

ORDINANCE 09-02
CITY OF HIGHLAND, ARKANSAS

AN ORDINANCE ESTABLISHING A LESSER OFFENSE THAN CARELESS AND PROHIBITED DRIVING WHERE THE DANGER TO PERSONS OR PROPERTY DUE TO THE CONDUCT OF THE MOTOR VEHICLES OPERATOR IS IMPRUDENT RATHER THAN HEEDLESS OR WANTON

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
HIGHLAND, ARKANSAS:

Section 1: It shall be unlawful for any person to operate a motor vehicle in a careless or inattentive manner or in disregard of the safety of persons or property within the city limits of the City of Highland, Arkansas.

Section 2: Careless and inattentive driving shall; be considered a lesser offense than careless and prohibited driving and shall be applied in those circumstances where the conduct of the operator has been careless, inattentive, or prudent in the light of the existing circumstances and where the danger to persons or property due to the conduct of the motor vehicle's operator is imprudent rather than heedless or wanton.

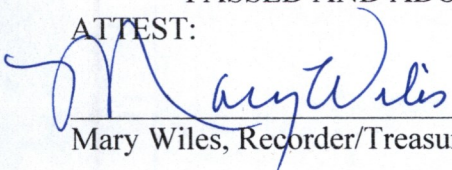
Section 3: Any person convicted of a violation of this Ordinance shall be guilty of a misdemeanor and shall be fined in any sum not exceeding One Hundred Dollars (\$100.00).

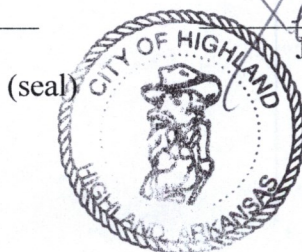
Section 4: It has been determined by the City Council of the City of Highland, Arkansas, that many individuals drive their vehicles in a careless and imprudent manner and have been allowed to escape the penalties of the law. There is a state statute prohibiting the driving of an automobile in a careless and prohibited manner with willful disregard of the rights and property of other persons. A law does not exist that prohibits the driving of a vehicle in a careless and inattentive manner which would be a lesser offense and in most cases the driving conduct of an individual does not amount to careless and prohibited driving which creates an unreasonable risk of danger to persons or property.

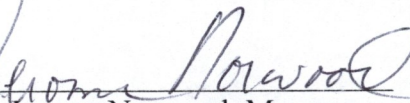
Section 5: Emergency Clause. This Ordinance being necessary for the preservation of the public peace, health, comfort, convenience, morals, safety, and welfare of the City of Highland, Arkansas, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of its adoption.

PASSED AND ADOPTED THIS THE 13 DAY OF October, 2009.

ATTEST:


Mary Wiles, Recorder/Treasurer




Jerome Norwood, Mayor



ORIGINAL

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City of Highland**

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Jerome Norwood, Mayor
Mary Ruth Wiles, Recorder/Treasurer

City Clerk