

**ORDINANCE NO. 1708-A**

**AN ORDINANCE AMENDING CHAPTER 8 BY ADDING A NEW SECTION  
NAMED 8.33 ENTITLED LARGE VEHICLES; PROVIDING FOR AN  
EFFECTIVE DATE; AND , PROVIDING FOR A PENALTY.**

**WHEREAS**, it has been determined by the City Council of the City of Eureka Springs, Arkansas;

**THAT**, in order to alleviate traffic congestion on the streets of the City, and;

**THEREFORE**, promote the public safety, health, and general welfare of the residents of the City ; and

**THAT**, the numbers of and access by Large Vehicles need to be restricted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF EUREKA  
SPRINGS, ARKANSAS, THAT;**

**Section 1: Chapter 8 amended.**

Chapter 8 of the Eureka Springs, Arkansas, Municipal Code is hereby amended by the addition of a new section, namely 8.33 entitled "Large Vehicles" .

**Section 2: Effective date**

The effective date of this Ordinance is March 1, 1997.

**Section 3: Definitions**

- a. "Large Vehicles: Motorcoaches, trucks, tractor semi-trailers, and Recreational Vehicles over thirty (30) feet in length as measured, exclusive of bumpers, from the front to the rear of the body of the Large Vehicle.
- b. "Regulated Area": Any street under exclusive City Jurisdiction with the exception of Magnetic Road, Statue Road, First Street from the south side of the Carroll County Courthouse to the north side of the Basin Spring Bath House Building, and Hillside when providing access to travel pursuant to Section 7 hereof (Operation of Motor Coaches Upon The Historic Loop).
- c. "The Historic Loop": Formerly US 62B, now marked by street signs as The Historic Loop, as bounded by the intersections of Spring Street at Main Street and Kingshighway at US 62 West at the Eureka Springs Public High School.
- d. "Person": Person, partnership or corporation.
- e. "The City": City of Eureka Springs, Arkansas.
- f. "Streets and Public Ways": All streets and highways under the exclusive jurisdiction of the City of Eureka Springs, Arkansas.
- g. "Motorcoach": Any Large Vehicle that carries passengers for hire.
- h. "Recreational Vehicle": Any vehicle that is a self-contained mobile dwelling unit, including wheeled devices or trailers attached thereto, and a wheeled device or other conveyance which is a self-contained mobile dwelling unit attached to a motor-driven conveyance.
- i. "Historic Loop Permit": Written permission issued by the City authorizing travel to an Advanced-Booking Destination within the Historic Loop.
- j. "Advanced-Booking Destination": A destination that is a restaurant and/or a lodging facility where prior reservations have been made.
- k. "Parcel Trucks": Any Large Vehicle that carries mail and/or mailed packages for hire.
- l. "Group Tour Franchises": Those persons operating sightseeing services in accordance with Chapter 4.54 of the City's Municipal Code.
- m. "Government Vehicles": All vehicles owned, operated, or employed by the City, or any other governmental entity, including sanitary, public utility, school buses, or other vehicles providing public health, safety, and welfare.
- n. "Delivery Vehicle": A Large Vehicle utilized exclusively for the delivery of goods and merchandise to Persons.

- o. "Moving Van": A Large Vehicle transporting personal effects, furniture, and fixtures from one location to the other.
- p. "Construction Vehicle": A Large Vehicle utilized in construction within the Regulated Area.

**Section 4: Operation of Large Vehicles in the Regulated Area.**

It shall be unlawful for any Person to operate a Large Vehicle in the Regulated Area.

**Section 5: Exceptions**

- a. Group Tour Franchisees owning Large Vehicles for sightseeing purposes that were acquired and operated as such prior to January 1, 1996, may continue to operate said vehicles upon the Historic Loop until January 1, 2000.
- b. Motorcoaches operated pursuant to Section 7 hereof.
- c. Parcel Trucks
- d. Government Vehicles
- e. Delivery Vehicles in pursuit of bona-fide deliveries within the City, subject to the provisions contained in Section 6 herein.
- f. City residents or property owners within the Regulated Area operating a Large Vehicle to and from their residence or property.
- g. Large Vehicles operated by Group Tour Franchisees providing transportation for recognized holidays and special events.

**Section 6: Restrictive Operation of Delivery Vehicles Upon the Historic Loop**

It shall be unlawful for any Person to operate a Delivery Vehicle upon Spring Street and Center Street between Hillside and Main Streets except between the hours of 5 a.m. and 11 a.m. daily. However, Moving Vans serving such streets and unable to comply with such restrictions shall secure a permit from the police department.

**Section 7: Operation of Motorcoaches Upon The Historic Loop**

- a. It shall be unlawful for any Person to operate a motorcoach within The Historic Loop without a Historic Loop Permit.
- b. Only those portions of The Historic Loop that may be used for travel pursuant to this section are as follows:
  - (1) between the intersection of Kingshighway at US 62 W. at the Eureka Springs Public High School and the Crescent Hotel, and
  - (2) Spring Street between the intersection of Hillside and Main Streets, provided however, only travel in the direction from Hillside to Main Street shall be authorized.
- c. The Historic Loop Permit must be obtained from the Transit Department of the City.
- d. The Historic Loop Permit may be obtained in person from the Transit Department of the City during normal business hours, by mail, FAX, private delivery service, or any other legal means.
- e. Historic Loop Permits shall be prominently displayed in the lower left-hand portion of the front windshield of the vehicle, as viewed from the outside.
- f. Historic Loop Permits are not valid unless they are inscribed with
  - (1) The name of the Advanced-Booking Destination
  - (2) The date(s) of use in two-inch numerals on the face of the Historical Loop Permit, with inclusive consecutive dates of the advanced booking (date of arrival, date of departure, and all dates in between); and
  - (3) The name of the vehicles owner/operator.
- g. Motorcoaches shall be allowed to drive directly to and return directly from, park at and off-load at, only the Advanced-Booking Destination specified by the Historic Loop Permit.
- h. Under no circumstances shall the Historic Loop Permit be construed as a sightseeing permit.

**Section 8: Operation of Large Vehicles Other Than Motorcoaches Upon The Historic Loop**

It shall be unlawful for any Person to operate a Large Vehicle on the Historic Loop

**Section 9: Penalty**

- a. Any Person convicted for a violation of any provision of this Code shall be adjudged to pay a fine of not less than Two Hundred and Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00); and if the violation is continuous, not more than Two Hundred and Fifty Dollars (\$250.00) for each day of continuance.
- b. Any Person convicted for knowingly violation of this Code shall be subject to denial of future Historic Loop Permits.

**Section 10: Repeal**

All Ordinances or Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 7<sup>th</sup> DAY OF July, 1996.**

APPROVED:

ATTEST:

Barbara A. O'Harris  
Barbara A. O'Harris, Mayor

Mary Ann Lee  
Mary Ann Lee, Clerk/Treasurer