

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 8128 (THE PARKING ORDINANCE); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock (“City”) regulates parking through Ordinance No. 8128 (the “Parking Regulations”) adopted on December 22, 2008; and

WHEREAS, the Parking Regulations differentiate between recreational vehicles and commercial vehicles, specifically when parked in residential neighborhoods throughout the City, in order to balance the City’s interest in preserving and improving the aesthetic appearance of neighborhoods against the interest of citizens in acquiring and storing vehicles; and

WHEREAS, the Parking Regulations treat some trailers as recreational vehicles and other trailers as commercial vehicles, based upon their cargo; and

WHEREAS, there is no clear mechanism for classifying empty trailers or enclosed trailers that lack commercial labeling; and

WHEREAS, the Parking Regulation should be clarified regarding the treatment of trailers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 1.4.1 of Ordinance No. 8128 (the “Parking Regulation”) is hereby amended to ADD the definition of *trailer*, as follows:

1.4.1 Definitions.

...

Trailer means every non-motorized vehicle that is designed to transport persons or property while being towed or pulled by a motorized vehicle. Specific types of Trailers are subject to regulation according to their design or use (such as Tractor-trailers regulated under Section 2.2.4). All other Trailers shall be regulated as Recreational Vehicles *except that* the following categories of Trailers shall be treated as Commercial Vehicles:

- (1) *Large Trailers*; meaning, any Trailer that is over twenty-five (25) feet in length or eight (8) feet in height;

(2) *Trailers Carrying Commercial Cargo*; meaning, any Trailer that is carrying a Commercial Vehicle or other commercial equipment or supplies in plain view; and

(3) *Commercially Labeled Trailer*; meaning, any Trailer that is prominently labeled with commercial advertisement.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that there is an immediate need for clarification of the City's parking regulations for equal and fair enforcement; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSORS:

ATTEST:

Alderman Debi Ross

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY