

*City letter ruled this Ord. forbid due to  
lack of 2/3 of quorum vote - Kewitt  
& re submitted 10/27/92*

ORDINANCE NO. 1492 (Amended)

AN ORDINANCE ADDING CHAPTER 8.30 TO THE EUREKA SPRINGS  
MUNICIPAL CODE REGARDING THE USE OF SKATEBOARDS

WHEREAS, the City Council of Eureka Springs, Arkansas, wishes to amend its Municipal Code by adding a chapter regarding the use of skateboards in its corporate limits;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eureka Springs, Arkansas,

Section 1. That Title 8 of the Eureka Springs Municipal Code is amended by the addition of a new chapter, Chapter 8.30, which reads as follows:

8.30.01 Use of skateboards: The riding of skateboards shall be permitted upon public sidewalks and roadways in the City except: 1) on Spring Street between its junctions with Highway 23 and Pine Street and 2) in Basin Park.

8.30.02 Rules of the road for skateboarders: Persons riding skateboards, as otherwise permitted under this Chapter, shall obey the following rules of the road:

- (a) Obey all stop signs, traffic signals, yield signs, and such other traffic control devices.
- (b) When in the roadway, travel to the far right side of the roadway.
- (c) Yield the right-of-way to pedestrians whenever and wherever they are encountered.
- (d) Not impede or interfere with the flow of vehicular traffic.
- (e) Yield to approaching vehicles when entering any roadway.
- (f) When on sidewalks, proceed with due care and at a safe speed.
- (g) Use a reflective device or devices or reflective clothing, arranged or worn on the person of the rider in a manner which is visible from all directions, while riding a skateboard from sunset to sunrise the following day.
- (h) Not allow any other person, or persons, to ride the skateboard simultaneously with the rider.

8.30.03 Manner of skateboard operation. No person shall ride a skateboard recklessly, or in such a manner as to cause danger or injury to himself/herself or to others.

8.30.04 Parents of skateboard riders. The parent of any child, and/or the guardian of any ward, shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

8.30.05 Penalty. Any person violating any of the hereinabove shall be fined in an amount not less than Twenty Dollars (\$20.00) nor more than Fifty Dollars (\$50.00), plus court costs, for the first offense and for a second or any subsequent offense in an amount not less than Fifty Dollars (\$50.00) nor more than Seventy-Five Dollars (\$75.00), plus court costs. In lieu of fine, community service plus court costs may be assigned by the Municipal Judge.

Section 2. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. If any part of this ordinance is found to be unenforceable for any reason, it shall not affect the enforceability of the remaining parts.

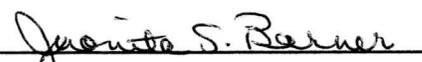
Section 4. Because this ordinance directly affects not only the safety and welfare of the skateboarders but also the tourists which visit our city, an emergency is deemed to exist, and this ordinance is declared to become effective from its date of passage, approval and publication according to law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EUREKA SPRINGS, ARKANSAS, this 22nd day of September, 1992.

APPROVED:

  
RANDY WOLFINBARGER, Mayor

ATTEST:

  
City Clerk/Treasurer