

AN ORDINANCE TO AMEND ORDINANCE NO. 156 AND TO PROHIBIT THE NEGLIGENT AND CARELESS OPERATION OF MOTOR VEHICLES UPON THE PUBLIC STREETS OF THE CITY OF CLINTON, TO REGULATE THE USE OF MUFFLERS AND EXHAUST SYSTEMS AND FOR OTHER PURPOSES.

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

Section 1. It shall be unlawful for any person to operate a motor vehicle within the city limits of Clinton, Arkansas, at a speed greater than 25 miles per hour unless otherwise posted.

Section 2. It shall be unlawful for any person to operate a motor vehicle within the city limits of Clinton, Arkansas, in a negligent and careless manner, thereby disturbing the peace of the City, and endangering the personal and property interests of the citizens of said city. Such negligent and careless operation of motor vehicles includes, but is not limited to, squealing tires on street pavement; making excessive noise due to defective mufflers, devises added to mufflers or the exhaust system, or the absence of mufflers; and repeatedly turning a vehicle in circles upon the streets, business parking lots, or other premises of the citizens of the City when not necessary for normal driving purposes.

Section 3. This local ordinance is intended to supplement and not contradict a separate statute regulating the use of mufflers with separate penalties as imposed by the State. Said statute is codified as A.C.A. §27-37-601 which also prohibits motor vehicles from being equipped with non-factory installed mufflers or duplications thereof. Said statute also prohibits any person from using or selling other forms of mufflers, cut-outs, by-passes, or similar devises which produce excessive or unusual noise and smoke. Said State statutory provisions are not intended to be modified by this ordinance.

Section 4. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed \$150.00.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed, and specifically Ordinance No. 156 of the City of Clinton is hereby repealed by this ordinance.


Section 6. It is hereby declared that the safe operation of motor vehicles in the City of Clinton can be achieved only by the provisions of this ordinance. Therefore, it is hereby declared that an emergency exists and this ordinance is necessary to preserve the peace, health, and safety of the citizens of Clinton and shall therefore be in full force from and after the date of its passage.

PASSED this 9th day of January, 1997.

APPROVED:


Mayor

ATTEST:


Clerk/Recorder