

ORDINANCE NO. 1853

**AN ORDINANCE OF THE CITY OF EUREKA SPRINGS, ARKANSAS,
AMENDING CHAPTER 106, TRAFFIC AND VEHICLES, OF
THE MUNICIPAL CODE, AND ADDING ARTICLE VIII,
TRAFFIC RULES, SECTIONS 106-400, DEFINITIONS;
106-401, SPEED LIMITS; AND 106-402, CARELESS DRIVING**

WHEREAS, the Council of the City of Eureka Springs, Arkansas, is authorized and empowered by Arkansas Code Annotated Sections 14-55-501 and 14-55-502 to prohibit and punish any act, matter, or thing which the laws of this state make a misdemeanor and to prescribe penalties for all offenses in violating any ordinance of the city not exceeding the penalties prescribed for similar offenses against the state laws; and

WHEREAS, the Council of the City of Eureka Springs, Arkansas, has determined that it is in the best interests of the health, welfare, and safety of the citizens and guests of the City to enact certain traffic rules unique to the City and to prohibit and punish certain acts which also may be prohibited under state law; **NOW, THEREFORE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

1. That Chapter 106, Traffic and Vehicles, of the Eureka Springs Municipal Code shall be amended to add the following:

Article VIII. Traffic Rules

Sec. 106-400. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Motor vehicle means a car, automobile, truck, motorcycle, motorbike, moped, motor scooter, bus, omnibus, tractor truck or trailer, or any other vehicle licensed to travel upon the roads of the state, or subject to licensing for travel, or intended as a carrier or conveyance for goods and/or persons from point to point, whether required to be licensed or not, and which uses motive power derived from a motor or engine, especially an internal combustion engine, or rotary engine and a wankel.

Sec. 106-401. Speed Limits.

Unless posted otherwise, the maximum speed limit within the city limits is 25 miles per hour.

Sec. 106-402. Careless driving.

Any person who drives a motor vehicle in such a manner as to indicate a disregard for the safety of persons or property shall be guilty of careless driving and shall be punished by a fine not to exceed \$100.00.

2. That all ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
3. 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.
4. That this ordinance shall go into and be of full effect thirty (30) days after its passage.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS _____ DAY OF _____, 2000.

APPROVED:

BEAU ZAR SATORI, Mayor

ATTEST:

MARY ANN LEE, City Clerk

CERTIFICATE

The undersigned, City Clerk of the City of Eureka Springs, Arkansas (the City), hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. 1853, adopted at a regular session of the City Council of the City, held at the regular meeting place of the City Council at 7:00 p.m. on the ____ day of _____, 2000, and that said Ordinance is of record in Ordinance Record Book No. _____ of the City, now in my possession.

GIVEN under my hand and seal this ____ day of _____, 2000.

City Clerk

(SEAL)