

**TITLE 8**

**VEHICLES AND TRAFFIC**

Chapters:

- 8.04 Non-Operating Vehicles
- 8.08 Snow Routes and Barricades
- 8.12 Golf Carts

**CHAPTER 8.04**

**NON-OPERATING VEHICLES**

Sections:

- 8.04.01 Prohibition
- 8.04.02 Exceptions
- 8.04.03 Definitions
- 8.04.04 Violators
- 8.04.05 Enforcement
- 8.04.06 Penalty
- 8.04.07 Abatement or removal by city

8.04.01 Prohibition It is unlawful to own or to have possession or control of a junk or non-operating motor vehicle, in the city of Fairfield Bay, Arkansas. (Ord. No. 94-16, Sec. 1.)

8.04.02 Exceptions Nothing in this ordinance shall be construed so as to apply to:

- A. Any motor vehicle that can be started and moved under its own power on demand.
- B. Motorcycles and motor bikes.
- C. Antique automobiles, provided the vehicle has an antique license as required by law.
- D. Temporarily disabled motor vehicles provided they are restored to running condition within thirty (30) days from date of disablement.
- E. Vehicles stored out of sight in a permanent enclosed building.

- F. Vehicles stored in a city owned or approved storage lot. (Ord. No. 94-16, Sec. 2.)

#### 8.04.03 Definitions

- A. A junk or non-operating motor vehicle means a motor vehicle with one or more of the following characteristics:
  - 1. The motor is inoperative.
  - 2. The wheels (all or any one of them) are removed.
  - 3. The motor vehicle has flats on two or more tires.
  - 4. Major operating components are missing such as: steering mechanism, suspension, drive train, transmission or gear box, rear end, seats, alternator, generator, hydraulic systems or brakes.
  - 5. Any of the major operating components such as those listed in items above are in such damaged condition, so as to make the motor vehicle useless, or inoperable.
  - 6. The motor vehicle is not registered and does not have a current license from any state.
- B. Motor vehicle means a car, truck, bus, or tractor truck 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, which uses motive power derived from a motor or engine, especially an internal combustion engine. (Ord. No. 94-16, Sec. 3.)

#### 8.04.04 Violators A person shall be deemed in violation of this ordinance if:

- A. Such person possesses, has control of, or owns or has registered to him a non-operating motor vehicle that is in the corporate limits of Fairfield Bay, Arkansas.
- B. Such person owns or leases real property upon which junk or non-operating motor vehicles are placed, parked or found resting in the corporate limits of Fairfield Bay, Arkansas. (Ord. No. 94-16, Sec. 4.)

8.04.05 Enforcement The provisions of this ordinance shall be enforced by the Department of Public Safety. They are hereby authorized and empowered to issue citations to any persons violating this ordinance. (Ord. No. 94-16, Sec. 5.)

8.04.06 Penalty A violation of this ordinance is hereby declared to be a misdemeanor and punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by a jail sentence of one (1) to ten (10) days. Each day a motor vehicle in violation of this ordinance is within the city limits of Fairfield Bay shall constitute a separate offense. However, a twenty (20) days period will be granted after the citation is issued to allow the violator to remove the vehicle before counting the days constituting the separate offense. (Ord. No. 94-16, Sec. 6.)

8.04.07 Abatement or removal by city If the violator as described in 8.04.04 above should fail to abate the prohibited condition specified in this ordinance within the twenty (20) day period specified in 8.04.06, the Department of Public Safety will have the vehicle towed away and stored at the violators expense. Failure to pay towing and storage charges will result in sale of said vehicle. (Ord. No. 94-16, Sec. 7.)

## **CHAPTER 8.08**

### **SNOW ROUTES AND BARRICADES**

#### Sections:

- 8.08.01 Snow routes and risk
- 8.08.02 Barricades
- 8.08.03 Emergency use
- 8.08.04 Barricade locations
- 8.08.05 Review of plan

8.08.01 Snow routes and risk The public and drivers should be advised and informed that the designation of snow routes by the city does not imply or mean that such routes are safe, usable, or passable for motor vehicles in ice and snow conditions. Each driver is urged to use extreme care and to evaluate his own driving skills, vehicle capabilities and equipment when driving in ice and snow conditions and recognize the risk he is assuming. (Ord. No. 98-63, Sec. 1.)

#### 8.08.02 Barricades

- A. The public and drivers should be advised and informed that this formal ordinance of the city designating the limited selected locations for placement of barricades means that the routes blocked have been legally determined to be extremely hazardous and unsafe for travel.

- B. The public and drivers should be advised and informed that the absence of barricades on a street or road does not mean that the street, route or road is safe.
- C. Because of the extremely hilly terrain, the grade, poor surface and drainage most of the many streets, roads and routes in the city that are dangerous in ice and snow conditions that are unpaved or infrequently used, have not been barricaded, and the public and drivers are advised and informed use of such roads, streets and routes is at their own risk. (Ord. No. 98-63, Sec. 2.)

8.08.03 Emergency use The snow routes are intended only for emergency use and to allow access to DPS by the Snow Teams of the Fairfield Bay Volunteer Rescue Service. The personnel of these teams are located in the Snead Drive Area, the Pine Knot Area, the Pine Hill Area and the Dave Creek Area. The attached map shows the detail and location of snow routes and priority, along with barricade locations. (Ord. No. 98-63, Sec. 3.)

8.08.04 Barricade locations Barricade locations are listed as follows:

<b>Number of Barricades</b>	<b>Placement</b>
2	Highway 16 & Main Ent. to Dave Creek
1	Highway 16 & Snead Drive
1	Snead Drive & Davis Special Road
1	Snead Drive & IHCC Entrance
1	Snead Drive & Woodlawn
1	Woodlawn & Pine Knot Drive
1	Woodlawn & Crossover
2	Dave Creek Pkwy & Indian Rock Village
1	Dave Creek Pkwy. & Persimmon
1	Woodlawn & Pine Knot Road
1	Woodlawn & Blasé Line
2	Lost Creek Pkwy & Woodhaven
2	Lost Creek Pkwy & Fairways Drive
2	West Cliff Drive, North of Beaver
3	West Cliff Drive & Beaver Road
2	West Cliff Drive & Highland
2	Highland, top of hill near Meadow View Ln.
2	Beaver & Westwood

(Ord. No. 98-63, Sec. 4.)

8.08.05 Review of plan The Department of Public Safety and the Utility Department shall be responsible for implementing this ordinance and they, with the Public Works Officials, shall review the plan set forth herein at least once each season to determine any needed amendments. The snow routes, designated priority one (1), two (2) and three (3) will be plowed, sanded and salted by the Utility Department in the order of priority designated on the attached map. (Ord. No. 98-63, Sec. 5.)

## CHAPTER 8.12

### GOLF CARTS

#### Sections:

8.12.01	Use of golf carts
8.12.02	Authorized users of golf carts
8.12.03	Operation of golf carts
8.12.04	Special equipment required for golf carts
8.12.05	Violations
8.12.06	Enforcement
8.12.07	Penalties

8.12.01 Use of golf carts The use of golf carts on city streets is authorized within the city of Fairfield Bay, pursuant to A.C.A. 14-54-1410 (2007), and as set forth further herein. (Ord. No. 2009-6, Sec. 1.)

8.12.02 Authorized users of golf carts Owners of golf carts may operate their own golf carts upon the city street of the city of Fairfield Bay, as set forth herein. Such operation of golf carts is not authorized on any city street which is also designated as a federal or state highway, or as a county road. A golf cart owner-operator must further be a licensed driver, at least sixteen (16) years of age. The owner-operator of any golf cart operating on any city street shall fulfill all requirements of the Motor Vehicle Liability Insurance Act, A.C.A. 27-22-101, *et seq.* for the owner's golf cart operating on city streets as a motor vehicle (whether the golf cart is powered by gasoline, batteries, or any some other source of power, including gravity). (Ord. No. 2009-6, Sec. 2.)

#### 8.12.03 Operation of golf carts

- A. Golf carts may only be used on city streets posted with a speed limit of 35 miles per hour or lower.
- B. Golf carts may only be driven during daylight hours, which shall be presumed to be one-half of an hour after sunrise, up to and including one-half of an hour before sunset. Sunrise and sunset are determined based upon publication in any

newspaper of state-wide circulation, or as specified for “local conditions” on the Weather Channel or other appropriate, publicly broadcast internet or television station available within the city of Fairfield Bay (where Fairfield Bay, Clinton, Heber Springs or Little Rock, Arkansas is the most appropriate locality).

- C. Golf carts must follow all rules and laws of the road, including driving with the flow of traffic on the far right side of the road as determined by the direction of licensed vehicles. Golf carts should additionally pull over, out of the flow of traffic, off the road, to allow traffic to pass the golf cart if there is a buildup of substantial vehicular traffic behind the golf cart during operation. (Ord. No. 2009-6, Sec. 3.) (Ord. No. 2016-5, Sec. 1)

8.12.04 Special equipment required for golf carts Golf carts operated by their owners on city streets shall have the following equipment installed and in good working order:

- A. Adequate brakes
- B. A rear view mirror.
- C. An orange red warning flag affixed so that the flag is no more than twelve (12) inches in length and no less than six (6) inches wide and is displayed a minimum of six (6) feet above ground level.
- D. Taillights that illuminate when the brakes are applied.  
(Ord. No. 2009-6, Sec. 4.)

8.12.05 Violations Any person shall be deemed in violation of this chapter of the Municipal Code if such person operates a golf cart upon city streets without following the foregoing requirements set forth in this chapter. (Ord. No. 2009-6, Sec. 5.)

8.12.06 Enforcement The provisions of this chapter shall be enforced by the Department of Public Safety. They are hereby authorized and empowered to issue citations to any persons violating this chapter of the Municipal Code. (Ord. No. 2009-6, Sec. 6.)

8.12.07 Penalties A violation of this chapter of the Municipal Code is hereby declared to be a misdemeanor and punishable by a fine of not more than Fifty Dollars (\$50.00). Each day a golf cart is operated within the corporate boundaries of the city of Fairfield Bay without complying with the provisions of this chapter, set forth above, shall constitute a separate offense. (Ord. No. 2009-6, Sec. 7.)