

ORDINANCE NO. 1817

AN ORDINANCE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, PERTAINING TO VEHICLES AND TRAFFIC; AMENDING AND REPEALING VARIOUS PROVISIONS OF CHAPTERS 8.16 AND 8.20 OF THE EUREKA SPRINGS MUNICIPAL CODE PERTAINING TO PARKING; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

Section 1: That Section 18.16.01, Subsection (a) of the Eureka Springs Municipal Code is hereby amended to read as follows:

“a. Loading Zone - Any parking space or area which is now or may hereafter be designated by signs, painted yellow curbs or other conspicuous designation as an area for parking only when loading or unloading cargo. The time limit for parking in a loading zone is 15 minutes from the hours of 6 a.m. to 6 p.m., seven days a week, unless designated otherwise.”

Section 2: That Section 8.16.03, Subsection (a) of the Eureka Springs Municipal Code is hereby amended to read as follows:

“a. Parking for an excessive time in a Loading Zone - Any person who stops, stands or parks his vehicle in an area which is now or may hereinafter be designated a Loading Zone for more than 15 minutes shall be guilty of a violation.”

Section Three: That Section 8.16.03, Subsection (b) of the Eureka Springs Municipal Code is hereby amended to read as follows:

“b. Parking on an Expired Meter; Failure to Pay Lot Box - Any person who stops, stands or parks his vehicle in an area governed by City parking meters or City lot boxes and shall allow the meter to expire or fail the pay the lot box, shall be guilty of a violation and shall, upon conviction, be fined not less than \$5.00, nor more than \$15.00 plus court costs. Any person violating this subsection may post a cash bond with the Eureka Springs Police Department in the amount of \$5.00 in lieu of a court appearance. The Chief of Police shall deposit said cash bond in the City’s General Fund account.

Section Four: That Section 8.16.06-2 of the Eureka Springs Municipal Code is hereby amended by deleting therefrom the following paragraph:

“No parking shall hereafter be permitted on the southeast, or rear, side of the Western District of Carroll County Courthouse on any part of the platted lot or lots on which said Courthouse is situated nor on any part of the northwest side of First Street south of Main Street which adjoins said lot or lots.

Section Five: That the Extra provisions section of Section 8.16.06-2 of the Eureka Springs Municipal Code is hereby amended by deleting therefrom subsections 19, 45, 52, and 56.

Section Six: That the Extra Provisions section of Section 8.16.06-2 of the Eureka Springs Municipal Code is hereby amended by changing subsection 31 thereof to read as follows:

“31. A metered parking space shall be established beginning on the North Corner of the Building at 86 Spring Street. The next 39 feet in the direction of Pendergrass Corner shall be a loading zone, to be used for the purpose of loading and unloading only, from 6:00 a.m. to 6:00 p.m., seven days a week.”

Section Seven: That the Extra provisions section of Section 8.16.06-2 of the Eureka Springs Municipal Code is hereby amended by changing subsection 44.b. thereof to read as follows:

“44.b. The next 77 feet is to be used as a loading zone, for loading and unloading only, from 6:00 a.m. to 6:00 p.m., seven days a week.”

Section Eight: That the Extra provisions section of Section 8.16.06-2 of the Eureka Springs Municipal Code is hereby amended by changing subsection 54 thereof to read as follows:

“54. There is a loading and unloading zone established beginning at the North Corner of 15 Spring Street and continuing for 68 feet north. This zone shall be utilized for loading and unloading only, from 6:00 a.m. to 6:00 p.m., seven days a week.”

Section Nine: That the Extra provisions section of Section 8.16.06-2 of the Eureka Springs Municipal Code is hereby amended by changing subsection 60 thereof to read as follows:

“60. The space beginning at the Southern edge of the Basin Park on the west side of Spring Street and extending from the South stairway to the middle stairway shall be designated a loading and unloading zone and shall be designated by a yellow curb. Then continuing from the middle stairway to the corner of the building at 8 ½ Spring Street shall be a No Parking Zone and shall be marked by a red curb.”

Section Ten: That Section 8.20.04 of the Eureka Springs Municipal Code is hereby amended to read as follows:

8.20.04 Violations. When any vehicle shall be parked next to a City parking meter, the owner or operator of said vehicle shall park within the area designated by the curb or street marking lines; and upon entering said parking space, shall immediately deposit in said meter, coins of the United States, as indicated by the instructions on said meter. It shall be unlawful for any person to fail to park within the designated area, or fail or neglect to so deposit the proper coin or coins.

Said parking space may then be used by such vehicle during the legal parking limits 24 hours a day, seven days a week, 365 days a year. Said vehicle shall be considered as unlawfully parked if it remains in said space beyond the legal parking limit and/or when such is illegally parked. It shall be unlawful for any person to cause or permit any vehicle to be unlawfully parked as set out in this section.

The violation fee for an expired City parking meter or the failure to pay a City lot box shall be \$5.00 to \$15.00 for each offense. Other parking violation fees shall be set as follows: Careless parking: \$10.00; No parking zone: \$15.00; Loading zone (excess of 15 minutes): \$15.00; Post Office (excess of 10 minutes): \$10.00; Blocking driveway: \$10.00; Blocking traffic lane: \$10.00; Parking by fire hydrant: \$25.00; Blocking Fire Station: \$50.00; Parking in Handicapped parking space: \$25.00; and other specified parking violations: \$10.00.”

Section Eleven: That Section 8.20.05 of the Eureka Springs Municipal Code is hereby amended by deleting therefrom the following language at the end of the first full paragraph:

“also beginning at the junction of Center and Spring Streets along Center Street to the junction of Mountain Street.”

Section Twelve: That Section 8.20.06, subsection (a) is hereby repealed.

Section Thirteen: That Section 8.20.06, subsection (b), shall be designated as Section 8.20.06, subsection (a) and is hereby amended to read as follows:

“(a) Parking Lots Owned or Managed by the City of Eureka Springs: Any person desiring to park any vehicle within a parking lot owned or managed by the City of Eureka Springs shall deposit the proper fee in the parking lot meter. This shall apply 24 hours a day, seven days a week, 365 days a year. The fees for City owned or managed parking lots are \$1.00 per hour with a one hour minimum.

Courthouse Parking Lot. Parking spaces immediately adjoining the Western District Courthouse on the North side shall be reserved for the use of County employees during normal business hours and said employees shall not be required to pay for parking during these times.

Parking spaces immediately adjoining the Western District Courthouse on the South side shall be reserved for persons having business within the Courthouse during normal business hours and those persons having business with the Courthouse shall not be required to pay for parking. These parking spaces shall be restricted to 20 minute parking.

An undetermined amount of parking spaces on the East side of First Street from the City Auditorium south to the Trolley Depot shall be reserved for City and County employees during normal business hours and said employees shall not be required to pay for parking during these hours. These spaces shall be appropriately marked by signs indicating that the parking space is reserved for a City/County Employee.

During all other hours when the Western District Courthouse is closed, persons parking in these reserved spaces shall be required to deposit the proper fee into the parking lot meter.

Section Fourteen: That Section 8.20.06, subsection (c), is hereby amended to read as follows:

“(c) Other Parking Metered Areas. Any person desiring to park any vehicle within a City parking meter zone shall deposit the proper coins for the desired time. The fees for City parking meters are \$0.25 for each 15 minute increment up to 4 hours.

Section Fifteen: That Section 8.20.08 of the Eureka Springs Municipal Code is hereby amended to read as follows:

“8.20.08 Hours of operation. Parking fees in designated parking meter zones are to be paid 24 hours a day, 7 days a week, 365 days a year.”

Section Sixteen: That each of the provisions of this ordinance are severable and the decision of any court having jurisdiction as to the validity of any provision shall not effect the remaining provisions.

Section Seventeen: That this ordinance shall go into and be of full effect thirty days after its passage.

PASSED THIS ____ DAY OF _____, 1999.

THE CITY OF EUREKA SPRINGS,
ARKANSAS,

By: _____
Beau Zar Satori, Mayor

ATTEST:

Mary Ann Lee, City Clerk