

**TITLE VII TRAFFIC CODE
CHAPTER 74: PEDESTRIANS**

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CHAPTER 74: PEDESTRIANS

74.01 Application Of Regulations

Pedestrians shall be subject to traffic control signals at intersections as declared in this traffic code, but at all other places pedestrians shall be accorded the privileges and shall be subject to restrictions stated in this chapter.

(Code 1965, §19-245; Ord. No. 1447, 6-7-65; Code 1991, §74.01)

State law reference(s)--Privileges and restrictions generally, A.C.A. §27-51-1201; Crosswalks, A.C.A. §27-49-204; Persons, A.C.A. §27-49-208.

74.02 Right-Of-Way In Crosswalks; Use By Pedestrians

(A) Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

(B) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(C) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(D) Pedestrians shall move, whenever practicable, upon the right half of crosswalk.

(Code 1965, §§19-246--19-248; Ord. No. 1447, 6-7-65; Code 1991, §74.02)

Cross reference(s)--Penalty, §74.99.

State law reference(s)--Pedestrians right-of-way in crosswalks, A.C.A. §27-51-1202; Use of crosswalks, A.C.A. §27-51-1203.

74.03 Duty To Yield Right-Of-Way To Vehicles At Certain Places

(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 vehicles upon the roadway.

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(Code 1965, §19-249; Ord. No. 1447, 6-7-65; Code 1991, §74.03)

Cross reference(s)--Penalty, §74.99.

State law reference(s)--Pedestrians crossing at other than crosswalks, A.C.A. §27-51-1204; Vehicle or streetcar entering stop or yield intersection, A.C.A. §27-51-503; Signal legend, A.C.A. §27-52-107.

74.04 Hitchhiking Prohibited

No person shall solicit a ride from the driver of any private vehicle.

(Code 1965, §19-250; Ord. No. 1447, 6-7-65; Code 1991, §74.04)

Cross reference(s)--Penalty, §74.99.

State law reference(s)--Soliciting rides, A.C.A. §27-51-1205.

74.05 Soliciting From Public Roadways Or Sidewalks Prohibited Unless Permit Granted

(A) No person shall stand in a public roadway or upon a public sidewalk for the purpose of soliciting a monetary contribution from any occupant of a motor vehicle, unless a permit has first been obtained from the Parking Manager.

(B) The Parking Manager shall issue a permit to solicit contributions in the public roadway or sidewalk to any charitable organization that is a valid 501 (c)(3) charitable organization under the Internal Revenue Code. Proof of the valid 501 (c)(3) status shall be provided to the Parking Manager.

(C) Permit applications must also be accompanied by a fee of \$25.00 and a certificate of insurance signed by an agent authorized to bind coverage indicating that the applicant has obtained, at their sole expense, insurance coverage:

(1) That is written by an insurance company with an A- or better rating and is admitted and licensed to do business in the state;

(2) That is in full force and effect for the duration of the

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permit period;

1991, §74.05; Ord. 4731, 7-19-05)

(3) That provides two million dollars of liability coverage per occurrence with no deductible;

Cross reference(s)--Penalty, §74.99.

(4) That insures the applicant and all persons who will be soliciting;

74.06 Blind Pedestrians

(5) That names the city, its officers, employees and elected representatives as additional insureds; and

(A) All blind persons traveling along or across the streets of the city shall have the right-of-way over all other traffic on such streets, except at street intersections where traffic lights are maintained. To entitle such persons to the right-of-way, they shall carry a white cane with red tip, or a cane the color of which is predominantly white, or light, or a cane constructed of aluminum or other light-colored metal.

(6) That is written on an occurrence basis.

(B) All traffic on the streets shall yield the right-of-way to blind persons carrying a cane as described in subsection (A) above, except at street intersections where traffic lights are maintained. Anyone failing to yield the right-of-way to such blind pedestrians shall be guilty of a misdemeanor and subject to a fine as set forth in §74.99.

(D) Permits issued under this ordinance shall only be issued for the days of Friday and/or Saturday, and for no hours other than those between 9:00 A.M. and one hour before sunset. Only one permit shall be issued by the City for any particular day or two day period. Permits may be issued to no organization more than once per calendar year. Permits can be issued for a maximum of two separate locations under one permit, but no permit shall be granted which allows solicitation on any federal or state highway. An additional permit will be issued if a scheduled event is rained out. The locations must be approved by the Chief of Police. Permit application must be received by the Parking Manager at least 30 days and no more than one year prior to any date in which the applicant is applying to solicit in the roadway or sidewalk.

(Code 1965, §19-251; Ord. No. 1447, 6-7-65; Code 1991, §74.06)

Cross reference(s)--Penalty, §74.99.

State law reference(s)--Reasonable precautions by drivers, A.C.A. §20-14-306.

(E) The City may only issue six total permits per year on a first come basis.

74.07 Duty Of Drivers To Exercise Care With Regard To Pedestrians

Notwithstanding the provisions of this chapter, 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.

(F) Any person who is soliciting contributions from a motor vehicle while in the roadway, must be 18 years of age or older and must wear a fluorescent orange visibility vest or shirt. No solicitor shall impede traffic or make physical contact with any motor vehicle (such as tapping on the window or door).

(Code 1965, §19-252; Ord. No. 1447, 6-7-65; Code 1991, §74.07)

Cross reference(s)--Penalty, §74.99.

State law reference(s)--Pedestrians crossing at other than crosswalks, A.C.A. §27-51-1204.

(G) The organization obtaining a permit shall provide an about eight square foot sign at least 50 feet, but no more than 200 feet from the point of solicitation, which states the name of the organization which is soliciting contributions. The sign shall be on both sides of the street and placed so that it does not impede traffic. These signs must be in place only during active solicitation and must be removed during non-permit times. These temporary signs are exempt from Chapter 174 of the Unified Development Code.

74.08 Use Of Skates, Coasters And The Like; Clinging To Vehicles

(A) No person upon roller skates or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk and, when so

(Code 1965, §19-250.1; Ord. No. 2476, 10-17-78; Code

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crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

- (B) No person riding upon any coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

(Code 1965, §§19-18, 19-20; Ord. No. 1447, 6-7-65)

Cross reference(s)--Penalties, §74.99.

74.09-74.98 Reserved

74.99 Penalty

- (A) Whoever violates any provision of this chapter for which no penalty is otherwise provided shall be fined as set forth in §10.99.

- (B) Whoever violates any provisions of §74.06 shall be fined not more than \$100.00.

(Code 1965, §§19-251, 19-263(b); Ord. No. 1447, 6-7-65; Ord. No. 2219, 5-4-76; Code 1991, §74.99)

State law reference(s)--Vehicle or streetcar entering stop or yield intersection, A.C.A. §27-51-503(2).

