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ORDINANCE NO. 37

AN ORDINANCE REGULATING AND PROHIBITING THE DRIVING OF SEMI-TRACTOR TRAILER TRUCKS UPON CERTAIN STREETS IN THE TOWN OF BETHEL HEIGHTS, ARKANSAS, AND FOR PROVIDING PUNISHMENT FOR VIOLATION THEREOF, AND FOR PROVIDING AN EMERGENCY CLAUSE

WHEREAS, Arkansas Code Annotated Section 27-49-106 grants power to municipal corporations to provide for the regulation of traffic through their towns; and

WHEREAS, the Town of Bethel Heights, Arkansas, desires to regulate and prohibit the flow of semi-tractor trailer trucks over certain streets within the city limits of Bethel Heights due to the damage caused to the roads in Bethel Heights, Arkansas;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bethel Heights, Arkansas:

SECTION 1. DEFINITIONS: When used in this ordinance, these terms shall have the meanings as set out below:

A. Trucks. Will include, but not be limited to, semi-tractor trailers with or without the trailer attached, dump trucks (2 and 3 axle types) and any other large truck requiring truck licenses according to state regulations.

B. Numbered Highways. State maintained, numbered highways.

C. Person. A natural person and for an organization such as corporations, partnerships and all other legal entities.

SECTION 2: From and after the effective date of this Ordinance, no person, firm, or corporate entity shall drive trucks on the streets of the Town of Bethel Heights, except on numbered highways. It shall be a defense to prosecution under this Ordinance if the driver was on his way either to or from his residence, or was making a delivery to or leaving from a place of business within the city limits of Bethel Heights.

SECTION 3: That the Town of Bethel Heights shall post signs along the said right-of-way where no through truck traffic is allowed.

CITY OF BETHEL HEIGHTS  
P.O. BOX 222  
SPRINGDALE, AR 72765-0222  
501-751-7481

FILED FOR RECORD  
APR 25 10:00 O'clock P.M.

APR 25 1990

SUE HODGES  
Clerk and Recorder  
BENTON COUNTY, ARK.

41543

SECTION 4. PENALTIES: Any person, firm, or corporation who shall violate any provision of this Ordinance shall be guilty of a misdemeanor; and upon conviction thereof, may be fined not more than \$100.00 plus costs for each offense. Each violation hereof shall constitute a separate offense.


SECTION 5: If any provision of this Ordinance, or any word, phrase, or paragraph hereof is held invalid, such invalidity shall in no way affect other provisions of this Ordinance, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 6: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This Ordinance is necessary to prevent further damage and deterioration to the above-mentioned streets in the Town of Bethel Heights, Arkansas, and is necessary for the preservation of the public peace, health, comfort, welfare and safety of the Town of Bethel Heights, and an emergency is therefore declared to exist, and this Ordinance shall be in full force and effect from the date of its approval.

PASSED this 19 day of April, 1990.

APPROVED:

  
MAYOR JOHN KENDRICK

ATTEST:

  
TOWN CLERK/RECORDER