

TITLE 8

VEHICLES AND TRAFFIC

Chapters:

- 8.04 Adoption of State Laws
- 8.08 Truck Routes
- 8.12 Emergency Vehicles
- 8.16 Abandoned, Inoperable or Unlicensed Vehicles
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- 8.24 Unsafe Driving
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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 27 of the Arkansas Statutes, three (3) copies of which are on file in the office of the Recorder/Treasurer, is hereby adopted as traffic rules and regulations within and for the city. Any person convicted of 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 - Designated

8.08.01 Truck routes - Designated Truck routes for all motor vehicles having a capacity of one ton and over, and proceeding through the city, are hereby established and designated as follows:

All such vehicles are hereby prohibited from using any other street, alley or road while proceeding through the city.

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 red 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 or she shall immediately move his or her 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. (Ord. No. 2019-02)

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 by members of the Police Department.

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. Medical, nursing and ambulance personnel.
- D. Law enforcement officers; and other persons specifically authorized by the Mayor, Police Chief or Fire Chief.

E. Public utility personnel.
(Ord. No. 2019-02)

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

ABANDONED, INOPERABLE OR UNLICENSED VEHICLES

Sections:

- 8.16.01 Definitions
- 8.16.02 Prohibiting non-operating vehicles
- 8.16.03 Exceptions
- 8.16.04 Keeping on public property prohibited
- 8.16.05 Keeping on private property, limited
- 8.16.06 Penalty for violation
- 8.16.07 Violations
- 8.16.08 Procedures when vehicle found on private property
- 8.16.09 Dealers excepted
- 8.16.10 Exception for vehicle being repaired or prepared for drag racing permit
- 8.16.11 Lien upon vehicle for costs

8.16.01 Definitions

Vehicle: Vehicle means a car, automobile, truck, bus, omnibus, tractor truck, trailer, RV, or other vehicle licensed to travel upon the roads of Arkansas, or subject to licensing for travel or intended as a carrier for goods and persons from point to point.

Non-operating Vehicle: A non-operating vehicle, for the purposes of this chapter, shall be interpreted to mean any vehicle that does not have current, valid Arkansas registration or license plates, or is not in proper condition to be legally operated on the streets of the city because of lack of or missing proper windshield glass, door glass, fenders, gauges, steering wheel, tie rods, springs, drive train, gear box, rear end, mufflers, tires, headlights or other mechanical defects.

Open Storage: Open storage, for the purpose of this chapter, shall be interpreted to include a carport which has at least two (2) open sides or visible from the street.
(Ord. No. 2019-08, Sec. 2)

Public Property: Public property, for the purpose of this chapter, shall be construed as any street, ally, right-of-way or property that is owned or under the control and supervision of the municipality.

Private Property: Private property, for the purpose of this chapter, shall be interpreted to mean any and all property that is not classified as public.
(Ord. No. 2019-02)

8.16.02 Prohibiting non-operating vehicles It is unlawful to have a non-operating vehicle in open storage (Ord. No. 2019-08, Sec. 2)

8.16.03 Exceptions Nothing in this chapter shall be construed so as to apply to:

- A. Any vehicle that can be started and moved under its own power on demand;
- B. Temporarily disabled motor vehicles provided they are restored to running condition within thirty (30) days from date of disablement.

(Ord. No. 2019-02)

8.16.04 Keeping on public property prohibited It shall be unlawful for any person, persons, firm, company or corporation to maintain, store or keep upon any public property, a junked, wrecked, inoperable, or unlicensed vehicle as defined in this chapter.

8.16.05 Keeping on private property, limited It shall be unlawful for any reason for any person to keep, maintain or store, junked, wrecked, or unlicensed vehicles, as defined by this chapter, upon private property, in the open within the corporate limits of the city for a period of more than seven (7) days. (Ord. No. 2019-02)

8.16.06 Penalty for violation A violation of this chapter is hereby declared to be a misdemeanor and punishable by a fine of not less than One Hundred Dollars (\$100.00) or by a jail sentence of one (1) to ten (10) days. Each day a non-operating vehicle is upon the premises of a person shall constitute a separate offense. (Ord. No. 2019-08, Sec. 2)

8.16.07 Violations A person shall be deemed in violation of this chapter if:

- A. Such person owns or has registered to him a non-operating vehicle that is in a prohibited area within the terms of this chapter; or
- B. If the owner of the vehicle cannot be found, then such person that owns the real property on which the non-operating vehicles are placed, parked or found resting on/in a prohibited area within the terms of this chapter;

C. It shall be presumed that the record owner is the owner of property in question;

D. It shall be presumed that the registered owner of a vehicle is the owner of the vehicle.

(Ord. No. 2019-08, Sec. 2)

8.16.08 Procedures when vehicle found on private property Whenever officers of the city observe any such non-operating vehicles as defined in this chapter, placed or stored in the open upon private property, they shall file a written report with the police department, setting forth the location of said vehicle, its make or model, the license number and the name of the owner, if known. The police department shall notify the owner in writing to remove the vehicle within forty-eight (48) hours in the event said vehicle is not removed, the police department is hereby authorized and directed to remove said vehicle and impound the same in accordance with the laws governing abandoned motor vehicles. In the event said motor vehicle obstructs the movement of traffic or constitutes a traffic hazard, the police department shall immediately remove said vehicle. The primary responsibility for the enforcement of this chapter is placed upon the police department. The responsibility for payment of towing and storage fees is placed upon the owner of the vehicle. (Ord. No. 2019-08, Sec. 2)

8.16.09 Dealers excepted Nothing in this chapter is to be interpreted as preventing any licensed business dealing in any manner with any type of automobile from operating in a properly zoned area.

8.16.10 Exception for vehicle being repaired It is further provided that nothing in this chapter is to be interpreted as preventing a person from keeping upon his private property one (1) such inoperable motor vehicle, as defined in this chapter, for the purpose of making repairs. In the situation mentioned above, the owner of said vehicle shall be permitted to obtain a permit from the police department or other designated persons allowing him to keep such an automobile upon his property for a period of three (3) months for the purposes stated aforesaid. Said permit may be extended for an additional three (3) months where necessary to complete construction or repair.

8.16.11 Lien upon vehicle for costs The costs of investigation, towing, removal, and storage of a vehicle shall constitute a lien upon said property, and the city attorney is hereby authorized and directed to take necessary legal action to establish and perfect a lien against said property. (Ord. No. 2019-08, Sec. 2)

CHAPTER 8.20

ONE-WAY STREETS

Sections:

8.20.01	Grove Street
8.20.02	Mitchell Street
8.20.03	Fine

8.20.01 Grove Street Grove Street starting at Highway 89 North and going north to Mitchell Street will be a one-way street from the beginning of the school year to the ending of the school year. (Ord. No. 94-5, Sec. 1.)

8.20.02 Mitchell Street Mitchell Street starting at Mayflower Elementary School and going west to North Railroad Avenue will be a one-way street from the beginning of the school year to the ending of the school year. (Ord. No. 94-5, Sec. 2.)

8.20.03 Fine Any person violating this ordinance upon conviction shall be fined in an amount not less than One Hundred Four Dollars (\$104.00), and shall be found and deemed guilty of the offense. (Ord. No. 94-5, Sec. 3.)

CHAPTER 8.24

UNSAFE DRIVING

Sections:

8.24.01	Name
8.24.02	Prohibited Conduct
8.24.03	Penalties

8.24.01 Name This ordinance shall be commonly identified as the "Unsafe Driving Ordinance" and any citations written by patrol officers employed by the Mayflower Police Department for alleged violations thereof may identify the ordinance as such on the citation. (Ord. No. 2020-05, Sec. 1)

8.24.02 Prohibited Conduct Within the city limits of the City of Mayflower and the jurisdiction of the City of Mayflower Police Department, it shall be unlawful for any person to drive or operate any vehicle:

- (a) In any manner that evidences a failure of the operator to properly observe or react to any obstructions in the path of the vehicle under the operator's control;
- (b) In any manner that evidences a failure of the operator to maintain proper control of the vehicle based upon weather, visibility, or road conditions existing at the time of the alleged violation;
- (c) In any manner that evidences a failure of the operator to demonstrate reasonable and appropriate regard for the safety of the motorist, other motorists, pedestrians, law enforcement personnel, or personal or real property, with such failure to include but not necessarily be limited to:
 - (i) Purposeful or negligent weaving through or around traffic, passing, or changing lanes without justifiable cause therefor;
 - (ii) Purposeful or negligent operation of the vehicle onto or from a shoulder or curb without justifiable cause therefor;
 - (iii) Purposeful or negligent revving of the motorist's engine or spinning or squealing of the motorist's tires without justifiable cause therefor;
 - (iv) Purposeful or negligent misuse of the physical equipment located on or within the motorist's vehicle without justifiable cause therefor;
 - (v) Purposeful or negligent failure to obey posted and visible signage concerning speed limits, road conditions or hazards, construction in progress, or other alerts that are placed for the specific purpose of notifying motorists of circumstances or conditions; or
 - (vi) Any other act or omission by the motorist that an officer, in his or her sole discretion, deems to be in violation of other traffic laws of this city, state, or other political subdivision, but for which the officer may cite for this lesser offense.

(Ord. No. 2020-05, Sec. 2)

8.24.03 Penalties For any motorist who pleads guilty to a violation hereof, or is adjudicated guilty at a trial on the merits thereof, the violation shall be deemed an unclassified misdemeanor under the laws of the State of Arkansas, and the person who pleads or is found guilty shall pay a fine of not less than one hundred fifty dollars (\$150.00) and not more than two hundred fifty dollars (\$250.00), subject to all other applicable ordinances, regulations, or statutes. (Ord. No. 2020-05, Sec. 3)

CHAPTER 8.28

OUTDOOR SHIELDED LIGHTING

Sections:

8.28.01 Prohibitive

8.28.01 Prohibitive Pursuant to Act 1963 of 2005, the city of Mayflower, Arkansas, has made a determination that the cost of acquiring shielded outdoor lighting fixture is more expensive than the alternative fixtures and is therefore prohibitive, after comparing the cost of the fixtures and the projected energy cost for the operations of the fixture.

There, the city of Mayflower, Arkansas hereby opts out of the application of such statute. (Ord. No. 2006-3, Secs. 1-2.)

CHAPTER 8.32

VACATING STREETS

Sections:

8.32.01 Vacating streets

8.32.01 Vacating streets

Ord. No. 2007-3	Part of Mitchell St. to west boundary Lot 3, Block C in Moseley Addition
Ord. No. 2007-5	Part of Grove St. from Mitchell St. to south boundary Post Office 466-601
Ord. No. 2011-4	Part of Elm St. between Block 5 & 6, R.L. Hayes Addition