

**TITLE 8**

**VEHICLES AND TRAFFIC**

Chapters:

- 8.04 Adoption of State Laws
- 8.08 Emergency Vehicles
- 8.12 Non-Operating Vehicles
- 8.16 Speed Limits

**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**

**EMERGENCY VEHICLES**

Sections:

- 8.08.01 Right-of-way
- 8.08.02 Following prohibited
- 8.08.03 Restriction of vehicular traffic
- 8.08.04 Strict enforcement
- 8.08.05 Exempt personnel
- 8.08.06 Penalty

8.08.01 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.

8.08.02 Following prohibited. No person except as herein authorized shall follow any emergency vehicle which is operating its emergency signals.

8.08.03 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.

8.08.04 Strict enforcement. The provisions hereof shall be strictly enforced by members of the Police Department.

8.08.05 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.

8.08.06 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 8.12

### NON-OPERATING VEHICLES

#### Sections:

8.12.01	Definitions
8.12.02	Abandonment regulated
8.12.03	Parking and storage regulated
8.12.04	Exceptions
8.12.05	Penalty
8.12.06	Adoption of law by reference

8.12.01 Definitions The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Motor vehicle** means a vehicle or conveyance which is self-propelled and designed to travel along the ground, and includes, but is not limited to, automobiles, buses, mopeds, motorcycles, trucks, tractors, go-carts, golf carts, campers, motor homes and trailers.

**Abandoned motor vehicle** means any motor vehicle which is left on public or private property, as defined in this section, for a period of more than ninety (90) days, regardless of whether wrecked or inoperable, and regardless of whether such vehicle bears a current registration and a current vehicle inspection sticker.

**Inoperable motor vehicle** means a motor vehicle, the condition of which is wrecked, dismantled, partially dismantled, incapable of operation by its own power upon a public street, or from which the wheels, engine, transmission or substantial part thereof has been removed, regardless of whether it has an unexpired motor vehicle license plat or current registration.

**Boat** means any vessel initially designed for the carrying of passengers or cargo upon the water whether currently seaworthy or not, and regardless of size or design, including without limitation, barges, motorboats, whether inboard or outboard, canoes, rowboats, rafts and sailboats.

**Trailer** means any freewheeling object designed or intended to be pulled or towed behind a motor vehicle, regardless of whether wrecked or inoperable, and regardless of whether currently inspected and/or registered, including without limitation the following: boat trailers, camper trailers, cargo trailers, special trailers for items such as golf carts or motorcycles, utility trailers, and farm implements.

**Major portion**, as applicable to motor vehicles, boats, and trailers, means any part thereof which is sufficiently large to constitute a public nuisance as a harborage of snakes or rodents, or as otherwise defined by state or city nuisance laws, and shall include, without limitation, the following: truck bed, cab or cabin, chassis or frame, axle, motor or engine, transmission, hull or pontoon, cargo compartment, seats, and portions of exterior parts or paneling such as walls and roofs.

**Subject item** is a comprehensive term which includes boats, motor vehicles, trailers, and major portions thereof, as defined in this section, which may become the subject of citation under this ordinance.

**Private property** means any real property in the city which is privately owned and which is not defined as public property in this section.

**Public property** means any real property in the city which is owned by a governmental body and includes buildings, parking lots, parks, streets, sidewalks, right-of-way, easements and other similar property.

**Code enforcement division** means the code enforcement division of the city, its agents, and its designees, if staffed, otherwise the city Police Department. (Ord. No. 360, Sec. 1.)

8.12.02 Abandonment regulated No person shall abandon or leave any subject item, including an inoperable subject item, whether attended or not, upon any public property within the city for a period of time in excess of ninety (90) days. The presence of any subject item, or parts thereof on public property is hereby designated to be a public nuisance, which may be subject to criminal prosecution under this section or abated as a nuisance in accordance with the laws of the state of Arkansas. This section does not apply to subject items parked or stored on public property by the city or any of its departments. (Ord. No. 360, Sec. 2.)

8.12.03 Parking and storage regulated No person shall park, store, lease or permit the parking, storing or leaving of any subject item of any kind, which is inoperable, whether attended or not, upon any private property within the city, except that, with respect to an inoperable motor vehicle, such vehicle may be parked, stored or left on such property for a period of time not to exceed ninety (90) days, after which time such inoperable motor vehicle shall constitute a nuisance subject to criminal prosecution under this section or abated as a nuisance in accordance with the laws of the state of Arkansas. (Ord. No. 360, Sec. 3.)

#### 8.12.04 Exceptions

- A. The provisions of 8.12.02 and 8.12.03 of this article shall not apply to:
  - 1. Any subject item parked or stored within a building or enclosed garage on private property.

2. Subject vehicle within a carport that is being actively repaired on at least a weekly basis. Subject vehicle and its parts when not being repaired shall be neatly and completely covered with an opaque cover.
- B. Subject vehicle not defined as an inoperable vehicle except for not having a current license may be stored in a covered carport. (Ord. No. 360, Sec. 4.)
- C. Short-term and long-term impound/storage lots:

**Short-term lots** are defined as vehicle storage up to 90 days and are allowed in C-1, C-2 or industrial zoned property. A vehicle may be stored over 90 days when an extension is granted from the city due to litigation issues.

Short-term impound/storage lots must provide the city with a vehicle description and vin number the next business day after the storage of the vehicle.

**Long-term lots** allow storage of vehicles over 90 days and are allowed in C-1 and C-2 zoned property if the contents are totally obscured from public view by privacy fencing. The privacy fencing must conform to the surrounding neighborhood and must be approved by the Mayor prior to installation.

Long-term lots are allowed in industrial zoned property. Fencing must be at least six (6) feet tall and no privacy fencing is required. (Ord. No. 400, Sec. 4.)

8.12.05 Penalty Penalty for the violation of this ordinance shall be as follows:

- A. Any person, firm, corporation, partnership, association of persons, owner, occupant, agent or anyone having supervision or control, who shall violate a provision of this ordinance, or fail to comply therewith, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof, during which any violation of any of the provisions of this ordinance is committed or continued. Upon conviction of any such violation, such person shall be punished by a fine, not to exceed Five Hundred Dollars (\$500.00) for the first offense and not more than Two Hundred Fifty Dollars (\$250.00) for each day of offenses of a continuing nature.
- B. Prosecution under this section shall not be a waiver of the city's authority to abate any prohibited conduct set forth herein as a public nuisance including removal and sale of the subject item. If a vehicle or other subject item which has been the basis for prosecution under this ordinance has not been removed or otherwise brought into compliance with this ordinance, said subject item may be removed and impounded following either

1. The forfeiture of bond or non-appearance in court following the issuance of a criminal information or citation, or
  2. The expiration of thirty (30) days after a plea of guilty or no contest, or conviction for violation of this ordinance; provided, a properly perfected appeal to Circuit Court following conviction under this ordinance shall stay any procedures for the removal and storage of the subject item.
- C. However, the appeal of conviction under this ordinance shall not bar the city's authority to seek abatement pursuant to any civil remedies which may be available. The reasonable costs of towing, removal and storage of any vehicle or other subject item shall constitute a lien upon both the subject item and the property from which it was removed. (Ord. No. 360, Sec. 5.)
- D. Salvage yards are permitted only in industrial zoned property. (Ord. No. 400, Sec. 5.)

8.12.06 Adoption of law by reference As an alternative or supplement to the procedure set forth in this ordinance regarding abandoned vehicles on public or private property, A.C.A. 27-50-1101, 27-50-1102 and 8-6-413 are hereby incorporated by reference into this ordinance as if fully set forth herein. If the Police Department or Code Enforcement Division, in their discretion, shall pursue a remedy pursuant to A.C.A. 27-50-1101, 27-50-1102 or 8-6-413, they are directed to comply completely and fully with such provisions. (Ord. No. 360, Sec. 6.)

## **CHAPTER 8.16**

### **SPEED LIMITS**

#### **Sections:**

8.16.01 Streets in city limit

8.16.01 Streets in city limit The speed limit for all streets within the city limits of Hazen, Arkansas, shall be set at 30 mph. (Ord. No. 432, Sec. 1.)

