

ORDINANCE NO. 0-75-14

ORDINANCE AUTHORIZING THE CITY OF CONWAY ARKANSAS TO ENTER AN ORDER LIMITING AND CONTROLLING THE USE OF AREAS ADJACENT TO FAULKNER PLAZA SHOPPING CENTER, THE CONWAY MEMORIAL HOSPITAL, NORTH PLAZA SHOPPING CENTER, AND OTHER SIMILAR SITUATED AREAS IN CONWAY, ARKANSAS, WHICH ARE PRIVATELY OWNED BUT WHICH ARE MAINTAINED FOR THE USE AND BENEFIT AND CONVENIENCE OF THE PUBLIC SO AS TO PROVIDE INGRESS AND EGRESS, LOADING AND UNLOADING ZONED AREAS, FIRE LANES, PARKING SPACES, AND FOR THE SAFETY AND CONVENIENCE OF THE PUBLIC AND FOR OTHER PURPOSES.

WHEREAS, the Faulkner Plaza Shopping Center, The Conway Memorial Hospital, the North Plaza Shopping Center, and other similar situated areas in Conway, Arkansas, have requested of the City of Conway, Arkansas, that the City adopt an ordinance limiting and controlling certain areas for fire lanes for the safety of the public, and

WHEREAS, there appears a great need for the control of fire lanes at the the areas mentioned herein in order to protect the health and safety of the public, and

WHEREAS, the General Assembly of the State of Arkansas has authorized the governing bodies of municipalities to enact ordinances controlling the use of areas adjacent to shopping centers and other commercial enterprises which are privately owned, but which are maintained for the convenience of the public so as to provide ingress and egress, loading and unloading areas, fire lanes, parking spaces, and for other purposes.

NOW, THEREFORE, be it ordained by the City Council of Conway, Arkansas:

SECTION 1. That pursuant to Act 472, a Plat of the Faulkner Plaza Shopping Center, the Conway Memorial Hospital, the North Plaza Shopping Center, are attached hereto and made a part hereof, with red markings thereon designating a FIRE ZONE AREA thirty (30) feet in width adjacent to said shopping centers and public areas. That said FIRE ZONE AREA is necessary so as to provide ingress and egress for fire fighting equipment for the safety of the public.

SECTION 2. That pursuant to Act 472, said FIRE ZONE AREA has been marked by sufficient markings to apprise the public of said zones, and that said areas must be kept free and clear at all times. That Plat which has been attached hereto and made a part hereof, in no way limits the power and authority of the City but shall only be advisory.

SECTION 3. The City of Conway, Arkansas, shall not be required to patrol said areas, but, upon being called, the law enforcement officers in and for the City of Conway, shall come to the scene of the alleged violation, and upon request, issue a citation or arrest the offender, if the offense is committed or is in existence in the presence of the officer.

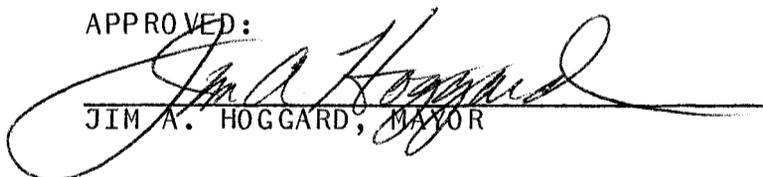
SECTION 4. Persons in violatio of this Ordinance shall be punished by a fine of not less than twenty-one nor more than seventy-five dollars.

SECTION 5. Nothing in this ordinance shall limit or extend the law of the City of Conway, Arkansas, with reference to tort liability of any person, firm or corporation.

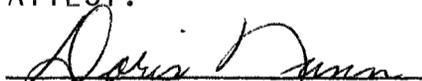
SECTION 6. This ordinance being necessary to promote the health, safety, and welfare of the citizens of Conway, Arkansas, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED THIS 9 DAY OF September, 1975.

APPROVED:


JIM A. HOGGARD, MAYOR

ATTEST:


DORIS NUNN, CITY CLERK