

ORDINANCE NO. 2012 – 02

AN ORDINANCE ESTABLISHING VIOLATIONS AND PENALTIES FOR ACTS AGAINST AND/OR RELATED TO THE OPERATION OF THE BULL SHOALS, ARKANSAS FIRE DEPARTMENT.

BE IT ORDIAINED BY THE CITY COUNCIL OF THE CITY OF BULL SHOALS, ARKANSAS:

**SECTION 1.** It shall be unlawful to hinder or interfere with any police officer or fireman in the performance of his duty at a fire, or going to or returning from a fire or while attending to his duties as a member of the Fire Department.

**SECTION 2.** Fire equipment shall have the right-of-way on all streets in going to a fire and every bicycle, motorcycle, automobile, truck and motorized vehicle be it gas, diesel or electrical driven on the approach of any fire equipment, shall immediately draw up to the curb or the side of the street and remain stationary until the Fire Department equipment has passed. All pedestrians, except for firemen along a street on which the Fire Department is passing, shall remain on the sidewalk and away from the street intersection.

**SECTION 3.** It shall be unlawful to park or leave standing any bicycle, motorcycle, automobile, truck or vehicle of any kind in front of the Fire Department building , overhead doors or driveway. Parking areas for private vehicles will be designated by the Fire Chief.

**SECTION 4.** It shall be unlawful for any vehicle of any kind except vehicles driven by police officers, firemen or employees of the municipality whose duty it is to be at fires to enter the block in which the Fire Department building is situated after a fire alarm has been sounded, until department equipment has left the block on its way to the fire.

**SECTION 5.** No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer, fire department official or other authorized officer at the scene of a fire alarm call.

**SECTION 6.** The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into the block the fire apparatus has stopped in answer to a fire alarm.

**SECTION 7.** No person shall drive or move a vehicle over any unprotected hose of the fire department when laid down on any street or private driveway unless he has obtained the consent of the fire department official in command.

**SECTION 8.** It shall be unlawful to cut, deface, destroy or injure any fire hose, wires, poles, signal boxes, key boxes or any other property or fixtures belonging to or connected with the fire department safety and/or the fire alarm system, or give or make, or cause to be given or made, any false alarm of a fire.

**SECTION 9.** Any building, structure, enclosure, place or premises, perilous to life or property by reason of the construction of such building or structure or by reason of the condition or quantity of its contents, or the use of the building or its contents, or the use of the enclosure or the overcrowding at any time of persons therein, or by reason of deficiencies in such fire alarm or fire prevention equipment, as may be required by fire regulations or where conditions exist which would hamper or impede the fire department in combating a fire in or on the building, is hereby declared to be a nuisance.

**SECTION 10.** Any person convicted for a violation of the provisions of this Ordinance shall be deemed guilty of a misdemeanor. ASA 14-55-504 limits municipal fines to one thousand dollars (\$1,000.00) for the first offense or two thousand dollars (\$2,000.00) for a repeated violation, but a fine not to exceed five hundred dollars (\$500.00) per day for each the violation continues. In addition any person convicted for a violation of the provision of this Ordinance may be imprisoned in accordance with Section 14-55-602 ASA.

**SECTION 11.** The power of enforcement is dedicated in ASA 14-55-601 through 14-55-608. The remedies include prosecution or a civil action to recover fines.

**SECTION 12.** If any provision, clause, sentence, paragraph or section of this Ordinance, or the application thereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provision(s) of this Ordinance which can be given effect without the invalid provision(s) or application and to this end the provision(s) of this Ordinance are declared severable.

**SECTION 13.** This Ordinance shall be in full immediate effect upon passage and posting.

**SECTION 14.** Ordinance 2005-06 and Chapter 2.24 and any parts of Ordinances in conflict herewith are hereby repealed.

**PASSED AND ADOPTED** by the City Council of the City of Bull Shoals, Arkansas on this 29<sup>th</sup> day of MARCH, 2012

**APPROVED:** Bruce E. Powell  
Mayor Bruce E. Powell

**ATTESTED:** Kimberly M. Williams  
Recorder/Treasurer Kimberly M. Williams

**I, Kimberly M. Williams, Recorder/Treasurer, certify that this Ordinance has been posted in five (5) of the most public places in the City of Bull Shoals, Arkansas.**

**Posted:** March 30, 2012

**Posted By:** Kimberly M. Williams