

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.12

UNSAFE DRIVING

Sections:

- 10.12.010 Reserved
- 10.12.020 Reserved
- 10.12.030 Operating vehicle in negligent manner - Misdemeanor

10.12.030 Operating vehicle in negligent manner - Misdemeanor

- A. It shall be unlawful for any person to operate a motor vehicle in an unsafe, negligent or inattentive manner over and along the public highways or streets of the City. For the purpose of this section "to operate in an unsafe, negligent or inattentive manner" shall be construed to mean in such a manner as to endanger or be likely to endanger any person or persons or do damage to public or private, personal or real property.
- B. The offense of operating a motor vehicle in an unsafe, negligent or inattentive manner shall be considered to be a lesser offense than, but included in, the offense of operating in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be convicted of a lesser offense of operating a motor vehicle in an unsafe, negligent or inattentive manner.
- C. Any person found violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction therefore, punished as provided in Chapter 1.20.110.

(Ord. 443 Sec. 1, 1977)

Chapter 10.16

VIOLATIONS IN BUSINESS PARKING LOTS

Sections:

- 10.16.010 Drive-in restaurant defined
- 10.16.020 Shopping center defined
- 10.16.030 Parking lot - Unlawful acts
- 10.16.040 Leaving vehicle on parking lot prohibited
Exceptions
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- 10.16.060 Regulating Parking Spaces for Handicapped
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10.16.010 Drive-in restaurant defined

A drive-in restaurant within the meaning of this chapter is any restaurant where meals, sandwiches, ice cream or other food is served

directly to or is permitted to be consumed by patrons in automobiles, motorcycles or other vehicles parked on the premises.
(Ord. 156 Sec. 1, 1965)

10.16.020 Shopping center defined

A shopping center within the meaning of this chapter is the sidewalks, streets, parking spaces and other public ground immediately adjacent to and/or surrounding the market places where commercial activity of buying and selling articles, commodities and/or services is carried on and open to all persons. (Ord. 156 Sec. 2, 1965)

10.16.030 Parking lot - Unlawful acts

It is unlawful for any person while on or adjacent to the premises of a drive-in restaurant or a shopping centers other than an automobile repair shop, to race the motor of any car, to suddenly start or stop any car or to make or cause to be made any other loud or unseemly noise. It is unlawful for any other person parked on the premises of such restaurant, shopping center or other public highway of this City to blow or cause to be blown any automobile horn or motorcycle horn at any time while so parked, unless for the purpose of avoiding a collision. (Ord. 156 Sec. 3, 1965)

10.16.040 Leaving vehicle on parking lot prohibited- Exceptions

It is unlawful for any person to leave an occupied motor vehicle on the parking lot of any public business, which includes drive-in restaurants and shopping centers and to leave the premises thereof except with the knowledge and consent of the owner of said business. (Ord. 156 Sec. 4, 1965)

10.16.050 Violations - Applicability of State Statutes

All crimes and/or traffic violations as defined by the Criminal and/or Traffic Codes of the State of Arkansas Codes Annotated of 1987, are declared to be crimes and/or traffic violations upon the above-defined public areas of the City. Any person found guilty of violating any of said laws of the State shall be punished according to the terms of said specifically defined offense under Arkansas Statutes.
(Ord. 156 Sec. 6, 1965)

10.16.060 Regulating Parking Spaces for Handicapped Persons

It is unlawful for persons not handicapped (as determined by an appropriate Arkansas Agency) to park in any parking spaces designated for handicapped only, in a shopping center as defined in Section 10.16.060, where such shopping center owner requests that the Jacksonville Police Department enforce violation of parking designations. Person so violating this Section shall be guilty of a misdemeanor and upon conviction thereof punished as provided in Chapter 1.20; (Ord. 646 Sec. 1, 1981)

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Chapter 10.22

TRUCK PARKING

Sections:

- 10.22.010 Unlawful parking
- 10.22.020 Violation - Penalty

10.22.010 Unlawful parking

It shall be unlawful for any person, corporation or association to park any commercial hauling truck over one (1) ton and/or commercial hauling trailer, commercial hauling equipment, or commercial hauling cargo, with or without the tractor or towing vehicle attached thereto, on any street of the City for a period of time longer than one (1) hour unless: a) same is being loaded or unloaded; or, b) use of said vehicles and/or trailers in residential zones shall be limited to travel to and from locations to load/unload goods, merchandise, or equipment. Once said loading, unloading and/or hauling is completed, said oversized vehicle/trailer/equipment shall be promptly removed from the residential zone.
(Ord. 493 Sec. 1, 1978; Ord. 1139 Sec. 1A, 2000)

10.22.020 Violation - Penalty

Violation of any provision of the Ordinance shall result in a citation issued to the owner/operator/driver of said vehicle/trailer/equipment and/or the owner/occupant of said property. The minimum fine for such a violation shall be no less the Twenty-five Dollars (\$25.00) and no more than One Hundred Dollars (\$100.00). Each day the vehicle/tractor/equipment remains on the property shall constitute a separate offense. (Ord. 493 Sec. 2, 1978; Ord. 1139 Sec. 1B 2000)

Chapter 10.24

TRUCK ROUTES

Sections:

- 10.24.010 Designation
- 10.24.020 Compliance with designated route - Exceptions

10.24.010 Designation

It is the duty of the Mayor of the City, within his best judgment and as he considers it to be for the best interest of the City and citizens thereof, to designate and mark with easily visible signs a route or routes over the streets of the City to be followed by trucks with a rated capacity in excess of one-half ton which are entering, leaving or passing through the City. (Ord. 333 Sec. 2, 1974; Ord. 67 Sec. 1, 1955)

10.24.020 Compliance with designated route - Exceptions

All trucks with a rated capacity in excess of one-half ton shall follow this designated route or routes as they enter, leave or pass through the City, save that any such truck with a lawful destination that cannot be reached by the use of such routes may deviate therefrom for the purpose of reaching their destination and returning therefrom. (Ord. 67 Sec. 2, 1955)

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Chapter 10.28

SPEED

Sections:

- 10.28.010 Limits
- 10.28.020 Speed greater than reasonable and prudent
- 10.28.030 Minimum speed

10.28.010 Limits

No person shall drive a vehicle at a speed in excess of thirty miles per hour within this City; provided, however, that the City engineer is empowered to increase the speed limit on streets where, in his opinion, by reason of distance from the center of population, width and conditions of roadways, and the amount of traffic thereon, or on the basis of an engineering and traffic investigation a higher limit is reasonable and free from undue hazard. Further, the City engineer may decrease such speed when the conditions so dictate as set out above. Adequate and clearly legible signs stating such increased or decreased speed limit shall be placed along all such streets and roadways. No person shall drive a vehicle at a speed in excess of the limits thereby designated. (Ord. 536 Sec. 1(part), 1979)

10.28.020 Speed greater than reasonable and prudent

No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions then existing.
(Ord. 536 Sec. 1 (part), 1979)

10.28.030 Minimum Speed

- A. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.
- B. Whenever the City Engineer determines on the basis of an engineering and traffic investigation that slow speeds on any part of a street or highway consistently impede the normal and reasonable movement of traffic, the City Engineer may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law.
(Ord. 536 Sec. 1 (part), 1979)

Chapter 10.30

GOLF CART USE

Sections:

- 10.30.010 Purpose
- 10.30.020 Definitions
- 10.30.030 Authorized uses and requirements
- 10.30.040 Violation(s)
- 10.30.050 Enforcement and Penalties

10.30.010 Purpose

It shall be the purpose of this Chapter to authorize the limited use and operation of those who drive their golf carts in and about the City of Jacksonville. These provisions are intended to promote safety

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GOLF CART USE

and welfare of all citizens, both those utilizing golf carts upon or near golf course(s), within gated communities, upon private property and/or streets, and upon public streets that surround, are near, or are a part of a golf course. (Ord. 1287, 2006)

10.30.020 Definitions

Golf Cart - A self propelled electric or gas powered vehicle with three (3) or four (4) wheels primarily designed for transportation purposes on or about a golf course. (Ord. 1287, 2006)

10.30.030 Authorized uses and requirements

It shall be unlawful to operate a golf cart on a public street or roadway within the City of Jacksonville unless all of the following requirements are met:

- A) A golf cart may only be operated upon private property and/or roadways, on public streets and roadways that surround, are near, or are a part of a golf course(s), or within a gated community;
- B) Those person(s) operating a golf cart shall hold a valid driver's license issued and/or recognized by the State of Arkansas with the following exception: any operator of a golf cart between Twelve (12) and Sixteen (16) years of age shall only be allowed to operate said cart upon private property or roadways, within a gated community, or within an area surrounding, near, or as a part of a golf course as he/she travels to and from the golf course;
- C) There shall only be the number of people the golf cart is designed to seat riding on a golf cart, and passengers shall not be carried on the part of a golf cart designed to carry golf bags or allowed to be towed behind said cart in any manner;
- D) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance shall a cart be operated at a speed greater than Twenty (20) miles per hour;
- E) A golf cart may be operated only during daylight hours, with the exception that those golf cart(s) equipped with operating lights and reflectors meeting the requirements set forth below may operate before sunrise or after sunset. Any light-equipped cart shall have a minimum of Two (2) operable lamps, one on each side of the front of the golf cart, visible under normal atmospheric conditions from a distance of no less than Three Hundred feet (300'). Said golf cart shall also contain a minimum of One (1) red operable lamp on the rear of said cart, exhibiting a red light visible under normal atmospheric conditions from a distance of no less than Two Hundred feet (200'). In lieu of a rear red lamp, a golf cart may alternatively be equipped with no less than Two (2) red reflectors of a diameter of no less than Three inches (3") designed, located, and maintained so that each reflector is visible from no less than Two Hundred feet (200') in normal atmospheric conditions;
- F) Golf carts may not be operated upon private streets or roadways, within gated communities, or upon public streets or roadways near, surrounding, or a part of a golf course during inclement weather or when visibility is impaired by weather, smoke, fog, smog, or other similar conditions;

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- G) All golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification number, all safety devices as installed by said manufacturer, efficient and operable brakes, reliable steering apparatus, safe tires, and/or operable lights and reflectors as required herein if the cart is operated on a street or roadway at any time before sunrise or after sunset;
- H) All golf carts must be operated in accordance with all applicable local and state and local laws and ordinances except licensing and equipment requirements, including all laws, regulations, and ordinances pertaining to the possession and use of alcoholic beverages; and,
- I) No golf cart(s) shall be operated in a careless, reckless, or prohibitive manner. All carts must be operated to the extreme right of any roadway and must yield to all vehicular and pedestrian traffic.

(Ord. 1287, 2006)

10.30.040 Violation(s)

It shall be a per se violation of this Ordinance when any individual is found to be operating or in actual physical control of a golf cart upon any sidewalk, street(s) beyond the boundaries of a gated community, upon any street not near, surrounding, or including a golf course(s), or upon any major thoroughfare, expressway, freeway, county road, state highway, or a federal highway. (Ord. 1287, 2006)

10.30.050 Enforcement and Penalties

- A) It shall be the responsibility of the Jacksonville Police Department to enforce the provisions of this Ordinance. Should any certified law enforcement member of the Department observe any individual in violation of any provision of this Ordinance, he/she shall promptly issue a citation for said violator into the Jacksonville District Court and/or see that an affidavit of warrant is issued for any violation(s) observed.
- B) Any individual who pleads guilty, nolle contendre, or is found guilty of a violation of the terms of this Chapter shall be fined no less than Twenty-five Dollars (\$25.00) and no more than One Hundred Dollars (\$100.00), together with applicable court costs, for each violation of the provisions of this Chapter.

(Ord. 1287, 2006)

Chapter 10.32

MOTORIZED BICYCLE SAFETY EQUIPMENT

Sections:

10.32.010 Motorized Bicycle - Safety Equipment

10.32.010 Motorized Bicycle - Safety Equipment

All passengers and operators of motorized bicycles used upon the public streets and highways of the City of Jacksonville shall be equipped with the following equipment under the standards set forth

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MOTORIZED BICYCLE-SAFETY EQUIPMENT

by the Department of Motor Vehicles of the State of Arkansas:

- a. Protective headgear, and
- b. Protective glasses, goggles or transparent face shields.

(Ord. 614 Sec. 1, 1980)

TITLE 10 FOOTNOTES

1. For statutory provisions requiring one to stop and render aid at an accident and providing for forfeiture of driver's license for failure to do so, see ACA 27-16-905.
2. For statutory provisions governing the operation of vehicles on approach of an emergency vehicle, see ACA 27-51-901.
3. For statutory provisions defining reckless driving, see ACA 27-50-308.
4. For statutory provisions empowering the City to control the use of public highways within its limits, see ACA 14-54-103; 14-54-104.

TITLE 11

RESERVED