

**ORDINANCE NO 88**

**AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON TOWN STREETS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, circumstances exist upon certain streets, alleys, easements, thoroughfares, and other ways and places within the Town of Avoca which create hazardous conditions to vehicular traffic upon such streets when vehicles are parked thereon; and

**WHEREAS**, the Town Council desires to regulate the parking of vehicles at such places and to implement an efficient procedure for designating such places.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Avoca, Arkansas:

**Section 1:** Prohibited Parking: No person shall leave any motor vehicle, trailer, boat, farm equipment, farm machinery, recreational vehicle or other vehicle or equipment ("vehicles") standing or parked on any public street, alley, easement, thoroughfare, way or place ("streets") used for vehicular travel where a special hazard or condition exists which would cause or create an unreasonable risk of injury to persons or property.

**Section 2:** Designation of Parking Restrictions: The Town Council may, from time to time, upon a finding that circumstances exist that create an unreasonable risk of injury to persons or property, designate streets or portions thereof as prohibited, limited or restricted for parking. It shall be the duty of the Town of Avoca to install appropriate markings or signs giving notice of the prohibitions, limitations or restrictions. No such regulation shall be effective unless proper signs are installed and in place at the designated area.

**Section 3:** General List of Prohibited Locations: No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a law enforcement officer or traffic control device in any of the following places:

- A. In front of or within fifteen feet (15') of a mailbox.
- B. In a principal exit or entrance to a building accessible by the public.

**Section 4:** Exceptions: The prohibitions in this ordinance shall not preclude parking on a street under the following circumstances:

- A. In the event of an emergency where parking on a street is unavoidable. This exception shall apply only for such time as is

reasonably necessary for removal of the vehicle provided doing so does not create an unreasonable traffic hazard or interfere or hamper emergency service operations.

- B. At the direction of a law enforcement officer.
- C. When loading and unloading a vehicle where off-street parking is not available. This exception shall apply only for such time as is reasonably necessary to complete the loading and unloading provided doing so does not create an unreasonable traffic hazard or interfere or hamper emergency service operations.

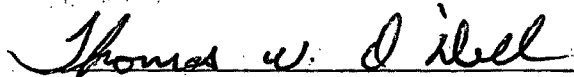
**Section 5:** Authorization: The Town Council may designate the parking restrictions as herein authorized by a simple majority vote of the council members present at a duly convened meeting. Furthermore, no resolution need be passed by the Town Council in order to implement the installation of necessary signage giving notice of the regulations.


**Section 6:** Penalties: Any person who violates any of the provisions of this ordinance shall, upon conviction thereof, be guilty of a misdemeanor and be punishable by a fine as deemed by the court of jurisdiction and each day that the violation continues shall be deemed a separate offense.

**Section 7:** Repealing Clause: All ordinances or part of ordinances in conflict herewith are hereby repealed.

**Section 8:** Emergency Clause: The Town Council has determined that the passage and approval of the ordinance is necessary for the continued health, welfare and safety of the citizens of the Town of Avoca, Arkansas, and an emergency is hereby found to exist, and this ordinance shall be in full force and effect from and after its passage, approval and publication.

**PASSED AND APPROVED** this 10<sup>th</sup> day of May, 2011.

  
THOMAS O'DELL, Mayor

ATTEST:  
  
DIANE BOWEN, Town Recorder/Treasurer