

ORDINANCE NO. 2019-30

AN ORDINANCE TO RESCIND ORDINANCE 2019-23.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Barker Detachment
Rescission Ordinance.

Section Two: Ordinance 2019-23 Rescinded. Ordinance 2019-23, passed by the
City Council on July 15, 2019, is hereby rescinded in its entirety, at the request of
the property owner.

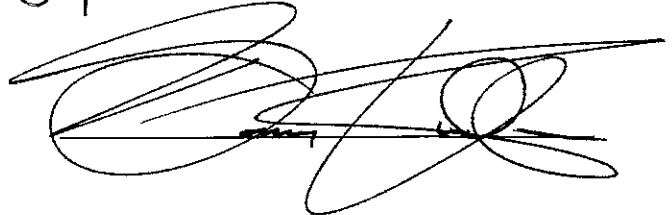
Section Three: Effective Date. This Ordinance shall become effective from
and after 60 days of its posting.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time
that this ordinance shall take effect that are in conflict herewith, are hereby
repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights
or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is
declared inoperative or invalid as a result of a statute or judicial decision, then
only that portion expressly so declared to be inoperative or invalid shall be
affected thereby and all other provisions hereof shall remain in full force and
effect.

Approved this 16 day of September 2019.

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Charles (Sonny) Hudson, Mayor

(Attest)


Christine Kelly, City Clerk

ORDINANCE NO. 2019-31

AN ORDINANCE TO AMEND PROVISIONS REGARDING PARKING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Parking Amendments
of 2019.

Section Two: Section 8.24.01 Amended. Section 8.24.01 of the Prairie Grove

Municipal Code is amended to read as follows:

8.24.01 Parking Requirements The following requirements apply to the
parking of vehicles in Prairie Grove:

- A. Parking is prohibited:
 - 1. on or blocking any public sidewalk, trail or pedestrian walkway;
 - 2. within 20 feet of an intersection or public crosswalk;
 - 3. within 30 feet of a flashing beacon, or traffic control device (e.g. stop sign);
 - 4. more than 12" from a curb;
 - 5. upon any bridge;
 - 6. within 5 feet of the entrance to a public driveway;
 - 7. within 5 feet of the entrance to a private driveway, unless authorized by the owner of such private property;
 - 8. when blocking access to mailboxes during times of mail delivery;
 - 9. where signs or other official markings prohibit parking;
 - 10. outside of designated parking spaces where such spaces are delineated;
 - 11. within a designated fire lane;
 - 12. when such parking creates a hazard or impediment to the normal flow of traffic along public streets, driveways or parking areas.
- B. No person shall park a recreational vehicle, trailer or any other equipment designed to be towed behind a motor vehicle on a public street or right-of-way longer than 48 hours.
- C. No person shall park a motor vehicle in the same delineated public parking space for more than 48 hours. After the expiration of 48 hours of continuous parking in one parking space, the person in control of the vehicle must remove it from that space for a minimum of 12 hours.
- D. The parking of commercial vehicles in areas zoned residential is prohibited with the exception of short-term parking related to the performance of legitimate business within the residential zone. Commercial trucks, trailers, equipment, tractors or machinery may not be parked on public streets in areas zoned residential or streets adjacent to areas zoned

residential for the sole purpose of parking. Commercial trucks, trailers, equipment, tractors or machinery shall not be allowed to park on residential lots unless they are used to transport a person to or from their own home or residence.

Section Three: Section 8.24.02 Amended. Section 8.24.02 of the Prairie Grove Municipal Code is amended to read as follows:

8.24.02 Authority to Restrict Parking. The City Council hereby designates the Chief of Police and Public Works Director as the joint authority to determine the locations of public streets, rights-of-way, driveways and parking areas subject to restrictions on parking and delineating parking spaces. In making such decisions, primary consideration shall be given to assuring public safety for motor vehicle and pedestrian traffic. In the event of a disagreement between the Chief of Police and the Public Works Director, the Mayor shall make the final decision.

Section Four: Section 8.24.03 Amended. Section 8.24.03 of the Prairie Grove Municipal Code is amended to read as follows:

8.24.03 Nonconsensual Towing. In addition to the penalties provided under Section 8.24.04, the Police Department is authorized to remove any vehicle parked in a manner that creates a hazard or impediment to traffic.

A. Prior to towing any vehicle pursuant to this Section, the Police Department shall attempt to contact the person in control of such vehicle to have it moved.

B. Vehicles parked in a manner that creates a hazard or impediment to traffic include, but are not limited to, the following:

1. a vehicle left unattended upon any bridge;
2. a vehicle left unattended upon a public street or parking lot where such vehicle creates an obstruction to the normal flow of traffic;
3. a vehicle parked on a city street within 50 feet of a fire hydrant;
4. a vehicle partially or fully blocking a public sidewalk or crosswalk;
5. a vehicle blocking a public driveway;
6. a vehicle blocking a private driveway when requested to be moved by the private property owner;

7. a vehicle parked in a prohibited area or tow-away zone that is so designated by a sign or official marking;
8. a vehicle parked more than twice as long as any parking time limit imposed under this Chapter.

C. Whenever the Police Department knows or is able to ascertain the identity of the person owning a vehicle towed under this Section, they shall provide written notification, as soon as practicable, to such owner of the fact of such removal, the reasons such vehicle was towed and to where such vehicle was towed.

D. Whenever the Police Department is unable to ascertain the identity of the person owning a vehicle towed under this Section, the requirements of A.C.A. §27-50-1201 *et seq.* shall be followed.

E. A.C.A. §12-50-1201 *et seq.* applies to nonconsensual towing in the State of Arkansas and the requirements of that Subchapter shall be followed in addition to the requirements of this Ordinance. In a case where that Subchapter and this Ordinance differ, the state law requirements shall take precedence.

F. The owner or lessee of any vehicle towed or impounded shall be required to pay the towing and storage costs of the vehicle before it is released.

Section Five: Zoning Ordinance Amended. The Prairie Grove Zoning Ordinance is amended as follows to correct inconsistencies with Chapter 8.24:

The definition of "Parking Space" is amended to read as follows:

Parking Space

An off-street space available for the parking of one (1) motor vehicle and having an area of not less than one hundred eighty (180) square feet exclusive of passageways and driveways, and having direct access to a street or alley. It shall measure not less than 9' x 19'.

Table 4.4.6 is amended to read as follows:

4.4.6 Off Street parking (spaces per dwelling unit).

	<u>A-1</u>	<u>R-1</u>	<u>R-1.5</u>	<u>R1.75</u>	<u>R-2</u>	<u>R-3</u>
a. Single-family	3	3	3	3	3	3
b. Two-family	N/A	N/A	N/A	N/A	3	3
c. Multi-family	N/A	N/A	N/A	N/A	N/A	*

* in accordance with Prairie Grove Municipal Code 8.24.09(A)(2)

Section 5.4.1.7 is amended to read as follows:

5.4.1.7 Off-street parking spaces shall be required in accordance with Prairie Grove Municipal Code 8.24.09(E).

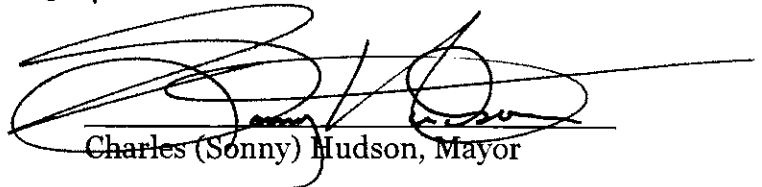
Section Six: Effective Date. This Ordinance shall become effective from and after 30 days of its posting.

Section Seven: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

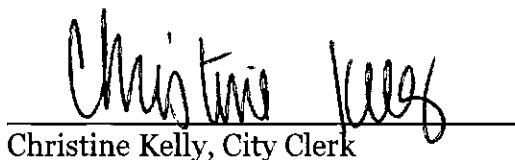
Section Eight: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Nine: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16 day of September 2019.


Charles (Sonny) Hudson, Mayor

(Attest)


Christine Kelly, City Clerk