

ORDINANCE 456

AN ORDINANCE RESCINDING AND REPEALING ORDINANCES 240 OR 1996 AND 445 OF 2018; AMENDING ORDINANCE 440 REGARDING THE PARKING OF VEHICLES; DECLARING AN EMERGENCY HEREIN; AND FOR OTHER PURPOSES

WHEREAS, present Ordinance 240 of 1996 sets forth the rules and guidelines for the parking of truck tractors or recreational vehicles within the City of Barling; and

WHEREAS, Section 13 of Ordinance 440 of 2017 also sets forth the rules and guidelines for the parking of truck tractors or recreational vehicles within the City of Barling; and

WHEREAS, Ordinance 445 of 2018 also sets forth the rules and guidelines for the parking of certain vehicles on the streets of Barling, Arkansas; and

WHEREAS, Arkansas Code Annotated § 27-51-1302 addresses the stopping, standing, or parking prohibited in specified places; and

WHEREAS, the Board of Directors for the City of Barling, Arkansas desires to have a comprehensive parking ordinance,

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT:

1. Ordinance 240 of 1996 is hereby rescinded and repealed in its entirety.
2. Ordinance 445 of 2018 is hereby rescinded and repealed in its entirety.
3. Section 13 of Ordinance 440 of 2017 is amended to read as follows:

Section 13

STORAGE AND PARKING OF VEHICLES, TRAILERS AND COMMERCIAL VEHICLES

Commercial vehicles (in excess of one and one-half ton capacity) and trailers of all types, including, but not limited to, travel trailers, recreational vehicles, camping trailers, hauling trailers and mobile homes shall not be parked or stored on any lot occupied by a dwelling or on any lot in any residential district except in accordance with the following provisions:

- A. **Not more than one (1) commercial vehicle, which does not exceed one and one-half (1 1/2) tons rated capacity, per family living on the premises, shall be permitted and in no case shall a commercial vehicle used for hauling explosives, gasoline, toxic materials or liquefied petroleum products be permitted.**

- B. No trailer of any type or recreational vehicle shall be parked or stored for more than one (1) week unless said vehicle(s) is located behind the front yard building line. A camping, travel trailer or recreational vehicle shall not be occupied either temporarily or permanently while it is parked or stored in any area within the incorporated limits unless it is parked at a commercial trailer park specifically designed for such temporary vehicles.**
- C. It shall be prohibited for any person to park a vehicle defined as any motorized vehicle whatsoever or any trailer) on the public streets, alleys or thoroughfares except as provided in this Ordinance. It shall be further prohibited to place any “drop off” storage unit or bin (e.g. roll-off dumpsters, etc.) upon the public streets, alleys and thoroughfares.**

Exemptions – The following exemptions to the provisions of Section C shall apply:

Private Vehicles – Privately-owned vehicles may be parked on the public streets, alleys and thoroughfares for private functions at a particular residence for no more than twelve (12) consecutive hours provided that someone is at the residence and readily available to move said vehicle(s) immediately to accommodate any emergency, fire and/or public works vehicles.

Commercial Vehicles- Commercially-owned vehicles as defined in Section A above may be parked on the public streets, alleys and thoroughfares for business-related purposes at a particular residence for no more than twelve (12) consecutive hours provided that someone is at the residence or on site and readily available to move said vehicle(s) immediately to accommodate any emergency, fire and/or public works vehicles.

- D. Any and all situations not specifically addressed herein shall be governed, as applicable, by Arkansas Code Annotated § 27-51-1302.**
4. The provisions of this Ordinance are hereby declared to be severable and a decision by any court of competent jurisdiction that a provision or provisions of this Ordinance, or any application thereof, is illegal, invalid, or unconstitutional shall not affect the legality, validity or constitutionality of the remaining provisions or applications of this Ordinance.
5. It being necessary to preserve the welfare and safety of the citizens of Barling, Arkansas, and emergency is hereby declared to exist, and this Ordinance shall take immediate effect upon its passage.

PASSED AND APPROVED this _____ DAY OF _____ 2019.

Wally Gattis
Wally Gattis Mayor

ATTEST:

Florene Brown
Florene Brown, City Clerk

