

CHAPTER 8.44

DOWNTOWN PARKING

Sections:

- 8.44.01 Declaration of policy
- 8.44.02 Application of article
- 8.44.03 Definitions
- 8.44.04 Prohibited at all times in certain areas
- 8.44.05 Time limit in certain areas
- 8.44.06 Prohibited in rented spaces and handicap areas
- 8.44.07 Signs required
- 8.44.08 Blocking of sidewalks and driveways prohibited
- 8.44.09 Parking within marked lines
- 8.44.10 Loading Zones
- 8.44.11 Parking on private property prohibited
- 8.44.12 Parking for certain purposes prohibited
- 8.44.13 Clearance at intersections
- 8.44.14 Parking in fire lanes prohibited: Near fire hydrants
- 8.44.15 Parking time limits designated
- 8.44.16 Handicap spaces designated
- 8.44.17 Owner responsible for violation
- 8.44.18 Violations
- 8.44.19 No Parking in Alleys
- 8.44.20 Non-conforming use of on Street Parking Spaces and Parking Lots.

8.44.01 Declaration of policy The City Council hereby determines and declares that the area of downtown Jonesboro within the confines of the downtown improvement district, City of Jonesboro, Arkansas, suffers from inconsistent and inadequate parking regulations. The City Council further hereby determines and declares that the inadequate and inconsistent parking policies create congestion, obstruct the free circulation of traffic, diminish property values, and endanger the health, safety and general welfare of the citizens of Jonesboro, Arkansas, and that the passage of regulations for on-street and off-street parking is necessary to alleviate such conditions. (Ord. No. 1930, Sec. 1)

8.44.02 Application of article. The provisions of this article or any traffic ordinance prohibiting the standing or parking of a vehicle shall apply at all times or at those times specified or indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device. The provisions on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or specified times. (Ord. No. 1930, Sec. 2)

- A. All provisions set forth in Chapter 8.40 through 8.43 that are inconsistent with this article (8.44.01 through 8.44.19) are hereby repealed and be it known that all Downtown parking shall be governed exclusively by this article.

8.44.03

Definitions.

- A. Vehicle. The word “vehicle” shall mean any device in, upon or by which any person or property is or may be transported.
- B. Operator. The word “operator” shall mean and include every individual who shall operate a vehicle as the owner thereof, with or without the permission of the owner thereof.
- C. Parking Lot. The phrase “public parking lot” shall mean public off-street automobile parking facility which is an accommodation provided by public authority for the parking of automobiles off the street or highway and open to public use with or without charge. (Ord. No. 1930 Sec. 3)
- D. Dumpster. Containers designed for receiving, transporting, and dumping waste/construction materials.

8.44.04

Prohibited at all times in certain areas. When signs are erected on any street or public parking lot or part thereof giving notice thereof, no person shall park a vehicle on any such street or public parking lot or part thereof in each area so designated for no parking. (Ord. No. 1930, Sec. 4)

8.44.05

Time limit in certain areas. When signs are erected on any street or public parking lot or part thereof giving notice thereof, no person shall park a vehicle on any such street or public parking lot or part thereof so designated for longer than the time limit specified at any time between the hours of 7:30 a.m. and 5:30 p.m. of any day except Saturdays, Sundays and public holidays. (Ord. No. 1930, Sec. 5)

8.44.06

Prohibited in rented spaces and handicap areas. Monies collected for parking violations shall be placed in the Parking Meter Fund, as recommended by the Parking Committee. Said funds shall not become a part of general revenue, but shall be used to promote and maintain downtown parking updates, enforcement, and maintenance. (Ord. No. 1930, Sec. 6)

- A. Leased parking spaces, owned by the City of Jonesboro, shall be so designated by order of the Mayor and may be changed or suspended based upon the needs of the City. Said lease spaces shall be at the rate of \$25.00 per month, paid quarterly. Said rentals shall be deposited into the parking meter fund and managed in accordance with 8.44.06. The Parking of vehicles in rented spaces on public parking lots which spaces have been marked "Rented - Unlawful to Park" shall be illegal unless the vehicle parked in such space shall have a properly attached permit showing a number corresponding with the number of such space. Said fine shall be in accordance with 8.44.18 herein. Spaces or lots designated as leased parking may be converted to free or time limited parking by order of the Mayor, if necessary to meet the needs of 8.44.01.
- B. The parking of vehicles on any street or public parking lot or part thereof in spaces which have been marked “handicapped” shall be illegal unless the vehicle parked in such space shall have attached to it a special license

plate for handicapped persons as is authorized by the laws of the state of Arkansas rules and regulations of the Department of Finance and Administration of the State of Arkansas concerning special license plates for handicapped persons. (Ord. No. 1930, Sec. 6, B.)

- 8.44.07 Signs required. Whenever any provision of this chapter or any traffic ordinance, a parking time limit is imposed or parking is prohibited on any street or public parking lot or part thereof or an area is designated for handicap parking, it shall be the duty of the Chief of Police or some person designated by him, to erect appropriate signs on such street or public parking lot or part thereof giving notice thereof and no such regulations shall be effective unless said signs are erected and in place on the street or public parking lot or part thereof where parking time is limited or prohibited at the time of any alleged offense. (Ord. No. 1930, Sec. 7.)
- 8.44.08 Blocking of sidewalks and driveways prohibited. It shall be unlawful to park, stop or leave standing any vehicle in such manner that any part thereof extends over or onto any sidewalk or any public or private driveway so that free passage over said sidewalk or ingress or egress from such driveway is prohibited or impaired. (Ord. No. 1930, Sec. 8.)
- 8.44.09 Parking within marked lines. Where diagonal or parallel parking is provided, the vehicle shall be wholly within the painted or marked parking lines and no part of any vehicle shall be allowed to project over or across said diagonal lines. It shall be unlawful to park in any location where diagonal and/or parallel parking lines are not clearly provided. Further, all on street diagonal or parallel parking shall be designated as 2 hour parking only. (Ord. No. 1930, Sec. 9.)
- 8.44.10: Loading Zones. 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 a period not exceeding fifteen (15) minutes. Further, it shall be unlawful to park or leave standing any vehicle for the purpose of loading and unloading other than in marked loading zones. (Ord. No. 1930, Sec. 10)

That due to the need for uniform rules and regulations regarding loading and unloading, the following rules and regulations regarding delivery and loading shall apply to all such activities for the 200, 300, and 400 block of North Main:

- A. Deliveries shall be unlimited and may use any space available before 10:00 a.m., on Main Street.
- B. After 10:00 a.m., deliveries shall be made, and loading and unloading shall be had, only in the following three spaces provided as loading zones: (a) On Southeast corner of Huntington and main; (b) On Northwest corner of Huntington and Main; (c) Two spaces directly in front of the Forum on Monroe Street; (d) after 6:00 p.m. deliveries on Main Street are again unrestricted; (e) That deliveries may be made in the alley from Monroe to Cate Street in the alley between Main and Church at any time.
- C. That additional loading zones may be designated based upon future development and future needs.

- 8.44.11 Parking on private property prohibited. It shall be unlawful for any person to park or place any vehicle upon private property without the consent of the owner. (Ord. No. 1930, Sec. 11.)
- 8.44.12 Parking for certain purposes prohibited. It shall be unlawful to park any vehicle of any kind or character upon any street or street right-of-way within the city or upon any city owned parking lot for the purpose of displaying said vehicle for sale or for rent or hire or to park any vehicle upon any street or street right-of-way within the city for a period of longer than five (5) minutes unless said vehicle is being loaded and/or unloaded on a continuous basis. (Ord. No. 1930, Sec. 12.)
- 8.44.13 Clearance at intersections. It shall be unlawful for any person to stop or park a vehicle on any street in the city unless the front or rear end of said vehicle is at least fifteen (15) feet from the curb line of the street or avenue intersecting said street. (Ord. No. 1930, Sec. 13.)
- 8.44.14 Parking in fire lanes prohibited: Near fire hydrants. It shall be unlawful for any person to stop or park an automobile, motorcycle or vehicle of any kind whatsoever on any street, avenue or alley within a radius or distance of fifteen (15) feet of any fire hydrant within the corporate limits of the city. (Ord. No. 1930, Sec. 14.)
- 8.44.15 Parking time limits designated. The following named and designated streets, public parking lots or parts thereof in the downtown improvement district to the city of Jonesboro, Arkansas, are hereby designated with parking time limits as follows(Ord. No. 1930, Sec. 15):
- A. All on-street public parking in the area bounded by Matthews Avenue north to Cate/Burke Street and Union Avenue east to Church Street including both sides of the boundary streets shall be designated as two (2) hour limit public parking unless otherwise designated by ordinance, the Chief of Police, or his designee by the placement of the appropriate signs or markings.
 - B. The following public parking lots or parts thereof shall have two-hour time limits in all marked spaces:
 - 1. The parking lot located at the southeast corner of Union and Huntington Avenue.
 - 2. The public parking lot at the corner of the 300 Block of South Main Street and the 100 block of West Monroe Street.
 - 3. The public parking lot on the corner of the 100 block of South Church Street and Burke Street.
 - C. The following parking lots shall have no time limits designated:
 - 1. The parking lot at South Church Street and connecting to Cate Street.
 - 2. The parking lot on the corner of West Monroe and Madison Street.

3. The public parking lot in the 300 block of Union Street running westward to Madison Street.
4. The public parking lot located in the 200 block of East Monroe street between East Street and Church Street.
5. The public parking lot in the 300 block of South Church which encompasses the area of the said lot which runs from East Street eighty-seven (87) feet west, then 113.5 feet south, then eighty-seven (87) feet east, then 113.5 feet north.

D. Exemptions:

1. No Judge or his court reporter of any court of this state shall be subject to a fine or other penalty for the offense of overtime parking incurred while the person was on duty as a judge or court reporter.
2. No person shall be subject to a fine or other penalty for the offense of overtime parking incurred while the person is engaged in actual service as a grand or petit juror in any court, federal, state or municipal in the State of Arkansas. The person may evidence the fact of jury service by exhibiting to the appropriate official of the city or town offended by the violation a certificate of the clerk of the court similar to the form now in use to the effect that the person was engaged in jury service on the date of the violation and the hours of actual service.
3. Any person attempting to enforce any fine or other penalty notwithstanding the provisions of this section shall be subject to contempt proceedings before the judge of the court being served by the person so charged.
4. Nothing contained in this section shall be construed to give immunity from fine or penalty other than for the offenses of overtime parking.

E. Moving of vehicle with the same area to circumvent timed parking limits.

1. When any particular parking lot or space has been designated as a timed parking area or space, it shall be unlawful for any person to park or otherwise cause a vehicle to be parked for a total time exceeding the limit of that particular space by utilizing any combination of spaces located in that particular parking lot or with the same block of any city street located within the area covered by this section.

8.44.16

Handicap spaces designated. That it shall be the duty of the Chief of Police, or his designees, to mark and designate appropriate parking for handicapped spaces in the Downtown Jonesboro Area. That these spaces may be modified and

relocated as future needs develop and shall comply with state regulations. (Ord. No. 1930, Sec. 16)

8.44.17 Owner responsible for violation.

- A. It shall be unlawful and a violation of the provisions of the parking regulations of the City of Jonesboro, Arkansas, whether or not that person was the operator of the vehicle at the time the parking violation occurred; and
- B. In any hearing in the district court on a charge (violation or civil) of illegally parking a vehicle, testimony that a vehicle bearing a certain license plate was found unlawfully parked as prohibited by the parking regulations of the City of Jonesboro, Arkansas, and further testimony that the records of the registrar of the motor vehicles for the City of Jonesboro, Arkansas, or the state of Arkansas, that said license plates were issued to the defendant shall be prima facie evidence that the vehicle was parked unlawfully and was so parked or permitted to be parked by the defendant. (Ord. No. 1930 Sec. 17)

8.44.18 Violations.

- A. Every person in violation of the parking regulations of the City of Jonesboro, Arkansas, within the Downtown District, concerning parking time limits and/or parking in unauthorized locations, shall be punished by a fine of not more than Ten-Dollars (\$10.00) for each violation. The initial fine of Ten-Dollars (\$10.00) for parking violations shall be increased to Twenty-Five Dollars (\$25.00) where the party cited for a violation of any such ordinance shall fail to pay said fine of Ten-Dollars (\$10.00) within seven (7) days of the date of issuance of the citation.
- B. If the space is marked as a two-hour or other time limit, then each additional two hour or marked time period in which the vehicle is parked in the space shall be a separate offense.
- C. Every person in violation of a second or third offense with a 60 day period shall be fined Twenty-Five Dollars (\$25.00) for each such violation.
- D. Every person in violation of a fourth or subsequent offense with a 90 day period shall be subject to towing as authorized herein.
- E. In the event that a person in violation of the parking regulations within the Downtown District shall fail to pay their fine as designated shall be subject to issuance of a summons to the small claims division of the Craighead County District Court for adjudication.
- F. Every person in violation of the parking regulations of the City of Jonesboro, Arkansas concerning spaces marked for handicapped persons shall be punished by a fine of not more than One Hundred Dollars (\$100.00).

- G. Every person in violation of the parking regulations of the City of Jonesboro, Arkansas, concerning spaces “rented – Unlawful to Park” shall be punished by a fine of not more that Twenty-Five Dollars (\$25.00) for said violation.
- H. Every person in violation of the parking regulations of the City of Jonesboro, Arkansas, concerning no parking zones or parking where no parking spaces are clearly marked shall be punished by a fine of not more that Fifty Dollars (\$50.00) for said violation; and
- I. That the parking enforcement officers previously under the supervision of the Finance Department shall be moved to the Jonesboro Police Department subject to the supervision of the Chief of Police or his or her designee. It shall be the duty of the parking enforcement officers of the City of Jonesboro, Arkansas, acting in accordance with the instructions issued to them to report:
1. The location where any vehicle has occupied a space in violation of the parking regulations of the City of Jonesboro, Arkansas;
 2. The state license number on such vehicle;
 3. The date and time of day the officers detected such vehicle parked in violation of the parking regulations;
 4. Any other facts or knowledge of which is necessary to a thorough understanding of the circumstances attending such violation; and
 5. Name of the parking enforcement officer detecting such violation.
 6. Each parking enforcement officer observing such violation shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the parking regulations of the City of Jonesboro, Arkansas.
- J. Every owner or operator of a vehicle found in violation of the parking regulations of the City of Jonesboro, Arkansas shall within seven (7) days of the time when notice of the parking violation was attached to such vehicle, pay to the City Collector the sums required to satisfy such violation as set forth in the provisions of this section. The failure of such owner or operator to make such payment to the City Collector with seven (7) days shall render such owner or operator subject to the penalties currently provided for the violation of the parking regulations of the City of Jonesboro, Arkansas (Ord. No. 1930, sec. 18).
- K. In addition to the penalties set forth herein, vehicles which accumulate unpaid parking fins in excess of One-Hundred Dollars (\$100.00) shall be subject to being mechanically disabled (i.e. “booted”) and said device shall not be removed until such time as parking fines are paid in full.
- L. In addition to the penalties provided in section 8.44.18, when any vehicle is found illegally parked as provided in section 8.40.13, the Chief of Police or his or her designee is authorized to contact a wrecker service for

the purpose of towing such vehicle away. The wrecker may tow the vehicle to the place of business of the owner of the wrecker.

- M. The owner of the vehicle may reclaim it from the wrecker service by paying the standard and customary charge for such towing service plus any additional charges for storage.

8.44.19 No Parking in Alleys.

- A. There shall be no parking in the alleys located between Main Street and Church Street in the 200 and 300 Block of Main Street.
- B. There shall be no parking in the alley between Main Street and Union Street in the 200 Block and 400 Block of Main Street.
- C. That it shall be unlawful to block and park in any public alleyway so as to create an obstruction of traffic as may be necessary for emergency or service vehicles.

8.44.20: Non-conforming use of on Street Parking Spaces and Parking Lots. There shall be no placing of Dumpsters, other such containers or any other items or equipment in parking spaces on the streets or in the parking lots of the City of Jonesboro, Arkansas without obtaining a permit.

- A. Permits shall be for a period not to exceed thirty (30) days and purchased from the City Collectors Office for the sum of one hundred dollars (\$100) per 30 days.
- B. Parking Dumpsters in these parking spaces without a permit shall subject the violator to the same violations and penalties as parking a vehicle over the time limit in Section 18.
- C. Monies collected for parking permit violations shall be placed in the Parking Meter Fund, as recommended by the Parking Committee. Said funds shall not become a part of general revenue, but shall be used to promote and maintain downtown parking updates, enforcement, and maintenance.(Ord. No. 1930, Sec. 20)