

ORDINANCE NO. _____

AN ORDINANCE AMENDING NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 12 (PUBLIC SAFETY) TO ADD A SECTION ON PEDESTRIAN RESTRICTIONS IN OR NEAR ROADWAYS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of North Little Rock regulates Public Safety through North Little Rock Municipal Code (“NLRMC”) Chapter 12, adopted November 11, 2013 (Ord. No. 8586), as amended by Ordinance Nos. 8617 and 8673; and

WHEREAS, pedestrians crossing streets other than at crosswalks, or congregating in roadways, causes problems and escalates dangers to pedestrians and drivers of vehicles; and

WHEREAS, Ordinance No. 8102 was adopted on September 22, 2008 to address the problem, but was not included in NLRMC Chapter 12 through clerical error; and

WHEREAS, it is appropriate for the City to restrict pedestrians in or near roadways within the City in order to protect the safety and welfare of the public.

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

SECTION 1: That NLRMC Chapter 12 – Public Safety is hereby amended to *add* the following section:

Sec. 2.6.24. Pedestrians in or along streets and roadways.

- (A) Every pedestrian crossing a roadway at any point *other than* within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
- (B) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place *except* in a marked crosswalk.
- (C) Where sidewalks are provided, or there is ample room alongside a roadway, no person shall walk upon an adjacent roadway.
- (D) No pedestrian shall suddenly leave the curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- (E) No person or group of persons shall walk or stand in any roadway for the purpose of obstructing or stopping the normal flow of traffic, or engaging in

harassing or threatening behavior to drivers and/or passengers of vehicles passing upon the roadway.

- (F) Notwithstanding the provisions of this section, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.
- (G) Any pedestrian violating the provisions of this section shall be deemed guilty of a violation and thereby subject to the penalties in Article II of this chapter.
- (H) **Exception.** This section shall *not* apply to parades authorized by the North Little Rock Police Department.

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: That the congregating of pedestrians at or near city roadways, or failure to use only crosswalks, can cause serious bodily harm and death to innocent persons, such that additional regulation is necessary for the immediate preservation of the public health, safety and welfare; 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 Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith
Mayor Joe A. Smith By DM

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney By DM

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	9:45	A.M.	_____	P.M.
By	Asst City Atty McFadden			
DATE	11/3/15			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>D. McGibbler</u>			