

ORDINANCE NO. 0-87-26

AN ORDINANCE ESTABLISHING A MINIMUM FINE FOR ALL CRIMINAL AND TRAFFIC OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF THE CITY OF CONWAY, ARKANSAS; FIXING A MINIMUM BOND THEREFORE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, it is deemed by the City Council of the City of Conway, Arkansas, to be in the best interests of the City of Conway, Arkansas, to preserve the peace and dignity of said City and maintain law and order therein, that minimum fines and bonds be established and recovered in the Conway Municipal Court.

WHEREAS, Ark. Stat. 19-2408 provides that Ordinances of municipal corporations may be enforced by the imposition of fines, forfeitures and penalties, and that the fine, penalty or forfeiture may be prescribed by a general ordinance made for that purpose; and municipal corporations have the power to provide in like manner for the prosecution, recovery and collection of such fines, penalties and forfeitures; and,

WHEREAS, Ark. Stat. 19-2410 provides that the town or city council in all cities or incorporated towns in this state are authorized to prohibit and punish any act, which the laws of this state make a misdemeanor, and to prescribe penalties for all offenses in violating any Ordinance of said city not exceeding the maximum penalty prescribed for similar offenses against the state laws by statutes of this state.

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

Section 1. That from and after the passage of this Ordinance, the minimum fines, excluding court costs, for the hereinafter set forth offenses committed within the City of Conway, Arkansas shall be as follows:

Revoked or Suspended drivers license	\$110.00
Selling intoxicants	135.00
Theft of Property	100.00
Speeding	20.00
Speeding (more than 20 mph over limit)	40.00
Speeding too fast for conditions	20.00
Unsafe or hazardous driving	30.00
Untaxed liquor	150.00
Altering driver's license	50.00
Interfering with police officer	150.00
Concealed or illegal weapon	100.00
Curfew violation	20.00

Contributing to a minor	110.00
Crossing median	20.00
Possession of Controlled Substance	100.00
Theft of Services	100.00
Defective Brakes	20.00
Disorderly conduct	50.00
Drinking in public	30.00
Drove left of center	20.00
D W I first offense	175.00
D W I second offense	350.00
Expired driver's license	20.00
Failure to yield	20.00
Following too close	20.00
Fictitious motor vehicle license	20.00
Failure to dim lights	10.00
Going wrong way on a one way	30.00
Improper mufflers	20.00
Improper lane change	20.00
Improper parking	5.00
Improper turn	20.00
Indecent exposure	100.00
Leaving the scene of an accident	100.00
Littering on street or highway	20.00
Minor in possession of alcohol	30.00
No driver's license	20.00
No motor vehicle license	30.00
No lights on at night	30.00
Over possession	150.00
Passing a stopped school bus	50.00
Passed within 100 ft. of bridge or tunnel	20.00
Passed on right	20.00
Passed on hill or curve	20.00
Passed on yellow lines	20.00
Permitting unauthorized minor to drive	30.00
Public Intoxication	30.00
Racing on Highway	175.00
Reckless driving	100.00
Class A Misdemeanor offense	150.00
Class B Misdemeanor offense	100.00
Class C Misdemeanor offense	50.00
Violations	20.00

Section 2. The minimum bond subject to forfeiture for non-appearance on all the above set forth offenses shall be equal to the minimum fine as set forth above in addition to court costs for each offense as from time to time established by the Legislature of the State of Arkansas and the City Council of the City of Conway, Arkansas.

Section 3. That Section 1.32.02 and Section 1.32.03 of the Conway Municipal Code are hereby specifically repealed and replaced by the above set forth Ordinance.

Section 4. If any clause, sentence, paragraph, section or other portion of this Ordinance are found to be unconstitutional

or invalid or inoperative by a court of competent jurisdiction, such finding shall not affect the validity of the remainder of this Ordinance operate to affect any portion of the remainder of this Ordinance not specifically attacked in said proceeding.

Section 5. It is ascertained and declared that it is necessary for the protection and preservation of the public peace, welfare, safety, and property of the citizens of the City of Conway, Arkansas, that the foregoing Ordinance be passed and adopted; that an emergency exists; and that this Ordinance shall take effect and be in force from and after its passage and publication.

PASSED: 6-9-81

APPROVED:

Bill Wright
Mayor

ATTEST:

Alvin D. Damm
City Clerk