

ORDINANCE NO. 1131

AN ORDINANCE REGULATING AND PROHIBITING
CERTAIN MOTOR VEHICLE NOISE AND SMOKE
EMANATING FROM PARKED OR STANDING VEHICLES

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

Section 1. Section 8.16.07, Eureka Springs Municipal Code, established.

Section 8.16.07, Eureka Springs Municipal Code, is established to read in its entirety as follows:

8.16.07 Motor Vehicle Noise

(a) No person shall leave any motor vehicle (whether truck, bus, passenger car, semi-trailer, or other vehicle required to be licensed and registered under the laws of the State of Arkansas or any State, or whether owned and operated by the United States) parked or standing with the ignition turned on, the electrical system turned on, any generating system running, or any air conditioning or heating system running within the corporate limits of the City for a period in excess of ten (10) minutes. Nothing in this subsection shall prohibit the parking or standing of idling or running motor vehicles while loading or unloading passengers, equipment, or goods, provided that no motor vehicle shall be left parked or standing while idling for more than ten (10) minutes while loading or unloading or waiting to load or unload.

(b) Any person violating the provisions of this subsection shall be guilty of a misdemeanor.

(c) Any person convicted of violating the provisions of this subsection shall be fined in an amount not less than twenty-five (\$25.00) dollars nor more than seventy-five (\$75.00) dollars for the first offense and for a second or any subsequent offense in an amount not less than fifty (\$50.00) dollars nor more than one hundred-fifty (\$150.00) dollars, plus court costs.

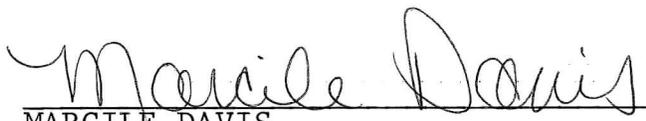
Section 2. Severability.

If any portion of this Ordinance shall be held to be unenforceable by any court of competent jurisdiction, such holding

shall not affect the other portions of this ordinance which can be given effect independently, and to this end the provisions of this ordinance are hereby declared to be severable.

PASSED AND ORDAINED BY THE CITY COUNCIL
OF THE CITY OF EUREKA SPRINGS, ARKANSAS
ON THIS THE 13th DAY OF OCTOBER, 1981.

APPROVED:


MARCILE DAVIS
MAYOR

ATTEST:


TRUIE WALSH
CITY CLERK-TREASURER

