

ORDINANCE NO. 16-23**AN ORDINANCE AMENDING SECTION 24-109 OF THE FORT SMITH MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR PARKING IN NONMETERED SPACES OWNED OR OPERATED BY THE CITY****BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:**

Section 24-109 of the Fort Smith Municipal Code is amended to read as follows:

- (a) The regulations of this subsection (a) are applicable to the Blue Lion/Riverfront Pavilion parking lot located at the intersection of North "B" Street at North 2<sup>nd</sup> Street:
  - (1) Except for City owned vehicles and parking authorized in writing by the City Administrator, parking is restricted to vehicles of persons attending events being held at the Blue Lion or at the Riverfront Pavilion;
  - (2) No parking is permitted from midnight to 6:00 a.m. of any day;
  - (3) A readable sign as identified in (c)(1) below shall be installed and maintained at each entrance into the Blue Lion/Riverfront Pavilion parking lot advising of these subsection (a) parking restrictions; and,
  - (4) Violators of these parking regulations shall be subject to the citation provisions of (d) below and vehicle removal provisions of (e) below.
- (b) The regulations contained in subsections (b) through (e) shall be applicable to the parking of vehicles at all nonmetered city-owned or operated parking facilities, including surface parking lots and parking garages, other than the Blue Lion/Riverfront Pavilion parking lot.
- (c)
  - (1) A readable sign shall be prominently placed and displayed at each entrance to the parking facility specifying those vehicles which may be parked in the parking facility and prohibiting parking therein of any other vehicle. The sign shall also advise of the criminal penalty and removal procedure established in subsections (c) and (d) of this section.
  - (2) The parking restrictions in such parking facilities shall be applicable from 8:00 a.m. until 5:00 p.m. on all weekdays, Monday through Friday, with the exception of legal holidays observed by the city, which holidays are: New Year's Day; Martin Luther King, Jr. Day; Good Friday; Memorial Day; Juneteenth; Independence Day; Labor Day; Veteran's Day; Thanksgiving Day and the following Friday; Christmas Eve and Christmas Day.
- (d)
  - (1) It shall be unlawful for any owner or operator to cause or permit a vehicle not permitted to be parked in a city parking facility to be so parked at any period of time specified in subsection (a) (2) or (c)(2) of this section.
  - (2) Violators of the provisions of subsection (d)(1) of this section shall be given notice of their violation of the parking regulations by the issuance of a citation requiring the

vehicle owner or operator to appear in municipal court at a time and date specified in the citation to answer the charge of violation of the parking regulation.

(3) Any person found guilty of violating the parking regulations established by this section shall upon conviction be subject to fine of not more than \$25.00.

(e) The city administrator and his designated agents are hereby authorized to cause all vehicles improperly parked in the nonmetered parking facilities of the city to be removed by an insured vehicle wrecker service and stored at an insured storage company. In addition to the payment of any fine resulting from the issuance of a citation pursuant to the provisions of subsection (d) of this section, the owner and operator of any such removed and stored vehicle shall be liable for the payment of removal and storage expenses.

PASSED AND APPROVED THIS 21<sup>st</sup> day of February, 2023

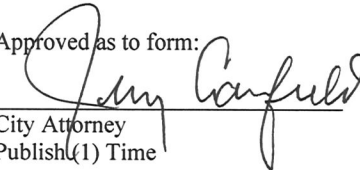
APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

Approved as to form:

  
City Attorney  
Publish(1) Time