

ORDINANCE NO. 0-98- 95

AN ORDINANCE RESTRICTING THE USE OF MOTORIZED VEHICLES ON CITY BIKE PATHWAYS AND/OR PEDESTRIAN PATHWAYS; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; REPEALING OTHER ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has and will establish designated bicycle pathways and pedestrian pathways for the use and enjoyment of its citizens; and

WHEREAS, these pathways should be free of motorized vehicles subject to the exceptions set out herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS

Section 1. Definitions.

(1) "Vehicle" means every device in, upon or by which any person or property is, or may be, transported or drawn upon a street or highway.

(2) "Motor Vehicle" means every vehicle which is self-propelled, including, but not limited to, "all terrain vehicles" (ATVs), "four wheelers", golf carts, cars and trucks, whether propelled by electricity, solar, gas or diesel engines or motors.

(3) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designated to travel on not more than three (3) wheels in contact with the ground.

Section 2. It shall be unlawful for any person to operate any vehicle, motor vehicle or motorcycle upon property designated as a City Bicycle Pathway and/or Pedestrian Pathway.

Section 3. Exceptions:

(1) Person(s) utilizing a wheelchair due to a physical handicap, whether motorized or not.

(2) Any emergency vehicle and personnel while acting within the scope of their duties.

(3) Any vehicle owned, leased or maintained by the City of Conway, and duly authorized personnel, while acting within the scope of their duties.

(4) Any vehicle owned, leased or maintained by any utility corporation, and duly authorized personnel, while acting within the scope of their duties.

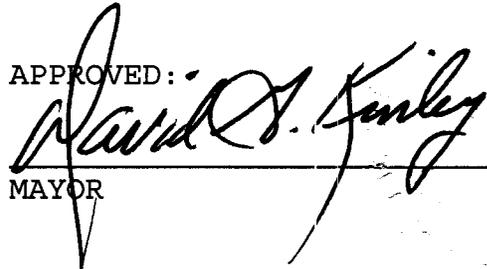
Section 4: Any person, firm and/or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each offense.

Section 5: That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

Section 6: That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 13th day of October, 1998.

APPROVED:


MAYOR

ATTEST:


CITY CLERK