

ORDINANCE NO. 1174

AN ORDINANCE REGULATING THE OPERATION AND PARKING OR STOPPING OF
MOTOR VEHICLES ON BUSINESS PREMISES AND DECLARING AN EMERGENCY

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

SECTION I. Chapter 8.17, Eureka Springs Municipal Code, created.

Chapter 8.17, Eureka Springs Municipal Code, is hereby
created to read in its entirety as follows:

Chapter 8.17

Regulation of Motor Vehicles on Business Premises

8.17.1 Entering only to transact business.

No person shall drive a motor vehicle onto the premises of any business unless such person, or one of the occupants of such vehicle, intends to transact business there. The driving of a motor vehicle onto and out of such premises without stopping shall create a presumption that the driver did not intend to transact business there. Provided, however, nothing in this subsection, or in subsections 8.17.2 and 8.17.3, shall be construed to prohibit operators of vehicles from briefly entering onto the business premises to obtain or review travel directions or to correct their path of travel, or for bona fide emergency purposes.

8.17.2 Stopping or parking in designated areas.

It shall be unlawful for any person to park or stop a motor vehicle upon the grounds or premises of any business or commercial establishment except in designated parking areas. When requested to do so by the owner, operator, manager, or any employee of the business establishment, the owner, driver or any person having control over a motor vehicle interfering in the movement of other motor vehicles or obstructing normal passageways for pedestrians or other motor vehicles shall move the interfering or obstructing motor vehicle.

8.17.3 Blocking entrances or exits. No person shall stop, stand or park a motor vehicle upon the grounds or premises of any business or commercial establishment near the entrance or exit to such business in such a manner as to interfere with other vehicles, including fire, police or emergency vehicles, in entering or exiting the grounds or premises of the business or commercial establishment.

8.17.4 Unoccupied vehicles. No person shall leave any vehicle unoccupied on any business parking area except during normal business hours, and while transacting business there, or with the knowledge and consent of the owner or operator of the establishment.

8.17.5 Enforcement signs. Before Section 8.17.1, 8.17.2, and 8.17.4 may be enforced by the City, the owner or operator shall post on the grounds or premises in a conspicuous location one or more clearly legible signs bearing a statement that shall be substantially in the following form.

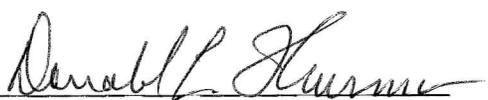
"This lot for customers only while transacting business. Stopping or parking for any other purposes prohibited. No unoccupied vehicles may be left on premises without consent of the owner or operator."

8.17.6 Penalties. Any person violating a provision of this chapter shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine of \$25.00 for the first offense and \$50.00 for any subsequent offense occurring within the course of one year following the previous conviction, and court costs.

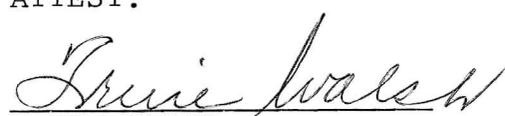
SECTION 2. Emergency declared. The City Council finds that immediate passage of this ordinance is needed for the peace and safety of business operators and their customers. Therefore, an emergency is declared to exist, and in order to promote the health, safety and welfare of the citizens of Eureka Springs, this ordinance shall be effective from and after the date of its publication according to law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS THIS 26th DAY OF April, 1983.

APPROVED:


DONALD THURMAN
Mayor

ATTEST:


TRUIE WALSH
Clerk/Treasurer