

TITLE 8**VEHICLES AND TRAFFIC****Chapters:**

- 8.04 Adoption of State Laws
- 8.08 Truck Routes
- 8.12 Emergency Vehicles
- 8.16 Non-Operating Vehicles
- 8.20 Hazardous Driving
- 8.24 Speed Limits
- 8.28 Vacating and Dedication Streets
- 8.32 Maintenance of Highway

CHAPTER 8.04**ADOPTION OF STATE LAWS****Sections:**

- 8.04.01 Adoption of state laws

8.04.01 Adoption of state laws The "Uniform Act Regulating Traffic on Highways of Arkansas", as contained in Title 75 of the Arkansas Statutes, three (3) copies of which are on file in the office of the Recorder/Treasurer, are hereby adopted as traffic rules and regulations within and for the city. Any person convicted of a violation of said statutes shall be deemed guilty of the violation of the ordinances of the city and shall be fined or imprisoned or both in the manner set out under the state statutes.

CHAPTER 8.08**TRUCK ROUTES****Sections:**

- 8.08.01 Truck routes
- 8.08.02 Penalty for violation

8.08.01 Truck routes All truck tractors, tractor-trailer rigs and buses, operated for monetary gain, shall be operated and driven only on Highway 64, Interstate 40, Highway 247 and Highway 331, within the city limits of the city of Pottsville, Arkansas. Provided, however, that any such vehicle, pickup or delivering goods, merchandise, people or other tangible objects may drive upon such other streets in the city of Pottsville, Arkansas, as necessary to reach the point of destination of such vehicle. Such vehicle may remain on such streets only for the time necessary to pick up or deliver such goods, merchandise, people or other tangible objects.

8.08.02 Penalty for violation Violation of this ordinance constitutes a misdemeanor. A conviction, plea of guilty, or forfeiture of bond, for a first offense, shall be punishable by a fine not to exceed Twenty-Five Dollars (\$25.00), for a second offense, by a fine not to exceed One Hundred Dollars (\$100.00) and for a third offense, by a fine not to exceed Five Hundred Dollars (\$500.00).

CHAPTER 8.12

EMERGENCY VEHICLES

Sections:

8.12.01	Right of way
8.12.02	Following prohibited
8.12.03	Restriction of vehicular traffic
8.12.04	Strict enforcement
8.12.05	Exempt personnel
8.12.06	Penalty

8.12.01 Right of way When any emergency vehicle is on an emergency run, a siren and/or flashing light shall be operated at all times while said vehicle is in motion. Any such moving emergency vehicle shall be entitled to and shall receive the right of way over all pedestrian and vehicle traffic. When the operator of any non-emergency vehicle is approached from any direction by such emergency vehicle, he shall immediately move his vehicle to the extreme right side of the street, and shall come to a full stop, remaining at such full stop until all such emergency vehicle movements have passed.

8.12.02 Following prohibited No person except as herein authorized shall follow any emergency vehicle which is operating its emergency signals.

8.12.03 Restriction of vehicular traffic No vehicular traffic (other than that of authorized personnel specified herein) shall be permitted within a three (3) block radius of any emergency, unless such vehicular movement is permitted by order of the fire, police or medical personnel in charge at the scene of such emergency. Fire, police or other authorized personnel shall have the specific authority to order all pedestrians and spectators outside said emergency area at any time.

8.12.04 Strict enforcement The provisions hereof shall be strictly enforced; members of the Police Department, the Auxiliary Police Department, the Fire Department, the Volunteer Fire Department and all other duly qualified and acting law enforcement officials shall have full and complete authority to make arrests and/or issue summons to violators, and such arrests and/or summons for any such violation shall be valid and enforceable by court order as in other cases.

8.12.05 Exempt personnel. The following personnel when acting in the line of duty are specifically exempt from the provisions of this chapter:

- A. All regular and volunteer fire department personnel.
- B. All regular and auxiliary police personnel.
- C. News reporting and photography personnel for public communications media.
- D. Medical, nursing and ambulance personnel.
- E. Law enforcement officers; and other persons specifically authorized by the Mayor, Police Chief or Fire Chief.
- F. Public utility personnel.

8.12.06 Penalty Any person violating any of the provisions hereinabove shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

CHAPTER 8.16

NON-OPERATING VEHICLES

Sections:

- 8.16.01 Prohibited
- 8.16.02 Non-operating vehicles
- 8.16.03 Definitions
- 8.16.04 Residential Areas
- 8.16.05 Exemption
- 8.16.06 Penalty for Violation
- 8.16.07 Violations

8.16.01 Prohibited It shall be illegal, after the passage of this Ordinance, to possess or maintain control over non-operating vehicles in the city limits in the city of Pottsville, unless it is designated and zoned for that specific type of business. (Ord. No. 2017-06, Sec. 1.)

8.16.02 Non-operating vehicles That non-operating motor vehicles as used in this ordinance means a motor vehicle with one or more of the following characteristics:

- A. the engine or motor is inoperative;
- B. the wheels all or any one of them are removed;
- C. the motor vehicle has flats on two or more tires;
- D. major operating components are missing such as: windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, gear box, rear end, or any parts connected with the steering geometry of the motor vehicle or the seats are removed;
- E. any of the major operating components such as those listed in items A-D above are in such damaged condition so as to make the motor vehicle useless. (Ord. No. 2017-06, Sec. 2.)

CHAPTER 8.20

HAZARDOUS DRIVING

Sections:

8.20.01	Title
8.20.02	Prohibited Acts
8.20.03	Penalties

8.20.01 Title The Title of this Ordinance shall be "City of Pottsville Unsafe or Hazardous Driving Ordinance." (Ord. No. 2023-4, Sec. 1)

8.20.02 Prohibited Acts

- (A) It shall be unlawful for any person to drive or operate any vehicle in such a careless manner as to evidence a failure to keep a proper lookout for other traffic, vehicular or otherwise, or in such a manner as to evidence a failure to maintain proper control on the public thoroughfares or private property in the State of Arkansas.
- (B) It shall be unlawful for any person to operate or drive any vehicle on the public thoroughfares or private property in the State of Arkansas in violation of the following prohibited acts:
1. Improper or unsafe lane changes on public roadways;
 2. Driving onto or across private property to avoid intersections, stop signs, traffic control devices, or traffic lights;
 3. Driving in such a manner or at such a speed so as to cause a skidding, spinning, or sliding of tires or a sliding of the vehicle;
 4. Driving too close to or colliding with parked or stopped vehicles, fixtures, persons, or objects adjacent to the public thoroughfares;
 5. Driving a vehicle which has any part thereof or any object extended in such fashion as to endanger persons or property;
 6. To operate any vehicle in such a manner which would cause a failure to maintain control;

8.24.02 Work zones

- A. In areas clearly designated as work zones within the city limits of the city of Pottsville, where shall exist a speed limit of 25 miles per hour.
- B. Anyone found guilty of exceeding the posted 25 miles per hour speed limits in the work zone shall be fined double the amount normally required in such speeding violations.
- C. The area in question shall be adequately designated as a work zone for oncoming traffic in both directions. Either the city of Pottsville employees or contractors or others working on the areas shall provide large, visible signs stating that the area has been designated as a work zone and that the speed limit in that designated area is now 25 miles per hour. These signs shall be posted for oncoming traffic in both directions.
- D. Law enforcement shall advise the alleged offender of his/her violation of speeding in a work zone on the face of the ticket to advise of the enhanced fine. (Ord. No. 2008-5, Secs. 1-4.)

CHAPTER 8.28VACATING AND DEDICATING STREETSSections:

- 8.28.01 Vacating streets
- 8.28.02 Dedicating streets

8.28.01 Vacating streets

Ord. No. 2008-02 Closing The intersection of Pine Ridge Road with the Union Pacific Railroad (Department of Transportation No. 434-320A, Mile Post 411.60).

Ord. No. 2017-04 Vacating Right-of-way in the John Blocker Subdivision adjacent to and south of Lots 1 and 2.

8.28.02 Dedicating streets The city of Pottsville hereby dedicates Redmond Road as a city street and the city accepts and confirms this street and shall be responsible for its care and maintenance from this day forward. (Ord. No. 2012-8, Sec. 1.)

CHAPTER 8.32

MAINTENANCE OF HIGHWAY

Sections:

8.32.01 Highway 247

8.32.01 Highway 247 The city of Pottsville, Arkansas, hereby agrees and accepts maintenance responsibility of the portion of Highway 247, Section 0 beginning at the junction with the Pottsville bypass and continuing north to the junction with Highway 331, in the city of Pottsville, reflected on Exhibit A.

A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Pope County and recorded in the deed of said county. (Ord. No. 2012-13, Secs. 1.2)