

CHAPTER 26 TRAFFIC

Art. I. In General, §§ 26-1 - 26-17

Art. II. Parking, §§ 26-18 - 26-25

ARTICLE I. In General

Sec. 26-1. Adoption of State Law.

The "Uniform Act Regulating Traffic on Highways of Arkansas," as contained in Section 27-49-101 et seq., Arkansas Code Annotated (Act 300), three (3) copies of which are on file in the City Clerk's office, are hereby adopted as traffic rules and regulations within and for the City of Searcy, Arkansas: Except those provisions of said uniform act which by their terms could have no application to first class cities, or wherein such cities have jurisdiction. Any person convicted of a violation of said statutes shall be punished as therein provided. (*Ord. No. 343, § 1, 8-21-52*)

Sec. 26-2. Abandoned or Improperly Parked Vehicle - Removal Authorized; Charges; Lien.

Any vehicle which hereafter shall have been illegally parked on or in the streets, alleys, or other public ways of the City of Searcy, or has obstructed the movement of traffic thereon, for a period of forty-eight (48) hours or more shall be presumed to have been abandoned by its owner and/or operator, and the Police Department, or its designated representative, shall be authorized to remove said vehicle therefrom. In such event, the actual towing expense, together with actual daily storage charges per day, shall be paid in full by the person claiming said vehicle before it shall be released; and the Police Department shall have a possessory lien upon said vehicle until said charges have been fully paid. (*Ord. No. 446, § 4-3-62; Ord. No. 96-16, § 23, 6-10-96*)

Sec. 26-3. Same - Sale of Unclaimed Vehicles.

In the event such vehicle is not claimed within thirty (30) days after confiscation, the Police Department may sell said vehicle at public sale for cash to the highest and best bidder to satisfy the lien. Notice of such sale shall be given by publication once a week for two (2) consecutive weeks in a local newspaper. The proceeds from such sale shall first be applied to pay all costs, including towing, storage, and publication expenses, and the balance, if any there be, shall be paid to the City Clerk to be applied to the general fund. (*Ord. No. 446, § 2, 4-3-62*)

Sec. 26-4. Truck Routes - Designated.

Truck routes for all motor vehicles having a capacity of one ton and over, and proceeding through the City, are hereby established and designated as follows: U.S. Highway 67 C; State Highway 16; and State Highway 36; and all such vehicles are hereby prohibited from using any other street, alley or road while proceeding through the City. (*Ord. No. 371, § 1, 7-3-56*)

Sec. 26-5. Same -- Penalty.

Any person violating any of the provisions of Section 26-4 shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than twenty-five dollars (\$25.00) for each such offense. (*Ord. No. 371, § 2, 7-3-56*)

Sec. 26-6. Fire Alarm, Vehicles to Stop.

Whenever the fire alarm or fire service for the purpose of giving the alarm on notice of a fire in said City or vicinity is blown or sounded, all vehicles of every kind, character and description which may be standing, moving or being upon any of the public streets or highways of said City shall immediately pull to the edge or curb of said street or highway and stop and remain standing and motionless until said fire alarm or siren and the siren attached to the fire truck of said City shall cease to sound. Every person violating this section or any part thereof may be fined in any sum not less than one dollar (\$1.00) or more than twenty-five dollars (\$25.00). (*Code 1938, § 386*)

Sec. 26-7. Limitation of Size of Vehicles Operated in Certain Alley.

No person shall drive or propel or otherwise pull over or through the alley running North and South in Block 14, City of Searcy, any trailer or trailer type vehicle or any vehicle having an overall width of more than eight and one-half (8 ½) feet, provided, this shall not apply to any automobile or farm type trailers having a maximum width of not more than seven (7) feet. Any person guilty of violation of this section shall be fined in a sum not more than one hundred dollars (\$100.00) for each violation thereafter. (*Ord. No. 292, § 2, 5-13-46*)

Sec. 26-8. Certain Motor Vehicles Prohibited From Use of Streets, Bridges, etc.

- a. It shall be unlawful and punishable, as provided in paragraph (c) of this section for any person or persons to drive, or cause to be driven, any truck, motor vehicle, tractor or tractor-trailer rig that weighs in excess of twenty-five thousand (25,000) pounds hauled upon or across any public street, public right-of-way and/or public alley within the corporate limits of the City of Searcy, Arkansas, except those streets that are designated as state highways within the corporate limits of said City, with the exception that in the event that a delivery loading or unloading of said prohibited vehicle is to be done at a location within the corporate limits of the City of Searcy, Arkansas, that is not accessible to a state highway, said prohibited vehicles may drive on the public street that services said location; provided that the driver of said prohibited vehicle shall drive said vehicle the shortest distance possible on the public streets and the maximum distance possible on the designated state highways within the corporate limits of the City of Searcy, Arkansas.

- b. It shall be unlawful and punishable as provided in paragraph (c) of this section for any person or persons to drive, or cause to be driven, any truck, motor vehicle, tractor or trailer rig that weighs in excess of nine tons (18,000 pounds) over, across or upon any bridge that is located on or is a part of Moore Street within the corporate limits of Searcy, Arkansas.
- c. Any person who violates any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. (*Ord. No. 574, §§ 1-3, 7-8-75*)

Sec. 26-9 -- 26-17. Reserved.

ARTICLE II. Parking

Sec. 26-18. Authority of Mayor and Chief of Police to Restrict Parking.

The Mayor and Chief of Police are hereby authorized and empowered to designate streets and alleys in the City of Searcy upon which it shall be unlawful to park motor vehicles and/or to fix the time limit for the parking of motor vehicles upon such streets and alleys; provided, that the parking of such vehicles upon any of said streets and alleys shall be prohibited only when it appears to be necessary for the proper protection of persons and property using said streets and alleys; and provided further that the parking of such vehicles may be thus prohibited on any such street or alley in whole or in part; provided no other person shall have the authority to prohibit or limit the time of parking of vehicles upon any of the streets and alleys of the City by placing signs upon the same or otherwise. (*Ord. No. 278, §§ 1, 3, 1-13-41*)

Sec. 26-19. Notice of Restrictions; Designation of Areas.

Before any order of said Mayor and Chief of Police prohibiting the parking of such vehicles or limiting the time of parking same upon said streets and alleys shall become effective, a notice thereof shall be published in some newspaper published in said City for a period of one week, and the curbing and pavement of such streets and alleys shall be properly designated by paint or otherwise, and by signs indicating that parking is prohibited or limited, as the case may be, in that parking is prohibited or limited as the case may be, in that area, such signs to bear the words, "By Order of Police."

Sec. 26-20. Penalty.

Any person violating any of the provisions of Section 26-18 or the restrictions contained in signs erected shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than one dollar (\$1.00) or more than ten dollars (\$10.00). (*Ord. No. 278, § 4, 1-13-41*)

Sec. 26-21. Blocking Driveways.

It shall hereafter be unlawful for any person to park or leave unattended a vehicle so as to impede or block any driveway, entrance-way or area-way within the City, where said driveway, entrance-way or area-way is clearly designated or reasonably ascertainable, if done without the permission of the owner of the property.

Any person who violates the provision of this section shall be deemed guilty of a misdemeanor and, upon conviction shall be punished by a fine of not to exceed fifteen dollars (\$15.00). (*Ord. No. 416, §§ 1, 2, 2-5-59*)

Sec. 26-22. On Private Property.

It shall hereafter be unlawful for any person to park or leave unattended a vehicle on the private property of any other person or entity without the permission of the owner of the property, or his designated representative.

Any person who violates the provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not to exceed fifteen dollars (\$15.00). (*Ord. No. 415, §§ 1, 2, 2-3-59*)

Sec. 26-23. U.S. and State Highways.

The parking of vehicles upon and about the U.S. and State Highways running through the City of Searcy, shall be hereafter prohibited, except as provided herein. (*Ord. No. 381, § 1, 7-2-57*)

Sec. 26-24. Illegal Parking; Penalty.

Each police officer shall attach to every vehicle parking in violation of any of the provisions of this article, a notice that such vehicle is illegally parked, and such notice shall inform the violator of the amount of the penalty and when and where to pay same. Each such person may within twenty-four (24) hours of the time when such notice was attached to such vehicle, pay as the penalty for and in full satisfaction of such violation the sum of fifty cents (\$.50). If such penalty be not paid within twenty-four (24) hours from the time of such notice, the penalty shall be one dollar (\$1.00). If same be not paid within ten (10) days, the penalty shall be three dollars (\$3.00), and if same be not paid within thirty (30) days, the penalty shall be not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00). (*Ord. No. 328, § 12, 8-13-51; Ord. No. 390, § 1, 12-4-57*)

Sec. 26-25. Parking of Certain Vehicles Prohibited on Streets, Alleys, Etc.

- a. It shall be unlawful and punishable as provided in paragraph (b) of this section, for any person to park, or cause to be parked, any truck, tractor, mobile home, or trailer, with a capacity larger than three-quarters (3/4) of a ton, or chassis thereof, and/or that is in excess of eighty-four (84) inches in width, on, upon or across any public street, public right-of-way, and/or public alley within the corporate limits of the City of Searcy, Arkansas; provided that any truck, tractor, mobile home or trailer, with capacity larger than three-quarters (3/4) of a ton or chassis thereof, and/or any truck, tractor, mobile home or trailer that is in excess of eighty-four (84) inches in width, may park on any public street, right-of-way, and/or alleyway, for the purpose of loading and unloading.

- b. Any person who violates any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. On a second, or subsequent conviction, for an offense committed within one year of the first offense of a violation of this section, the person so convicted may be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00). (*Ord. No. 563, §§ 1, 2, 4-9-74*)

