

ORDINANCE NO. A= A-548

AN ORDINANCE ESTABLISHING MANDATORY TRUCK ROUTES WITHIN THE CITY OF CONWAY, ARKANSAS: PROVIDING FOR ESTABLISHMENT OF ADDITIONAL TRUCK ROUTES AND REVISION OR EXISTING TRUCK ROUTES: PROHIBITING CERTAIN VEHICLES FROM USING THE STREETS OF THE CITY: PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE: AND FOR OTHER PURPOSES:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

WHEREAS, the unrestricted usage of the streets, roads and thoroughfares of the City of Conway by motor vehicles of great size and weight has caused severe damage to many thoroughfares which were not constructed to withstand great loads; constitutes physical danger to and obstruction of the free flow of normal vehicular and pedestrian traffic; creates loud and disturbing noises and introduces noxious and offensive fumes and odors which comprise a nuisance, especially in residential neighborhoods; and generally poses a threat to the safety, order and commerce of the community:

NOW, THEREFORE :

SECTION 1, Establishment of truck routes,

(a) The following truck routes are hereby designated and established:

(1) Oak Street from First Avenue westward to its intersection with Van Ronkle Street, then westward along Van Ronkle Street to North Street, thence westward along North Street to Locust Avenue, thence North on Locust Avenue to Prince Street, thence West on Prince Street to the west line of the corporate limits of the City;

(2) U.S. Highway No. 65 from the South corporate limit of the City to its intersection with U.S. Highway 64.

(3) Donaghey Avenue from Prince Street South to Hartie Lane.
(b) It shall be unlawful for any person, firm or corporation to operate, or cause to be operated any truck of more than ~~capacity~~ capacity upon any road, street or other public thoroughfare in the City of Conway, Arkansas, excepting, however, any state or federal highway or any designated truck route, whether now or hereafter established and designated.

(c) This section shall not be construed to prohibit delivery trucks from making local deliveries within the corporate limits of the City of Conway, Arkansas, or to prohibit any person living within the corporate limits of Conway from operating such trucks upon the streets of the City when it becomes necessary to reach the home of such person, or to prohibit the operation of trucks in going to or coming from places of business within the City which are not situated upon truck routes or State or federal highways, but in all such excepted instances the truck shall remain upon the truck route or state or federal highway to the nearest exist therefrom to the destination and shall utilize the shortest and most direct route in passing between the truck route and/or state or federal highway and the destination and return.

SECTION 2. Future Establishment and Revision of Truck Routes.

The Street Committee of the City Council of the City of Conway shall be, and is hereby authorized and directed to conduct surveys of the City from time to time, to ascertain existing needs and suitable locations for additional truck routes and revisions of existing truck routes and to make appropriate recommendations thereon to the City Council. Upon the recommendations of the Street Committee or upon its own initiative, the Council shall periodically, if needs dictate, establish additional truck routes and/or revise existing truck routes. Such action by the Council shall be transacted by written resolution or ordinance and shall not require amendment of this ordinance.

SECTION 3. Posting and Designation of Truck Routes.

All truck routes established hereunder shall be adequately and clearly designated by signs posted along the route which shall distinctly and precisely indicate the course of the route and warn against failure to use such routes in violation hereof.

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SECTION 4. PROTECTION FROM SPILLING LOADS.

Any vehicle moving upon a public street, alley or thoroughfare within the corporate limits of the City, containing, carrying or transporting any paper, trash, rubbish or rubble susceptible to spilling, falling or dislodgement from the vehicle, or dissemination or dispersion into the atmosphere, shall be equipped with a container and cover adequately constructed, attached and secured to prevent the spilling, falling, dislodgement, dissemination or dispersion of such substance or material or any part thereof.

No person shall transport dirt, sand, gravel, chat, sawdust or other loose substance over the streets of the City in trucks or other vehicles in such manner as to allow the spilling of such loose materials upon the streets of the City. It shall be the duty and responsibility of the person operating said vehicle to see that such vehicle is loaded in such manner that no such loose materials can spill upon the streets.

SECTION 5. PROHIBITION AGAINST VEHICLES WITH LUGGED WHEELS.

No person shall drive, propel or pull over or across a paved street a motor driven or steam powered tractor, threshing machine, well drill or well drilling equipment, or other heavy machine or equipment with iron, iron corrugated, or iron lugged wheels, or a moving van or truck with chains on the wheels of same, or run, propel or pull any truck, van, trailer or other vehicle or machinery over such paved streets on the iron rim without tire or tires.

SECTION 5. Violation - Penalties.

Failure to comply with the provisions of this ordinance shall constitute a misdemeanor and shall be punishable by fine of not less than Fifteen Dollars (\$15.00) nor more than Fifty Dollars (\$50.00) for a first offense and not more than One Hundred Dollars (\$100.00) for a second and subsequent offenses. This provision makes reference to and incorporates Arkansas Statutes Sec. 19-2409.

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SECTION 6. Emergency Clause.

It is hereby ascertained and declared that conditions exist within the corporate limits of the City of Conway, Arkansas, which require correction for the protection of the health, safety and welfare of the said City and its inhabitants, and an emergency is therefore declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

PASSED : May 23, 1972

APPROVED : Walter D. Conway
Mayor

ATTEST : Arlis J. Dunn
Clerk-Treasurer