

AN ORDINANCE TO REGULATE TRAFFIC AND MAINTAIN ORDER
IN AND AROUND DRIVE-IN RESTAURANTS

BE IT ORDAINED AND ENACTED BY THE BARLING CITY COUNCIL OF THE CITY
OF BARLING, ARKANSAS, THAT:

SECTION 1: A drive-in restaurant, within the meaning of this Ordinance, shall be deemed to be any public business establishment where meals, sandwiches, ice cream or other foods and drinks, are served directly to or permitted to be consumed by patrons of said establishment in automobiles, motorcycles or other vehicles parked on the premises of such establishment.

SECTION 2: It shall be unlawful for any person while on or adjacent to the premises of a drive-in restaurant to accelerate the motor of any vehicle in any manner excessive of normal mechanical requirements (a practice commonly referred to as "Racing a motor"), to cause a vehicle to suddenly accelerate or decelerate except as is necessary for the safe operation of the vehicle, or to make or cause to be made any loud sound or noise including the sounding of any type of vehicle horn or siren, unnecessary for the safe operation of the vehicle.

SECTION 3: It shall be unlawful to consume any intoxicating beverage, including beer, on the premises of any drive-in restaurant which does not operate with a valid license for the sale and "on-premises" consumption of an intoxicating beverage, including beer.

SECTION 4: It shall be unlawful for any person to congregate with other persons on the premises of a drive-in restaurant in such numbers or while engaged in such disruptive conduct as to obstruct the free ingress and egress of customer pedestrian or vehicular traffic.

SECTION 5: It shall be unlawful for any person to leave any unoccupied motor vehicle on any drive-in restaurant parking lot and to leave the premises thereof except with the knowledge and consent of the operator of the restaurant.

SECTION 6: It shall be the duty of the restaurant operator to post on the premises in a conspicuous location one or more signs bearing the following legend:

UNNECESSARILY CONGREGATING AND LINGERING
OUTSIDE OF A MOTOR VEHICLE, IS UNLAWFUL.
NO UNOCCUPIED VEHICLE MAY BE LEFT ON THESE
PREMISES WITHOUT THE CONSENT OF THE
RESTAURANT OPERATOR.

Further, the operators of all drive-in restaurants which do not operate with a valid license for the sale and "on-premises" consumption of an intoxicating beverage, including beer, shall post on the premises in a conspicuous location one or more signs giving notice to the public that consumption of intoxicating beverages, including beer, on the premises is unlawful.

SECTION 7: Any person found guilty of violating any or the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than \$25.00 or imprisoned for not more than 30 days, or be given both such fine and imprisonment at the discretion of the Court.

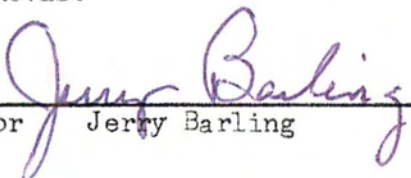
SECTION 8: Severability --Should any portion of this ordinance be unconstitutional or invalid and so declared by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such partial invalidity.

SECTION 9: Emergency Clause--It is hereby found and declared by the Barling City Council of the City of Barling that the safety and welfare of the inhabitants of the City of Barling are endangered by lack of adequate regulations of motor vehicle traffic in and around drive-in restaurants in the City and that the immediate passage of this act is necessary in order

to adequately regulate said traffic. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health and safety shall take effect and be in full force from and after its passage.

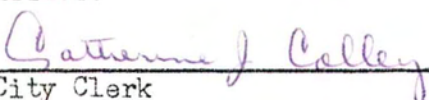
PASSED AND APPROVED this 14 day of ^{June} ~~March~~, 1971.

APPROVED:



Mayor Jerry Barling

ATTEST:



City Clerk