

TITLE 8

VEHICLES AND TRAFFIC

Chapters:

- 8.04 Adoption of State Laws
- 8.16 Parking
- 8.21 Residential Parking Regulations
- 8.24 Inoperable Motor Vehicle
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CHAPTER 8.04

ADOPTION OF STATE LAWS

Section:

- 8.04.01 Adoption of state laws

8.04.01 Adoption of state laws. There is hereby adopted, insofar as they are not inconsistent with existing ordinances of the city, all of the statutes of the State of Arkansas and all of the rules and regulations of the Arkansas State Highway Department and of the Arkansas State Police Department, which now are or may hereafter be in force dealing with the operation of motor vehicles on the highways of this state. Such statutes, rules and regulations, insofar as they are not inconsistent with existing ordinances of this city, shall govern the operation of motor vehicles upon the streets of this city. Any person who shall be convicted of violating this section shall be punished as prescribed.

CHAPTER 8.16

PARKING

Sections:

- 8.16.01 Generally
- 8.16.02 Prohibited in specified places
- 8.16.03 Narrow streets and alleys
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8.16.01 Generally. It shall be unlawful for any person to stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb side wheels of the vehicle within twelve (12) inches of the curb or of the edge of the roadway, except as provided in the following paragraphs:

- A. Upon such streets which have been marked or signed for angle parking, vehicles shall be parked at an angle to the curb indicated by such marks or signs.
- B. In places where and at hours when stopping for the loading and unloading of merchandise or materials is permitted, vehicles, used for the transportation of merchandise or materials may back into the curb to take on or to discharge loads when the owner of such vehicle holds a permit granting him such privilege, and such permit shall be either in the possession of the driver or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load and it shall be unlawful for any owner or driver to violate any of the special terms or conditions of any such special permit. (Code 1952, Sec. 8-25)

8.16.02 Prohibited in specified places.

- A. It shall be unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
 - 1. on a sidewalk;
 - 2. In front of a public or private driveway;
 - 3. Within an intersection;
 - 4. Within fifteen (15) feet of a fire hydrant;
 - 5. On a crosswalk;

6. Within twenty (20) feet of a crosswalk at an intersection;
7. Within twenty (20) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
8. Within thirty (30) feet of the nearest rail of a railroad crossing;
9. Within twenty (20) feet of the driveway entrance to any fire station and on the side of the street opposite to the entrance to any fire station with fifty (50) feet of said entrance;
10. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.
11. On the roadway side of any vehicle stopped or parked at the edge or curb of a street, and
12. At any place where official signs prohibit stopping.

B. It shall be unlawful for any person to move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as it unlawful. (Code 1952, Sec. 8-26)

C. It shall be unlawful for any person to stop, stand or park any vehicle upon a street, other than an 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, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer.

D. It shall be unlawful for any person to park a vehicle in any alley in such a manner under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.

E. It shall be unlawful for any person to park any vehicle in any alley, except commercial vehicles for the purpose of loading or unloading, and not for a longer period of time than is actually necessary to load or unload.

F. Drivers of commercial vehicles are required to load and unload in the alley if there is one. In case the alley is blocked, the driver of the vehicle second in position shall be fined if the alley is blocked.

- G. Police officers are hereby authorized to remove, or have removed, at their direction, and at no cost to the city, any vehicle parked or stopped in violation of this section.
- H. When signs prohibiting parking are erected on narrow streets it shall be unlawful for any person to park a vehicle in any such designated place. (Code 1952, Secs. 8-16, 8-20; Ord. No. 617, Secs. 1, 3, 9-15-59)
- I. No semi-tractor, construction equipment trucks, or any dump truck, garbage truck, pump-out truck, chemical truck, gasoline truck, fuel or oil truck, or similar vehicles designed to transport waste or hazardous or noxious materials, shall be parked or stored in any residential zoned district, and shall not be parked or stored in the street right-of-way. (Ord. No. 1646, Sec. 1)
- J. Parking any motor vehicle on unpaved areas is prohibited. No parking, displaying, or storing of any motor vehicle shall be permitted on any grass surface or other unpaved area in any residential zone, except that one designated parking space may be located on the grass in a required front set back adjacent to and parallel to the driveway located on the property. The size of such designated parking space shall not exceed 9'x19'. Access to such designated parking space shall be by way of the property's driveway. If the designated parking space is not maintained with adequate grasses or other plants and/or landscaping materials to keep the area from becoming rutted, muddy and/or soil from being blown or washed away and is identified as a violation of this provision, such designated parking area shall be paved by the property owner in accordance with Article XI of the Blytheville Zoning Ordinance. (Ord. No. 1646, Sec. 2)
- K. Properties on which an unpaved driveway existed as of the date of the passage of this ordinance would not be required to be paved but would be subject to all other restrictions contained herein. However, any such driveway would be required to be paved if the use and maintenance of such driveway and parking area lapses for a period of one year or if the use served by such driveway is expanded. (Ord. No. 1646, Sec. 3)
 - 1. **Exceptions.** The prohibitions set out herein do not apply to the following:
 - (a) Commercial vehicles or construction equipment during the actual performance of a temporary service on the property where it is parked.
 - (b) A vehicle making a bona fide pickup or delivery of property or merchandise.

(c) Emergency vehicles.

(Ord. No. 1646, Sec. 4)

8.16.04 Near hazardous or congested places. When signs are erected upon approach to hazardous or congested places it shall be unlawful for any person to stop, stand, or park a vehicle in any such designated place. (Code 1952, Sec. 8-17)

8.16.05 Adjacent to schools. When signs prohibiting parking are erected upon that side of the street adjacent to any school property, it shall be unlawful for any person to park a vehicle in any such designated place. (Code 1952, Sec. 8-19)

8.16.06 Loading and unloading. 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 pickup of materials in any place marked as a loading zone during the hours when the provisions applicable to loading zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes. (Code 1952, Sec. 8-23)

8.16.07 Taxi-cabs and buses

- A. The driver of a bus or taxi-cab shall not stand or park upon any street in the business district at any place other than a bus stop, or taxi-cab stand respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.
- B. It shall be unlawful for any person to stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxi-cab in a taxi-cab stand when any such stop or stand has been officially designated, 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 stop does not interfere with any bus or taxi-cab waiting to enter or about to enter such zone. (Code 1952, Sec. 8-24)

8.16.08 Owner responsible. It shall be unlawful for any person to allow, permit, or suffer any vehicle registered in his name to stand or park in any street in the city in violation of any of the ordinances of this city regulating the standing or parking of vehicles. (Code 1952, Sec. 8-94)

8.16.09 Public parking lots. The following property owned by the city and within its corporate limits is hereby designated as public parking lots:

Public Parking lot No. 1: Located West side in the 100 block of South First Street;

Public Parking lot No. 2: Located South side in the 300 block on West Walnut Street:

Public Parking lot No. 3: Located North side in the 300 block on West Walnut Street:
(Ord. No. 783, Sec. 1)

8.16.10 Public parking places. The chief of police is hereby authorized and directed to cause to be marked off individual parking spaces in the city owned Public Parking Lots referred to in Section 8.16.01 and it shall be unlawful for any person to park any vehicle across any lines or markings of such individual parking space or in such manner that the vehicle shall not be entirely within the area designated by such lines or markings. (Ord. No. 783, Sec. 2)

8.16.11 Entry into public lots; charge. Entry into the Public Parking Lots shall be made only through the designated entry lanes; and, the vehicle operator shall deposit the proper coin of the United States as required by instructions at the entrance and wait until the toll gate rises before entering. Exit from the Public Parking Lots shall be made only through the designated exit lane; and, the vehicle operator leaving the parking lot shall wait until exit gate shall rise before proceeding through exit lane. It shall be unlawful for the operator of any vehicle to enter or leave any Public Parking Lot in a manner other than that hereinabove set out. (Ord. No. 783, Sec. 3)

8.16.12 Movement of traffic in public lots. The chief of police is hereby authorized and directed to designate specific lanes upon the Public Parking Lots in which vehicular traffic shall proceed in one direction only and shall cause to be placed appropriate markings, signs, barriers or other devices to give notice thereof.

Vehicular traffic shall move only in the indicated direction, and it shall be unlawful for any person to operate any vehicle in violation of the markings, signs, barriers or other devices placed in accordance with this chapter. (Ord. No. 783, Sec. 4)

8.16.13 Penalty. Any person violating the provisions of this chapter shall upon conviction be fined in any sum not less than Five Dollars (\$5.00) nor more than Two Hundred Fifty Dollars (\$250.00). (Ord. No. 783, Sec. 5)

8.16.14 Hours of operation. The Public Parking Lots shall be open continuously twenty-four (24) hours per day and no vehicle shall park in these lots continuously in excess of such period. It shall be a separate violation for each twenty-four (24) hour period that a vehicle is parked in excess of the first such period. Any vehicle left in the parking lot for three (3) days in succession shall be considered abandoned, towed away by the city and treated as abandoned vehicles. (Ord. No. 783, Sec. 6)

8.16.15 Handicapped parking. From and after the passage of this ordinance, it shall be unlawful for any motor vehicle, of any type or kind to park or to be left standing in any parking space or area marked "HANDICAPPED PARKING ONLY" unless such motor vehicle shall display an official sticker approved and issued by the Arkansas State Revenue Department showing said vehicle is owned or used by a handicapped person. (Ord. No. 1091, Sec. 1)

8.16.16 Penalty. Anyone violating the provisions of Section 8.16.15 of this ordinance shall be deemed guilty of a violation and shall upon conviction, be fined in any sum not exceeding Fifty Dollars (\$50.00). (Ord. No. 1091, Sec. 2)

CHAPTER 8.21

RESIDENTIAL PARKING REGULATIONS

Sections:

- 8.21.01 Certain vehicles prohibited
- 8.21.02 Unpaved parking prohibited
- 8.21.03 Grandfather provisions
- 8.21.04 Exceptions

8.21.01 Certain vehicles prohibited No semi-tractor, construction equipment trucks, or any dump truck, garbage truck, pump-out truck, chemical truck, gasoline truck, fuel or oil truck, or similar vehicles designed to transport waste or hazardous or noxious materials, shall be parked or stored in any residential zoned district, and shall not be parked or stored in the street right-of-way. (Ord. No. 1646, Sec. 1.)

8.21.02 Unpaved parking prohibited Parking any motor vehicle on unpaved areas is prohibited. No parking, displaying, or storing of any motor vehicle shall be permitted on any grass surface or other unpaved area in any residential zone, except that one designated parking space may be located on the grass in a required front set back adjacent to and parallel to the driveway located on the property. The size of such designated parking space shall not exceed 9'x19'. Access to such designated parking space shall be by way of the property's driveway. If the designated parking space is not maintained with adequate grasses or other plants and/or landscaping materials to keep the area from becoming rutted, muddy and/or soil from being blown or washed away and is identified as a violation of this provision, such designated parking area shall be paved by the property owner in accordance with Article XI of the Blytheville Zoning Ordinance. (Ord. No. 1646, Sec. 2.)

8.21.03 Grandfather provisions Properties on which an unpaved driveway existed as of the date of the passage of this ordinance would not be required to be paved but would be subject to all other restrictions contained herein. However, any such driveway would be required to be paved if the use and maintenance of such driveway and parking area lapses for a period of one year or if the use served by such driveway is expanded. (Ord. No. 1646, Sec. 3.)

8.21.04 Exceptions The prohibitions set out herein do not apply to the following:

- (a) Commercial vehicles or construction equipment during the actual performance of a temporary service on the property where it is parked.

- (b) A vehicle making a bona fide pickup or delivery of property or merchandise.
- (c) Emergency vehicles. (Ord. No. 1646, Sec. 4.)

CHAPTER 8.24

INOPERABLE MOTOR VEHICLE

Sections:

- 8.24.01 Unlawful, definition
- 8.24.02 Duty
- 8.24.03 Notice; cost; lien
- 8.24.04 Penalty
- 8.24.05 Removing
- 8.24.06 Towing and storage charges

8.24.01 Unlawful, definition. It shall be unlawful for the owner or occupant of a residential building, structure or property to utilize the premises of such residential property for the open storage of any inoperable motor vehicle (not currently licensed), icebox, refrigerator, stove, tires, glass, building material, paper, building rubbish and/or similar unsightly and unsanitary items. An inoperable motor vehicle for the purpose of this chapter, is defined as one that is in a state of disrepair and incapable of being moved under its own power or one that does not have current, valid license plates. (Ord. No. 939, Sec. 1)

(a) The storage of an inoperable and/or abandoned vehicle shall not exceed thirty (30) days. In this paragraph "inoperable and/or abandoned vehicle" means any motor vehicle or part thereof that is in a state of disrepair and incapable of being moved under its own power or does not have a valid/current license plate. (Ord. No. 1626, Sec. 1(a))

8.24.02 Duty. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove all such items from the premises. (Ord. No. 939, Sec. 2)

8.24.03 Notice; cost; lien. Any owner or occupant that fails to remove an inoperable motor vehicle or all such previously listed and/or similar items, after written notice to do so from the office of inspection and code enforcement, within ten (10) days after receipt of said notice, shall be in violation of this chapter and said items shall be removed by the city and the costs of towing, removal and/or storage of said items shall constitute a lien upon property from which it was removed. The City Attorney is hereby authorized and directed to take the necessary legal action to establish and perfect a lien against such property. (Ord. No. 939, Sec. 3)

8.24.04 Penalty. Any violation of this chapter shall be upon conviction punishable by a fine of not less than Twenty-Five (\$25.00) Dollars nor more than Fifty (\$50.00) Dollars, and each day such violation occurs shall be considered a separate offense. (Ord. No. 939, Sec. 4)

8.24.05 Removing. The chief of police is hereby authorized to remove or cause to be removed from the streets and public places of the city any vehicle parked thereon in violation of any of the ordinances of the city or laws of the state. (Ord. No. 517)

(b) The Chief of Police of the City of Blytheville, Arkansas, acting in cooperation with the Office of Inspection and Code Enforcement of the City of Blytheville, Arkansas, is hereby authorized to enter upon the property and correct said situation, by removing, or having removed from said premises the inoperable vehicles, tires, iceboxes, refrigerators, appliances, glass, building materials, building rubbish and/or other unsightly condition, and the cost thereof shall be charged to the owner(s) of the property and the City of Blytheville shall have a lien against said property; and

(c) It shall not be necessary to give any notice to any person prior to enforcement of this Ordinance. (Ord. No. 1626, Sec. 2 (b)(c))

8.24.06 Towing and storage charges. When any motor vehicle is removed from the streets of the city pursuant to the provisions of this chapter, the Police Department shall cause the same to be towed to some garage authorized by the Police Department. Should any vehicle be towed to storage which has been stolen from the rightful owner and has been operated by some person without the owner's consent, such owner shall pay the accrued towage and storage charges. Said towage charges to be Two Dollars and Fifty Cents (\$2.50) in the city limits and storage charges Fifty Cents (\$.50) per twenty-four (24) hours or fraction thereof. When the owner, operator, or person in possession of any motor vehicle disregards a traffic summons or fails to appear in court to answer a traffic summons which has been placed on said motor vehicle, and where such owner cannot be located for the purpose of serving a warrant of arrest on him, said car shall be towed in by the Police Department and held until the fine prescribed for the particular violation is paid. (Ord. No. 517)

CHAPTER 8.28

TRUCK ROUTES

Section:

- 8.28.01 Truck load weight
- 8.28.02 Designated routes
- 8.28.03 Prohibition
- 8.28.04 Local deliveries
- 8.28.05 Other vehicles
- 8.28.06 Penalty

8.28.01 Truck load weight Truck routes for all motor vehicles having a capacity of one ton and over and proceeding through the City are hereby established. (Ord. No. 1120, Sec. 1.)

8.28.02 Designated routes The designated routes are Interstate Highway 55, U.S. Highway 61, and Arkansas Highways 18, 151, 239, and 312. (Ord. No. 1120, Sec. 2.)

8.28.03 Prohibition All such vehicles are prohibited from using any other street, alley or road while proceeding through the City. (Ord. No. 1120, Sec. 3.)

8.28.04 Local deliveries Local trucks, not to exceed the weight of one and one-half tons, will be allowed to make deliveries, if load does not exceed the legal load-weight limits. (Ord. No. 1120, Sec. 4.)

8.28.05 Other vehicles Moving vans, farm trucks, or any other heavy vehicle will be allowed to make deliveries or drops to specific locations, but must not exceed the legal load weight limits and must avoid residential streets as much as possible while utilizing the regular truck routes to and from their destination. (Ord. No. 1120, Sec. 5.)

8.28.06 Penalty Failure to comply with this ordinance shall be deemed a violation, and upon conviction shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and each day such violation occurs shall be considered a separate offense. (Ord. No. 1120, Sec. 6.)

CHAPTER 8.32

AIRPORT RESTRICTIONS

Section:

8.32.01 Airport restrictions

8.32.01 Airport restrictions.

- A. It shall be unlawful for any person to drive a motor vehicle of any kind or type upon the concrete runways or ramps of the Blytheville Municipal Airport or the Arkansas International Airport, nor shall any unauthorized person enter the airfield area or any of its facilities without proper clearance or be accompanied by authorized personnel.
- B. Provided however, nothing in this ordinance shall be held to apply to any person operating a motor vehicle or as a pedestrian who is an employee of the City of Blytheville while in the discharge of his duties as such employee in the maintenance and supervision of the said Blytheville Municipal Airport or the Arkansas International Airport.

C. A violation of this ordinance shall be punishable by a fine of not less than \$100.00 and not more than \$500.00 upon conviction of said violation. (Ord. No. 1707, Sec. 1-3)