

TITLE 8

VEHICLES AND TRAFFIC

Chapters:

- 8.04 Adoption of State Laws
- 8.08 Truck Routes
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CHAPTER 8.04

ADOPTION OF STATE LAWS

Sections:

- 8.40.01 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 Clerk/Treasurer, are hereby adopted as traffic rules and regulations within and for the city of Batesville, Arkansas. 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 Prohibited routes

8.08.01 Truck routes It shall be unlawful for any firm, company, corporation, person or persons to drive or cause to be driven, any motor vehicle, truck, tractor or tractor-trailer rig with a rating larger than two (2) tons upon or across any public street, public road, public right-of-way and/or public alley within the corporate limits of the city of Batesville, Arkansas, except those streets, roads or highways that are designated herein as truck routes within the city of Batesville, Arkansas. (Ord. No. 913, Sec. 1)

The following streets, roads and highways are hereby designated as truck routes within the city of Batesville, Arkansas:

- A. All federal and state highways within the corporate limits of the city of Batesville, Arkansas.
- B. Lawrence Street, west of the intersection of Lawrence and St. Louis to the intersection of Lawrence and Central Avenue.
- C. Central Avenue, north of the intersection of Lawrence Street and Central Avenue to the intersection of Central and Boswell Streets. (Ord. No. 913, Sec. 2)

This ordinance shall not apply to trucks or vehicles two (2) ton or larger operated by or for any public utility, nor to any truck or vehicle engaged in or responding to any need or requirement for emergency services, care or repairs nor to any truck or vehicle owned or operated by the city of Batesville or other governmental agency. (Ord. No 913, Sec. 3)

This ordinance shall not apply to trucks or other vehicles engaged in delivery, loading or unloading to be done at a location within the corporate limits of Batesville, Arkansas not located on a truck route, provided that, the otherwise prohibited vehicle must be driven the shortest distance possible on the public streets and roads of Batesville, Arkansas not designated as truck routes and the maximum distance possible on the designated truck routes within the corporate limits of Batesville, Arkansas. (Ord. No. 913, Sec. 4)

The Chief of Police or some other person designated by him is hereby directed to place and locate upon the above said truck routes appropriate signs or other devices at the proper places designating said truck routes and the weight limitations. (Ord. No. 913, Sec. 5)

Any person, firm or corporation convicted of the violation of any provision of this ordinance shall be deemed guilty of the commission of a misdemeanor and shall be fined not less than Ten Dollars, (\$10.00) nor more than One Hundred Dollars, (\$100.00). (Ord. No. 913, Sec. 6)

STATE LAW REFERENCE-For state law enumerating the general powers of cities with regard to regulation of traffic, see Ark. Stats. 19-2303 and 75-426

8.08.02 Prohibited routes

- A. Commercial trucks, trailers and livestock vehicles are excluded and prohibited on Main Street from St. Louis Street to its western terminus; on College Street from St. Louis to its intersection with Central Avenue; and on Boswell Street from St. Louis Street to its intersection with Harrison Street.
- B. Delivery vehicles are excluded from the provisions of this ordinance to the extent that said vehicles are actually making deliveries on the specified streets.
- C. All commercial trucks and trailers will follow designated truck routes.
- D. Non-compliance with the terms of this ordinance shall be deemed a violation and punishable by fine within the prescribed limits under Arkansas law.
(Ord. No. 99-2-1, Sec. 1.)

CHAPTER 8.12

NON-OPERATING VEHICLES

Sections:

- 8.12.01 Definitions
- 8.12.02 Prohibiting non-operating vehicles from certain areas
- 8.12.03 Exceptions
- 8.12.04 Penalty for violation
- 8.12.05 Violators

8.12.01 Definitions

- A. Non-operating motor vehicles as used in this ordinance means a motor vehicle with one or more of the following characteristics:
 - 1. the engine or 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: 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, the seats are removed
 - 5. Any of the major operating components such as those listed in item (a) (4) above are in such damaged condition so as to make the motor vehicle useless

- 6. The motor vehicle does not have a current Arkansas registration
 - 7. The motor vehicle does not have a current Arkansas motor vehicle inspection sticker demonstrating the vehicle has passed a safety inspection as by law required
- B. Prima facie case: It shall be a prima facie case that a motor vehicle is a non-operating motor vehicle if it does not have a current Arkansas motor vehicle inspection sticker demonstrating the motor vehicle has passed a safety inspection as by law required.
 - C. Motor vehicle means a car, automobile, truck, bus, omnibus, tractor truck, 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 which uses motive power derived from a motor or engine especially an internal combustion engine, or rotary engine and a wankle.
 - D. Person: Means a person, firm, corporation, partnership of other entity. (Ord. No. 832, Sec. 2)

8.12.02 Prohibiting non-operating vehicles from certain areas It is unlawful to have a non-operating motor vehicle upon the following premises except as otherwise provided:

In any area in the city of Batesville zoned as a residential classification (at present R-1, R-2, R-3, other classifications of residential property may be added later)(Ord. No. 832, Sec. 1)

8.12.03 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 by law required.
- D. Temporarily disabled motor vehicles provided they are restored to running condition within thirty (30) days from date of disablement. (Ord. No. 832, Sec. 3)

8.12.04 Penalty for violation 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 non-operating motor vehicle is upon the premises of a person shall constitute a separate offense. (Ord. No. 832, Sec. 4)

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

- A. person owns or has registered to him a non-operating motor vehicle that is in a prohibited area within the terms of this ordinance.
- B. Such person owns property that non-operating motor vehicles are placed, parked or found resting on in a prohibited area within the terms of this ordinance.
- C. It shall be a prima facie case that the record owner is the owner of property in question.
- D. It shall be a prima facie case that the registered owner of a motor vehicle is the owner of the motor vehicle. (Ord. No. 832, Sec. 5)

CHAPTER 8.16

STOPPING AT SCHOOL CROSS-WALKS

Sections:

- 8.16.01 Drivers to stop
- 8.16.02 Stop sign displayed
- 8.16.03 Penalty for violation

8.16.01 Drivers to stop The drivers of all motor vehicles shall stop at least six (6) feet from all cross-walks on city streets manned or supervised by school safety patrol children upon signal to stop by such safety patrolman. (Ord. No. 810, Sec. 1)

8.16.02 Stop sign displayed The safety patrolman shall display a signal lettered with the word "STOP" when it is desired that traffic halt movement. (Ord. No. 810, Sec. 2)

8.16.03 Penalty for violation The driver of any vehicle who violates the provisions of this ordinance shall be guilty of a misdemeanor and fined not less than Ten (\$10.00) Dollars nor more than Five Hundred Dollars (\$500.00) or sentenced from one (1) to thirty (30) days in jail. (Ord. No. 810, Sec. 3)

CHAPTER 8.20

PROHIBITING THE USE OF CRAWLER TRACTORS

Sections:

- 8.20.01 Unlawful use of crawler tractors

- 8.20.02 Issuance of permits
- 8.20.03 Exception
- 8.20.04 Punishment for violation

8.20.01 Unlawful use of crawler tractor It shall be unlawful for any person, corporation or other entity to drive or permit to be driven upon the streets of Batesville any crawler tractor, tractor with lugs, spikes and other track and tire configurations which damage the streets. No use shall be made of any such machine in any manner that permits the treads, lugs or spies of said machine, crawler tractor or tractor to come in contact with the streets unless a written permit has been secured from the mayor of the city of Batesville. (Ord. No. 827, Sec. 1)

8.20.02 Issuance of permits. The Mayor shall issue such permit upon the following conditions being met:

- A. Satisfactory assurances and arrangements made to insure no damage will occur to the streets.
- B. A bond in a sufficient sum is posted to insure repair of any possible damage. The bond shall be of a type, of an amount and in a form approved by the Mayor. (Ord. No 827, Sec. 1)

8.20.03 Exception. No permit shall be required of any such machine actually used in reconstruction of a street in the immediate vicinity of where the reconstruction of the street is taking place. (Ord. No. 827, Sec. 2)

8.20.04 Penalty for violation. A violation of this ordinance is declared to be a misdemeanor and punishable by a fine of Twenty-Five Dollars (\$25.00) to Five Hundred Dollars (\$500.00) and by imprisonment in the county jail from one (1) to thirty (30) days. (Ord. No. 827, Sec. 3)

CHAPTER 8.24

AUTHORITY TO MAINTAIN SIGNS

Sections:

- 8.24.01 Authority to maintain signs

8.24.01 Authority to maintain signs The Council or some person designated by it shall place and maintain traffic control signs, signals and devices when as required under the traffic ordinances. The Council may place and maintain such additional traffic control devices or signs as it may deem necessary to regulate traffic under the ordinances of the city or under the state law or to guide or warn traffic or reverse traffic flow when it is deemed necessary.

CHAPTER 8.28

PARKING

Sections:

8.28.01	Parking regulations
8.28.02	Penalty for violation of Chapter 8.28
8.28.03	Removal of parking meters
8.28.04	Removal procedure
8.28.05	Usage discontinued
8.28.06	Definition
8.28.07	Meter maid position abolished
8.28.17	Traffic regulations during fire alarm
8.28.18	Traffic stop during fire alarm
8.28.19	Penalty for violation of Section 8.28.18
8.28.20	Illegal to park motor trucks on residential streets
8.28.21	Definitions
8.28.22	Exclusions
8.28.23	Signs posted
8.28.24	Courthouse parking

8.28.01 Parking regulations All vehicles shall park parallel with the curb and both front and rear wheels within one (1) foot of the curb. No vehicle shall be parked within ten (10) feet of any corner or intersection of any street or of any fire plug in said city. No vehicles of any kind shall be parked at the side of another vehicle (called "double parking").

8.28.02 Penalty for violation of Chapter 8.28 Any person, firm or corporation violating the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction fined in any sum not less than One Dollar (\$1.00) nor more than Ten Dollars (\$10.00). (Ord. No. 608, Sec. 6)

8.28.03 Removal of parking meters That all parking meters owned by the city of Batesville, Arkansas, and located within parking meter zones or otherwise located upon property belonging to the city shall hereinafter be removed and there shall be no regulation enforcing or otherwise regulating time parking upon city of Batesville, Arkansas, property; that said removal of parking meters or other time-controlled devices shall include but not be limited to those parking meters and time-controlled devices located upon Main Street, College Street, State Street, Broad Street, Third Street, Fourth Street and Fifth Street. (Ord. No. 86-1-1, Sec. 1)

8.28.04 Removal procedure That the Mayor or his designated agent shall see that said parking meters and/or time-controlled devices are removed within a reasonable time and stored or appropriately disposed of. (Ord. No. 86-1-1, Sec. 2)

8.28.05 Usage discontinued From and after the date of passage of this ordinance, persons parking in a parking meter zone shall not be required to deposit money into said parking meters nor shall there be a penalty, hereinafter, for failure to deposit money into said parking meters or time-controlled devices. (Ord. No. 86-1-1, Sec. 3)

8.28.06 Definition "Time-controlled device" as used in this ordinance shall mean any device used to measure the time for the regulating of parking, such as a parking meter. (Ord. No. 86-1-1, Sec. 4)

8.28.07 Meter maid position abolished That the duties of meter maid of the Batesville Police Department have consisted of patrolling parking meters, the collection of monies therefrom and issuing citations for overtime parking, and from the date of this ordinance, there shall be no further duties of the meter maid, and, therefore, the position of meter maid of the Batesville Police Department is hereby abolished; that there shall be no further duties assigned to the position of meter maid and that position shall be deleted as a position held by anyone in the city employment and there shall be no further budget appropriations for that position. (Ord. No. 86-1-1, Sec. 5)

8.28.17 Traffic regulations during fire alarm No person shall drive any vehicle over and across any city Fire Department hose when said is laid, either in case of fire, fire drill, or otherwise, nor shall the driver of any vehicle follow any fire truck or other fire apparatus which is responding to a fire alarm closer than five hundred (500) feet, or drive into or park such vehicle within the block where any such fire truck or other fire apparatus has stopped in answer to a fire alarm. No vehicle shall pass or attempt to pass any fire truck or other fire apparatus when same is answering a fire alarm and proceeding to a fire; nor shall any such vehicle obstruct or in any manner interfere with, hamper or delay any such fire truck or other fire apparatus when same is responding to a fire alarm. (Ord. No. 654, Sec. 1)

8.28.18 Traffic stop during fire alarm When a fire alarm is sounded and when fire truck or other fire apparatus is proceeding to a fire, any vehicle which may then be moving upon any of the streets of the city of Batesville shall pull immediately to the edge of the street or curb on the right and remain parked and standing until said fire truck or other fire apparatus shall have passed or until the driver shall have ascertained that such truck or other fire apparatus will not pass along said street; provided any such vehicle shall not stop in an intersection or so near an intersection as to interfere with said fire truck or other fire apparatus in turning at such cross street. (Ord. No. 654, Sec. 2)

8.28.19 Penalty for violation of Section 8.28.18 Any person found guilty of violating this ordinance or any provision thereof shall be fined in any sum not less than One Dollar (\$1.00) nor more than Fifty Dollars (\$50.00). (Ord. No. 654, Sec. 3)

8.28.20 Illegal to park motor trucks on residential streets From and after the passage of this ordinance, no motor truck vehicle shall be permitted to remain parked on city residential streets. (Ord. No. 862, Sec. 1)

8.28.21 Definitions

Motor truck vehicles shall mean any vehicle other than a private passenger automobile or a light truck having a capacity rating of one (1) ton or less, and shall include, but not be restricted to trucks, trailers, semi-trailers, tractors, semi-trailers with or without refrigeration units, or any other vehicle used for transport.

Residential shall mean the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residence and buildings in use for business.

Street or highway used herein shall mean the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public as a matter of right, for purposes of vehicle traffic. (Ord. No. 862, Sec. 2)

8.28.22 Exclusions

This ordinance shall not be construed to prohibit motor truck vehicles from crossing city street nor apply to delivery trucks serving the city residents in the immediate area nor shall this ordinance be construed so as to prevent any person living within the corporate city limits from operating such motor truck vehicles upon city streets where it becomes necessary for them to reach their homes provided the motor truck vehicles as defined herein are not parked in any manner in said city street or streets as defined herein. (Ord. No. 862, Sec. 3)

8.28.23 Signs posted That commensurate with passage of this ordinance, the city shall erect signs giving notice of this traffic regulation and post such signs as required by law. (Ord. No. 862, Sec. 4)

8.28.24 Courthouse parking That there is hereby created five (5) parking spaces for those persons using the Independence County, Arkansas Courthouse facilities (i.e. courthouse customers); said parking spaces are available to the public for said purpose for a period of thirty (30) minutes and available on a first come first serve basis; said free parking spaces shall be designated by signs installed and maintained by the city of Batesville; said free parking spaces shall be the first five (5) parking spaces on Broad Street from the intersection of Main Street and Broad Street nearest to and beside the Independence County, Arkansas Courthouse and in front of the Old County Library building presently housing the Independence County Sheriff's Office and County Judge's Office. (Ord. No. 904, Sec. 1)

Persons using the Independence County Courthouse facilities for personal business (i. e., courthouse customers) shall also include persons having personal business to conduct in the County Sheriff's Office and County Judge's Office, located in the Old County Library building, provided, however, such term shall not include public officials or employees of any county office or other office housed in said Independence County Courthouse or Old County Library building during any period of time that said employee or public official is on duty. (Ord. No. 904, Sec. 2)

It shall be unlawful for any other than a person using the Independence County Courthouse facilities for personal business (i.e. courthouse customers) to park a vehicle in said free parking spaces. It shall be unlawful for any person to park a vehicle in said free parking spaces for a period of time exceeding thirty (30) minutes. It shall also be unlawful for any one vehicle to occupy more than one free parking space at one time. (Ord. No. 904, Sec. 3)

Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in any sum of not less than Five Dollars (\$5.00) nor more than Ten Dollars (\$10.00) for each violation. (Ord. No. 904, Sec. 4)

CHAPTER 8.32

SIGNS AND OBSTRUCTIONS

Sections:

8.32.01	Obstruction of vision prohibited
8.32.02	Defined
8.32.03	Non-conforming
8.32.04	Penalty
8.32.05	Obstructions
8.32.06	Penalty

8.32.01 Obstruction of vision prohibited No sign or other advertising structure as regulated by this ordinance shall be erected or continued to be displayed at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. This prohibition is applicable to public and/or private property where the positioning of said sign would obstruct clear vision at any intersection. (Ord. No. 894, Sec. 1)

8.32.02 Defined That the term "sign" or "advertising structure" shall mean and include every device, frame, letter, figure, character, mark, plane, point, design, picture, trademark, or reading matter, which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public. (Ord. No. 894, Sec. 2)

8.32.03 Non-conforming For the purpose of this ordinance, a nonconforming sign shall be defined as a sign which does not conform with this ordinance purpose of keeping intersections unobstructed; sign sign(s) shall be removed from said intersection within twenty (20) days from passage of this ordinance if the sign is a portable sign; if the sign(s) is of a permanent structure, said sign shall be removed within six (6) months from the passage of this ordinance. (Ord. No. 894, Sec. 3)

8.32.04 Penalty Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than Twenty-Five Dollars (\$25.00), nor more than One Hundred Dollars (\$100.00), with each day of violation of this ordinance being a separate offense of said ordinance. (Ord. No. 894, Sec. 4)

8.32.05 Obstructions It shall be unlawful for any person, firm or corporation owning or occupying a lot, yard or other real property within the city of Batesville, Arkansas, to allow any tree, shrub or other vegetation to grow or protrude over the city's street right-of-way within nine (9) feet from the earth of to, in any way, hide or obstruct the clear view of any traffic control sign or signal. (Ord. No. 968, Sec. 1)

8.32.06 Penalty If after ten (10) days notice any person, firm or corporation continuing to violate this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof be fined an amount not less than Twenty-Five Dollars (\$25.00) nor more than Two Hundred Fifty Dollars (\$250.00) with each day of violation being deemed as a separate offense. Said notice shall be in the form of a letter or a warning citation. (Ord. No. 968, Sec. 2)

CHAPTER 8.36

SPEED LIMIT ON LEE STREET

Sections:

8.36.01	Established
8.36.02	Signs posted
8.36.03	Penalty

8.36.01 Established No person shall drive a vehicle upon Lee Street located between Franklin Street and Boggey Street in the city of Batesville, Arkansas, at a speed greater than twenty-five (25) miles per hour. (Ord. No. 919, Sec. 2)

8.36.02 Signs posted The Chief of Police or his designate shall place signs upon said Lee Street in appropriate places advising the public of this speed limit. (Ord. No. 919, Sec. 3)

8.36.03 Penalty Any person violating this ordinance shall be guilty of a violation and fined in a sum not greater than One Hundred (\$100.00) Dollars. (Ord. No. 919, Sec. 3)

CHAPTER 8.40

RECKLESS DRIVING

Sections:

8.40.01	Unlawful
8.40.02	Penalty

8.40.01 Unlawful. It shall be unlawful for any person to drive any vehicle within the city limits of the city of Batesville, Arkansas in a careless, negligent or hazardous manner. (Ord. No. 924, Sec. 1)

8.40.02 Penalty. Any person violating Section 8.40.01 of this ordinance shall be guilty of a violation and shall be fined in an amount not to exceed One Hundred (\$100.00) Dollars. (Ord. No. 924, Sec. 2)

CHAPTER 8.44

LOADING ZONES

Sections:

8.44.01	May be established
8.44.02	Signs
8.44.03	Validated
8.44.04	Time limit
8.44.05	Penalty
8.44.06	Police duties
8.44.07	Evidence of violation
8.44.08	Penalty

8.44.01 May be established The City Council of the city of Batesville, Arkansas may by resolution establish loading zones on any street and public way in the city of Batesville, Arkansas, as the Council, in its discretion, may find to be required for the proper and efficient control of vehicular traffic, loading and unloading operations and other access to businesses. (Ord. No. 927, Sec. 1)

8.44.02 Signs The Mayor or his designated agent shall place and locate appropriate signs and or devises upon or near each loading zone designating such location as a loading zone. (Ord. No. 927, Sec. 2)

8.44.03 Validated The location of all loading zones in the city of Batesville is hereby validated as though fully authorized by proper ordinance. (Ord. No. 927, Sec. 3)

8.44.04 Time limit It shall be unlawful for any person to park or leave standing any vehicle within any loading zone except for the purpose of loading or unloading persons or freight and then only for that period of time involved in actual loading or unloading, but in no event shall the time exceed fifteen (15) minutes. (Ord. No. 927, Sec. 4)

8.44.05 Penalty Any person who shall violate any provision of this ordinance shall upon conviction thereof be subject to a fine of any amount not exceeding Twenty-Five (\$25.00) Dollars for each offense or violation. (Ord. No. 927, Sec. 5)

8.44.06 Police duties It shall be the duty of the Batesville City Police and Meter Maids to report the following:

- A. Location of the loading zone having a vehicle parked in violation of this ordinance.
- B. Date and hour said officer detected such vehicle parked in violation of this ordinance.
- C. The state license of such vehicle.
- D. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

The officer shall also attach to the vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of this ordinance and instructing the owner or operator to report to Batesville Police Department within twenty-four (24) hours of the date and time of the notice and pay to the Police Department the sum of Five Dollars (\$5.00) as a penalty for and in full satisfaction of the violation. The failure of the owner or operator to report to the Police Department within twenty-four (24) hours shall render such owner or operator subject to the penalties set out in Section 8.44.05 of this ordinance. All payments made within twenty-four (24) hours shall be kept and recorded in the same manner as all monies collected from parking meters. (Ord. No. 927, Sec. 6)

8.44.07 Evidence of violation In any hearing in the District Court of Batesville, Arkansas on a charge of parking a vehicle in violation of this ordinance, testimony that a vehicle bearing a certain license plate was found, or duly reported, unlawfully parked as prohibited by this ordinance, and further testimony that the records of the Registrar of Motor Vehicles for the State of Arkansas reflects said license plate was issued to the defendant, shall be prima facie evidence that the vehicle was unlawfully parked, was so parked, or permitted to be parked by the defendant. (Ord. No. 927, Sec. 7)

8.44.08 Penalty Any person who aids, abets or assists in the violation of this ordinance shall also be guilty of violation of this ordinance and subject to a fine not exceeding Twenty-Five Dollars (\$25.00) for each violation. (Ord. No. 927, Sec. 8)

CHAPTER 8.48

THREE WHEELED ALL TERRAIN MOTORCYCLES

Sections:

8.48.01	Unlawful to use
8.48.02	Exception
8.48.03	Penalty

8.48.01 Unlawful to use. It shall be unlawful for any person to drive, operate, ride or otherwise use any three wheeled vehicle all terrain motorcycle or other similar vehicle upon the streets and highways of the city of Batesville, Arkansas. (Ord. No. 84-1-5, Sec. 1)

8.48.02 Exception That it shall be unlawful for any person to drive, operate, ride or use any three wheeled vehicle all terrain motorcycle or other similar vehicle upon publicly owned property within the city of Batesville, Arkansas, without the express consent of the governmental body, organization, agency or entity being the owner thereof. (Ord. No. 84-1-5, Sec. 2)

8.48.03 Penalty Any person violating Sections 8.48.01 or 8.48.02 of this ordinance shall be guilty of a violation and shall be fined in an amount not to exceed One Hundred Dollars (\$100.00). (Ord. No. 84-1-5, Sec. 3)