

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 Hazardous Operation of Motor Vehicles
- 8.24 Parking
- 8.28 Street Directions
- 8.32 Recreational Vehicles

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 contained in Title 27 of the Arkansas Statutes, three (3) copies of which are on file in the office of the Recorder/Treasurer is hereby adopted as traffic rules and regulations within and for the city. Any person convicted of 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 Truck routes - Designated
- 8.08.02 Fines
- 8.08.03 Certain streets off-limits
- 8.08.04 Fines

8.08.01 Truck routes - Designated From and after the passage of this ordinance, trucks shall not be permitted to enter Third Street at Highway 59 and exit at Fourth Street at Highway

102 or to enter Fourth Street at Highway 102 and exit at Third Street at Highway 59. (Ord. No. 80-5, Sec. 1.)

8.08.02 Fines Any driver of any vehicle who shall violate the provisions of Section 1 of this ordinance, upon conviction before a court of competent jurisdiction, shall be fined in any sum not less than Fifteen Dollars (\$15.00) nor more than Twenty-Five Dollars (\$25.00). (Ord. No. 80-5, Sec. 2.)

8.08.03 Certain streets off-limits From the passage of this ordinance the City Council shall designate by resolution or other appropriate manner, certain streets in the city of Decatur which are subject to damage by truck and trailer rigs. Said street shall be clearly posted as prohibiting through traffic to truck and/or truck and trailer rigs. (Ord. No. 87-1, Sec. 1.)

8.08.04 Fines Any driver of any vehicle who shall violate the provisions of Section 1 of this ordinance, upon conviction before a court of competent jurisdiction, shall be fined in any sum not less than \$50.00 nor more than \$250.00. (Ord. No. 87-1, Sec. 2.)

CHAPTER 8.12

EMERGENCY VEHICLES

Sections:

- | | |
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| 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 | 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 or 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; or
 6. The motor vehicle does not have a current Arkansas registration; or
- 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 traveler intended as a carrier for goods and persons from point to point which uses power derived from a motor or engine especially an internal combustion engine.

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; and
- 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; or
- 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

HAZARDOUS OPERATION OF MOTOR VEHICLES

Sections:

- 8.20.01 Definitions
- 8.20.02 Fines

8.20.01 Definitions Hazardous driving or operating a motor vehicle, truck, tractor trailer, or other motor propelled vehicle upon any city street, alley or highway within the corporate limits of the city of Decatur, Arkansas, is hereby defined as, and shall include the following:

- A. The driving or operating of any vehicle in such a manner as to indicate either a negligent or careless disregard for the safety of persons or property.
- B. Drag racing or parallel driving when not in the act of passing another vehicle under normal traffic conditions.
- C. Applying power unnecessary in starting a vehicle so as to produce noise by causing wheels to spin on surface of street or alley or highway.
- D. Driving at an excessive rate of speed in a business or residential area or in making turns at intersections, in disregard of erected markers and signals.
(Ord. No. 70-4, Sec. 1.)

8.20.02 Fines It shall be unlawful for any person to drive or operate any vehicle on the streets, alleys or highways within the city limits of Decatur, Arkansas, in a hazardous manner as defined by 8.20.01 above. Every person convicted of such hazardous driving shall be punished upon a first conviction by a fine of not less than Twenty-Five Dollars (\$25.00) and no more than 100.00 dollars. Every person convicted for a second or subsequent conviction of such offense shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00). Violations of this ordinance shall be a misdemeanor. (Ord. No. 79-4, Sec. 2.)

CHAPTER 8.24

PARKING

Sections:

8.24.01	Parking close to fire hydrant
8.24.02	Blocking city Fire Station
8.24.03	Fines
8.24.04	Parallel parking on Main Street
8.24.05	Trucks; double parking
8.24.06	Fine
8.24.07	Penalties for No Parking or Loading Zones
8.24.08	Limitations on parking generally
8.24.09	Prohibited parking - generally
8.24.10	Loading zones - generally
8.24.11	Handicapped parking
8.24.12	Street cleaning and traffic
8.24.13	City Parks, Parking
8.24.14	Railroad Depot, Parking

8.24.01 Parking close to fire hydrant It shall be unlawful at any time to park or stop any automobile, truck, motorcycle, bicycle, or other vehicle, or to place any object, so that any part of such vehicle, or object, is within fifteen feet of any fire hydrant in the city except by authority of a member of the Fire Department of the city.

8.24.02 Blocking City Fire Station It shall be unlawful at any time to park or stop any vehicle or to place any object so that any entrance to the city Fire Station is obstructed in any way, except by authority of a member of said Fire Department. (Ord. No. 55, Sec. 2.)

8.24.03 Fines Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and, shall for first conviction thereof be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment for not more than 10 days; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or by imprisonment for not more than twenty (20) days or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment. (Ord. No. 55, Sec. 3.)

8.24.04 Parallel parking on Main Street Since Main Street is the route of State Highway No. 59, and being that the street is of narrow width, it is necessary that vehicles be parked parallel along said street. (Ord. No. 59, Sec. 1.)

8.24.05 Trucks; double parking There will be no trucks or trailers (1 ton or over) parked on said street at anytime.

Delivery trucks, trailers or buses may double park for unloading purposes for a period not to exceed 10 minutes. (Ord. No. 59, Secs. 2-3.)

8.24.06 Fine Violation of these regulations are subject to a fine of not less than \$5.00 or more than \$100.00. (Ord. No. 59, Sec. 4.)

8.24.07 Penalties for No Parking or Loading Zones The violation of any provisions of this division or any regulations promulgated hereunder shall constitute a misdemeanor, and shall be punishable by fine as follows:

- A. Improper Parking in No Parking or Loading Zones shall be punishable by fines of not less than \$5.00 nor more than \$50.00 Dollars.
- B. All other violations shall be punishable by fines of not less than One (\$1.00) Dollar nor more than \$10.00 Dollars.

8.24.08 Limitations on parking generally Limited parking areas shall be governed by the provisions of Sections 2(a) through 2(i).

- A. Application of Division: The provisions of this division 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. The provision of Sections 2(a) through 2(i) 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 the specified places or at specified times.
- B. 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 street so designated for No Parking.
- C. 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 persons shall park a vehicle on any such street or part of a street in each block so designated between the hours specified by the signs, except on Sundays and Public Holidays."
- D. 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 persons shall stop, stand or park a vehicle on any such street or part of a street in each block so designated between the hours specified by the signs, except on Sundays and Public Holidays.

- E. Parking Time Limited on Certain Streets: When signs are erected on any street or part of a street in each block giving notice thereof, no person shall park a vehicle on any such street or part of a street on each block so designed for longer than the time period indicated on such signs between the hours of 8:00 a.m. and 6:00 p.m. of any day except Sundays and Public Holidays.
- F. Signs: Whenever by any provisions of this division, a parking time limit is imposed or parking is prohibited on any street or part of a street, the Mayor and/or City Council shall cause erection of an appropriate sign on such street or part of a street giving notice thereof, and no such regulations shall be effective unless such signs are erected and in place upon 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.
- G. Parking, Common Carriers, Etc., at Night: No person shall park a truck, tractor or trailer with a capacity of three-quarter (3/4) ton or larger or the chassis thereof, on any street between the hours of 10:00 p.m. and 7:00 am; 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.
- H. Designation of Parking Restriction Hours: The City Council 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 same and stating the hours during which said limitations are applicable. The installation of such zones shall be subject to the following conditions:
 - 1. Zones designated by ordinance for specifically indicated time limits shall not be affected.
 - 2. No person shall park any vehicle in any limited parking zone located in the city for longer than the period prescribed and posted by signs therefore at any time between the hours so designated and if the hours are not designated, no longer than the time indicated, except on Sundays and Public Holidays.
- I. Continuing Violations: Each Two Hours of uninterrupted continuance of over-parking shall be deemed a separate non-moving traffic violation.(Ord. No.85-6, Sec. 2.)

8.24.09 Prohibited parking - generally No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or directions of a Police Officer or a Traffic Control device in any of the following places:

- A. In front of or with ten (10) feet of a mail box.
- B. In front of any place of business or assembly during the period of public assemblies therein or of a principal exit or entrance to a school, hotel, theater, hospital, or public building.
- 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 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 pick up of materials and does not remain parked in the loading zone or lane for longer than Fifteen (15) minutes at any time period.
- E. Near hazardous congested places: The City Council 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 place as authorized in this section, no person shall stop, stand or park a vehicle in the areas so designated.
- F. On narrow streets: The City Council may direct signs indicating no parking upon either or both sides of any street when such parking would, in its 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.
- G. On one-way roadways: In the event the highway includes two or more separate road-ways 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 road-way unless signs are erected to permit such standing or parking. The City Council may determine when standing or parking may be permitted upon the left side of any one-way road-way, and erect signs giving notice thereof.
- H. In alleys: No person shall park a vehicle within an alley in such a manner or in such a condition as to leave available less than ten (10) feet of the width of the road-way 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.

- I. No person shall park any vehicle in any alley, except commercial cars, trucks, wagons, for the purpose of loading or unloading and then, for a period of no longer than is actually necessary to load or unload.
- J. Advertising or Working on a Vehicle: No person shall park a vehicle upon any road-way for the principal purpose of: (1) Displaying such vehicle for sale or advertising. (2) Washing, greasing or repairing such vehicle, except for repairs necessitated by an emergency. (Ord. No. 85-6, Sec. 3.)

8.24.10 Loading Zones - Generally: The following provisions shall govern loading or unloading zones.

- A. Designation: The City Council 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 of this Section 8.24.10 shall be applicable.
- B. 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 pick-up and loading of materials, in any place marked as a freight curb loading zone during the hours when the provisions applicable to such zones are in effect. In no case shall a stop for loading or unloading of material exceed 30 minutes.
- C. Standing in passenger curb loading zones: No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed 3 minutes. (Ord. No. 85-6, Sec. 4.)

8.24.11 Handicapped parking

- A. No person shall park a vehicle at any time in parking spaces on public or private property which are so marked or signed as being reserved for physically handicapped persons, unless the vehicle shall display the symbol of access issued by the Department of Finance and Administration, Motor Vehicle Department of the State of Arkansas or a corresponding agency of another State or a Disabled Veteran's license plate as issued by the Department of Finance and Administration, Motor Vehicle Department of the State of Arkansas or by a corresponding agency of another State and a physically handicapped person is then using said vehicle for transportation.

- B. No person shall mark or sign a parking space whether on public or private property as reserved for physically handicapped person, unless such parking space shall be developed in accord with the minimum requirements of parking lots as established by this code or otherwise by the city from time to time. (Ord. No. 85-6, Sec. 5.)

8.24.12 Street cleaning and traffic

- A. Vehicles may not be parked on Roller Avenue, Decatur, Arkansas, between 2nd Street on the west and Day Street on the east, and on Main Street between Maple Avenue on the north and on Third Street on the south from the hours of 12:00 a.m. until 2:00 a.m. This parking restriction shall apply 365 days per year.
- B. This restriction is necessary for street cleaning, traffic safety and other purposes.
- C. Any person, firm or corporation violating the provisions of this ordinance may be subject to an administrative parking fine of Fifty Dollars (\$50.00). In addition, any vehicles violating this ordinance shall be subject to being towed and the owner shall be responsible for any towing or impound expenses incurred. (Ord. No. 2014-3, Sec. 1.)

8.24.13 City Parks, Parking

- A. Parking of any motor vehicle on any street in Decatur, Arkansas, that is directly adjacent to any designated city park shall be only for the purposes of use of and access to the adjacent city park. The same restrictions shall apply to any city owned parking lot adjacent to a city park.
- B. This restriction is necessary for public access to parks, passage of emergency vehicles, traffic and pedestrian safety, and other purposes.
- C. Any person, firm, or corporation violating the provisions of this Ordinance may be subject to an administrative fine of \$50.00. (Ord. No. 16-1, Sec. 6.)

8.24.14 Railroad Depot, Parking

1. Parking Restrictions

- A. Parking in the lot near the railroad depot shall be limited to two hours and only in designated spaces which shall be marked by the City. The parking lot is located in the area of the City of Decatur, AR, more precisely described as follows:

- B. The city shall post signs indicating the two-hour time limit for this parking lot.
- C. The city shall grant waivers of the 2 hour parking limit to certain marked spaces for the owners, employees, etc., of the businesses/buildings along the east boundary of the surveyed area described above (businesses along Highway 59/Main St.). However, even with the granting of said waiver, overnight parking shall not be allowed for any parking space. Said waiver shall further state any specific requirements for a given business' use of spaces. The city shall place signs indicating that these spaces are reserved.
- D. Unless otherwise agreed, the waiver shall grant each business two spaces immediately behind its building. One of these spaces may be use for a dumpster. However, the dumpster must be regularly emptied, and no trash shall be allowed outside of a dumpster or other proper container.
- E. Failure to comply with this ordinance or the terms of the waiver may result in the waiver being rescinded by the city.

2. **Penalties for Violations**

- A. Any person, firm, or corporation violating the provisions of this Ordinance may be subject to an administrative fine of \$50.00.
- B. Vehicles violating the allowed time for parking or for improperly parking in a reserved space are subject to being towed at the owner's expense. (Ord. No. 2017-02, Secs. 1-2.)

CHAPTER 8.28

STREET DIRECTIONS

Sections:

8.28.01 Pool Street – One way

8.28.01 Pool Street – One way

- A. Pool Street shall become a one-way street with traffic moving southbound from Second Street to Oak Street. No northbound traffic will be allowed.
- B. This restriction is necessary for passage of emergency vehicles, traffic and pedestrian safety, and other purposes.
- C. The City of Decatur is hereby authorized to establish all necessary signage to indicate the direction of travel on this one-way street. (Ord. No. 2017-01, Sec. 1.)
- D. Penalty. Any person, firm, or corporation violating the provisions of this Ordinance may be subject to an administrative fine of \$100.00. (Ord. No. 2017-01, Sec. 2.)

CHAPTER 8.32

RECREATIONAL VEHICLES

Sections:

- 8.32.01 RV Occupancy Permit
- 8.32.02 RV Occupancy Health and Safety Requirements

8.32.01 RV Occupancy Permit

- a. A Decatur resident or guest of a resident who wishes to occupy their RV for a period of fourteen (14) days or less on a Decatur City Street or property where not otherwise prohibited, or in a driveway or other area on private or public property where not otherwise prohibited, must apply for and receive an RV occupancy parking permit at Decatur City Hall. No permit shall be required to occupy an RV for three (3) days or less.
- b. The nonrefundable fee for this application shall be twenty-five dollars (\$25.00).
- c. The application shall contain the applicant's name, date of birth, mailing address and phone number, the name of the registered owner of the RV, the vehicle identification number (VIN), year, make, and model of the RV to be occupied, as well as the location (as closely as possible) that the RV to be occupied will be parked and the owner of the parking location. Lastly, the application shall list the names of the person or persons who will be occupying the RV during the 14-day period.
- d. The application shall be reviewed by the City Clerk or the Clerk's designee, who shall consult with other city personnel as necessary. If the application is denied, the City Clerk shall give the reason(s) for the denial in writing in the space provided on the application.
- e. Extension. The City Clerk or the Clerk's designee may grant one extension of the permit for up to 14 days. No more extensions may be given, and no RV may be occupied for more than 28 days in any four (4) month period.

(Ord. No. 2022-07, Sec. 1)

8.32.02 RV Occupancy Health and Safety Requirements

- a. If the Fire Chief, Police Chief or their designees determine that an RV permitted for occupancy is parked in a location that is unsafe or that the RV presents a hazard to the health and safety of the occupants or other residents, then the city may require that the occupancy of the RV be ended until the hazard can be remedied or removed or that the occupied RV to be moved from the hazardous location to a safe location.
 - b. No wastewater, either “gray” or “black” shall be released from the RV in the City Limits of Decatur, unless it is in an approved location for disposal of such wastewater.
 - c. Electrical hookup to private residences shall only be allowed with permission of the homeowner.
 - d. Only RV’s that are currently licensed and approved for travel by the State of Arkansas (or other state/territory/country that is valid in the State of Arkansas) shall be eligible for an RV Occupancy Permit.
 - e. This ordinance shall not apply to RV’s that are stored in compliance with planning and zoning ordinances of the City of Decatur.
- (Ord. No. 2022-07, Sec. 2)