

ORDINANCE NO. 6315

AN ORDINANCE INCORPORATING CERTAIN STATE PARKING VIOLATIONS INTO THE HOT SPRINGS CODE OF ORDINANCES, AMENDING ORDINANCE NO. 5084, AS AMENDED; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance No. 5084 passed April 1, 2002 and amended by Ordinance 5833 on September 6, 2011, establish certain parking violations within the City of Hot Springs, Arkansas; and that

WHEREAS, the City of Hot Springs desires to set forth general parking violations that are in accord with the State of Arkansas Parking Violations found in A.C.A. § 27 – 51 – 1300 *et. seq.*; and that

WHEREAS, the Parking Advisory Committee has recommended that the City of Hot Springs clarify certain violations and set specific City penalties for such parking violations by amending Ordinance No. 5084, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Hot Springs, Arkansas:

Section 1: That Ordinance No. 5084, as amended is hereby amended by adding the following new paragraphs to Hot Springs Code § 4.6.1 (a):

(16) Outside the lines of a designated parking space or in an otherwise undesignated area;

(17) At a distance greater than eighteen inches (18') in relation to an adjacent curb as measured from the right-hand curb with the right hand wheel of the vehicle;

(18) In any place official City-authorized signage prohibits or restricts the stopping, standing, or parking of vehicles on any highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon;

(19) Upon any highway outside of a business or residence district, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park, or leave the vehicle off that part of the highway. In every event, an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles, and a clear view of the stopped vehicles shall be available from a distance of two hundred feet (200') in each direction upon the highway. This subsection shall not apply to:

(A) Employees or vehicles of the Arkansas State Highway and Transportation Department or the City of Hot Springs engaged in necessary construction, maintenance, or repair of the highways;

(B) Authorized emergency vehicles on emergency trips such as police vehicles on duty, fire vehicles on calls, or ambulances and wreckers engaged in the removal of persons or vehicles from the traveled part of the highway; or

(C) Public utility or service vehicles of any type, including, but not limited to, mail delivery, overnight couriers, electric or gas utility, or solid waste collection if the utility or service vehicles are at least one-half (1/2) outside the designated lane and remain on the highway only for the time reasonably necessary to perform the required service.

(D) Any vehicle which is disabled while on the paved or main-traveled portion of a highway in a manner and to an extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in that position.

Section 2: That Ordinance No. 5084, as amended is hereby amended by replacing Hot Springs Code § 4.6.1(b) with the following language:

(b) Any person, firm or corporation violating the terms of the ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount of twenty-five dollars (\$25.00).

Section 3: This Ordinance shall be codified in the Hot Springs Code of Ordinances and the sections may be re-numbered or re-lettered to accomplish such intention.

PASSED: February 18, 2020

ATTEST: Harmony Morrissey
HARMONY MORRISSEY, CITY CLERK

APPROVED: [Signature]
PAT MCCABE, MAYOR

APPROVED AS TO LEGAL FORM:

[Signature]
BRIAN W. ALBRIGHT, CITY ATTORNEY