

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 Parking on Streets
- 8.24 Hazardous Driving
- 8.28 Parking Lot Construction
- 8.32 Parking for Handicapped
- 8.36 Parking Spaces for Government Offices
- 8.38 Parking Maintenance Fee
- 8.40 Banners
- 8.44 Vacating Streets

CHAPTER 8.04

ADOPTION OF STATE LAWS

Sections:

- 8.04.01 Adoption of state laws
- 8.04.02 Exceptions

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 City Clerk, 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.

8.04.02 Exceptions

- A. A speed limit of twenty-five (25) miles per hour is established on all city streets on which a speed limit is not otherwise posted. (Ord. No. 89-33, Sec. 1)
- B. That the speed limit on streets within the city of Mountain Home, Arkansas, shall be reduced to a speed of fifteen (15) miles per hour in areas deemed to be under construction by the Superintendent of the city of Mountain Home Street Department. (Ord. No. 89-33, Sec. 1)

CHAPTER 8.08**TRUCK ROUTES****Sections:**

- 8.08.01 Truck routes - Designated
- 8.08.02 Exceptions
- 8.08.03 Penalty

8.08.01 Truck routes - Designated

- A. Truck routes for all motor vehicles having a capacity of twenty thousand (20,000) pounds and over, and proceeding through the city of Mountain Home, Arkansas, are hereby established and designated as follows:

Federal and State Highways, Highway 62/412, Highway 201, Highway 5, and Highway 178

- B. All such vehicles are hereby prohibited from using any other street, alley or road while proceeding through the city. (Ord. No. 99-7, Sec. 1)

8.08.02 Exceptions

- A. When it is necessary for excluded vehicles to travel on non-truck route streets to make pickups or deliveries, it will not be considered to be a violation of this chapter if the vehicle remains on a designated truck route to the closest point from its destination. The intention of this exception of requiring trucks to travel exclusively on the truck routes is to allow pickups or deliveries as long as the minimum of non-truck route streets are traversed.
- B. School, church, tour and local public transportation buses and public service vehicles are excluded from the provisions of this chapter. (Ord. No. 91-13, Sec. 3)

8.08.03 Penalty Any person or corporation who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor and shall be liable for a minimum fine of Twenty-Five Dollars (\$25.00) with the maximum fine being Fifty Dollars (\$50.00) for each violation. (Ord. No. 91-13, Sec. 4)

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 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.

8.12.02 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 by members of the Mountain Home Police Department.

8.12.05 Exempt personnel

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

CHAPTER 8.16

NON-OPERATING VEHICLES

Sections:

- | | |
|---------|------------------------------------|
| 8.16.01 | Definitions |
| 8.16.02 | Prohibiting non-operating vehicles |
| 8.16.03 | Exceptions |
| 8.16.04 | Penalty |
| 8.16.05 | Violators |

8.16.01 Definitions

- A. Non-operating motor vehicles as used in this chapter means a motor vehicle with one or more of the following characteristics:
1. The engine or motor is inoperative;
 2. One (1) or more of the wheels is removed;
 3. The motor vehicle has flats on two or more tires;
 4. Major operating components are missing such as: windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, gear box, rear end, or any parts connected with the steering geometry of the motor vehicle, the seats are removed;

5. Any of the major operating components such as those listed in item (A)(4) above are in such damaged condition so as to make the motor vehicle useless;
 6. The motor vehicle does not have a current Arkansas registration; or
 7. The motor vehicle does not have a current Arkansas motor vehicle inspection sticker demonstrating the vehicle has passed a safety inspection as by law required.
- B. Prima facie case: It shall be a prima facie case that a motor vehicle is a non-operating motor vehicle if it does not have a current Arkansas motor vehicle inspection sticker demonstrating the motor vehicle has passed a safety inspection as by law required.
- C. Motor vehicle: means a car, automobile, truck, bus, omnibus, tractor truck, or other vehicle licensed to travel upon the roads of Arkansas, or subject to licensing for travel or intended as a carrier for goods and persons from point to point which uses motive power derived from a motor or engine especially an internal combustion engine, or rotary engine and a wankel.

8.16.02 Prohibiting non-operating vehicles

A. Definitions

Antique motor vehicle: A vehicle twenty-five (25) years old or older that is being restored to the point that an antique plate can be secured.

City officials: Mountain Home Police Department and/or Building Inspection Department.

Enclosure: A building, wall or fence that conceals a vehicle from all adjoining property a ground level.

Inoperable motor vehicle: An inoperable motor vehicle shall be defined as any one or more of the following which may apply:

- a. any vehicle placed on blocks
- b. has one or more wheels removed
- c. is not in proper conditions to be legally operated on the streets
- d. lacks an integral part of assembly
- e. is not capable of self-locomotion

Open Storage: Open storage is storage in the open, with no covering or walls. This includes a carport, which has at least two (2) open sides.

Person: This term applies to individuals, as well as firm, corporations and voluntary associations, unless plainly inapplicable.

Public Property: Public property is any street, alley, right-of-way, or property that is owned or under the control and supervision of the municipality.

Private Property: Any property that is not classified as public.

Race Car: A vehicle being constructed or modified for the purpose of racing on a sanctioned drag strip or race course.

B. Inoperable motor vehicles.

1. Inoperable motor vehicle - on public property
It shall be unlawful for any person to maintain, store, or keep an inoperable motor vehicle on public property.
2. Inoperable motor vehicle - on private property
It shall be unlawful for any person the maintain, store, or keep in the open an inoperable motor vehicle on private property for more than seven (7) days, unless an appropriate permit is obtained from the city of Mountain Home.

C. Notice of violation; removal of vehicle.

1. Public Property: When City Officials observe or find an inoperable motor vehicle stored in open public property, the City Officials shall place notice on the vehicle requiring the owner of the vehicle to remove it within twenty-four (24) hours. In the event that the vehicle is not removed, the City is authorized to remove and impound the vehicle, in accordance with the laws governing abandoned motor vehicles. In the event that the motor vehicle obstructs the movement of traffic or constitutes a traffic hazard, the City shall immediately have the vehicle removed.

Exception: The above section does not apply to operable motor vehicles parked in front of a residence by the resident or their guest.

2. Private Property: When City Officials observe or find an inoperable motor vehicle stored in the open on private property, the City Officials shall make a reasonable attempt to locate the owner of the motor vehicle, or the person responsible for placing the vehicle upon private property.

The City Officials will serve a written notice to that person to remove the vehicle within seven (7) days of receipt of the notice. If the vehicle is not removed within the seven (7) days, the person shall be charged with a violation of this ordinance and scheduled for appearance in Municipal Court.

Exception for vehicle being repaired, or being prepared as a race car: Nothing in this ordinance shall prevent a person from keeping in the open on private property one (1) inoperable motor vehicle for the purpose of making minor repairs (including antique motor vehicles), or modifying a vehicle for a race car. In either of these situations, the owner of the vehicle shall obtain a permit within seven (7) days from the City Building Inspector's office. This permit will be issued for a three (3) month period, and may be renewed for an additional three (3) month period, if necessary, to complete construction or repairs.

- D. Licensed businesses Nothing in this ordinance is to be interpreted as preventing a licensed business from dealing with any inoperable motor automobiles, as long as they are properly zoned.
- E. Storage of inoperable vehicles Inoperable vehicles that are stored in an enclosure are not in violation of this ordinance.
- F. Penalty Any person violating this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00) each day. Each day such violation occurs shall be considered a separate offense. (Ord. No. 96-19, Secs. 1-6)

8.16.03 Exceptions

Nothing in this chapter shall be construed so as to apply to:

- A. Any motor vehicle that can be started and moved under its own power on demand.
- B. Motorcycles and motor bikes.
- C. Antique automobiles, provided the vehicle has an antique license as by law required.
- D. Temporarily disabled motor vehicles provided they are restored to running condition within thirty (30) days from date of disablement.

8.16.04 Penalty A violation of this chapter is hereby declared to be a misdemeanor and punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by a jail sentence of one (1) to ten (10) days. Each day a non-operating motor vehicle is upon the premises of a person shall constitute a separate offense.

8.16.05 Violators

A person shall be deemed in violation of this chapter if:

- A. Such person owns or has registered to him a non-operating motor vehicle that is in a prohibited area within the terms of this chapter.
- B. Such person owns property on which non-operating motor vehicles are placed, parked or found resting in a prohibited area within the terms of this chapter.
- C. It shall be a prima facie case that the record owner is the owner of property in question.
- D. It shall be a prima facie case that the registered owner of a motor vehicle is the owner of the motor vehicle.

CHAPTER 8.20

PARKING ON STREETS

Sections:

8.20.01	Meters
8.20.02	Definitions
8.20.03	Parking meter zones
8.20.04	Hours of operation
8.20.05	Two-hour zones
8.20.06	Violations
8.20.07	Reports
8.20.08	Evidence
8.20.09	Penalty
8.20.10	Parking fee uses
8.20.11	Supplemental chapter
8.20.12	Enforcement
8.20.13	Parking Authority duties

8.20.01 Meters That the city of Mountain Home, Arkansas, and the City Council thereof, by ordinance or resolution, shall have the power to purchase, install, maintain, operate and control parking meters in the public streets, avenues, roads, alleys, public ways, public parks, public parking lots and public places situated within the city of Mountain Home, Arkansas, at such designated places as the City Council may deem necessary and proper and as it may establish by resolution or ordinance; to set and collect reasonable rates, fees or charges for the

use by vehicles of parking places so designated and equipped with parking meters; to regulate the period of time in which such parking places with parking meters may be used by the public for parking vehicles at such rates; to provide, by ordinance, penalties for the violation of parking meter regulations pursuant to the laws of the State of Arkansas, particularly Act 309 of the Acts of the General Assembly of the State of Arkansas for the year 1939, and the Constitution of the State of Arkansas for the year 1974, as amended. (Ord. No. 110, Sec. 1)

8.20.02 Definitions

Vehicle shall mean any device in, upon or by which any person or property is or may be transported upon a highway or street, except a device which is operated upon tracks or rails.

Parking Meter Zone shall include any public street or public parking area herein designated or hereinafter, by ordinance, designated where parking meters are to be installed, used and operated.

Person shall include any individual, firm, co-partnership or corporation.

Operator shall include every individual who shall operate a vehicle as the owner thereof, or as an agent, employee or permittee of the owner.

Parking Meter Space shall be defined, for the purpose of parallel and/or angle parking, as a space eighteen (18) to twenty-four (24) feet, more or less, along the curb of a street or public parking area. (Ord. No. 113, Sec. 1)

8.20.03 Parking meter zones

- A. All commercially zoned on-street parking located in an area bounded on the North by Fourth and Fifth Streets, on the South by Ninth Street, on the East by Shiras Street and on the West by Elm and Hickory Streets, is hereby designated as a Two (2) Hour Parking Zone.
- B. All city parking lots which are presently regulated by parking meters shall continue to be so regulated as per Section 8.20.01.
- C. The City Council, in its discretion, upon recommendation of the Mountain Home Municipal Parking Authority, may make exceptions to such two (2) hour parking zones for such purposes as loading zones and bus, theater and taxicab spaces.
- D. The Municipal Parking Authority may from time to time designate other parking zones upon the public streets and parking areas and/or eliminate any of the above designated parking zones as, in its opinion, the traffic conditions require. (Ord. No. 87-21, Sec. 2)

8.20.04 Hours of operation Every day except Sunday from eight o'clock (8:00 a.m.) to six o'clock (6:00 p.m.), excepting further the following national holidays of each year:

May 30	Memorial Day
July 4	Independence Day
	Thanksgiving Day
December 25	Christmas Day

(Ord. No. 87-21, Sec. 3)

8.20.05 Two-hour zones

- A. Any vehicle may park free in the above-designated two (2) hour parking zones for a period of two (2) hours.
- B. Any vehicle parking on a city parking lot which is regulated by the Parking Authority shall pay for the privilege of parking in accordance with the fee or time schedule posted on the meter.
- C. A violation of this provision of this chapter shall be punishable as hereinafter set forth. (Ord. No. 712, Sec. 4)

8.20.06 Violations It shall be unlawful and a violation of this chapter for any person to:

- A. Allow any vehicle registered in the name of or operated by such person, to be parked beyond the two (2) hour legal parking time as herein established in any of the above-designated two (2) hour parking zones;
- B. Allow any vehicle registered in the name of or operated by such person, to remain or be parked at a parking meter on any city lot regulated by the Parking Authority when said meter is displaying a signal indicating that the purchased parking time has expired;
- C. Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this chapter;
- D. Deposit in any parking meter any slug, device or metallic substitute or any other substitute, and to use any coins other than coins of the United States;
- E. Cause, permit or allow any vehicle of a rated capacity greater than one (1) ton or of a wheelbase greater than two hundred eighteen (218) inches or an overall length of two hundred forty (240) inches to park, remain or be placed in any parking space designated by proper markings upon the curbing and pavement for diagonal parking. (Ord. No. 712, Sec. 5)

8.20.07 Reports

- A. It shall be the duty of the Parking Enforcement Officer of the city of Mountain Home, Arkansas, acting in accordance with the instruction issued by the Mayor and City Council or Parking Authority to report:
1. In the case of parking violations on city parking lots, the number of the parking zone or parking space which indicates that the vehicle occupying the parking space has been parked in violation of any of the provisions of this chapter;
 2. The state license of any vehicle parking in violation of this chapter;
 3. The date and hour said officer detected such vehicle parking in violation of the provisions of this chapter; and
 4. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- B. Such officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this chapter and instructing such owner or operator:
1. In the case of a violation of the two (2) hour parking limit existing in all two (2) hour parking zones, to pay to the Parking Authority of the city of Mountain Home, Arkansas, as a penalty for and in full satisfaction of such violation the sum of One Dollar (\$1.00). The failure of such owner or operator to make such payment within twenty-four (24) hours shall render such owner or operator subject to penalties hereinafter provided for violation of the provisions of this chapter.
 2. In the case of a parking meter violation, to pay to the Parking Authority of the city of Mountain Home, Arkansas, as a penalty for and in full satisfaction of such violation the sum of Fifty Cents (50¢). The failure of such owner or operator to make such payment within twenty-four (24) hours shall render such owner or operator subject to penalties hereinafter provided for violation of the provisions of this chapter. (Ord. No. 712, Sec. 6)

8.20.08 Evidence In any hearing in the District Court of the city of Mountain Home, Arkansas, on a charge of illegally parking a vehicle, testimony that a vehicle bearing a certain license plate was found or was duly reported unlawfully parked as prohibited by the provisions of this chapter, and further testimony that the records of the register of motor vehicles for the state or city reflect said license plate was issued to the defendant, shall be prima facie evidence that the vehicle was unlawfully parked, and was so parked or permitted to be parked by the defendant. (Ord. No. 712, Sec. 7)

8.20.09 Penalty

- A. Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be subject to fines as follows:
1. In the case of violation of the two (2) hour parking zones, the owner or operator shall pay One Dollar (\$1.00) for the initial violation and Two dollars (\$2.00) for each succeeding hour that the vehicle remains illegally parked. If the fine is not paid within twenty-four (24) hours, the amount of the fine shall be doubled. If the fine is not paid within thirty (30) days, the amount of the fine will double again.
 2. In the case of a parking meter violation, the owner or operator shall pay Fifty Cents (50¢) for the initial violation. If the fine is not paid within twenty-four (24) hours, the amount of the fine shall be doubled. If the fine is not paid within thirty (30) days, the amount of the fine will double again.
 3. In the case of parking in a reserved space or illegal space, the owner or operator shall pay Three Dollars (\$3.00) for the initial violation and Two Dollars (\$2.00) for each succeeding hour that the vehicle remains illegally parked. If the fine is not paid within twenty-four hours, the amount of the fine shall be doubled. If the fine is not paid within thirty (30) days, the amount of the fine will double again.
 4. Any vehicle found to be parked in an area designated for the exclusive use of handicapped persons, on which is not displayed a special handicapped person decal or permit, if operated by a person who is not a handicapped person, while not being used for the actual transporting of a handicapped person, shall be subject to impoundment by the appropriate law enforcement agency, and in addition thereto, the owner of such vehicle shall, upon conviction thereof, be subject to a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each offense plus applicable towing, impoundment and related fees and court costs. (Ord. No. 87-21, Sec. 3)

8.20.10 Parking fee uses The Five Cent (5¢), Ten Cent (10¢) and Twenty-Five Cent (25¢) coins required to be deposited in parking meters as herein provided are hereby levied and assessed as fees to provide the proper regulation and control of traffic upon the public streets and avenues of said city, and also the cost of rental, purchase, installation, supervision, protection, inspection, operation, maintenance and control and use of the parking meters described herein. (Ord. No. 712, Sec. 9)

8.20.11 Supplemental chapter This chapter shall be deemed to be in addition and supplementary to other chapters of said city regulating traffic therein, which are not in conflict herewith. (Ord. No. 87-21, Sec. 10)

8.20.12 Enforcement

- A. It shall be the duty of the Parking Enforcement Officer of the city of Mountain Home, Arkansas, acting in accordance with the instructions issued by the Mayor and City Council or Parking Authority to report:
1. In the case of parking violations on city parking lots, the number of the parking zone or parking space which indicates that the vehicle occupying the parking space has been parked in violation of any of the provisions of this chapter.
 2. The state license of any vehicle parked in violation of this chapter.
 3. The date and hour said officer detected such vehicle parking in violation of the provisions of this chapter.
 4. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violations.

8.20.13 Parking Authority duties.

- A. The Parking Authority may fix the time limitations for legal parking in parking lots and the hours during which said meters must be used by any person desiring to park. The limitations shall be designated on the parking meters.
- B. The Parking Authority shall cause covers to be placed over existing parking meters which presently regulate on-street parking. Such covers and/or signs placed at appropriate intervals shall clearly indicate the establishment of a two (2) hour parking limit.
- C. The Parking Authority shall have lines or markings painted or placed upon the curb and/or street designating parking spaces. It shall be unlawful and a violation of this chapter to park any vehicle across any such line or marking so established. (Ord. No. 712, Sec. 3)

CHAPTER 8.24

HAZARDOUS DRIVING

Sections:

- 8.24.01 Definitions
- 8.24.02 Prohibited
- 8.24.03 Penalty

8.24.01 Definitions For the purpose of this chapter:

- A. Hazardous driving shall be defined as follows:
 - 1. Cutting onto and across private property to avoid established traffic patterns, intersections, stop signs and stop lights;
 - 2. Driving around corners at such a speed and in such a manner as to cause skidding of tires or sliding of the vehicle;
 - 3. Driving in wet or inclement weather at such a speed and/or in such a manner that normal or proper control of the vehicle cannot be maintained; and/or
 - 4. Driving any vehicle in such a manner as to indicate a reckless disregard for the safety of persons or property.
- B. The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a street or highway. (Ord. No. 807, Sec. 1)

8.24.02 Prohibited It shall be unlawful for any person to drive any vehicle in a hazardous manner in the city of Mountain Home, Arkansas. (Ord. No. 807, Sec. 2)

8.24.03 Penalty Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be guilty of a misdemeanor and for a first conviction thereof, shall be punished by a fine not to exceed Fifty Dollars (\$50.00) and on a second or subsequent conviction within three (3) years, shall be punished by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00). (Ord. No. 807, Sec. 3)

CHAPTER 8.28

PARKING LOT CONSTRUCTION

Sections:

8.28.01	Permits
8.28.02	Landscaping
8.28.03	Site plan
8.28.04	Fees
8.28.05	Penalty

8.28.01 Permits From and after the passage of this ordinance any contractor, business or person who desires to construct, make addition to, or surface a parking lot shall apply to the city of Mountain Home, Arkansas, for a permit. (Ord. No. 97-030, Sec. 1.)

8.28.02 Landscaping That every parking area of five thousand (5,000) square feet or more shall have at least a landscaped area of not less than five percent (5%) of the total parking lot square footage with fifty percent (50%) of the total required landscaping being arranged so that all street frontages receive an equal amount of landscaping. Landscaping may consist of approved planter boxes placed on the surface of the parking area. All landscaping areas must be maintained regularly in order to present a well-kept appearance. No landscaping either in commercial or residential zoning shall be placed in the public right-of-way without prior approval from the city. Future construction may require landscaping to be removed by the property owner. (Ord. No. 97-30, Sec. 2.)

8.28.03 Site plan Proposed parking lots of five thousand (5,000) square feet or larger and additions to an existing parking lot that will result in a total of five thousand (5,000) square feet or larger shall be accompanied by a "Site Plan" prepared by a professional engineer showing grades, drainage control, one (1) foot contours, ingress, egress, curbing on sides of lots abutting streets and landscaping areas. Drainage control shall conform to the 1997 Subdivision Regulations, Ar. 8.5. Parking lots of less than five thousand (5,000) square feet shall be investigated prior to issuance of a permit. The lots must comply with the Ingress, Egress

Ordinance with curbing on the sides of lots abutting streets and may be required to conform to the regulations listed above. Certification of the design engineer that all planned improvements have been constructed in accordance with the approved plans. (Ord. No. 97-30, Sec. 3.)

8.24.04 Fees all permits shall be One (1) Cent per square foot for the first five thousand (5,000) square feet and one-eighth (1/8) of One (1) Cent per each additional square foot, with a minimum of Ten dollars (\$10.00). Provided, however, where a general contractor constructs a parking lot as part of a new building and the construction is part of the estimated cost of the project, there will be no additional permit fees for the parking lot. (Ord. No. 97-30, Sec. 4.)

8.28.05 Penalty Violation of this chapter shall be deemed a misdemeanor punishable by not less than a Fifty Dollar (\$50.00) fine nor more than a Two Hundred Fifty Dollar (\$250.00) fine. Each day shall be deemed a separate violation. (Ord. No. 97-30, Sec. 5.)

CHAPTER 8.32

PARKING FOR HANDICAPPED

Sections:

8.32.01	Parking for persons with disabilities
8.32.02	Handicapped parking
8.32.03	Parking privileges
8.32.04	Parking restrictions
8.32.05	Handicapped persons
8.32.06	Penalties

8.32.01 Parking for persons with disabilities It shall be unlawful for any person to park or permit to be parked any vehicle in any space designated for the exclusive use of a disabled person. (Ord. No. 2004-32, Sec. 1.)

8.32.02 Handicapped parking The "International Symbol of Access" shall designate such parking spaces for handicapped persons. (Ord. No. 2004-32, Sec. 2.)

8.32.03 Parking privileges Parking privileges for parking only by persons with disabilities is defined as follows:

- A. A vehicle displaying a special license plate or special certificate and being used for the actual transporting of a person with a disability is permitted exclusive parking privileges in those areas designated for parking only by persons with disabilities.
- B. Vehicles that load or unload a wheelchair or other related mobility device shall be authorized to load or unload, or otherwise use those parking spaces reserved exclusively for persons with disabilities and designated "van accessible."
- C. May park for unlimited periods in parking zones restricted as to the length of parking time permitted.
- D. May park in zones reserved for special types of vehicles, except for those zones authorized for exclusive use by emergency vehicles, ambulances and bus stop areas. (Ord. No. 2004-32, Sec. 3.)

8.32.04 Parking restrictions Restrictions on parking privileges for all persons which also shall be applicable to persons with disabilities.

- A. To zones where stopping, standing, or parking is prohibited for all vehicles.
- B. Zones authorized for exclusive use by emergency vehicles or ambulances, or authorized as bus stop areas or loading zones. (Ord. No. 2004-32, Sec. 4.)

8.32.05 Handicapped persons "Person with a disability" means any individual who, as determined by a licensed physician:

- A. Cannot walk one hundred feet (100') without stopping to rest;
- B. Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;
- C. Is restricted by lung disease to such an extent that the person's forced respiratory expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest;
- D. Uses portable oxygen;
- E. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association;
- F. An individual who is determined by the United States Department of Veterans Affairs to be a totally and permanently disabled service-connected veteran and who is the owner of an automobile which is to be used by, or for, the totally and permanently disabled veteran.
- G. Has a disability temporary in nature and has obtained a special certificate from the Office of Motor Vehicle. (Ord. No. 2004-32, Sec. 5.)

8.32.06 Penalties

- A. Any vehicle found to be parked in an area designated for the exclusive use of any person with a disability, including the access aisle, on which is not displayed a special license plat, a special certificate, or an official designation of another state or which is found to be parked in an area designated for the exclusive use of any person with a disability, if operated by a person who is not a person with a disability while not being used for the actual transporting of a person with a disability shall be subject to impoundment by the appropriate law enforcement agency.

- B. The owner or driver of the vehicle shall upon conviction be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for the first offense and not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1000.00) for the second and subsequent offenses, plus applicable towing, impoundment, and related fees as well as court costs. (Ord. No. 2004-32, Sec. 6.)

CHAPTER 8.36

PARKING SPACES FOR GOVERNMENT OFFICES

Sections:

8.36.01 Leasing spaces

8.36.01 Leasing spaces

- A. To recover the expense of maintaining said parking areas, the city of Mountain Home shall lease individual parking spaces under a one-year Lease Agreement.
- B. An annual lease agreement with attached parking lot diagram referencing leased space shall be executed for each rented space. The Lessee shall pay \$120.00 per year in monthly installments of \$10.00. (Ord. No. 2000-30, Sec. 1.)

CHAPTER 8.38

PARKING MAINTENANCE FEES

Sections:

8.38.01 Parking Maintenance Fee

8.38.01 Parking Maintenance Fee

- (A) To recover the expense of maintaining said parking areas, the City of Mountain Home shall lease individual parking spaces under a one (1) year Lease Agreement.
- (B) An annual lease agreement with attached parking lot diagram referencing leased space shall be executed for each rented space. The Lessee shall pay \$120.00 annually payable on or before January 10th. (Amending Ord. No. 2000-30. Sec. 1)

CHAPTER 8.40

BANNERS

Sections:

8.40.01 Banners

8.40.01 Banners

- A. The placement of banners over any street or highway located within the city limits of the city of Mountain Home shall be strictly prohibited.
- B. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and punished by a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00), and if such violation be continued, each days' violation shall be deemed a separate offense. (Ord. No. 2007-28, Secs. 1-2.)

CHAPTER 8.44

VACATING STREETS

Sections:

8.44.01 Vacating streets

8.44.01 Vacating streets

Ord. No. 2009-19 Part of unnamed street between Lots 19 & 28 of Langston's Subdivision

Ord. No. 2016-12 The 25 ft. alley lying North of Lots 4, 5 and 6 of College Heights Addition to the Town of Mountain Home, Baxter County, Arkansas, and South of Lots 7, 8 and 9 of College Heights Addition to the Town of Mountain Home, Baxter County, Arkansas.

Pages 254-257 have been intentionally left blank