

ORDINANCE NO. 2024-13

CITY OF BELLA VISTA, ARKANSAS

AMENDING SECTION 26-36 *PROHIBITED PARKING OF VEHICLES ON CERTAIN AREAS OF PROPERTY IN RESIDENTIAL ZONES OF THE CITY* OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO PROVIDE FOR A PERMIT TO PARKING ON GRASS, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to create a process whereby a city permit could be issued permitting the parking of motor vehicles on grass or decorative gravel in residential zones, under certain conditions; and

WHEREAS, such a permit should be time limited, protect public safety and not create traffic concerns;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:

SECTION 1: Section 26-36 *Prohibited parking of vehicles on certain areas of property in residential zones of the city* of the Code of Ordinances of the City of Bella Vista is hereby amended so that, after amendment, Subsection (c) and Subsection (d) of the Section shall read as follows:

"(c) *Applicability.* Vehicles regulated under this section shall include motor vehicles, recreational vehicles, boats or other watercraft, golf carts, enclosed trailers, non-enclosed flatbed trailers with a bed size larger than five feet by ten feet, and truck campers.

(d) *Surfacing.* All vehicles regulated under this section shall be parked on a weed-free, paved surface. Parking of vehicles on grass or decorative gravel surfaces is specifically prohibited unless temporarily permitted by the provisions herein. If vehicles are parked on an SB-2 gravel surface, the gravel surface must be contained in a well-defined area with a containment border.

(1) *Permit required.* Any person or entity owning or controlling residentially zoned real property desiring to temporarily allow parking of vehicles on grass in a residential zone shall require a permit from the city. For issuance, a permit applicant shall meet each of the following requirements:

(a) The proposed time frame shall not exceed more than three (3) consecutive days at a time.

(b) The proposed temporary parking shall not create a public safety or traffic concern as determined by the Chief of Police.

(c) The proposed temporary parking shall be located wholly within private property, with property owner's permission, and not within public rights-of-way.

(d) The application must be on a form approved by the Mayor and submitted with an application fee as established by the city council."

SECTION 2: EMERGENCY CLAUSE. The need to provide a permitting process for the parking of motor vehicles on grass in residential zones is immediate and necessary to protect the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this Ordinance shall take full force and effect from and after its adoption as provided by law.

ADOPTED THIS 22ND DAY OF APRIL, 2024.



ATTEST:

Wanda Krue

APPROVED:

John D. Flynn
JOHN D. FLYNN
MAYOR

Requested by: Council Member Doug Fowler
Prepared by: Jason Kelley, Staff Attorney from provided material