

**TITLE 8**

**VEHICLES AND TRAFFIC**

Chapters:

- 8.04 Adoption of State laws
- 8.08 Truck routes
- 8.12 Emergency vehicles
- 8.16 Non-operating vehicles
- 8.20 Northwest Arkansas Regional Mobility Authority

**CHAPTER 8.04**

**ADOPTION OF STATE LAWS**

Section:

- 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 75 of the Arkansas Statutes, three (3) copies of which are on file in the office of the Recorder/Treasurer, are hereby adopted as traffic rules and regulations within and for the city. Any person convicted of a 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**

**TRUCK ROUTES**

Sections:

- 8.08.01 Weight limits
- 8.08.02 Truck routes
- 8.08.03 Exemptions
- 8.08.04 Permit
- 8.08.05 Penalty

8.08.01 Weight limits No motor vehicle or trailer as defined by Arkansas law having a gross weight in excess of twelve thousand pounds (12,000 lbs.) shall travel, pass, park or otherwise be located on any street or streets of the city of West Fork, Arkansas, unless said street or streets is designated a "Truck Route" as hereinafter set forth. (Ord. No. 127, Sec. 1)

8.08.02 Truck routes There shall exist within the city of West Fork, Arkansas, the following designated "Truck Routes" over, across and upon the following designated streets:

- A. Any street within the city of West Fork, Arkansas, which coincides with any state or federal highway.
- B. Campbell Street from its intersection with Main Street North to the West Fork city limits. (Ord. No. 127, Sec. 2)

8.08.03 Exemptions The following motor vehicles or trailers are expressly exempt from compliance with this ordinance in order to allow for the citizens' constitutional right to travel:

- A. Any motor vehicle or trailer used to pick up, transport or deliver household goods, furnishings, or property, or materials to be used in the construction, improvement or maintenance, or residences or schools or related structures within the West Fork city limits.
- B. Any and all school buses used in the transportation of school students or personnel. (Ord. No. 127, Sec. 3)

8.08.04 Permit Upon application and payment of a Five Dollar (\$5.00) processing fee, any operator/owner of any motor vehicle or trailer restricted by this ordinance may seek a permit waiving the application of this ordinance for a limited time and purpose when to enforce this ordinance would otherwise work an undue hardship, which permit, if granted by a majority vote of the City Council, shall designate the particular vehicle or trailer, the time, place and manner by which said vehicle or trailer will be permitted to cross over or upon the city streets therein designated. (Ord. No. 127, Sec. 4)

8.08.05 Penalty Violators of this ordinance shall be subject to a fine of Twenty-Five Dollars (\$25.00) for the first offense and Fifty Dollars (\$50.00) for the second and each of the subsequent violations. (Ord. No. 127, Sec. 5)

## **CHAPTER 8.12**

### **EMERGENCY VEHICLES**

Sections:

8.12.01 Right of way

- 8.12.02 Following prohibited
- 8.12.03 Restriction of vehicular traffic
- 8.12.04 Strict enforcement
- 8.12.05 Exempt personnel
- 8.12.06 Penalty

8.12.01 Right of way When any emergency vehicle is on an emergency run, a siren and/or flashing 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.

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

8.12.03 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.

8.12.04 Strict enforcement The provisions hereof shall be strictly enforced; members of the Police Department, the Auxiliary Police Department, the Fire Department, the Volunteer Fire Department and all other duly qualified and acting law enforcement officials shall have full and complete authority to make arrests and/or issue summons to violators, and such arrests and/or summons for any such violation shall be valid and enforceable by court order as in other cases.

8.12.05 Exempt personnel The following personnel when acting in the line of duty are specifically exempt from the provisions of this chapter:

1. All regular and Volunteer Fire Department personnel.
2. All regular and auxiliary police personnel.
3. News reporting and photography personnel for public communications media.
4. Medical, nursing and ambulance personnel.
5. Law enforcement officers; and other persons specifically authorized by the Mayor, Police Chief or Fire Chief.
6. Public utility personnel.

8.12.06 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 (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars.

## CHAPTER 8.16

### NON-OPERATING VEHICLES

Sections:

8.16.01	Definitions
8.16.02	Prohibiting non-operating vehicles from certain areas
8.16.03	Time limit
8.16.04	Procedures
8.16.05	Penalty

8.16.01 Definitions

**Inoperable motor vehicle** shall be interpreted to mean any vehicle placed on blocks or one that does not have current, valid license plates, or has one of more wheels removed, or is not in proper condition to be legally operated on the streets of the City of West Fork because of lack of proper mufflers, tires, headlights, or other mechanical defects or because of lack of an integral part of assembly, or is not capable of self-locomotion.

**Open storage** shall be interpreted to include a carport which has at least two open sides.

**Public property** shall be construed as any street, alley, right-of-way, or property that is owned or under the control and supervision of the municipality.

**Private property** shall be interpreted to mean any and all other property that is not classified as public.

**Person** shall extend and be applied to firms, corporations or voluntary associations as well as to individuals unless plainly inapplicable. (Ord. No. 102)

8.16.02 Prohibiting non-operating vehicles from certain areas It shall be unlawful for any person to maintain, store or keep upon any public property, a junked, wrecked or inoperable, unlicensed vehicle as defined in this ordinance. (Ord. No. 102, Sec. 1)

8.16.03 Time limit It shall be unlawful for any person to keep maintain or store junked, wrecked, inoperable or unlicensed vehicle, as defined in this ordinance, upon private property in the open within the corporate limits of this city for a period of more than three (3) days. (Ord. No. 102, Sec. 2)

8.16.04 Procedures Whenever officers of the Fire Department or Police Department observe any such vehicles as defined in this ordinance, placed or stored in the open upon public property, the owner thereof shall be notified in writing to remove the vehicle within twenty-four (24) hours and in the event said vehicle is not removed, the Police Department is hereby

authorized and directed to arrange for removal of said vehicle and impound same in accordance with the laws covering abandoned motor vehicles. In the event said motor vehicle obstructs the movement of traffic or constitutes a traffic hazard, the Police Department shall immediately arrange for the removal of said motor vehicle.

When officers heretofore designated observe or find motor vehicles disassembled, abandoned, inoperable, unlicensed, junked or wrecked, as defined in this ordinance, in the open private property, the Police Department shall exert every effort to locate the owner of the motor vehicle or the person responsible for placing same upon private property and serve a written notice upon said person to remove the vehicle within three (3) days of said notice. In the event the motor vehicle owner or the person responsible for parking or storing same in the open upon private property cannot be located, then a written notice shall be given to the owner of the property or the person in custody or control of the property notifying them to remove said vehicle within twenty (20) days from the receipt of such notice, upon the expiration of twenty (20) days, if the owner of the property or the person in possession or control of the property has not removed said vehicle, the Police Department shall take the necessary action to remove said motor vehicle and same shall be handled as an abandoned automobile under the laws of the State of Arkansas and disposed of accordingly.

The cost of the investigation, towing, removal and storage of said motor vehicle shall constitute a lien upon said property from which it was removed not to exceed Twenty-Five Dollars (\$25.00) and the City Attorney is hereby authorized and directed to take the necessary legal action to establish and perfect a lien against said property provided, however, that nothing in this ordinance is to be interpreted as preventing any licensed business dealing in any manner with any types of automobiles from operating in a properly zoned area. It is hereby further provided that nothing in said ordinance is to be interpreted as preventing a person from keeping upon his private property for a reasonable time one such inoperable motor vehicle, as defined in this ordinance, for the purpose of making minor repairs and in cases where automobiles are being constructed and/or modified for the purposes of racing, same upon sanctioned drag strips or race courses. (Ord. No. 102, Sec. 3)

8.16.05 Penalty Any violation of this ordinance shall be deemed a misdemeanor and upon conviction shall be punishable by fine of not less than Twenty-Five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00), and each day and each vehicle and each day for each vehicle such violation occurs shall be considered a separate offense. (Ord. No. 102, Sec. 4)

**CHAPTER 8.20**

**NORTHWEST ARKANSAS REGIONAL MOBILITY AUTHORITY**

Sections:

8.20.01            Authorization

8.20.01 Authorization The city of West Fork's participation in the Northwest Arkansas Regional Mobility Authority is hereby authorized and approved. (Ord. No. 2008-405, Sec. 1.)