

1 (A) **“Motor vehicle”** includes without limitation:

2 (1) An all-terrain **vehicle** as defined under § 27-21-102; and which is a vehicle that:

3 (a) Has three (3), four (4), or six (6) wheels;

4 (b) Is fifty (50) inches or less in width;

5 (c) Is equipped with non-highway tires;

6 (d) Is designed primarily for off-road recreational use; and

7 (e) Has an engine displacement of no more than 1,000 cubic centimeters.

8 (f) “All-terrain vehicle” includes a recreational off-highway vehicle.

9 (i) “All-terrain vehicle” does not include a golf cart, riding lawnmower, or
10 lawn or garden tractor, or a vehicle designed to be used for agricultural
11 purposes, such as a tractor.

12 (2) **“Motor vehicle”** does not include:

13 (a) A motor vehicle designed to assist a person with a physical disability with
14 walking;

15 (b) A motorized scooter or other vehicle designed to be used as a toy by a child;

16 (c) A bicycle equipped with a small motor designed to assist the bicycle operator
17 and that is not operated at a speed greater than twenty (20) miles per hour
18 (MPH);

19 (d) A riding lawnmower that is not operated on a public roadway;

20 (e) An electric personal assistive mobility device that is designed to not be capable
21 of a speed of more than twenty (20) MPH; or,

22 (f) A device moved by human power or used exclusively upon stationary rails or
23 tracks.

24 **“Opaque Privacy Fence”** means a structure of post, boards, or other materials appropriate for
25 a residential neighborhood that is used to border, secure or delineate a yard or other land area that
26 will visually screen the area fenced from view by neighboring residential structures, and otherwise
27 complies with the provisions of Section 36-515 of this Code; provided, an opaque privacy fence
28 shall not include plastic or metal slats woven into a chain-link fence.

29 **“Storage”** or **“Store”** means to place all or part of an Automobile, Boat or Motor Vehicle that
30 is unlicensed and inoperable in any part of the yard immediately surrounding a residential
31 structure.

32 **“Unlicensed Boat”** means a boat that does not have an up-to-date and valid Arkansas license
33 and registration issued by the Arkansas Department of Finance & Administration.

34 **“Unlicensed Vehicle”** means a vehicle that does not have an up-to-date and valid Arkansas
35 license and registration issued by the Arkansas Department of Finance & Administration.

1 **Section 2.** No property owner shall permit anyone, including but not limited to the owner, or tenants
2 of the owner, to store any unlicensed boat, unlicensed vehicle, inoperable boat, or inoperable vehicle, motor
3 vehicle or part thereof that is in a state of disrepair or incapable of being moved in the backyard of property
4 or on a street where the predominant residential zoning is residential, or which can be seen from properties
5 that are zoned residential, unless there is a six (6)-foot opaque private fence in place that has been
6 constructed in accordance with City Code provisions, and has received all necessary City Building Permits
7 or Licenses.

8 **Section 3.** Any property owner in an area primarily zoned residential, upon which there is a six (6)-
9 foot privacy fence, or where the backyard is visible to an adjoining area primarily zoned residential, shall
10 be limited to not more than two (2) items covered by this ordinance, such as an unlicensed boat, unlicensed
11 vehicle, inoperable boat, or inoperable vehicle, if the owner is actively attempting to repair such item, does
12 so within a thirty (30)-day period, and obtains the appropriate license for such item within seven (7) business
13 days of the completion of any repairs required to make the item operable, provided the property owner is
14 not required to have two (2) items of the same type.

15 **Section 4. Penalty.** Any person convicted of, or who pleads *nolo contendere* to, a violation of this
16 ordinance shall be subjected to the following penalties:

17 (A) For the first offense, a fine of not less than One Hundred Dollars (\$100.00) and any required
18 court costs, but not more than Five Hundred Dollars (\$500.00) and any required Court costs,
19 for each illegal vehicle in storage;

20 (B) For a second or subsequent offenses within a three (3)-year period, a fine of not less than
21 Two Hundred Fifty Dollars (\$250.00) and any required Court costs, nor more than One
22 Thousand Dollars (\$1,000.00), and any required court costs, for each illegal vehicle in
23 storage; and,

24 (C) A daily fine of Five Hundred Dollars (\$500.00), and any required Court costs, for each illegal
25 vehicle in storage that is not removed from the property within seventy-two (72) hours of the
26 conviction, provided that if this seventy-two (72)-hour period ends on a holiday, or a Sunday,
27 then the owner shall be given a grace period until the next immediate business day before the
28 daily fine and court costs are imposed.

29 **Section 4. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
30 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
31 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
32 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
33 ordinance.

34 **Section 5. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
35 the provisions of this ordinance, are hereby repealed to the extent of such inconsistency including, but not

1 limited to, Little Rock, Ark., Ordinance No. 16,435 (June 1, 1993), Little Rock, Ark., Ordinance No. 19,761
2 (June 12, 2007), and Little Rock, Ark., Resolution No. 14,902 (December 3, 2018).

3 **Section 6. Emergency Clause.** *The prevention of blight, and unnecessary eyesores in residential areas*
4 *harms property values, and can lead to an increase in crime or neglect, which is contrary to the*
5 *maintenance of the public health, safety, and welfare; an emergency is, therefore, declared to exist, and*
6 *this ordinance shall be in full force and effect fifteen (15) calendar days after its passage.*

7 **PASSED: August 4, 2020**

8 **ATTEST:**

APPROVED:

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11 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

12 **APPROVED AS TO LEGAL FORM:**

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14 _____
15 **Thomas M. Carpenter, City Attorney**

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