

ORDINANCE NUMBER 737

AN ORDINANCE REGULATING TRAFFIC AND THE USE OF CERTAIN PUBLIC STREETS AND HIGHWAYS IN EUREKA SPRINGS, ARKANSAS, PRESCRIBING REGULATIONS RELATIVE TO THE PARKING OF VEHICLES UPON SUCH PUBLIC STREETS AND HIGHWAYS, PROVIDING FOR THE INSTALLATION OPERATION, MAINTENANCE, SUPERVISION, REGULATION AND CONTROL OF PARKING METERS, DEFINING AND PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES UPON THE PUBLIC STREETS, PROVIDING FOR THE ENFORCEMENT OF PENALTIES FOR THE VIOLATION HEREOF, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUREKA SPRINGS, ARKANSAS.

SECTION I: The terms used in this ordinance shall be interpreted as herein defined.

(a) Parking Meter, the words "parking meter" whenever used in this ordinance shall mean and include any mechanical device or meter not inconsistent with this ordinance or erected for the regulation of parking by authority of this ordinance.

(b) Parking Meter Space. The words "parking meter space" as used herein shall mean the space alongside the curb in which a vehicle shall be properly parked, which shall be indicated clearly by painted lines or otherwise, and adjacent to which a parking meter is installed within four feet of the front line of said space.

(c) Parking Meter Zones. Parking Meter Zones shall mean portions of streets described and established by the City Commission of the City of Eureka Springs as zones within which the parking of vehicles shall be controlled, regulated and inspected with the aid of timing devices or meters, herein referred to as parking meters or meters.

SECTION II: The following portions of streets in the City of Eureka Springs, Arkansas, are hereby established as parking meter zones:

ONE HOUR ZONES: Main

All that part of ~~SHAWNEE~~ Street on the left side starting at the junction of Benton Street and Main Street to the junction of Main and Spring Street. All that part of Main street from the junction of Spring and Main street on the right hand side to the junction of Main and Douglas Streets; All that part of Spring street on the right hand side thereof from the junction of Main and Spring Street to the junction of Spring and Center Streets; all that part of Spring street in front of Basin Spring Circle; all that part of Spring street from the North end of the Basin Park Hotel to the junction of Spring and Mountain Street on the left hand side; all that portion of Spring Street from the junction of Pine and Spring Street to the east end of the Sweet spring reservation, on the left hand side;

SECTION III: Installation of Parking Meters. In said parking meter zones hereby created or hereafter created by ordinance of the City Commission, parking meters shall be installed within or near the curb line facing alongside of such spaces as may be designated by the City Commission, and which spaces it deems advisable or necessary for the proper regulation of parking of vehicles, said installation to be placed not more than two (2) feet from the curb nor more than four (4) feet from the front line of the parking space as indicated, and which spaces shall be marked out as individual parking meter spaces for vehicles. Each of such meters shall be set to operate upon the deposit therein of one to five one-cent coins and/or a five cent coin of the United States of America for the period of time prescribed as parking time limits in Section V of this ordinance. Each of such meters shall be so arranged so as to show or display a signal, and which shall clearly indicate whether the time limit during which parking in that space is permitted has expired.

SECTION IV: Operation of Parking Meters. Except in a period of emergency, determined by an officer of a fire company or of the police department, or except in compliance with the directions of a police officer of traffic control signal, when any vehicle shall be parked

premiums on said bonds shall be paid by the City of Eureka Springs.

SECTION XIII: Nothing in this ordinance shall be construed as prohibiting the City of Eureka Springs from providing for loading and unloading zones and special parking places.

SECTION XIV: If any section, provision or part thereof in this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any part, section or provisions thereof, not adjudged invalid or unconstitutional.

SECTION XV: Any person, firm or corporation, who shall violate or permit, suffer or allow anyone under his, their or its direction or control to violate any provision of this ordinance shall upon conviction be punishable by a fine not exceeding Five dollars (\$5.00) for each offense. Any person, firm or corporation who shall aid, abet or assist in the violation of the provisions of this ordinance, shall, upon conviction, be punished by a fine not exceeding Five Dollars (\$5.00) for each offense.

SECTION XVI: All ordinances or parts of ordinances in conflict herewith are hereby repealed and it appearing that traffic condition in the City of Eureka Springs are such that immediate regulation as provided in this ordinance are necessary for the preservation of the public health, peace and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after the 1st day of July, 1948.

Passed and approved this day of June, 1948.

Mayor

Attest:

City Clerk

ELECTION PROCLAMATION

By virtue of the authority vested in me by law, and pursuant to the requests contained in the referendum petition filed in the office of the City Clerk of the City of Eureka Springs, Arkansas, referring to a vote of the people Ordinance No. _____ entitled "AN ORDINANCE AUTHORIZING INSTALLATION OF PARKING METERS IN THE CITY OF EUREKA SPRINGS, ARKANSAS, AND FOR OTHER PURPOSES," which petition has been found by the City Clerk of the City of Eureka Springs, Arkansas to be signed by a sufficient number of qualified electors to refer the question to the people and is in all other respects sufficient; and the City Commission having duly authorized the issuance of this proclamation, I hereby issue this proclamation calling an election to be held in the City of Eureka Springs, Arkansas, on Tuesday the _____ day of 1948 for the purpose of submitting to the qualified electors of the City of Eureka Springs, the question of the adoption or rejection of said Ordinance No. _____ which is in words and figures as follows, to-wit:

"ORDINANCE NUMBER _____"

"AN ORDINANCE AUTHORIZING INSTALLATION OF PARKING METERS IN THE CITY OF EUREKA SPRINGS, ARKANSAS, AND FOR OTHER PURPOSES:

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

Section 1. On and after the effective date of this ordinance, it shall be lawful for the City of Eureka Springs, Arkansas to install parking meters and to prescribe all necessary rules and regulations for the use thereof.

Section 2. It appearing that parking conditions in the business districts of the city of Eureka Springs, Arkansas, are very unsatisfactory and that revenues of the Police, Fire and street departments are depleted and regular millage levies are not sufficient to provide the necessary funds for the operation of said Departments, an emergency is hereby declared to exist and this ordinance shall be in full force and effect when and if it is referred to a vote of the qualified electors of the City of Eureka Springs, Arkansas and receives a majority of the votes cast on the question either at a special or general election to be held for the purpose of determining the will of the electors of the City of Eureka Springs, Arkansas.

Passed and approved this _____ day of June, 1948.
/s/ A.J. Russell, Mayor

Attest:
/s/ Ray Freeman, City Clerk.

Polling places will be open on said date from 8:00 A.M. until 6:00 P.M. and will be at the following places:

Ward Number 1.

Ward Number 2.

Ward Number 3. Courthouse.

The question will be submitted and the ballot will be:

"Ordinance Number _____"

"AN ORDINANCE AUTHORIZING INSTALLATION OF PARKING METERS IN THE CITY OF EUREKA SPRINGS, ARKANSAS, AND FOR OTHER PURPOSES.

FOR ORDINANCE NUMBER _____.

AGAINST ORDINANCE NUMBER _____.

Witness my hand as Mayor of the City of Eureka Springs, Arkansas on this _____ day of June, 1948.

A. J. Russell, Mayor