

ORDINANCE NO. 252

AN ORDINANCE AMENDING ORDINANCE NO. 169 OFF STREET PARKING, ADDING PARKING REGULATIONS AND FINES FOR PARKING VIOLATIONS FOR THE CITY OF BETHEL HEIGHTS, ARKANSAS

WHEREAS, The City of Bethel Heights, Arkansas has previously enacted Ordinance No. 169,

NOW THEREFORE, be it ordained and enacted by the Mayor and the City of Bethel Heights, Arkansas,

Section One: From and after the effective date of this ordinance, Ordinance No. 169 shall be amended to change and add the following requirements.

Section Two: **Section 10. General Standards** (b) 1. (a) Shall be amended to delete [No street parking in residential areas will be permitted] and adding to (a) 1- 12.

(a) 1. Designation and Marking of Areas Where Parking is Prohibited or Restricted.

The Traffic and Parking Committee 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 street superintendent to indicate such areas by appropriate markings or signs giving notice of the prohibition, limitation or restriction.

2. 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.

3. Parking Prohibited During Certain Hours on Certain Streets

When signs are erected on any street, or part of street, in each block giving notice thereof, no person shall stop, stand or park a vehicle on any such street, or part of street in each block so designated between the hours specified by the signs, except on weekends and public holidays.

4. Parking Time Limited To One Hour On Certain Streets

When signs are erected on any street, or part of street, in each block giving notice thereof, no person shall park a vehicle on any such street, or part of street, in each block so designated for longer than one hour at any time between the hours of 7:00 a.m. and 6:00 p.m. of any day, except weekends and public holidays.

5. Signs designation of prohibited parking--Generally.

Whenever by any provision of this chapter or any traffic ordinance a parking time limit is imposed or parking prohibited on any street or part of a street, it shall be the duty of the city street department to cause to be erected appropriate signs on such streets and no such regulation by sign shall be effective unless said signs in place or part of street where parking time is limited or prohibited at the time of the alleged offense.

6. Service and delivery vehicles, safety zones, etc.

It shall be unlawful for any person to park a vehicle in the streets of the city other than in the conventional manner now provided by law and ordinances, with the following exceptions:

A service and delivery vehicle shall be entitled to park for the purpose of loading and unloading in the direction it is traveling, and parallel to the curb, not less than two (2) feet from any parked vehicle; provided the service and delivery vehicle does not remain parked longer than five (5) minutes unattended; provided further that said service and delivery vehicle shall not remain parked for any longer time than is necessary to attend to the business of loading or unloading, or performing the particular business thereon; provided the driver thereof will move the service and delivery vehicle upon the request of any person desiring to move his parked vehicle, where the same is being blocked by the service or delivery vehicle.

It shall be unlawful for any person to park any vehicle in a fire zone, bus zone or other place of public safety. In addition to any other penalty, members of the police and fire departments may have said vehicle removed by wrecker or any other manner they desire and the cost thereof will be taxed against the owner of said vehicle.

The term "service and delivery vehicle" when used in this section shall mean any truck or van in, upon or by which any person or property is or may be transported or drawn upon a street, alley or highway, when the same is used specifically for the transportation of goods, wares, merchandise or equipment in the furtherance of the particular business, and not one used for the transportation of the driver or passengers.

7. Parking for purpose of sale, washing or repairing.

No person shall stand or park a vehicle upon any street or roadway for the principal purpose of displaying the vehicle for sale, or for the purpose of washing, greasing or repairing except for emergency repairs.

8. Parking or storing tractor-trailer trucks in a residential subdivision.

(a) *Unlawful*. It shall be unlawful for any person to park or store a tractor-trailer truck or trailer of a tractor-trailer truck in any residential subdivision.

(b) *Exception*. This section shall not apply to any legitimate delivery service vehicle parking within a residential subdivision for the purpose of making a delivery to or a pick up from a residence located in subdivision.

(c) *Penalties*. Any person found to be in violation of this section shall be fined \$100.00. Each day shall constitute a separate offense.

9. Parking or storing heavy commercial vehicles in residential subdivision.

(a) *Unlawful*. It shall be unlawful for any person to park or store a heavy commercial vehicle on any lot(s) within a residential subdivision in such a manner that any part of the vehicle shall be closer to the street than the front building line of said lot(s) as defined by city zoning regulations, or upon any street adjacent to property zoned residential.

(b) *Heavy commercial vehicles defined*. For purposes of this section, a heavy commercial vehicle is a vehicle designed for excavating, lifting, demolishing, constructing, moving, transporting and/or other commercial uses. The term includes, without limitation, cargo trailers, dump trucks, vehicles having more than two axles, vehicles that are propelled upon tracks or other systems not normally associated with passenger vehicles, and/or vehicles that are equipped with spades, blades, scoops, shovels, discs, forks, or other tools not normally affixed to passenger vehicles.

(c) *Exception*. This section shall not apply to:

(1) Any person conducting business during normal business hours;

(2) Any person operating a legitimate service vehicle within a residential subdivision during normal business hours for the purpose of making a delivery to or a pick up from a residence located in a subdivision; or

(3) Any person who stores a heavy commercial vehicle on a construction or demolition site provided all necessary permits have been properly issued.

(d) *Penalties*: Any person found to be in violation of this section shall be fined \$100.00. Each day shall constitute a separate offense.

10. Recreational vehicle or motor home parking.

(a) The owners or keepers of recreational vehicles or motor homes on residential property in the city are hereby prohibited from allowing any part of such motor home or recreational vehicle to extend past the property line and onto the city's right-of-way or easement.

(b) An exception is hereby created to allow motor homes and recreational vehicles to be parked in such a manner as to extend past residential property lines onto city rights-of-way or easements for 48 hours prior to and 48 hours following a trip in the motor home or recreational vehicle, to allow for preparation of the vehicle for the trip and unpacking after the trip. This exception only applies to motor homes and recreational vehicles that are stored at off-site locations.

11. Unlicensed and inoperative vehicle in public view.

It is unlawful to have any unlicensed or inoperative motor vehicle exposed to public view in areas zoned residential for a period of more than 30 days. This section shall not apply to any vehicle enclosed within a building on private property or to any vehicle held in connection with a business enterprise lawfully licensed by the city and properly operated in the appropriate business zone, pursuant to the zoning laws of the city or to any motor vehicle inoperable condition specifically adopted or designed for operation on drag strips or raceways.

Exceptions to this ordinance include but are not limited to; garage/yard or social events such as birthday, weddings, court, and election.

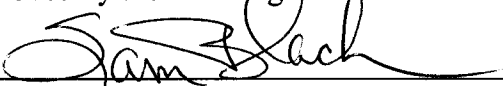
12. Fines for violation.

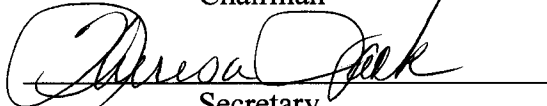
Unless otherwise stated, fines for violation listed in this chapter shall be as follows:

- (1) Parking in a no parking or restricted zone . . . \$ 20.00
- (2) Parking in a handicapped zone . . . \$50.00
- (3) Parking in a fire zone . . . \$50.00
- (4) Parking in a loading zone . . . \$20.00
- (5) Parking in a time-restricted zone . . . \$20.00
- (6) Any other violations of the parking restrictions . . . \$20.00

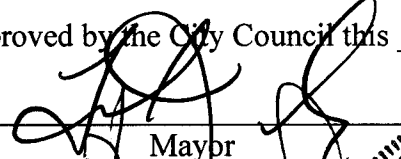
Section Three: THEREFORE, that the remainder of Ordinance No. 169 shall be in full force and effect and all ordinances and parts of ordinances in conflict are hereby repealed.

Passed and approved by the Planning Commission this 15<sup>th</sup> day of October, 2007.

APPROVED:   
Chairman

ATTEST:   
Secretary

Passed and approved by the City Council this 20<sup>th</sup> day of November, 2007.

APPROVED:   
Mayor

ATTEST:   
Recorder/Treasurer

