

ORDINANCE NO. 97-005

FILED  
ELM SPRINGS CITY COURT  
ELM SPRINGS, ARKANSAS  
3rd day March 1997  
Barbara Dillard  
Judge or Clerk

**AN ORDINANCE REPEALING ORDINANCE NO. 93-4-D; PRESCRIBING STANDARDS FOR IMPRUDENT DRIVING; AND DECLARING AN EMERGENCY.**

WHEREAS, it has been adjudged by the Elm Springs Municipal Judge that the current Careless Driving Ordinance is defective, and

WHEREAS, the Elm Springs City Council recognizes the need for setting forth standards measuring the operation of a motor vehicle in disregard of the safety of persons and property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, ARKANSAS:

**Section 1: Repealed.**

That Ordinance No. 93-4-D of the City of Elm Springs, Arkansas, should be and the same is hereby repealed.

**Section 2: Imprudent Driving.**

No person shall drive a motor vehicle on a public or private road, street, easement, highway, way or place used for vehicular travel, access or parking within the City of Elm Springs, Arkansas, at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing; or in a manner that is unreasonable and imprudent under the conditions of said public or private road, street, easement, highway, way or place used for vehicular travel, access or parking; or in a manner that is unreasonable or imprudent considering the condition of the driver; or in a manner that is unreasonable or imprudent considering the condition of the vehicle, having regard to the actual and potential hazards then existing. In every event, speeds and the manner of driving shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the said road, street, easement, highway, way or place used for vehicular travel, access or parking in compliance with legal requirements and the duty of all persons to use due care.

**Section 3: Punishment.**

Any person who violates any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00) and not less than Fifty Dollars (\$50.00).

**Section 4: Emergency.**

The City Council has determined that the passage and approval of this Ordinance is necessary for the continued health, welfare and safety of the Citizens of the City of Elm Springs, Arkansas, and an emergency is hereby found to exist and this Ordinance shall be in full force and effect from and after its passage, approval and publications.

PASSED AND APPROVED this 3rd day of March, 1997.

  
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Mayor, Edward Thiesse

ATTEST:

  
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Barbara Dillard, City Clerk/Recorder