

ORDINANCE NO. 1055

AN ORDINANCE AMENDING ORDINANCE NO. 1042, AS AMENDED BY ORDINANCE NO. 1044, OF THE CITY OF EUREKA SPRINGS, ARKANSAS, WITH RESPECT TO THE MONTHS DURING WHICH A PORTION OF WEST MOUNTAIN STREET SHALL BE RESTRICTED TO ONE-WAY VEHICULAR TRAFFIC IN A WESTERLY DIRECTION TWENTY-FOUR (24) HOURS EACH DAY.

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

SECTION 1. Section 1 of Ordinance No. 1042, as amended by Ordinance No. 1044, amended.

Section 1 of Ordinance No. 1042, as amended by Ordinance No. 1044, of the City of Eureka Springs, Arkansas, is hereby amended to read, in its entirety, as follows:

"It shall be unlawful for any vehicle, motorized or unmotorized, to be driven or otherwise operated on West Mountain Street from the intersection of West Mountain Street with Spring Street to the intersection of West Mountain Street with Eureka Street, all as shown on the Riley and Armstrong Plat of the City of Eureka Springs, Arkansas, in any direction other than a westerly direction from 12:01 o'clock a. m. on the 1st day of April of each calendar year until 12:00 o'clock midnight of the 31st day of October of the same calendar year. Two-way traffic shall be permitted in easterly and westerly directions on said portion of West Mountain Street from 12:01 o'clock a. m. on the 1st day of November of each calendar year until 12:00 o'clock midnight of the 31st day of March of the immediately following calendar year. Any person violating this Ordinance shall, upon conviction thereof in the Municipal Court of Eureka Springs, be deemed guilty of a Class "C" Misdemeanor and shall be fined in a sum not exceeding One Hundred Dollars (\$100) nor less than Twenty-five Dollars (\$25)."

SECTION 2. Severability.

Each word, phrase, sentence and section of this Ordinance is severable from each and every other word, phrase, sentence and section hereof. If any part of this Ordinance shall be held to be unconstitutional and/or unenforceable by a court of competent jurisdiction, such holding shall not render the remaining parts hereof ineffective, and the same shall continue to be in full force and effect.

SECTION 3. Repeal.

All Minute Orders, Resolutions and Ordinances, and parts thereof, in conflict with this Ordinance are hereby repealed.

SECTION 4. Emergency declared.

The City Council has found that restricting said portion of West Mountain Street to one-way traffic during the months of November, December, January, February and March has resulted, and is likely to continue to result, in considerable public inconvenience. Therefore, an emergency is declared to exist and, in order to preserve the public health, safety and general welfare, this Ordinance shall take immediate effect upon its passage, approval and publication according to law.

PASSED AND ORDAINED BY A ROLL CALL VOTE OF THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, WITH THE EMERGENCY DECLARED SEPARATELY, ON THIS 8TH DAY OF JANUARY, 1979.

APPROVED:



Marcile Davis, Mayor

ATTEST:



Vesta Johnson, City Clerk-Treasurer

[SEAL OF THE CITY]

This Ordinance Was Prepared By:

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