor vehicles on private property.) It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.
- D. Within fifteen feet of a fire hydrant.
- E. At any place where the vehicle would block the use of a driveway or lane of traffic for an unreasonable length of time.
- F. On any sidewalk or parkway.
- G. At any place where official signs prohibit parking.

SECTION X. PRESUMPTION: The registered owner of a vehicle found in violation of this Ordinance, if the driver is not present, shall be held prima face responsible for any such violation.

SECTION XI. PENALTY: Any person, firm or corporation violating any provision of this Ordinance shall on the first offense be issued a warning ticket. Any person, firm or corporation violating any provision of this Ordinance after a warning has been issued shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for each offense; and a separate offense shall be deemed committed each day during which a violation occurs or continues.

SECTION XII. SEVERABLE: That the provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not effect the validity of the remainder of the Ordinance.

SECTION XIII. REPEAL: This Ordinance repeals all ordinances in conflict herewith.

SECTION XIV. EMERGENCY: It is hereby ascertained and declared that there is an immediate need, in order to protect the health and safety of the citizens of Carlisle, for the passage of this Ordinance. The Ordinance being necessary for the preservation of the public peace, health and safety and shall take effect and be in force without delay from and after its passage and publication.

PASSED THIS 29<sup>th</sup> DAY OF JUNE, 1987.

APPROVED: Finis Hanks  
FINIS HANKS, MAYOR

ATTEST: Kelly B. Strubel  
RECORDER/TREASURER

SPONSORED BY: CITY COUNCIL