

TITLE – CITY TRAFFIC AND PARKING CODE

ARTICLE I – GENERAL

CHAPTER 1 – GENERAL

ARTICLE II – CITY TRAFFIC CODE

CHAPTER 1 – RESERVED

CHAPTER 2 – UNSAFE DRIVING CODE

CHAPTER 3 - JAKE BRAKING CODE

CHAPTER 4 – TRUCK CODE

CHAPTER 5 – U-TURN CODE

ARTICLE III – PARKING CODE

CHAPTER 1 – RESERVED

CHAPTER 2 – CITY PARKING CODE

CHAPTER 3 – CITY TOWING CODE

ARTICLE IV – STREET AND ADDRESS NAMING CODE

CHAPTER 1 – RESERVED

CHAPTER 2 – STREET AND ADDRESS NAMING CODE

TITLE – CITY TRAFFIC AND PARKING CODE

ARTICLE I – GENERAL

CHAPTER 1 – GENERAL

SECTION 1: TITLE

- 1.1** This Code shall be known as, referred to and cited as “The City of Russellville, Arkansas, Traffic and Parking Code.” Any reference to the word “Code” in this Chapter shall mean this Title and all Articles contained therein.

SECTION 2: PRIOR ACTS OF THE CITY ELECTED OFFICIALS, CITY EMPLOYEES AND SAVINGS

- 2.1** The repeal of any prior ordinance or portion thereof by adoption of this Code shall not affect or impair any act done or right vested or accrued before such repeal takes effect but every such act done or right vested or accrued shall remain in full force and effect to all intents and purposes as if such repeal had not taken place. No act or duty performed in the past by any City officials or employees shall be deemed invalid while the City officials or employees were operating under the authority of state law, prior ordinances or part thereof that are repealed by this Code. All acts prior to the passage of this Code viewed within all respects as if such prior ordinances or part thereof had not been repealed.
- 2.2** The repeal or amendment of prior ordinances does not release or extinguish any penalty, forfeiture, or liability incurred or right accruing or accrued under prior ordinances, unless the repealing or amending act so provides expressly. Those prior ordinances shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of the right, penalty, forfeiture, or liability.
- 2.3** The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

SECTION 3: SEVERABILITY

- 3.1** If any Code, Article, Chapter, Section, Subsection, Provision, Paragraph, Sentence, Clause, or Phrase of this Code is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining parts of this Code.

SECTION 4: AMENDMENTS TO CODE.

- 4.1** All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code, may be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed titles, chapters, sections or subsections or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the Code by omission from reprinted pages affected thereby.

- 4.2** Amendment to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language: "That section of the City of Russellville, Arkansas, Code for Traffic and Parking is hereby amended to read as follows:..." The new provisions shall then be set out in full.
- 4.3** In the event a new section not heretofore existing in this Code is to be added, the following language shall be used: "That the Code for Traffic and Parking is hereby amended by adding a section (or Codes or chapter) to be numbered which said section (or Code or chapter) reads as follows: The new provisions shall then be set out in full.
- 4.4** All sections, codes, chapters or provisions desired to be repealed must be specifically repealed by section, code, or chapter number, as the case may be.

SECTION 5: REPEALER

- 5.1** Ordinance No. 570 is hereby repealed in their entirety.
- 5.2** Ordinance Nos. 1781, 1808 and 1916 are hereby repealed in their entirety.
- 5.3** Ordinance No. 220 is hereby repealed in its entirety.
- 5.4** Ordinance No. 1044 is hereby repealed in their entirety.
- 5.5** Ordinance Nos. 391, 393, 412 and 550 are hereby repealed in their entirety
- 5.6** Any ordinance or code in conflict with this Code is hereby repealed.

SECTION 6: VIOLATION PENALTIES.

- 6.1** Unless stated elsewhere specifically in a Chapter or Section, pursuant to A.C.A. §14-55-501, any person violates any Section of this Code shall be guilty of a civil violation per A.C.A. §16-90-115(b) and shall be liable to a fine of not less than \$100.00, up to, but not exceeding:
 - 6.1.1** One thousand dollars (\$1,000.00) for the first offense;
 - 6.1.2** Two thousand dollars (\$2,000.00) for the second offense;
 - 6.1.3** Four thousand dollars (\$4,000.00) for each subsequent offense after the second offense;
 - 6.1.4** Plus court costs and applicable fees.
- 6.2** Each day such violation is permitted to exist shall constitute a separate offense.
- 6.3** If it is found that any violation of this Code is found to be continuous in respect to time, the fine or penalty for allowing the continuous thereof, in violation of this Code, shall not exceed five hundred dollars (\$500.00) for each day that it is unlawfully continued, plus court costs and applicable fees.

SECTION 7: DEFINITIONS

The following definitions shall apply throughout this Title and Code:

- 7.1** "A.C.A." mean the abbreviation "A.C.A." means the Arkansas Code of 1987 Annotated, as amended or revised in the future.

- 7.2** “*City*”, “*municipal corporation*” or “*municipality*” means the City of Russellville, Arkansas, a municipal corporation organized and incorporated under the laws of the State of Arkansas.
- 7.3** “*Code*” means all the various Codes contained in this Title.
- 7.4** “*Double parking*” means the parallel parking of a vehicle within two feet of another vehicle already parked parallel with the curb, or adjacent to, or directly behind, or not entirely within an empty parking space.
- 7.5** “*Law Enforcement Officer*” or “*Police Officer*” as used in this Title and Code shall mean any appointed or elected law enforcement officer by the City public law enforcement department, office, or agency who: 1) is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this state; 2) has met the selection and training requirements for certification set by the Arkansas Commission on Law Enforcement Standards and Training; and 3) vested by law with a duty to maintain order or to make arrests for offenses.
- 7.6** “*Motor vehicle*” means a self-propelled device or vehicle in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks
- 7.7** “*Person*” means any individual person or a corporation, association, partnership, limited liability company, or other entity, institution or organization, natural or legal, and commonly recognized by law as a unit.
- 7.8** “*State*” means the State of Arkansas.
- 7.9** “*Street*” means any paved or unpaved road, thoroughfare, avenue, boulevard, parkway, drive, alley, easement, right-of-way or other public way set aside or open for purposes of vehicular traffic, including any berm, shoulder or median strip thereof within the corporate city limits of the City that is owned, leased, held by the City by easement, licensed to the City, granted possession or otherwise possessed by the City.
- 7.10** “*Title*” means all of the Articles, Chapters, Subchapters, Sections and Subsections within this document.
- 7.11** “*To operate*” or “*operate*” means to ride, drive, or otherwise use a motor vehicle as described within these definitions as a means of transport.

SECTION 8: INTENT AND PURPOSE OF ARTICLE I AND CHAPTER 1

- 8.1** It is the specific intent and purpose of the City that all of the Sections and terms found in Article I and Chapter 1 are to be applied throughout this Title and Code to each Article, Chapter, Section, Subsection and every provision contained within this Title and Code.

SECTION 9: PROVISIONS CONSIDERED CONTINUATION OF EXISTING ORDINANCES

- 9.1** The provisions of this Title and Code, so far as they are the same as ordinances existing at the time of adoption of this Title and Code, shall be considered as a continuation of such ordinances and not as new enactments.

SECTION 10: INTERPRETATION

- 10.1** Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this Title and Code as those governing the interpretation of state law.

SECTION 11: REFERENCE TO OFFICES, ETC.

- 11.1** Reference to a public office or officer shall be deemed to apply to any office, officer, or employee of this municipality exercising the powers, duties, or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

SECTION 12: ERRORS AND OMISSIONS

- 12.1** If a manifest error is discovered, consisting of the misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a word or words when another word or words was clearly intended to express such intent, such spelling shall be corrected and such word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as originally published. No alteration shall be made or permitted if any question exists regarding the nature or extent of such error.

SECTION 13: ORDINANCES UNAFFECTED

- 13.1** All ordinances of a temporary or special nature and all other ordinances pertaining to subjects not embraced in this Title and Code shall remain in full force and effect unless herein repealed expressly or by necessary implication.

SECTION 14: RULES OF CONSTRUCTION

- 14.1** In the construction of this Title and Code, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the City.
- 14.1.1** *Acts by assistants.* When a statute or ordinance requires an act to be done which, by law, an agent or deputy as well may do as the principal, such requisition shall be satisfied by the performance of such act by an authorized agent or deputy.
- 14.1.2** *Conjunctions.* In a provision involving two or more items, conditions, provisions or events, which items, conditions, provisions or events are connected by the conjunction "and," "or" or "either...or," the conjunction shall be interpreted as follows, except that the terms "and" and "or" may be interchangeable when the context so requires:

- 14.1.2.1** "*And*" indicates that all the connected terms, conditions, provisions or events apply.
- 14.1.2.2** "*Or*" indicates that the connected terms, conditions, provisions or events apply singly or in any combination.
- 14.1.2.3** "*Or, And.*" "Or" may be read "and", and "and" may be read "or" if the sense requires it.
- 14.1.2.4** "*Either...or*" indicates that the connected terms, conditions, provisions or events apply singly but not in combination.
- 14.1.3** *Delegation of authority.* A provision that authorizes or requires a city officer or city employee to perform an act or make a decision authorizes such officer or employee to act or make a decision through subordinates.
- 14.1.4** *Gender.* Words of one gender include all other genders and to firms, partnerships, and corporations.
- 14.1.5** *Generally.*
 - 14.1.5.1** When provisions conflict, the specific prevails over the general. All provisions shall be liberally construed so that the intent of the city council may be effectuated.
 - 14.1.5.2** Words and phrases shall be construed according to the common and approved usage of the language, but technical words, technical phrases and words and phrases that have acquired peculiar and appropriate meanings shall be construed according to such meanings.
 - 14.1.5.3** Provisions shall be interpreted and applied so as to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.
 - 14.1.5.4** Grammatical errors shall not vitiate, and a transposition of words and clauses may be resorted to when the sentence or clause is without meaning as it stands.
- 14.1.6** *Include, including.* The term "include," "including" or any other similar term of inclusion means without limitation or restriction.
- 14.1.7** *May.* The term "may" is to be construed as being permissive and not as being mandatory.
- 14.1.8** *May not.* The term "may not" has a prohibitory effect and states a prohibition.
- 14.1.9** *Must.* The term "must" is to be construed as being mandatory and not as being permissive.
- 14.1.10** *Number.* Words used in the singular include the plural, and the plural includes the singular number.

14.1.11 *Oath.* The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

14.1.11 *Other City Officials or Officers.* Whenever reference is made to officials, boards, commissions, departments, etc., by title only, i.e., "clerk-treasurer", "police chief", etc., they shall be deemed to refer to the officials, boards, commissions and departments of the City.

14.1.12 *Shall.* The term "shall" is to be construed as being mandatory.

14.1.13 *Tenses.* The present tense of a verb includes the past and future tenses. The future tense includes the present tense, if applicable.

SECTION 15: ALTERING CODE

15.1 It shall be unlawful for any person to purposefully change or amend by additions or deletions, any part or portion of this Title and Code, or to insert or delete pages, or portions thereof, or to alter or tamper with said Title and Code in any manner whatsoever except by ordinance of the city council, which shall cause the law of the City to be misrepresented thereby.

SECTION 16: REFERENCE TO OTHER SECTIONS

16.1 Whenever in one section reference is made to another section hereof, such reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered unless the subject matter is changed or materially altered by the amendment or revision.

SECTION 17: AUTHORITY

17.1 The provisions contained within this Title and Code formerly, currently or hereinafter enacted are based upon, derive authority from and are enacted pursuant to any and all of the power and authority conferred upon cities by the Arkansas Constitution and by the Arkansas General Assembly through its statutes, including, but not limited to, all of Title 14 Local Government of the Arkansas Code specifically including but not limited to Subchapter 6, Power Over Municipal Affairs of Chapter 43 Government of Cities of the First Class, Chapter 54 Powers of Municipalities, Chapter 55 Ordinances of Municipalities, Title 27, the regarding Traffic in the Arkansas Code and any and all other state statutes or constitutional provisions that provide any authority to the City to enact ordinances, codes, or regulations within or referenced by the Title and Code. No specific reference to authority within any Title and Code Chapters or Section excludes the general authority of all state law and this Section.

ARTICLE II – CITY TRAFFIC CODE

CHAPTER 1 – GENERAL

SECTION 1: TITLE

- 1.1 The Chapters within this Article shall be titled, known as, referred to and cited as the “City Traffic Code.”

CHAPTER 2 – HAZARDOUS, UNSAFE OR INATTENTIVE DRIVING CODE

SECTION 1: TITLE

- 1.1 This Chapter shall be titled, known as, referred to and cited as the “Hazardous, Unsafe or Inattentive Driving Code (“Unsafe Driving Code”).”

SECTION 2: ESTABLISHMENT OF OFFENSE

- 2.1 There is hereby established the offense of Hazardous, Unsafe or Inattentive Driving to be enforced by the law enforcement officers of the Russellville Police Department.

SECTION 3: UNLAWFUL ACT

- 3.1 The offense of Hazardous, Unsafe or Inattentive Driving shall be prohibited and an unlawful act within the City.

SECTION 4: PROHIBITED CONDUCT

A person shall commit the offense of Hazardous, Unsafe or Inattentive Driving when any person operates a motor vehicle in the following manner upon a street:

- 4.1 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;
- 4.2 At a speed greater than reasonable and prudent under the conditions then existing;
- 4.3 By operating a vehicle in a lax or slack manner in light of the then existing conditions where there is a reasonably foreseeable danger to persons or property, including the personal property of the operator of a vehicle who is charged hereunder, due to the conduct of the operator of the motor vehicle being imprudent rather than heedless or wanton;
- 4.4 By committing a moving violation, causing an accident, or nearly causing an accident that is avoided only because of evasive action of other drivers or pedestrians, all while dividing his attention from the safe operation of the vehicle by some distracting activity; or,
- 4.5 Engaging in an activity not directly related to the operation of the motor vehicle, and which may include, but is not limited to: reading; writing; consuming food, beverages, or tobacco; changing garments; using telephones, pagers, personal digital assistants, global positioning devices, radar detectors, or other communication/information devices; operating any form of radio, audio or video cassette players, compact disc players, televisions, or any other audio or video devices; portable computer; applying make-up, shaving, combing hair, or

attending to other forms of personal grooming; or interactions with passengers or pets.

SECTION 5: CATAGORIZATION OF OFFENSE

- 5.1** The offense of Hazardous, Unsafe or Inattentive Driving shall be considered a lesser offense than, but included in the offense of Reckless Driving (A.C.A. §27-50-308), and any person charged with the offense of Reckless Driving may be convicted of the lessor offense of Hazardous, Unsafe or Inattentive Driving.

SECTION 6: PENALTY

- 6.1** It shall be unlawful for any person or entity for any person to violate any provision of this Chapter and Hazardous, Unsafe or Inattentive Driving Code. Any person or entity found to be in violation of any provision of this Chapter and Hazardous, Unsafe or Inattentive Driving Code shall be deemed to be guilty of a civil violation and shall be fined in accordance with the provisions of this Title and Code.

CHAPTER 3 - ENGINE COMPRESSION BRAKING

SECTION 1: TITLE

- 1.1** This Chapter shall be titled, known as, referred to or cited as the “City Engine Compression Braking Code (“Jake Braking Code”).”

SECTION 2: DEFINITION

The following definitions shall apply throughout this Chapter and Jake Braking Code:

- 2.1** “*Engine compression brake*” means a "Dynamic Brake," "Jake Brake," "Jacobs Brake," "C-Brake," "Paccar Brake," transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression designed to aid in the braking or deceleration of the truck or other vehicle.

SECTION 3: ESTABLISHMENT OF OFFENSE

- 3.1** There is hereby established the offense of Jake Braking to be enforced by the law enforcement officers of the Russellville Police Department.

SECTION 4: UNLAWFUL ACT

- 4.1** It shall be unlawful for any person to operate any truck or other motorized vehicle to use or operate or cause to be used or operated within the City, any engine compression brake which results in excessive, loud, unusual, or explosive noise from such vehicle.

SECTION 5: AFFIRMATIVE DEFENSE

- 5.1** It is an affirmative defense to a violation of this Chapter and Jake Braking Code that the engine compression braking was used on an emergency basis to avoid damage to property or to avoid personal injury.

SECTION 6: PENALTY

- 6.1** It shall be unlawful for any person or entity for any person to violate any provision of this Chapter and Jake Braking Code. Any person or entity found to be in violation of any provision of this Chapter and Jake Braking Code shall be deemed to be guilty of a civil violation and shall be fined in accordance with the provisions of this Title and Code.

SECTION 7: SIGNAGE

- 7.1** Signs shall be posted on or near all U.S. and State Highways entering the City stating in language similar to "No Engine Braking by City Ordinance" these signs may also be installed at locations deemed appropriate by the Director of Public Works to advise motorists of the prohibitions contained in this Chapter and Jake Braking Code. The provisions of this Chapter and Jake Braking Code shall be in full force and effect even if no signs are installed.

SECTION 8: SUPPLEMENTARY

- 8.1** This Chapter and Jake Braking Code is supplementary to other loud and unnecessary noise ordinances and does not repeal any such ordinance or the City Loud Noises Code.

CHAPTER 4: TRUCK CODE

SECTION 1: TITLE

- 1.1** This Chapter shall be titled, known as, referred to and cited as the “City Truck Code (“Truck Code”).”

SECTION 2: DEFINITIONS

The following definitions shall apply throughout this Chapter and Truck Code:

- 2.1** *"Alternative truck route"* means roadways not designed as truck routes only for purposes of delivering or receiving goods and services to a specific destination along non-truck routes. If travel along a non-truck route is necessary for the above permissible purpose, then vehicles must use the nearest intersection for entering and exiting restricted roadways.
- 2.2** *"Available route"* means a street, roadway or highway dedicated for and open to public motor vehicle travel.
- 2.3** *"Destination"* or *"destinations"* means either a single delivery or several deliveries within multiple delivery zones.
- 2.4** *"Direct route"* means the most feasible route from the closest unrestricted street consistent with the intent to limit the use of streets in the residence districts of the city by commercial vehicles.
- 2.5** *"Gross vehicle weight"* means the sum of all axle loads of a vehicle, including any trailers or trailers connected to a vehicle.
- 2.6** *"Local delivery"* means the delivery of goods, wares and services from one point within the City to another point within the City. From the point of origination to the point of termination, the delivery shall use the most direct route.
- 2.7** *"Local service"* means limiting the authorized use of city streets or avenues to those trucks which have either point of origin or destination for immediate business purposes within the corporate limits of the City.
- 2.8** *"Restricted street"* means all streets in the City except through truck routes and local truck routes as herein established.
- 2.9** *"Truck"* is any vehicle designed or operated for commercial transportation of materials whose combined base and total load weight is equal to or exceeds twenty-six thousand (26,000) pounds.
- 2.10** *"Truck route"* means only over state and federal highways within the City or on certain streets, established by resolution of the City Council, over and along which trucks coming into, going out of and traveling within the City must operate.

SECTION 3: FINDINGS, PURPOSE AND INTENT

It is the findings, purpose and intent of the City Council of the following:

- 3.1** It is found that trucks in excess of twenty-six thousand (26,000) can and do damage the City streets over the repeated use of the City streets over time.

- 3.2** Limiting the use of these heavy truck on City streets shall preserve and lengthen the amount of time between repairs from damage by truck traffic use.
- 3.3** Minimizing damage by regulating and restricting the street routes within the City that trucks can take shall reduce costs of repairs to the City's streets.

SECTION 4: REQUIRED AND PROHIBITED ACTS

Every person operating a truck within the city limits of the City shall conform to the following requirements. Failure to comply with any of the Subsections within this Section shall constitute a violation of this Chapter and Truck Code.

- 4.1** All trucks shall travel only truck routes designated by this Chapter and Truck Code when traveling inside the City.
- 4.2** Any person operating a truck upon a City street that is not a truck route shall have in their possession a log book, delivery slip or other evidence of their points of origin and destination to justify the presence of their truck upon such City street. Failure to produce such evidence upon the request of a police officer shall constitute a violation of this Chapter and Truck Code.
- 4.3** No truck may be parked at any time upon any City street.
- 4.4** No truck may operate on any City street other than on state or federal highways in the city limits.

SECTION 5: ESTABLISHMENT OF OFFENSE

- 5.1** There is hereby established the offense of Truck Route violation to be enforced by the law enforcement officers of the Russellville Police Department.

SECTION 6: UNLAWFUL ACT

- 6.1** It shall be unlawful for any person to operate any truck within the City in violation of the provisions of this Chapter and Truck Code.

SECTION 7: EXEMPTIONS

- 7.1** Trucks making deliveries that cannot be made without traveling over restricted streets shall be exempted from the provisions of this Chapter and Truck Code; provided, that said trucks take, to and from the state or federal highways, the most direct and shortest route possible to and from the delivery site.
- 7.2** Trucks engaged in loading or unloading commercial commodities pursuant to a proper bill of lading or other document located on board the truck evidencing said purpose.
- 7.3** Trucks engaged in the pick-up or delivery of products or providing services, for which a bill of lading or other document verifying such purpose is located within or upon the vehicle, and only if the vehicle must leave such federal or state highway provided said truck shall take, to and from the state or federal highway, the most direct route possible to and from the delivery site.
- 7.4** Vehicles owned and operated by the state or its political subdivisions when engaged specifically in duties for said state or subdivision.

- 7.5** A non-load carrying vehicle with a load or towing capacity of less than one and one-half (½) tons in route to or from an owner's residence by the most direct route from or toward the closest state highway or designated truck route.
- 7.6** Vehicles operated under ownership, contract lease or agency by or for the City and when engaged specifically in duties for the City.
- 7.7** Vehicles solely devoted to non-commercial activity.
- 7.8** All operations of fire trucks or other emergency vehicles, used in emergency situations, operated by the City or other political subdivision or volunteer fire departments.
- 7.9** School, church, and local public transportation buses and public service vehicles.
- 7.10** Trash or garbage trucks when engaged in the mode of collecting trash along routes.

SECTION 8: POSTING OF SIGNS

- 8.1** The City shall cause all truck routes except federal and state highways to be posted with signs identifying them as truck routes. Signs designating a truck route, by means of an arrow, shall specify the exact course of the truck route. A street is not a truck route, or part thereof, unless posted as such, or unless the highway is a federal and state highway. The provisions of this Chapter and Truck Code shall be in full force and effect even if no signs are installed.

SECTION 9: LIABILITY FOR STREET DAMAGE

- 9.1** Any person driving any truck upon any street or street structure shall be liable for all damages which the street or structure may sustain as a result of any illegal operation, driving or moving any truck, or as a result of operating, driving or moving any truck weighing in excess of the maximum weight as defined in the definition of "truck" in this Chapter and Truck Code.

SECTION 10: OWNER AND DRIVER OF VEHICLE JOINTLY LIABLE

- 10.1** Whenever such driver is not the owner of such truck, but is so operating, driving or moving any truck with express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any damages caused by the driving of such Truck upon the city streets.

SECTION 11: CIVIL ACTION

- 11.1** Damages to City streets may be recovered in a civil action in the appropriate court of competent jurisdiction brought by the City against the owner and/or driver of the truck.

SECTION 12: CITY COURT HEARING

- 12.1** In any hearing or trial in District or Circuit Court, unless credible evidence is produced demonstrating such immediate business purposes such as a bill of lading or routing schedule, the operation of such truck on a prohibited City street shall be prima facie evidence of such violation of this Chapter and Truck Code.

SECTION 13: PENALTY

- 13.1** It shall be unlawful for any person or entity for any person to violate any provision of this Chapter and Truck Code. Any person or entity found to be in violation of any provision of this Chapter and Truck Code shall be deemed to be guilty of a civil violation and shall be fined in accordance with the provisions of this Title and Code.

CHAPTER 5: U-TURNS

SECTION 1: TITLE

- 1.1** This Chapter shall be titled, known as, referred to and cited as the “U-Turn Code (“U-Turn Code”).”

SECTION 2: DEFINITIONS

The following definitions shall apply throughout this Chapter and U-Turn Code:

- 2.1** “*Median Access Control*” means limiting movement of left turn and cross traffic through the design and spacing of designed median openings, non-traversable medians and left turn lanes.

SECTION 3: ESTABLISHMENT OF OFFENSE

- 3.1** There is hereby established the offense of U-Turn violation to be enforced by the law enforcement officers of the Russellville Police Department.

SECTION 4: UNLAWFUL ACTS

It shall be a prohibited and unlawful act for any person to operate a motor vehicle on a street within the City in the following manner.

- 5.1** *Sufficient Visibility Required by State Law.* No motor vehicle shall be turned so as to proceed in the opposite direction (a “U-Turn”) where the motor vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.
- 5.2** *Streets Without Median Access Control.* No motor vehicle shall be turned in the opposite direction on a City street without median access control except at a non-signalized intersection.
- 5.3** *Streets with Median Access Control.* U-Turns are permitted on City streets with median access control at all constructed breaks in the median unless signage is displayed prohibiting such U-Turns.

SECTION 6: PENALTY

- 6.1** It shall be unlawful for any person or entity for any person to violate any provision of this Chapter and U-Turn Code. Any person or entity found to be in violation of any provision of this Chapter and U-Turn Code shall be deemed to be guilty of a civil violation and shall be fined in accordance with the provisions of this Title and Code.

ARTICLE III – PARKING

CHAPTER 1 – RESERVED

CHAPTER 2 – PARKING CODE

SECTION 1: TITLE

1.1 This Chapter shall be titled, known as, referred to and cited as the “City Parking Code.”

SECTION 2: APPLICATION

2.1 The provisions of this Chapter and Parking Code prohibiting the standing or parking of a motor vehicle shall apply at all times or at those times specified in this Chapter and Parking Code or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device.

SECTION 3: AUTHORITY

3.1 Arkansas law obligates city councils to have the care, supervision and control of all the public highways, bridges, streets, alleys, public squares, and commons within the city and cause those public highways, bridges, streets, alleys, public squares and commons to be kept open and in repair, and free from nuisance. Arkansas law provides additional authority to regulate the standing or parking of vehicles, including the ability to establish districts for the purpose of limiting the time, place, and manner of public parking in designated areas (A.C.A. §27-49-106(b)(1)) and to enter upon the parking areas of private business establishments to enforce parking ordinances. (See A.C.A. §16-81-108)

SECTION 4: PARKING PROHIBITED ON CERTAIN STREETS

4.1 When signs are erected on any street or part of a street giving notice thereof, no person shall park a vehicle on the sides of any such street or part of such street so designated for no parking.

SECTION 5: NO PARKING ON STREET IN RESIDENTIAL AREAS OR CERTAIN STREETS DURING CERTAIN HOURS

5.1 Parking will be prohibited on any street that is twenty (20) feet or less in width.

5.2 Parking will be permitted one side of any street that is greater than twenty (20) feet in width.

5.3 At no time shall parking be permitted on both sides of a public street unless so designated by parking lines, markings or signs on or along the street placed by the City’s Department of Public Works.

5.4 When signs are erected on any street or part of a street giving notice thereof, no person shall stop, stand, or park a vehicle on any street or part of a street in each block so designated by signs.

5.5 No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.

SECTION 6: PARKING CAUSING A TRAFFIC OBSTRUCTION

- 6.1** No person shall stop, stand, or park a motor vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control device, when stopping, standing, or parking the motor vehicle would obstruct or impede traffic by part of the motor vehicle being adjacent to or within a traffic lane of a City street.

SECTION 7: NO PARKING SIGNAGE

- 7.1** No person shall stop, stand, or park a motor vehicle in a space clearly marked by a sign as no parking, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control device.

SECTION 8: RESTRICTED PARKING

- 8.1** No person shall stop, stand, or park a motor vehicle in a space clearly marked by a sign restricting the parking space only to persons permitted by the state to park in the restricted parking space, or except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control device.

SECTION 9: LOADING ZONES

- 9.1** No person shall stop, stand, or park a motor vehicle in a space clearly marked by a sign as a loading/unloading zone for a business unless the person is loading or unloading a delivery or order for the business, or except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control device.
- 9.2** The Public Works Department shall have the authority to designate such loading zones as is deemed necessary. No motor vehicle, except the one (1) intended to park in said zone to load or unload, may remain parked in the loading zone for no longer than fifteen (15) minutes.

SECTION 10: PARKING WITHIN SPACES REQUIRED

- 10.1** Motor vehicles parked upon streets marked with parking spaces shall be within the space designated so that it will not interfere with proper parking in the adjacent spaces. It shall be unlawful for any person to park over or on one (1) of lines drawn indicating a parking space.

SECTION 11: PARKING OF COMMON CARRIERS, TRUCKS, TRACTORS, RECREATIONAL VEHICLES, TRAILERS, BOATS AND BOAT TRAILERS ON PUBLIC STREETS PROHIBITED

- 11.1** No person shall park, store or leave standing a truck, tractor or trailer with a capacity of three-quarter ($\frac{3}{4}$) ton or larger, or the chassis thereof, or any recreational vehicle, trailer, boat or boat trailer upon a public street or permit any of these vehicles or trailers under their control to be parked, stored or left standing upon a public street; nor shall any person use any street for the purpose of repairing or reconditioning any of these vehicles or trailers, except when such repairs are necessitated by an emergency. This restriction shall not be deemed to

prevent temporary location of any such vehicle in on a public street when engaged in delivery, pickup, or service to the premises where located.

SECTION 12: DOUBLE PARKING

- 12.1** It shall be unlawful for any person to double park, as that term is defined within this Code, on any street in the city, except that commercial vehicles may double park to load or unload merchandise within such area as long as such parking does not last longer than fifteen (15) minutes.

SECTION 13: DOWNTOWN PARKING

- 13.1** All motor vehicles parked on the following streets and avenues shall be parked parallel to the roadway and at all times the curbside wheels of the motor vehicle shall be within twelve inches (12") of the curb/
- 13.1.1** Beginning at a point on the intersection of West Second Street and South Commerce Avenue and running north along South Commerce Avenue to the intersection of West Main Street and Commerce Avenue.
- 13.1.2** Beginning at a point on the intersection of West Main Street and Boulder Avenue and running south along South Boulder Avenue to the intersection of South Boulder Avenue and West Second Street.
- 13.1.3** Beginning at a point on the intersection of the railroad tracks and North Commerce Avenue and running south along North Commerce Avenue to the intersection of Commerce Avenue and West Main Street.
- 13.1.4** Beginning at a point on the intersection of North Arkansas Avenue and "B" Street and running west along West "B" Street to the intersection of West "B" Street and North Denver Avenue.
- 13.1.5** Beginning at a point on the intersection of West Main Street and Denver Avenue and running south on South Denver Avenue to the intersection of South Denver Avenue and West Second Street.
- 13.1.6** Beginning at a point on the intersection of West "C" Street and North Commerce Avenue and running west to the intersection of West "C" Street and North Denver Avenue.
- 13.2** All motor vehicles parked on the following streets and avenues shall be angle parked to the roadway and at all times the curbside wheels of the motor vehicle shall be within twelve inches (12") of the curb.
- 13.2.1** Beginning at a point on the intersection of Main Street and Arkansas Avenue and running west to the intersection of West Main Street and Denver Avenue.
- 13.2.2** Beginning at a point on the intersection of West "B" Street and North Denver Avenue and running north to the intersection of North Denver Avenue and West "C" Street.

SECTION 14: RESPONSIBILITY OF OWNER FOR ILLEGALLY PARKED VEHICLE

- 14.1** It shall be unlawful and a violation of this Chapter and Parking Code for any person to violate the provisions of this Chapter and Parking Code. No person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street in the city in violation of any provision of this Chapter and Parking Code regulating the standing or parking of vehicles.

SECTION 15: PENALTY

- 15.1** It shall be unlawful for any person or entity for any person to violate any provision of this Chapter and Parking Code. Any person or entity found to be in violation of any provision of this Chapter and Parking Code shall be deemed to be guilty of a civil violation and shall be fined in accordance with the provisions of this Title and Code.

CHAPTER 3 –TOWING CODE

[Added by amendment via Ordinance No. 2522]

SECTION 1: TITLE

- 1.1** This Chapter shall be titled, known as, referred to and cited as the “City Towing Code.”

SECTION 2: AUTHORITY

- 2.1** This Code is adopted pursuant to the authority granted to the City by the State of Arkansas under A.C.A. §§14-54-103(1), 14-54-103(6), 14-301-101 and 27-50-1201 *et seq.*

SECTION 3: AUTHORIZATION TO REMOVE VEHICLES

- 3.1** The Police Department of the City of Russellville, Arkansas, is hereby authorized to remove a vehicle from a street or highway in the City of Russellville, Arkansas, to the nearest storage area or other place of safety, or to a garage designated by the City of Russellville Police Department under the circumstances hereinafter enumerated.
 - 3.1.1** Any vehicle is left unattended upon any bridge, street or highway in the City of Russellville where such vehicle constitutes an obstruction to traffic.
 - 3.1.2** A vehicle upon a street or highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of said vehicle are by reason of physical injury incapable to such an extent as to be able to provide for its custody or removal.
 - 3.1.3** Any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal flow of traffic, or when any vehicle is left continuously and unattended upon any street for a period of more than twenty four hours.
 - 3.1.4** Any vehicle is parked in a prohibited area that is so designated by signs or other official markings, or, when said vehicle is illegally parked on any street within the City of Russellville, Arkansas.

SECTION 4: NOTION TO OWNER

- 4.1** Whenever the Police Department removes a vehicle from a street under this Code they shall immediately give or cause to be given notice in writing to the owner of the fact of such removal and the reasons therefor and of the place to which said vehicle has been removed.

SECTION 5: NOTION WHEN OWNER UNKNOWN

- 5.1** Whenever the Police Department removes vehicle from a street under this Code and does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, the Police Department shall give a written report of such removal to the

Office of Motor Vehicles whose duty it is to register motor vehicles. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reason for such removal, and the name of the garage or place where the vehicle is stored.

SECTION 6: RETURN OF VEHICLE

- 6.1** When any vehicle is removed from the streets under the authority granted in this Code before said vehicle shall be returned to the owner or agent, said owner or agent or person having control of the said vehicle shall pay to the City of Russellville Police Department the cost of the impoundment of said vehicle, and should there be any law violation or charge against the operator, said operator shall post a bond for his appearance in the Pope County District Court, City of Russellville Criminal Division. After complying with these provisions, the City of Russellville Police Department release said vehicle to the control and possession of the owner or the person having charge of such vehicle

ARTICLE IV – STREET AND ADDRESS NAMING CODE[A
[Added by amendment via Ordinance No. 2522]

CHAPTER 1 – RESERVED

CHAPTER 2 – CITY STREET AND ADDRESS NAMING CODE

SECTION 1: TITLE

- 1.1** This Chapter shall be titled, known as, referred to and cited as the “City Street and Address Naming Code.”

SECTION 2: AUTHORITY

- 2.1** This Code is adopted pursuant to the authority granted to the City by the State of Arkansas under A.C.A. §§14-54-103(6), 14-54-104(2), 14-54-601 and 14-301-101

SECTION 3: FINDINGS, PURPOSE AND INTENT

It is the findings, purpose and intent of the City Council of the following:

- 3.1** The City government is of the opinion on this 6th day of February, 1930, that the present system or manner in which the City’s streets are named and houses numbered in the City is inadequate, to the present and future needs of this City.
- 3.2** It is the intent and purpose of this City Street and Address Naming Code, for the following naming directions of the City streets and addresses be following:
- 3.2.1** All streets running North and South shall hereafter be known as Avenues, and Oak Street which shall hereafter be known as Arkansas Avenue, shall be the central point for Avenues running North and South.
- 3.2.1.1** All Avenues running North and South to the East of Arkansas Avenue, shall be named alphabetically, for cities East of the Mississippi River.
- 3.2.1.2** All Avenues West of Arkansas Avenue shall be named alphabetically for cities West of the Mississippi River.
- 3.2.2** All streets running East and West shall hereafter be known as Streets, and beginning with Main Street which shall be the central point for streets running East and West.
- 3.2.2.1** Streets running East and West to the South of Main Street shall be named numerically.
- 3.2.2.2** Streets running East and West to the North of Main Street, shall be named alphabetically, as designated in the next Section.

SECTION 4: EAST TO WEST STREET NAME CHANGES

The following name changes to streets running East to West in the City are as following:

- 4.1** Main Street and the Madison Street running from the North side of Block 41 to Block 34 in the J.L. Shinn Addition, which are two (2) names for one (1) and the same street, are changed to "Main Street".

- 4.2** Wilson Street am the David Street running from the North side of Block V to Block R in the J.M. Shinn Addition, and the Jefferson Street running from the North side of Block 42 to 49 in the J.L. Shinn Addition, which are three (3) names for one (1) and the same street, are changed to "Second Street."
- 4.3** The Crawford Street running from the South side of Block 46 to 43, in the W.J. White Addition, is changed to "Second Place."
- 4.4** The street between Block 46 and 52 in the W.J. White Addition, and the David Street running from the North side of Block 2 in the Spencer Addition to the North side of Block 9 in the A.E. Luker which are one (1) and the same street, are changed to "Second Court."
- 4.5** Hermon Street and the Madison Street, running from the North side of Block W to Block S in the J.M. Shinn Addition, and Adam Street, which are three (3) names given for one (1) and the same street, are changed to "Third Street."
- 4.6** Olive Street and Monroe Street, two (2) names given to one (1) and the same street are changed to "Third Place."
- 4.7** Marion Street and Washington Street, which are two (2) names given to one (1) and the same street, are changed to "Fourth Street."
- 4.8** Magnolia Avenue, running from the North side of Block P to Block L, in the A.E. Luker Addition, is changed to "Fourth Place."
- 4.9** Bradley Avenue and Franklin Street which are two (2) names given for one (1) and the same street, are changed to "Fifth Street."
- 4.10** Central Avenue and LaFayette Street, which are two (20 names given for one (1) and the same street, are changed to Sixth Street."
- 4.11** Wilson Avenue and Estes Street, two (2) names given for one (1) and the same street, are changed to "Seventh Street."
- 4.12** Robinson Avenue and Cemetery Street, two (2) names given for one (1) the same street, are changed to "Eighth Street."
- 4.13** Morgan Street is changed to "Ninth Street."
- 4.14** Center Street is changed to "Tenth Street."
- 4.15** Bradley Street and Hays Street and Crawford Street running from the North side of Block 4 to Block 20 in the Oakland Heights Addition, which are three (3) names given to one (1) and the same street, are changed to "Eleventh Street."
- 4.16** Spring Street and Ward Street, which are two (2) names given to one (1) and the same street, are changed to "Twelfth Street."
- 4.17** Bond Street and Marion Street, which are two (2) names given to one (1) and the same street, are changed to "Thirteenth Street."
- 4.18** Ferguson Street and Priddy Street, which are two (2) names given to one (1) and the same street, are changed to "Fourteenth Street."
- 4.19** Hogan Street and Bailey Street, which are two names given for one and the same

street, are changed to "Fifteenth Street."

- 4.20** Russell Street and Monroe Street, which are two (2) names given for one (1) and the same street, are changed to "B Street."
- 4.21** Bunker Row, later known as Maple Street and Jackson Street, which are two (2) names given for one (1) and the same street, are changed to "C Street."
- 4.22** Spring Street is changed to "C Place."
- 4.23** Van Buren Street is changed to "D Street."
- 4.24** The street running between Block 4 to 14 and Blocks 5 to 7 in the L. Russell Addition, and Water Street and Harrison Street, which are three (3) names given for one (1) and the same street, are changed to "E Street."
- 4.25** Polk Street is changed to "F Street."
- 4.26** Taylor Street in the J.L. Shinn Addition is changed to "G Street."
- 4.27** Pierce Street is changed to "H Street."
- 4.28** Campbell Street is changed to "I Street."
- 4.29** Smith Street and Lincoln Street, which are two (2) names given for one (1) and the same street, are changed to "J Street."
- 4.30** Baker Street and Bryant Street, which are two (2) names given to one (1) and the same street, are changed to "K Street."
- 4.31** Johnson Street is changed to "K Place."
- 4.32** Rebecca and Grant Street, which are two (2) names given for one (1) and the same street, are changed to "L Street."
- 4.33** College Street is changed to "M Street."
- 4.34** Magnolia Street in Harrison Addition is changed to "N Street."

SECTION 5: NORTH TO SOUTH STREET NAME CHANGES

The following name changes to streets running North to South in the City are as following:

- 5.1** Pine Street and Cockrill Street, which are two (2) names given to one (1) and the same street, are changed to "Boston Avenue."
- 5.2** Critz Avenue and Hale Street are changed to "Boston Place."
- 5.3** Falls Avenue and Ash Street and the Crawford Street running West of Block 12 to 20 in Harris Addition, which are three (3) names given to one (1) and the same street, are changed to "Cleveland Avenue."
- 5.4** Elm Street is changed to "Detroit Avenue."
- 5.5** Walnut Street is changed to "Erie Avenue."
- 5.6** Cedar Street is changed to "Frankford Avenue."
- 5.7** Chestnut Street is changed to "Greenwich Avenue."

- 5.8** Locust Street is changed to "Hartford Avenue."
- 5.9** Sycamore Street is changed to "Jackson Avenue."
- 5.10** Oak Street is changed to "Arkansas Avenue."
- 5.11** Taylor Avenue, in the Brooks Addition, and Torrence Street, which are two (2) names given to one (1) and the same street, are changed to "Boulder Avenue."
- 5.12** Jefferson Street that runs from North to South through the J.M. Shinn Addition and at right angle to Main Street, is changed to "Commerce Avenue."
- 5.13** River Street and Forman Avenue, which are two (2) names given to one (10) and the same street, are changed to "Denver Street."
- 5.14** Brown Street, St. Mary's Street and College Hill Avenue, which are three (3) names given to one (1) and the same street, are changed to "El Paso Avenue."
- 5.15** Cherry Street is changed to "Fargo Avenue."
- 5.16** Long Street and Spruce Street, which are two (2) names given to one (1) and the same street, are changed to "Glenwood Avenue."
- 5.17** Liberty Street and Vine Street, which are two (2) names given to one (1) and the same street, are changed to "Houston Avenue."
- 5.18** Stonewall Street is changed to "Houston Place."
- 5.19** Gum Street and Mulberry Street, which are two (2) names given to one (1) and the same street, are changed to "Independence Avenue."
- 5.20** Orange Street is changed to "Jonesboro Avenue."
- 5.21** Jackson Avenue is changed to "Keokuk Avenue."
- 5.22** Popular Avenue is changed to "Laredo Avenue."
- 5.23** Elk Avenue is changed to "Muskogee Avenue."
- 5.24** Buford Avenue is changed to "New Orleans."
- 5.25** Grant Avenue is changed to "Phoenix Avenue."
- 5.26** Grace Avenue is changed to "Quanah Avenue."
- 5.27** Olive Avenue is changed to "Reno Avenue."
- 5.28** Vine Avenue is changed to "Seattle Avenue."
- 5.29** White Street is changed to "Tulsa Avenue."
- 5.30** Bayliss Street is changed to "Utah Avenue."
- 5.31** Harkey Street is changed to "Vancouver Avenue."
- 5.32** Washburn Street is changed to "Waco Avenue."

SECTION 6: CITY ADDRESSES

- 6.1** Houses or buildings on the right side of the street running from a central point shall have even numbers, and those houses or buildings on the left side of the street shall have odd numbers.

SECTION 7: EFFECTIVE DATE

- 7.1** That the above described system shall be in full force and effect on the 1st day of April, 1930, and all houses or buildings shall be numbered according to the instructions of those authorized by the City Council to carry out the above date.

SECTION 8: PENALTY

- 8.1** It shall be unlawful for any person or entity for any person to violate any provision of this City Street and Address Naming Code. Any person or entity found to be in violation of any provision of this City Street and Address Naming Code shall be deemed to be guilty of a civil violation and shall be fined in accordance with the provisions of this Title and Code.