

CITY OF AUSTIN ARKANSAS
ORDINANCE 04-2013

**AN ORDINANCE SETTING OUT THE REGULATION OF THE STREETS, ALLEYS,
AND SIDEWALKS OF THE CITY OF AUSTIN.**

WHEREAS, the regulation of the streets, alleys, and sidewalks is part of Austin's governmental power to protect public health, safety, and welfare; and

WHEREAS, Arkansas statues give cities the power to regulate the traffic and use of it streets, alleys, and sidewalks;

WHEREAS, the City council desires to state unequivocally the proper use of its streets, alleys, and sidewalks;

NOW, THEREFORE, be it enacted an ordained by the City Council of the City of Austin, in regular session, as follows:

**SECTION A: STREETS, ALLEYS, AND SIDEWALKS TO BE KEPT CLEAR;
VIOLATIONS; PENALTY.**

The streets, alleys, and sidewalks in the city shall be kept free and clear of all obstructions, encumbrances, and encroachments and shall not be used or occupied in any other way than as provided in this code. Exempt for this Section are private driveways from the point where said driveways join the street to the end of the roadway easement line.

Any person, firm, or corporation who shall violate any of the provisions of this section shall be deemed guilty of a violation and upon conviction thereof shall be fined in a sum of not less than fifty dollars and not exceeding \$500.00, recoverable with costs.

SECTION B: SEVERABILITY.

Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions.

SECTION C: EFFECT ON OTHER ORDINANCES.

Ordinance No. 06-2007 is hereby repealed in its entirety. Otherwise, where the definitions contained in this Ordinance are in conflict with relevant portions of other City of Austin, Arkansas, ordinances the definitions contained within those portions of other ordinances will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION D: EFFECTIVE DATE

This Ordinance shall take effect upon final passage.

SECTION E: EMERGENCY

WHEREAS, THIS ORDINANCE BEING NECESSARY FOR THE IMMEDIATE PROTECTION OF THE PUBLIC HEALTH AND SAFETY, AN EMERGENCY IS HEREBY DECLARED TO EXIST AND THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE.

PASSED by the City Council and APPROVED by the Mayor this 20th day of May 2013.

Bernie Chamberlain
Mayor

ATTEST:

Sheila Baker
City Secretary

[Signature]
City Attorney