

## **TITLE 7**

### **PUBLIC PEACE, SAFETY AND MORALS**

#### **Chapters:**

- 7.04 State Criminal Statutes and Penalties
- 7.08 Curfew
- 7.12 Loitering
- 7.16 Prohibited Weapons
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## **CHAPTER 7.04**

### **STATE CRIMINAL STATUTES AND PENALTIES**

#### **Sections:**

- 7.04.01 State criminal statutes adopted
- 7.04.02 State penalties adopted

7.04.01 State criminal statutes adopted. All criminal statutes of the state relating to misdemeanors and violations and the laws of criminal procedure in connection therewith, three (3) copies of which are on file in the Clerk's office, are hereby enacted by the City Council to form a part of the laws of the city and any person, firm or corporation being found guilty of the violation of any such laws shall be deemed guilty of the violation of the ordinances of the city, and shall be fined or imprisoned or both in the manner set out under the state statutes.

7.04.02 State penalties adopted. The same minimum and maximum penalties for the violation of misdemeanors and violations as are provided in the state statutes are hereby adopted as the minimum and maximum fines for the violation of the same offenses which are prohibited by the ordinances of this city.

## **CHAPTER 7.08**

### **CURFEW**

#### **Sections:**

- 7.08.01 Civil emergencies
- 7.08.02 Congregating during state of emergency
- 7.08.03 Penalty
- 7.08.04 Juvenile crime
- 7.08.05 Reasonable action
- 7.08.06 Juvenile curfew
- 7.08.07 Definitions
- 7.08.08 Times of curfew
- 7.08.09 Exceptions
- 7.08.10 Responsible parents
- 7.08.11 Judgment by police officer
- 7.08.12 Fine

7.08.01 Civil emergencies. The Mayor, any time a condition which in his judgment constitutes a civil disturbance, riot, insurrection or time of local disaster has arisen or is imminent said Mayor may declare a state of emergency and impose a curfew for such time and for such areas as he deems necessary to meet such emergency. Provided, however, such curfew shall not extend for over a period of forty-eight (48) hours unless extended by a majority vote of the members of the governing body. (Ord. No. 1171, Sec. 1.)

7.08.02 Congregating during state of emergency. No person shall congregate, operate any businesses or be upon the streets or other public ways, unless on official business for the city or state, in any area or areas designated by the Mayor as curfew areas in the city during the time of any declared emergency. (Ord. No. 1171, Sec. 2.)

7.08.03 Penalty. Any person, firm or corporation violating any of the provisions of this ordinance, shall, upon conviction thereof be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or more than one (1) year imprisonment, or by both fine and imprisonment. (Ord. No. 1171, Sec. 3.)

7.08.04 Juvenile crime The City Council of the city of Jonesboro hereby finds there has been a significant increase in crime and unacceptable behavior involving juveniles within the city of Jonesboro which includes, but is not limited to noisy and rowdy behavior, breaking and entering, public drinking and littering, harassment of residents, and more serious and violent crimes including battery and murder. (Ord. No. 2513, Sec. 1.)

7.08.05 Reasonable action The City Council further finds that the offensive activities of the juveniles are not easily controlled by existing laws and ordinances because the activities are concealed whenever police officers are present and that the establishment of reasonable curfew regulations will enable the police to act reasonably and fairly to prevent the violation of laws and ordinances by juveniles. (Ord. No. 2513, Sec. 2.)

7.08.06 Juvenile curfew Due to the increase in illegal and unacceptable behavior, a curfew to regulate the activities of juveniles within the city limits of the city of Jonesboro is necessary in an attempt to eliminate such illegal and unacceptable behavior by juveniles. (Ord. No. 2513, Sec. 4.)

7.08.07 Definitions For the purposes of the ordinance the following terms, words and their derivations shall have the meaning given herein.

**Juvenile or minor** is any person under the age of eighteen (18).

**Parent** is any person having custody of a juvenile

- A. as a natural or adoptive parent,
- B. as a legal guardian,

- C. as a person who stands in loco parentis,
- D. as a person to whom legal custody has been given by order of a court of competent jurisdiction.

**Remain** means to stay behind, linger and to stay unnecessarily upon the streets, including the congregation of groups (or interacting minors) totaling three or more persons in which any juvenile involved would not be using the streets for ordinary or serious purposes such as mere passage or going home. To implement that thought with additional precision and precaution, numerous exceptions are expressly defined in this ordinance so that this is not a mere prohibition of presence of juveniles. More and more exceptions become available with increasing years and advancing maturity as appropriate in the interest of reasonable regulations.

**Street** is a way of place, of whatever nature, open to the use of the public as matter of right for purposes of vehicular travel or in the case of a sidewalk thereof for pedestrian travel. The term street includes that legal right-of-way, including but not limited to traffic lanes, the curb, the sidewalks whether paved or unpaved, and any grass plots or other grounds found within the legal right-of-way of a street. The term street applies irrespective of what it is called or formally named, whether alley, avenue, drive road or otherwise. The term street shall also include shopping centers, parking lots, parks, playgrounds, public buildings, the common areas of public housing developments, and similar areas that are open to the use of the public.

**Time of day** referred to herein is based upon the prevailing standard of time, whether central standard time or central daylight savings time, generally observed at that hour in the city police station.

**Years of age** continues from one birthday, such as the seventeenth to (but not including the day or) the next, such as the eighteenth birthday, making it clear that seventeen or less years of age be treated as equivalent to the phrase "under eighteen years of age." (Ord. No. 2513, Sec. 4.)

7.08.08 Times of curfew It shall be unlawful for any person under the age of eighteen (18), as defined herein, to be or remain in or upon the streets within the city of Jonesboro at night during the time of 12:00 midnight to 5:00 a.m. on Sunday through Thursday nights and from 1:00 a.m. to 5:00 a.m. on Friday and Saturday nights. (Ord. No. 2513, Sec. 5.)

7.08.09 Exceptions The following exceptions to this ordinance shall allow a minor on a city street during the hours prescribed and shall not be considered a violation of the curfew ordinance.

- A. When accompanied by a parent of such minor.

- B. When accompanied by an adult, at least 21 years of age, who is not the parent and who is authorized by parent of such minor to take said parent's place in accompanying said minor for a designated period of time and purpose within a specified area.
- C. When exercising first amendment rights protected by the United States constitution, such as the free exercise of religion, freedom of speech and the right of such exercise by first delivering to the person designated by the Chief of Police to receive such information, at the police department, a written communication, signed by the juvenile and countersigned by a parent of the juvenile with their home address and telephone number, specifying when, where and in what manner the juvenile will be on the streets at night, during the hours when the curfew ordinance is otherwise applicable to said minor, in the exercise of a first amendment right.
- D. When returning home from and within one (1) hour after the termination of a school or city-sponsored activity, or an activity of a religious or other voluntary association, of which prior notice, indicating the place and probable time of termination, has been given in writing, to and duly filed for immediate reference by the person designated by the Chief of Police on duty at the police station, this encouraging, as in other exceptional situations, responsible conduct on the part of juveniles involved in such activities and striking a fair balance for any conflicting interest.
- E. When engaging in the duties of bona fide employment or traveling directly, without undue delay or detour from home to the place of employment, or from the place of employment to the home.
- F. When the minor is in a motor vehicle for the purpose of interstate travel, wither through, beginning or ending in Jonesboro. (Ord. No. 2513, Sec. 6.)

7.08.10 Responsible parents It shall be unlawful for a parent of a juvenile to permit or allow the juvenile to be or remain upon any city street under circumstances not constituting an exception to, or otherwise beyond the scope of, the curfew ordinance. This ordinance is intended to hold neglectful and careless parents to a reasonable community standard of parental responsibility through an objective test. It shall be no defense that a parent was indifferent to the activities or conduct or whereabouts of such juvenile.

- A. Police procedures shall be refined in light of experience and may provide that the police officer may deliver to a parent or guardian thereof a juvenile under appropriate circumstances.

- B. When a parent or guardian has come to take charge of the juvenile, and the appropriate information has been recorded, the juvenile shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the juvenile, then the juvenile shall be released in accordance with Arkansas and federal law.
- C. In the case of a first violation by a juvenile, the police department shall be certified mail or direct service, send and/or deliver to a parent written notice of the violation with a warning that any subsequent violation will result in full enforcement of the curfew ordinance, including enforcement of parental responsibility and of applicable penalties. (Ord. No. 2513, Sec. 7.)

7.08.11 Judgment by police officer If a police officer reasonably believes that a juvenile is on the streets in violation of the curfew ordinance, the officer shall notify the juvenile that he or she is in violation of the ordinance and shall require the juvenile to provide his or her name, address and telephone number and how to contact his or her parent or guardian. In determining the age of the juvenile and in the absence of convincing evidence, a police officer shall use his or her best judgment in determining age. (Ord. No. 2513, Sec. 8.)

7.08.12 Fine If after the warning notice pursuant to 7.08.10 of a first violation by a juvenile, a parent violates 7.08.11 (in connection with a second violation by the juvenile), this shall be treated as a first offense by the parent. For parental offenses, a parent may be fined not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00). Any juvenile who shall violate any of the provisions of the curfew ordinance more than three times shall be reported by the Chief of Police to the juvenile authorities and/or other appropriate authorities as a juvenile in need of supervision. (Ord. No. 2513, Sec. 9.)

## **CHAPTER 7.12**

### **LOITERING**

#### Sections:

7.12.01	Illegal
7.12.02	Definitions
7.12.03	Penalty
7.12.04	Area of Church and Monroe Streets
7.12.05	All parking lots in downtown

7.12.01 Illegal. It shall be unlawful for any person to loiter upon the sidewalks, streets, highways, alleys or other public places within the city.

7.12.02 Definitions.

- A. A person commits the offense of loitering if he:
1. lingers, remains, or prowls in a public place or the premises of another without apparent reason and under circumstances that warrant alarm or concern for the safety of person or property in the vicinity, and upon inquiry by a law enforcement officer, refuses to identify himself and give a reasonably credible account of his presence and purpose; or
  2. lingers, remains, or prowls in or near a school building, not having any reason or relationship involving custody of or responsibility for a student, and not having written permission from anyone authorized to grant the same; or
  3. lingers or remains in a public place or on the premise of another for the purpose of begging; or
  4. lingers or remains in a public place for the purpose of unlawfully gambling; or
  5. lingers or remains in a public place for the purpose of engaging or soliciting another person to engage in prostitution or deviate sexual activity; or
  6. lingers or remains in a public place for the purpose of unlawfully buying, distributing, or using a controlled substance; or
  7. lingers or remains on or about the premises of another for the purpose of spying upon or invading the privacy of another.
- B. Among the circumstances that may be considered in determining whether a person is loitering are that the person:
1. takes flight upon the appearance of a law enforcement officer; or
  2. refuses to identify himself; or
  3. manifestly endeavors to conceal himself or any object.

- C. Unless flight by the actor or other circumstances make it impracticable, a law enforcement officer shall, prior to an arrest for an offense under subsection A(1) of this section, afford the actor an opportunity to dispel any alarm that would otherwise be warranted by requesting him to identify himself and explain his presence and conduct.
- D. It shall be a defense to a prosecution under subsection A (1) that the law enforcement officer did not afford the defendant an opportunity to identify himself and explain his presence and conduct, or if it appears at trial that an explanation given by the defendant to the officer was true, and if believed by the officer at that time, would have dispelled the alarm.

STATE LAW REFERENCE-See A.C.A. 5-71-213

7.12.03 Penalty. As set out in A.C.A 5-71-213 loitering is a Class C misdemeanor punishable by a maximum fine of One Hundred Dollars (\$100.00).

7.12.04 Area of Church and Monroe Streets

- A. A need has arisen to prohibit loitering and to curtail the occurrence of illegal activities in the evening hours in downtown Jonesboro and therefore, the city hereby prohibits between the hours of 10:00 p.m. and 7:00 a.m. in the mini-park area of Church and Monroe Streets, loitering as defined by the A.C.A., except this ordinance shall not apply to those attending functions at the Forum for a period of two (2) hours, after its conclusion.
- B. The street department is hereby requested to post a NO LOITERING or TRESPASSING between the hours of 10:00 p.m. and 7:00 a.m. sign at the Forum mini-park area of Church and Monroe Streets, within thirty (30) days following the adoption of the ordinance. (Ord. No. 2366, Secs. 1-2.)

7.12.05 All parking lots in downtown

- A. A need has arisen to prohibit loitering and trespassing and to curtail the occurrence of illegal activities in the evening hours in downtown Jonesboro. Therefore, the city hereby prohibits between the hours of 8:00 p.m. and 6:00 a.m. in all city-owned downtown parking lots, loitering as defined by the A.C.A.
- B. The street department is hereby requested to post a NO LOITERING or TRESPASSING between the hours of 8:00 p.m. and 6:00 a.m. sign at all city-owned parking lots within the downtown are of Jonesboro, within thirty (30) days following the adoption of the ordinance. (Ord. No. 2411, Secs. 1-2.)

**CHAPTER 7.16**

**PROHIBITED WEAPONS**

Sections:

7.16.01 Discharging firearms

7.40.04 Discharging firearms The discharging or firing of any weapon, air rifle, pellet gun, or firearms of any description within the city is prohibited with the following exceptions:

- A. When discharged or fired by a duly constituted law enforcement officer and when necessary in the performance of his/her duty.
- B. The discharge of any firearm on any public or private rifle or pistol range, or shooting gallery approved for use in writing by the city of Jonesboro and the Chief of Police, and in accordance with the "Model Code for Gallery Shooting ranges," which is hereby adopted by reference.
- C. When discharged for functional tests only by a qualified gun repair person and only when such safety equipment used is approved by the Chief of Police. (Ord. No. 2196, Sec. 1.)

**CHAPTER 7.20**

**CLAIMS AGAINST CITY**

Sections:

7.20.01 Liability coverage  
7.20.02 Settlement of claims

7.20.01 Liability coverage. The city shall carry liability coverage on all its motor vehicles in the minimum amounts prescribed in the Motor Vehicle Safety Responsibility Act. (A.C.A. 27-19-101)  
STATE LAW REFERENCE-See A.C.A. 21-9-303

7.20.02 Settlement of claims. All persons having claims against the city may file them with the Clerk. The Clerk shall present them to the Council. The Council may grant a hearing for the claimant and may authorize a settlement.  
STATE LAW REFERENCE-See A.C.A. 21-9-302

**CHAPTER 7.24****STORAGE AND HANDLING****OF VOLATILE COMBUSTIBLES****Sections:**

- 7.24.01      Restriction on keeping  
7.24.02      Exemptions

**7.24.01 Restriction on keeping.** All persons, firms, corporations and/or associations are hereby prohibited from storing Class I flammable liquids and Class II or III combustible liquids and liquefied petroleum gases in tanks whether they be above or below ground on any residential lot, either single family or multi-family, within the municipal limits of the city of Jonesboro, Arkansas. (Ord. No. 1718, Sec. 1)

All persons, firms, corporations and/or associations are prohibited from storing Class I flammable or Class II or Class III combustible liquids in excess of three (3) gallons in any residential dwelling. (Ord. No. 1718, Sec. 2)

All persons, firms, corporations and/or associations are prohibited from storing Class I flammable or Class II or Class III combustible liquids in excess of six (6) gallons in any storage building located on a residential lot and not used as a residential dwelling. (Ord. No. 1718, Sec. 3)

All persons, firms, corporations and/or associations are hereby prohibited from storing any Class I flammable or Class II or Class III combustible liquids in excess of ten (10) gallons outside of any residential building. (Ord. No. 1718, Sec. 4)

No person, firm, corporation and/or association shall install or maintain any liquefied petroleum gas container in excess of twenty (20) gallons on any residential lot or within any residential dwelling within the municipal limits of the city of Jonesboro, Arkansas. (Ord. No. 1718, Sec. 5)

All flammable and/or combustible liquids which are provided for in this ordinance if located upon property within the municipal limits of the city of Jonesboro, Arkansas, must be stored in metal containers. (Ord. No. 1718, Sec. 6)

All persons, firms, corporations and/or associations are prohibited from manufacturing, processing, blending or refining of any flammable or combustible liquids upon any residential lot or within any residential dwelling within the city limits of the city of Jonesboro, Arkansas. (Ord. No. 1718, Sec. 7)

7.24.02 Exemptions. None of the provisions of this ordinance shall apply to government facilities nor shall the provisions of this ordinance apply to the storage or use of flammable liquids in fuel tanks of motor vehicles, motor boats, mobile power plants or mobile heating plants, nor to the storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes. (Ord. No. 1718, Sec. 8)

## **CHAPTER 7.28**

### **OUTSIDE FIRE SERVICE**

Sections:

7.28.01	Authority to dispatch
7.28.02	Restrictions
7.28.03	Cost of aid without mutual aid agreement
7.28.04	Mutual aid agreement
7.28.05	Payment of money collected

7.28.01 Authority to dispatch. No fire department apparatus shall be taken beyond the corporate limits of the city to assist at any fire or for any other purpose, except by order of the Mayor or Fire Chief or such other person as they may designate, and subject to the restrictions and conditions hereinafter set forth.

7.28.02 Restrictions. The Mayor or Fire Chief or such other person as they may designate are authorized, in their discretion, to aid in the extinguishing of fires in another city, (or town), public institutions, corporation or other properties within a reasonable distance from the city or on property immediately adjacent to the city in which there is a possibility of fire spreading within the corporate limits, under the following conditions:

- A. A request from a city or incorporated town for assistance must come only from the Mayor, Fire Chief or such other person as may be designated by mutual agreement.
- B. Calls may be responded to only by such apparatus which in the judgment of the Mayor or Fire Chief or such other person as they may designate can be safely sent without unduly impairing the fire protection within the city, and when highways and weather conditions are favorable.
- C. The city, incorporated town, public institution, corporation, or individual requesting assistance must pay the charge for apparatus and service hereinafter provided unless there exists a mutual aid agreement.

- D. The city, incorporated town, public institution, corporation or individual must compensate the city for any loss or damage to such apparatus while answering such call, and be responsible to the members of the fire department of the city for any injuries suffered or incurred by them while responding to such calls and while working at such fire, unless otherwise covered by insurance.

7.28.03 Cost of aid without mutual aid agreement. The city, incorporated town, public institution, corporation or individual requesting assistance must pay the following charge for apparatus and service.

Unless there exists a mutual aid agreement, every municipality, institution, corporation or individual requesting and receiving the service of the Fire Department of the City of Jonesboro shall pay for such services and the use of apparatus as follows:

Two Hundred Fifty Dollars (\$250.00) for each piece of equipment or apparatus. Such fees shall be payable to the city of Jonesboro within fifteen (15) days after demand has been made. (Ord. No. 1704, Sec. 1)

7.28.04 Mutual aid agreement. The Mayor and Chief of the Fire Department, are hereby authorized to enter into mutual aid agreements, with other municipalities, firms, corporations or individuals, for the rendering of fire services, subject to the following conditions:

- A. That the parties with whom such mutual aid agreements are entered into shall agree to indemnify the city against any or all loss, cost and damage which it may suffer or sustain by reason of damage to any apparatus arising from any cause whatsoever while such apparatus is going to or from the scene of the fire or while at the scene of the fire. The duty to indemnify shall be performed within fifteen (15) days after demand.
- B. As to each fire driver injured while driving to or from the fire, or while at the scene of the fire, and as to each fireman helping at the fire, injured between the time he reports to the foreman of his company and the time his services ends, the person entering into such mutual aid agreements shall pay within fifteen (15) days after demand to the city a sum sufficient to cover the medical and hospital expenses by such injured driver or fireman.

7.28.05 Payment of money collected. Money collected under the terms of Section 7.28.03 of this chapter shall be paid to the general fund of the city.

**CHAPTER 7.32****BURGLAR AND FIRE ALARMS****Sections:**

7.32.01	Purpose
7.32.02	Definitions
7.32.03	Installation and response
7.32.04	False alarm - Errors, mistakes or malfunctions; penalty
7.32.06	False alarm - Intentional; penalty
7.32.06	Failure to pay fines; authority of Chief of Police or Fire Chief
7.32.07	Private yard hydrants to be painted
7.32.08	Out-of-service private yard hydrants
7.32.09	Inspection and records
7.32.10	Illegal use of public hydrants

7.32.01 Purpose. The city of Jonesboro, Arkansas, has determined that a problem exists within the city of Jonesboro with the erroneous and mistaken use of burglar and fire alarms and those that are not installed and maintained properly and that this problem has resulted in increased service calls by the Jonesboro Police and Fire Departments and is creating a hazard to the members of those departments and to the general public. It is the City Council's purpose to control that misuse. (Ord. No. 1811, Sec. 1)

7.32.02 Definitions.

- A. Alarm system: Any assembly or equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry, fire or other activity requiring urgent attention to which police or firemen are expected to respond.
- B. False Alarm:
  - 1. Error or mistake. Any action by any person, firm or corporation or other entity owning or operating any dwelling, building or place or any action by an agent or employee of said person, firm, corporation or other entity which results in the activation of an alarm system when no emergency exists.
  - 2. Malfunction. An unintentional activation of any alarm system caused by a flaw in the design, installation or maintenance of the system. This shall not include any activation caused by violent conditions of nature or other extraordinary circumstances, not reasonably subject to control of the

alarm user, i.e. : (thunderstorms, hail, wind storms, electrical storms, city power failures, etc.) Rain or wind, do not in and of themselves, constitute a violent condition. (Ord. No. 3110, Sec. 1.)

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3. Intentional misuse. Any intentional activation of an alarm system when no burglary, holdup, fire or other emergency is in progress. (Ord. No. 1811, Sec. 2)

#### 7.32.03 Installation and response.

- A. No alarm system shall be placed in service after installation in any dwelling, business or place within the city of Jonesboro until such time as notification of said installation shall have been given to the Police or Fire Department. At this time, alarm response, fines, and other procedures relating to false alarms shall be explained by police and/or fire personnel. In addition, companies in the business of installing alarm or security systems must make their customers aware of this ordinance prior to activation of the system.
- B. Any person, firm, corporation or other entity causing any alarm system to be installed in any dwelling, building or place shall, prior to placing such alarm in service, have in their possession the names, addresses and telephone numbers of at least two (2) persons who shall have access to said dwelling, building or place, and the knowledge and ability to make said system secure in case of activation. They shall also have posted, the name, address and telephone number of any person, firm or corporation responsible for servicing the alarm system.
- C. Alarms shall be monitored by the alarm installation company or the alarm notification/answering service retained by the user. They shall immediately advise the Police and/or Fire Department when an alarm has been activated and make the information in the above subsection (B), available to the police or fire response personnel. (Where no alarm notification/answering service is used, it is suggested the names of the two (2) persons be posted in a conspicuous location for response personnel. This request will be made to the system owner or alarm company at the time the Police or Fire Department is notified of an installation). The Jonesboro Police and/or Fire Departments shall not monitor alarm systems.
- D. The alarm company or the service agency retained to monitor said alarm system, in addition to notifying the Police and/or Fire Departments, shall immediately notify the persons whose names are required in subsection (B) above. In addition, they will advise them to meet with response personnel at the alarm site to secure said premises and to reset the alarm. The Police and/or Fire Department will respond to all alarms when notified.
- E. Should any person responsible for any alarm system, when notified of its activation, refuse to respond pursuant to the above subsection (C), the police

and/or fire units on the scene shall check the property thoroughly and secure the location as much as possible. The Jonesboro Police and Fire Department shall not be required to make any further responses to that building, dwelling or place until such time as said alarm system has been properly reset. (Ord. No. 3110, Sec. 2.)

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7.32.04 False alarms - Errors, mistakes or malfunctions; penalty.

- A. No alarm system shall be activated by error, mistake or malfunction in any dwelling, building or place when no emergency exists which results in the response of the Jonesboro Police or Fire Department.
- B. The following fines shall be levied upon any person, firm, corporation or other entity owning or operating said dwelling, building or place for violation of subsection (a):
  - 1. There shall be no charge for one (1) to three (3) false alarms per calendar month, or for six (6) alarms per calendar year. (Ord. No. 3110, Sec. 3.)
  - 2. On the fourth (4th) false alarm in one calendar month or on the seventh (7th) false alarm in one calendar year and every subsequent false alarm thereafter will be fined at the rate of Twenty-Five Dollars (\$25.00) per incident. (Ord. No. 1811, Sec. 4)

7.32.05 False alarms - Intentional; penalty.

- A. No person shall knowingly or intentionally activate any alarm system when no emergency situation exists.
- B. No person shall knowingly or intentionally test any alarm system without first notifying the Jonesboro Police Department or Fire Department of such test and receiving approval for same.
- C. Any person who violates subsections (a) or (b) shall be fined not less than One Hundred Dollars (\$100.00) and shall be subject to prosecution under the Arkansas State Law for falsely reporting an incident. (Ord. No. 1811, Sec. 5)

7.32.06 Failure to pay fines; authority of Chief of Police or Fire Chief. If any person, firm, corporation or other entity fails to pay within thirty (30) days any fine levied under Section 7.32.03 or Section 7.32.04 above, it shall be the right of the Police Department and/or the Fire Department to notify such person, firm, corporation or entity, that they will no longer respond to their alarms. (Ord. No. 3110, Sec. 4.)

7.32.07 Private yard hydrants to be painted Private yard hydrants and private yard hydrants attached to fire protection systems shall be painted safety yellow for identification by the Fire Department personnel. This is the responsibility of the property owner or lessee and shall be implemented immediately. (Ord. No. 2501, Sec. 1.)

7.32.08 Out-of-service private yard hydrants Private yard hydrants that are determined to be out of service shall be removed, replaced and/or repaired. This is the responsibility of the property owner or lessee and shall be implemented immediately upon noting the deficiency. (Ord. No. 2501, Sec. 2.)

7.32.09 Inspection and records The property owner or lessee shall be responsible for the inspection of the hydrants monthly to make sure they are not obstructed by storage, weeds, etc., conveniently accessible, visible and with caps in place. At least once a year, they shall be opened and closed to ensure proper operation and drainage, and shall be properly lubricated. Records shall be kept on the premises of these inspections and shall be available to the fire official. (Ord. No. 2501, Sec. 3.)

7.32.10 Illegal use of public hydrants. It shall be unlawful for any person to open or turn or carry water from any public hydrant for private use or for the purpose of sprinkling any street or private property, without having first secured authority therefore in writing from the city water and light company. (Digest 1934, Sec. 897)

## **CHAPTER 7.36**

### **FIREWORKS**

#### Sections:

#### 7.36.01 Selling or discharging

7.36.01 Selling or discharging. It shall be unlawful for any person, firm or corporation to keep for sale or offer for sale, or to sell, shoot, fire or explode any firecrackers, roman candles, sky- rockets, toy pistols, torpedo or fireworks of any description within the corporate city limits of the city of Jonesboro, Arkansas. Any person, firm or corporation found guilty of violating this ordinance, shall be guilty of a Class C misdemeanor, and fined an amount not to exceed Five Hundred Dollars (\$500.00). (Ord. No. 2693, Sec. 1.)

**CHAPTER 7.37****OPEN BURNING****Sections:**

7.37.01	Residential vegetation abatement
7.37.02	Construction or site improvement burning
7.37.03	Agricultural burning
7.37.04	Prohibited acts of burning
7.37.05	Exceptions to open burning
7.37.06	Nuisance or safety hazard
7.37.07	Violations

7.37.01 Residential vegetation abatement In accordance with A.C.A. 8-6-1703(d), instances of open burning of yard waste by residents are expressly discouraged within the corporate boundaries of the city of Jonesboro. For the purpose of open burning, yard waste shall be defined in accordance with A.C.A. 8-6-1701(2) as grass clippings, leaves, and shrubbery trimmings collected by a resident or property owner from residential property.

Open burning of yard waste shall not be allowed unless the following conditions are met:

- A. Yard waste materials to be burned may be placed in a pile no larger than three feet in diameter and two feet in height. No more than one pile may be burned at any given time by an individual resident or property owner.
- B. Burning must be at least twenty-five feet from the nearest structure, and must be at least twenty –five feet from the nearest property line.
- C. The fire must be attended at all times. The person attending the fire must have a charged hose and/or sufficient water supply available to completely extinguish the fire in the event that fire spread happens to occur.
- D. Burning shall not commence before one hour after sunrise, and shall not extend beyond one hour before sunset. (Ord. No. 3479, Sec. 1.)

7.37.02 Construction or site improvement burning Open burning of trees, limbs or vegetation removed during the process of site improvement shall not be allowed unless the following conditions are met:

- A. The site consists of a parcel of real estate no less than one (1) acre in size.
- B. The burning is to occur at least 100 feet from all property lines encompassing the parcel.
- C. All surface vegetation must be removed from all surface areas adjacent to the burning materials for a distance of no less than 100 feet in all directions.
- D. The fire must be attended at all times.
- E. Notification must be given to the Jonesboro Fire Department at least twenty-four hours prior to the intended burning of said trees, limbs or vegetation, and authorization must be obtained from the Fire Marshall, Assistant Chief, or Chief of the Jonesboro Fire Department before burning may begin. (Ord. No. 3479, Sec. 2.)

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7.37.03 Agricultural burning Open burning in the course of agricultural operations shall not be allowed unless the following conditions are met:

- A. The parameter of the parcel to be burned is tilled, disked or plowed in order to remove vegetation from the ground surface. Vegetation removal must be no less than 50 feet in width.
- B. The fires must be attended at all times.
- C. Burning shall not commence before one hour after sunrise, and shall not extend beyond one hour before sunset. (Ord. No. 3479, Sec. 3.)

7.37.04 Prohibited acts of burning The following open burning practices shall be prohibited within the corporate boundaries of the city of Jonesboro, Arkansas:

- A. Open burning of trash, garbage, and/or rubbish by any resident or business for the purpose of incineration. Burn barrels or other makeshift containers shall not be considered sufficient for controlling fuel-air ratio mixtures and will not be allowed. In addition, in accordance with 8-9-403, Section 2, Paragraph (b) of the Arkansas code, open burning of tires is strictly prohibited.
- B. Open burning of construction waste of any kind on the premises of a construction sight except as provided by 8-4-305, Section 8 of the Arkansas Code.
- C. Open burning of materials resulting from remodeling, dismantling and/or demolition of structures or buildings.
- D. Open burning of vegetation clippings generated by, or resulting from, commercial

activities or establishments that provide lawn maintenance and/or grounds care services through the course of normal business activities. (Ord. No. 3479, Sec. 4.)

7.37.05 Exceptions to open burning Provisions of this ordinance do not pertain to the following types of open burning:

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- A. Fires of a controlled and manageable nature used in the course of food preparation that incorporate the use of barbecue equipment, outdoor fireplaces, cooking grilles, or cooking pits specifically designated and created for the preparation of food. However, such fires must be attended at all times.
- B. Burning associated with road construction operations and the use of mobile and portable equipment and machinery incident thereto.
- C. Fires allowed by the Jonesboro Fire Department for the purpose of weed abatement or for the prevention and/or elimination of a fire hazard.
- D. Instruction of fire department employees in methods of fire fighting or for civil defense instruction.
- E. Fires associated with ceremonial or recreational purposes so long as such fires comply with 7.37.06. Furthermore, in such instances notification must be given to the Jonesboro Fire Department at least twenty-four hours prior to the intended burning and authorization must be obtained from the Fire Marshall, Assistant Chief or Chief of the Jonesboro Fire Department before burning may begin. (Ord. No. 3479, Sec. 5.)

7.37.06 Nuisance or safety hazard Smoke emissions from permissible open burning shall not be allowed to become a nuisance or safety hazard. In the event that such emission are identified by the Jonesboro Fire Department to be of an offensive nature to surrounding landowners and/or is determined to be detrimental to the general safety and well-being of the public, the Jonesboro Fire Department may require discontinuance of such open burning without recourse. (Ord. No. 3479, Sec. 6.)

7.37.07 Violations Violation of this ordinance may result in fines and or imprisonment pursuant to A. C.A. 5-38-302, 5-38-303, 5-38-310 and 8-6-1703, and any other applicable codes, regulations and laws as provided by state and federal statutes. (Ord. No. 3479, Sec. 7.)

## **CHAPTER 7.40**

### **REMOVAL OF BUSINESS SIGNS**

Sections:

7.40.01	Advertising signs
7.40.02	Application
7.40.03	Notice to remove
7.40.04	Fine

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7.40.01 Advertising signs All outdoor advertising display signs which are attached to a business structure by any means of fastening shall be removed from that business structure within thirty (30) days from the date that business shall close and be no longer occupied. (Ord. No. 1569, Sec. 1.)

7.40.02 Application This ordinance shall apply to all types of outdoor advertising display signs except those types of signs which are painted directly upon the building surface. (Ord. No. 1659, Sec. 2.)

7.40.03 Notice to remove. The city building official shall give ten (10) days notice to the building owner after the building becomes unoccupied to remove said signs as described above. If the building owner fails to remove said signs as described above within thirty (30) days, the building official shall remove said sign at the owner's expense. (Ord. No. 1659, Sec. 3.)

7.40.04 Fine Failure to remove said sign or signs as stated above shall constitute a violation of this ordinance and shall be a misdemeanor and penalty for violation of said ordinance shall be a fine of not more than One Hundred Dollars (\$100.00) and each day said sign is not removed after the thirty (30) day period shall constitute a separate offense. (Ord. No. 1659, Sec. 4.)

**CHAPTER 7.44**

**PROSTITUTION**

Sections:

7.44.01	Prostitution prohibited
7.44.02	Houses of prostitution prohibited

7.44.01 Prostitution prohibited.

- A. It shall be unlawful for any person upon any public street or in any rooming house, lodginghouse, hotel, motel or any place in the city to solicit a person of the opposite sex, to whom he or she is not married to have sexual intercourse with such person so soliciting or offer or agree to perform or participate in any lewd act.

- B. It shall be unlawful for any person to resort to any rooming house, lodginghouse, hotel, motel or any other place in the city for the purpose of having therein sexual intercourse with a person to whom he or she is not married.

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- C. No person shall cause, procure, induce, persuade or encourage any other person to patronize prostitutes or house of prostitution or direct or conduct another to prostitutes or places where prostitutes may be hired or obtained.
- D. No person shall offer or agree to provide prostitution or solicit patronage for prostitutes or houses of prostitution or take, offer or agree to take another person to any place with knowledge or reasonable cause to believe that such taking, offering or agreeing to take is for the purpose of prostitution, lewdness or assignation.
- E. No driver of any vehicle, capable of being used to transport persons shall permit any person to occupy or use such vehicle for the purpose of prostitution, lewdness or assignation with knowledge or reasonable cause to believe that the same is or is to be occupied and used for such purpose; nor shall any driver direct, take or transport any person to any building or place or to any other person with knowledge or reasonable cause to believe that the purpose of such transporting is prostitution, lewdness or assignation.
- F. No person shall rent, let or assign any room, apartment or place with the understanding or belief that such room, apartment or place is to be used by such person or persons to whom it is sold, let, rented or assigned for the purpose of having sexual intercourse with a person to whom he or she is not married or for the purpose of performing or participating in any lewd act with any person. (Sec. 16-21, 1962 Code)

7.44.02 Houses of prostitution prohibited. Any house, room or part of a house within the limits of this city which shall be used as a lewdy house, house of ill fame or for assignation or lewd purposes is hereby declared a nuisance, to be abated upon one day's notice by the Chief of Police and it shall be lawful upon the trial of any person charged with the violation of this section for the city to introduce in support of this charge, testimony of the general character and reputation of the house so complained of and charged and the defendant may resort to testimony of a like nature to disprove such charge. (A.C.A. 5-66-111)

## **CHAPTER 7.48**

### **WARNING SYSTEM**

Sections:

- 7.48.01 Installed
- 7.48.02 Protection for the public
- 7.48.03 Fine for violation
- 7.48.04 Implementation

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7.48.01 Installed The city of Jonesboro, Arkansas, shall have installed a sound warning system to be utilized for the purpose of warning the citizens of Jonesboro of conditions caused by nature or other causes which indicate the probability of an ensuing disaster. (Ord. No. 1386, Sec. 1.)

7.48.02 Protection for the public This ordinance is an exercise by the city of its governmental functions for the protection of the public peace, health, and safety and the city of Jonesboro, the agents and representatives of said city, or any individual, receiver, firm, partnership, corporation, association or trustee or any of the agents thereof in good faith carrying out, complying with or attempting to comply with, any order, any rule, or regulation pursuant to the provisions of this ordinance shall not be liable for any damages sustained to persons or property as a result of said activity. (Ord. No. 1386, Sec. 2.)

7.48.03 Fine for violation Any unauthorized person who shall operate a siren or other device so as to simulate said warning system, or to obstruct, hinder, destroy, mutilate any equipment utilized in the sound warning system of the city of Jonesboro, shall be deemed guilty of violation of this ordinance and shall be subject upon conviction thereof to a fine of not more than One Hundred Dollars (\$100.00) or thirty days in jail, or both. (Ord. No. 1386, Sec. 3.)

7.48.04 Implementation The Mayor, with the approval of the City Council, shall make whatever operational plans and appoint and designate whatever person or persons necessary for the implementation of the requirements of this ordinance. (Ord. No. 1386, Sec. 4.)

## **CHAPTER 7.52**

### **NOISE**

Sections:

- 7.52.01 Loud noises

7.52.01 Loud noises The creating of any unreasonably loud, disturbing and unnecessary

noise within the limits of the city, including noise of such character, intensity or duration as to be detrimental to the life, health or safety of any individual or in disturbance of the public peace and welfare is prohibited.

The following acts, among others, are declared to be noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

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- A. The sounding of any horn or signal device on any automobile, motorcycle, bus, taxicab, or other vehicle while not in motion except as a danger signal if another vehicle is approaching apparently out of control or if in motion only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonable loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.
- B. The playing of any radio, "juke box" or similar device, phonograph or any other kind of musical instrument or loudspeaker device in such a manner or with such volume, as to annoy or disturb the quiet, comfort or repose of persons in any office, hospital or in any dwelling, hotel or other type of residence or of any persons in the vicinity.
- C. Yelling, shouting, hooting, whistling or singing on the public streets at any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in any hospital, dwelling, hotel or any other type of residence or of any person in the vicinity.
- D. The use of any automobile, truck, motorcycle, motorbicycle, bus, tractor, motor propelled vehicle of whatsoever kind, design or name or any other vehicle so out of repair, so loaded or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noise.
- E. To discharge into the open air of the exhaust of any stationary steam engine, stationary internal combustion engine automobile, truck, motorcycle, motorbicycle, bus, tractor, motor propelled vehicle of whatsoever kind, design or name or any other vehicle or motorboat engine, including outboard motors, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- F. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session or adjacent to any hospital which unreasonably interferes with the workings of sessions thereof.

Provided, that none of the terms or prohibitions hereof shall apply to or be

enforced against any vehicle of the city while engaged upon necessary public business or any ambulance while being operated in cases of emergency. (A.C.A. 14-54-103)

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## **CHAPTER 7.56**

### **MINORS IN RATED MOVIES**

#### **Sections:**

7.56.01 Attendance

#### **7.56.01 Attendance at "X" rated movies by minors.**

- A. Admittance prohibited. Any person who shall knowingly admit any male or female child under the age of eighteen (18) years to any motion picture which shall have been classified by the motion picture industry as an "X" movie shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) and that each such knowing admission shall constitute a separate offense.
- B. Duty to ascertain legal age; fictitious identification. It shall be the duty of any person, firm or corporation who owns or operates a motion picture theater within the corporate limits of the city of Jonesboro, Arkansas, to ascertain the legal age of all male and female children who shall present themselves for admission to a movie with the classification of "X". Presentation of fictitious identification by the male or female child shall not constitute a defense to subsection (a) hereof, but shall be taken to mitigation thereof by a court of competent jurisdiction.
- C. Display of rating. All persons, firms or corporations who own or operate motion picture theaters within the corporate limits of the city of Jonesboro, Arkansas shall forthwith display prominently and legible in all newspaper advertisements and on their theater marquees and ticket windows the motion picture industry rating for the film which is being currently shown. No advertisement, trailer or preview of an "X" rated movie will be shown during the showing of a "G" or "PG" rated movie. Any person, firm or corporation and shall willfully violate the provisions of this subsection shall be guilty of a misdemeanor and upon

conviction shall be fined in a sum of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00). (Ord. No. 1250, Sec. 1-3.)

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## **CHAPTER 7.60**

### **TRESPASSING**

#### **Sections:**

7.60.01	Private property
7.60.02	Public property
7.60.03	Railroad property
7.60.04	School property
7.60.05	Automobiles

7.60.01 Private property. It shall be unlawful to trespass upon the lands, tenements, hereditaments or leasehold of another except by permission of the owner or occupant thereof and discovery of anyone upon such premises shall be prima facie evidence of a violation of this section. (Digest 1934, Sec. 931)

7.60.02 Public property. It shall be unlawful for any person to trespass on any real property, which is owned, leased or controlled by the city or held in trust by the city for public purposes. (Ord. No. 680, Sec. 1.)

7.60.03 Railroad property. It shall be unlawful for any person to enter upon the premises of either of the railways in the city or enter upon any railway car, coach, flat car, or engine within this city without having business of some kind upon the premises or upon the cars or engines. (Digest 1934, Sec. 890)

7.60.04 School property. It shall be unlawful for any person to trespass upon the building, yard or premises of any school within the city. (Digest 1934, Sec. 897)

7.60.05 Automobiles It shall be unlawful for any person to trespass by jumping upon, grabbing or hanging onto in any manner, get in or upon any automobile or any other kind of vehicle of another without invitation or permission from the owner of the vehicle. (Digest 1934, Sec. 895.)

## **CHAPTER 7.64**

### **GAMBLING**

#### **Sections:**

- 7.64.01 Gambling
- 7.64.02 Buildings for gambling
- 7.64.03 Misdemeanor penalties

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**7.64.01 Gambling** It shall be unlawful for any person to conduct or directly assist in the conducting, as a business, of any game, contest, lottery or contrivance whereby a person risks the loss of anything of value in order to realize a profit. (A.C.A. 5-41-2003)

**7.64.02 Buildings for gambling** It shall be unlawful for any person who owns or controls any building to use it or permit it to be used for gambling. (A.C.A. 5-41-2003)

**7.64.03 Misdemeanor penalties**. Where the penalty for violation is not specified by any section of this code which declares an unlawful activity or specifies a certain activity to constitute a misdemeanor, the penalty upon conviction shall be a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for not more than one (1) year, or any combination of fine and imprisonment not exceeding such limits.

## **CHAPTER 7.68**

### **ADVERTISING**

#### **Sections:**

- 7.68.01 Using poles
- 7.68.02 False advertising
- 7.68.03 Misdemeanor penalties

**7.68.01 Using poles**. The posting of any bills, cards, notices, signs or advertising of any kind whatever upon any public telephone, telegraph or electric light pole or post within the city is hereby prohibited. (Digest 1934, 5840)

**7.68.02 False advertising**. If any person engaged in business in the city shall falsely represent, by advertisement or by any other means, that the goods which he offers for sale are a certain brand or quality or that he will sell them at a certain percentage of their cost, price or value and shall afterwards sell the goods of a brand or quality inferior to that represented or

advertised, or shall sell the goods at a higher percent of their cost or value than represented and thereby impose upon anyone who buys on faith of such representation shall be deemed guilty of an offense. (Digest 1934, 5882)

7.68.03 Misdemeanor penalties. Where the penalty for violation is not specified by any section of this code which declares an unlawful activity or specifies a certain activity to constitute a misdemeanor, the penalty upon conviction shall be a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for not more than one (1) year, or any combination of fine and imprisonment not exceeding such limits.

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## **CHAPTER 7.72**

### **ADMISSION FEES**

#### **Sections:**

7.72.01 Admission fees

7.72.01 Admission fees It shall be unlawful for any person to enter without permission, whether enclosed or not, where any game, contest or exhibition is being given and a charge is being made to spectators for witnessing same, unless the person so entering such premises shall have paid the admission fee charged. (Digest 1934, 5843)

## **CHAPTER 7.76**

### **DISCRIMINATION PROHIBITED**

#### **Sections:**

7.76.01 Handicapped parking  
7.76.02 Grievance procedures  
7.76.03 Accessibility  
7.76.04 Interpreter

7.76.01 Handicapped parking. Handicapped parking space shall be provided at the City Hall parking lot and at the Justice Complex. (Ord. No. 1894, Sec. 1)

7.76.02 Grievance procedures. The grievance procedure in Section IV, 4.1 of the employees handbook, adopted by the City Council January 17, 1977, shall apply. This procedure shall be available at the Mayor's office for public inspection. Complaints alleging handicapped discrimination may be directed to the Mayor's office. Such complaints shall receive a review

within ten (10) working days. If the Mayor's office, after the review, cannot resolve the complaint, the matter shall be presented to the City Council at the first City Council meeting following a period of fifteen (15) days from the date of the complaint. After hearing the complaint, the City Council shall apply all due process standards to a resolution of the complaint. (Ord. No. 1894, Sec. 2)

7.76.03 Accessibility. Structural changes shall be made to city buildings as needed in order that accessibility to all public meetings and governmental functions are afforded to all handicapped persons.

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7.76.04 Interpreted. Upon seventy-two (72) hours notice to the Mayor's office, the city shall provide, at the city's public meetings or functions, an interpreter for persons with hearing disabilities. (Ord. No. 1894, Sec. 5)

## **CHAPTER 7.80**

### **HISTORICAL CITY RECORDS**

#### Sections:

- 7.80.01 Documentation
- 7.80.02 Title and literary rights
- 7.80.03 Approval

7.80.01 Documentation The City Clerk of Jonesboro, Arkansas, is hereby authorized to provide such documentation to the Archives and Special Collections Division of the Dean B. Ellis Library of Arkansas State University as deemed necessary for the preservation of historical city records. (Ord. No. 3153, Sec. 1.)

7.80.02 Title and literary rights It is understood that title to and such literary rights of any and all documentation provided to the Archives and Special Collections Division of the Dean B. Ellis Library of Arkansas State University shall be retained by the city of Jonesboro and the City Clerk's office. (Ord. No. 3153, Sec. 2.)

7.80.03 Approval The Jonesboro City Council hereby approves, and authorizes the deposit agreement between the city of Jonesboro, Arkansas and the Dean B. Ellis Library of Arkansas State University. (Ord. No. 3153, Sec. 3.)

## **CHAPTER 7.84**

## **SMOKE FREE ENVIRONMENT**

**Sections:**

7.84.01	Municipal buildings
7.84.02	Smoking area
7.84.03	Definition
7.84.04	Signs
7.84.05	Fine

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**7.84.01 Municipal buildings** Smoking shall be prohibited in all municipal owned or leased buildings, except in designated smoking area assigned by the Mayor of the city of Jonesboro, Arkansas. (Ord. No. 2549, Sec. 1.)

**7.84.02 Smoking area** The designated smoking area shall be so designed as to not affect the public and or other city employees and shall have separate ventilation outside the building. (Ord. No. 2549, Sec. 2.)

**7.84.03 Definition** Smoking shall be defined as carrying or holding a lighted cigarette, cigar or pipe of any kind or the lighting, emitting or exhaling of smoke from a cigarette, cigar or pipe of any kind. (Ord. No. 2549, Sec. 3.)

**7.84.04 Signs** "No Smoking" signs shall be provided by the City Administration and displayed in conspicuous locations throughout all municipal buildings. (Ord. No. 2549, Sec. 4.)

**7.84.05 Fine** Violation of this ordinance shall be deemed a misdemeanor offense and punishable by a fine of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00). (Ord. No. 2549, Sec. 5.)

## **CHAPTER 7.88**

### **CITY SEAL**

**Sections:**

7.88.01	Need
7.88.02	Seal
7.88.03	Other seals repealed
7.88.04	Official use
7.88.05	Private use

- 7.88.06 Mayor's charge
- 7.88.07 Definition

7.88.01 Need A need exists for the establishment and creation of a seal of the city of Jonesboro in order that the City Clerk and other deemed city officials, may attest, certify and authenticate records and documents of said city. (Ord. No. 2345, Sec. 1.)

7.88.02 Seal Pursuant to the provisions of 14-43-401 & 14-43-406 of the code of the state of Arkansas as same presently provide the City Council of the city of Jonesboro, Arkansas, does hereby approve and adopt as and for the corporate seal of said city, the following seal, with

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lettering, form, arrangement and designs all as set forth and shown in the embossed or stamped impression which follows. (Ord. No. 2345, Sec. 2.)

7.88.03 Other seals repealed All forms of a corporate seal heretofore adopted established or used by or for said city shall be and the same are hereby abandoned and nullified for use after the effective date of this ordinance; and the only form or corporate seal for use by for said city, after such effective date, shall be the form of seal hereinabove set forth in 7.108. 02. (Ord. No. 2345, Sec. 3.)

7.88.04 Official use It shall be unlawful for any person to make or use the seal of the city of Jonesboro, or any cut, facsimile, or reproduction of said seal, or make or use any seal or any design which is an imitation of said seal, or of the design thereof, or which may be mistaken for the seal of said city, or the design thereof, for any purpose other than for the city of Jonesboro purposes, or for the purposes of any board, officer, or department thereof. (Ord. No. 2345, Sec. 4.)

7.88.05 Private use It shall be unlawful for any person to display or place, either temporarily or permanently, the official seal of said city, or any facsimile, representation thereof on any privately owned vehicle, unless by express written permit first hand and obtained from the City Council of said city to do so. In the event any such permit is so granted by said Council, it shall be unlawful for any person to place or display such seal in any manner, or at any time contrary to or in violation of the provision of such permit. (Ord. No. 2345, Sec. 5.)

7.88.06 Mayor's charge In accordance with A.C.A. 14-43-401(2), the Mayor shall keep the corporate seal of the city in his charge. (Ord. No. 2345, Sec. 6.)

7.88.07 Definition The word "person" as used in this ordinance shall include person, firm, association and corporation, and acting as principal, agent, employee or otherwise. (Ord. No. 2345, Sec. 7.)

## **CHAPTER 7.92**

## YARD SALES

Sections:

7.92.01	Definition
7.20.02	Limit per year
7.92.03	Registering
7.92.04	Violation

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7.92.01 Definition A yard sale shall be defined as the selling of miscellaneous goods such as, but not limited to, clothing and housewares on property zoned for residential or agricultural use. Yard sales are also commonly known as rummage sales, garage sales, and carport sales, such activities may take place inside or outside of a house, garage, or carport. (Ord. No. 2520, Sec. 1.)

7.92.02 Limit per year Each property address shall be limited to four yard sales in a period of one year. a maximum of two consecutive sale days shall count as one yard sale. (Ord. No. 2520, Sec. 2.)

7.92.03 Registering Prior to holding a yard sale, the property owner or tenant shall notify the Planning and Inspection Department by writing or telephone to register his or her yard sale. (Ord. No. 2520, Sec. 3.)

7.92.04 Violation A violation of any provisions of this ordinance shall be punishable in accordance with Section 1.32.01, general penalty, of the Jonesboro Municipal Code. (Ord. No. 2520, Sec. 5.)

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