

ORDINANCE 2019-04

AN ORDINANCE PROVIDING FOR THE REGULATION OF PARKING ON STREETS WITHIN THE CITY OF LAVACA, ARKANSAS; REPEALING CITY OF LAVACA ORDINANCE NO. 83-4 AND 96-6; DECLARING AN EMERGENCY THEREFORE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVACA, ARKANSAS:

Section 1. That the City Council of the City of Lavaca, Arkansas, has determined that parking in certain areas within the City of Lavaca, Arkansas, and in the city streets can constitute a hazard and danger to the public welfare of the citizens of the City of Lavaca, Arkansas, in that said parking can impede the free flow of traffic, including City and County emergency vehicles, and impedes the use of fire hydrants by the City of Lavaca Fire Department, in certain emergency conditions.

Section 2. NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Lavaca, Arkansas, that henceforth parking on the streets in areas in the City of Lavaca, Arkansas, shall be illegal, in all such areas where said parking is restricted by signs erected in said areas, giving notice that said area is a No Parking area. The City Council shall from time to time cause to be erected "No Parking" signs designed to restrict or limit parking on the street or part of such street where said sign is erected, so as to give notice to the public that parking on the street is restricted in part or in whole by the language of the sign so erected.

Section 3. The City Council further ordains that parking on the streets of the City of Lavaca, Arkansas or the County or State Roadways located within the City of Lavaca, Arkansas, in a manner such as to obstruct the free flow of traffic or to obstruct the use of City Fire Hydrants shall be illegal and subject to the same fines for such violation as provided by this Ordinance.

Section 4. No person shall 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:

- a) On a sidewalk
- b) In front of a public or private driveway
- c) Within an intersection
- d) On a crosswalk
- e) Within 15 feet of a fire hydrant
- f) Within 20 feet of a crosswalk at an intersection
- g) Within 30 feet upon the approach to any stop sign or traffic control signals located at the side of a roadway.
- h) Within 20 feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station
- i) On the roadway side of any vehicle stopped or parked at the edge of a curb or street
- j) In front of or blocking access to a mailbox between the hours of 8:00 am and 5:00 p.m. on any day the United States Postal Service is delivering mail
- k) At any place where official signs prohibit parking

Section 5. Vehicles other than passenger vehicles and motorcycles may be parked on streets within the City of Lavaca, but they will be subject to not only the restrictions above, but also a restriction that they cannot be parked for periods totaling greater than eight (8) hours within a 36 hour period and

in any event never beyond 8:00 p.m. during any given day. Vehicles with dual rear wheels and capacities of one ton or greater are not considered passenger vehicles. If the parking of any such non passenger vehicle will exceed these limitations, then the owner or operator must apply for a permit from city hall, and these permits may be given at the discretion of the city. No person shall park boats or trailers on any street for any period greater than the limitations within this Section as set forth above for non-passenger vehicles. No person shall park vehicles on any street if the vehicle is in inoperable condition. For purposes of this ordinance, inoperable condition means a vehicle that has been unable to be reasonably operated or driven for a period of 48 hours or greater due to its mechanical, electrical, or equipment condition or status while parked in that location. All vehicles parked on streets must have current registration, licensing, and insurance. No person shall park any vehicle on any city street that leaks fluids of any type other than normal condensate from air conditioning units.

Section 6. Any person, firm or corporation found violating this Ordinance shall be guilty of a misdemeanor, and subject to a fine of not less than \$40.00 and not more than \$150.00.

Section 7. City of Lavaca Ordinance Nos. 83-4 and 96-6 are hereby repealed.

Section 8. It is determined by the City Council of the City of Lavaca, Arkansas, that parking on the streets of the City of Lavaca, Arkansas, and in certain areas constitutes a hazard to the public health, safety and welfare, and therefore an emergency is declared to exist, and this Ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED ON THIS 14TH DAY OF OCTOBER, 2019.

Hugh Hardgrave, Mayor

Attest: Shelly Hockaday, Recorder