

SALINE COUNTY CODE OF ORDINANCES
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Chapter 12: ROADS / TRANSPORTATION

Article

- I. ROADS, BRIDGES, AIRPORTS, AVIATION**
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Article I. ROADS, BRIDGES, AIRPORTS, AVIATION

A.C.A. § 27-66-101. Construction, repair, maintenance contracts.

- (a) (1) The State Highway Commission is authorized and empowered to enter into contracts with as many as two (2) counties of this state under the terms of which, in consideration of the sum agreed to be paid by the particular county, the commission will be authorized, permitted, and required to assume the work of construction, repair, and maintenance of all the county roads in the particular county or part thereof that may be agreed upon in the contract.
- (2) The counties are authorized and empowered to enter into contracts with the commission.
- (b) The contracts authorized by this section may provide for the use of the machinery and equipment belonging to the county, or of the machinery and the equipment belonging to the commission, or the machinery and equipment of both, in the construction, repair, and maintenance of county roads.
- (c) No contract herein authorized shall be for a period extending beyond the end of the term for which the county judge of the contracting county was elected.
- (d) Nothing contained in this section shall have the effect of adding any county roads to the state highway system, nor shall any contracts remove from the county court of the contracting county exclusive jurisdiction over the roads within that county.
- (e) Nothing in this section shall reduce or diminish, or have any effect upon, the amount of money now paid by the state to the various counties for road purposes.

A.C.A. § 27-72-320. Provisions for advanced transfers.

- (a) (1) Advance transfers may be made to each of the several county highway funds from time to time during the fiscal year in amounts as may be requested by the several county courts and approved by the Chief Fiscal Officer of the State.

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A.C.A. § 14-358-101. Airports authorized.

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Any county in this state may acquire, own, operate, and maintain an airport or flying field in that county and may make, build, and construct all improvements at the airport or flying field as may be deemed necessary for the proper operation thereof.

Section

1200.00 Saline County master road plan.

1200.01 Uniform system for numbering buildings and street and/or road frontage.

1200.02 Requiring persons doing construction work upon county road rights of way to obtain a permit.

1200.03 Regulating overdimensional vehicles on county roads.

1200.04 Access management plan for the Alcoa Road/Benton Parkway corridor.

1200.05 Minimum standards for the upgrading of drainage structures and construction and erection of replacement and new bridges.

1200.06 Saline County Airport height zoning ordinance.

§ 1200.00 SALINE COUNTY MASTER ROAD PLAN.

- 1) The Master Road Plan, comprised of text and maps so titled, for Saline County, Arkansas, prepared by the Saline County Planning Board and originally adopted by the Saline County Quorum Court by Ordinance No. 1988-032, which was revised by Emergency Ordinance 2008-098 is hereby revised by this Ordinance. Copies of the revised Master Road Plan, which is hereby incorporated by reference, and this Ordinance are on file in the Office of the County Clerk and are available for public inspection during normal business hours.
- 2) **PENALTIES.** Any person, firm, or corporation found guilty of violating any of the provisions of this Ordinance shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each such violation as provided by A.C.A. § 14-14-906. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. For each day of violation in continuance thereof, the fine shall be not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).
- 3) **REPEALER.** Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

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- 4) EMERGENCY CLAUSE. This Ordinance being necessary to ensure the orderly development of property in Saline County an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and publication.
([Ord. 1979-020](#), passed 6-19-79; Am. [Ord. 1979-020A](#), passed 10-15-85; Am. [Ord. 1988-015](#), passed 6-14-88; Am. [Ord. 1988-032](#), passed 7-14-88; Am. [Ord. 2008-098](#), passed 10-21-08; Am. [Ord. 2015-016](#), passed 3-17-15)

**§ 1200.01 UNIFORM SYSTEM FOR NUMBERING BUILDINGS AND STREET
AND/OR ROAD FRONTAGE.**

- 1) There is hereby established a uniform system for numbering the property frontage on all streets, roads, avenues, and public and private ways in the Basing System of the County of Saline. All houses and other buildings shall be numbered in accordance with the provisions of this Ordinance.
- 2) The County of Saline shall be comprised of seven (7) systems (Benton, Bryant, Haskell, Traskwood, Little Rock, Hot Springs Village, and Interstate 30) each with a different point of reference and base lines upon which a grid system has been established. These seven systems shall be retained and extended to the appropriate parts of incorporated and unincorporated Saline County.
- 3) Each incorporated city shall have the responsibility of naming streets, avenues, and public and private ways, the numbering of building and street frontage within the boundary lines of their respective incorporated cities.
- 4) The County of Saline shall be responsible for the naming of county roads, public access (private roads) and private driveways, the numbering of buildings and road frontage in the unincorporated parts of the County, as well as the incorporated cities which have not adopted a system and desire to be a part of the county system and included in one of the existing systems. The County of Saline shall use the incorporated city's numbering system to include each incorporated city's planning zone outside of the boundaries of the incorporated city.
- 5) The numbering system will be under the control and supervision of the County Court.
- 6) The numbering of buildings on each road shall be based on the grid system which will be based on the concept of 16 blocks to the mile. The block system used in the individual incorporated cities of each system shall extend out into the unincorporated county on the same basis used inside the boundaries of an incorporated city. All numbers assigned to property and buildings shall be assigned on the basis of one for each twenty-five (25) feet

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of road frontage. Where a lot of record is in excess of 25 feet of road frontage, with single building occupancy, the building shall be the nearest number within the sequence of 25 foot assignment.

- 7) The naming of all streets, roads, avenues, county roads, public access (private roads) and private driveways in the system shall be the responsibility of the County Court. When feasible and the majority of property owners can agree on a name, the Court will use the name selected by the property owners for public access (private roads) and private driveways. Names and numbers assigned to public access (private roads) and private driveways shall be for emergency services locating purpose only and shall not guarantee or obligate the U.S. Postal Service to make deliveries to this type of address.
- 8) SURVEY.¹³
 - a. The Quorum Court of Saline County shall cause the necessary survey to be made and completed within six months from the date of the adoption of this Ordinance, to determine the address of property requiring the assignment of an address or requiring a change of address under the terms of this Ordinance. Thereafter, there shall be assigned to each house and other residential, commercial, industrial, or public building located on or gaining access to any street, avenue, or public way in said Basing System, its respective number under the uniform system provided for in the Ordinance according to said survey.
 - b. When the said survey shall have been completed and each house or building has been assigned its respective number or numbers or during the survey by field representatives, the county shall notify:
 - i. The owner, occupant, or agent of affected house or building;
 - ii. The U.S. Postal Service, the major utilities serving the address area, ie., and emergency services such as police and sheriff, fire departments and ambulance service.

The County shall make a record of the date notified the address to which delivered.

¹³ Section 8a begins Amending Ord. 1987-026.

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- c. The owner, occupant, or agent of the affected house or building shall place or cause to be placed upon each house or building, the number or numbers assigned under the address system as provided in this Ordinance.
- d. Such number or numbers shall be placed on existing buildings within thirty (30) days from the date of notification. The cost of the number or numbers shall be paid for by the property owner and may be procured either from the local fire departments at the unit price for the same, or from any other source. Replacement of numbers shall be procured and paid for by the owner. The numbered used shall not be less than three (3) inches in height for residential structures and shall not be less than six (6) inches in height for non-residential structures. The numbers shall be of a durable reflective material on a color contrasting background to promote enhanced visibility. If the proper number is not placed on an existing building within thirty (30) days from the date of notification, it shall be the duty of the enforcement officer to install the proper number or numbers on said premises as hereinafter set forth, and to make a charge for each number so installed.
- e. The numbers shall be conspicuously placed immediately above, on, or at the side of the proper door of each building so that the number can be seen plainly from the street on which the number is based. Whenever any building is situated so that the number is not clearly discernible from the street line or vision of the building from the street is otherwise obscured, the number or numbers assigned shall be placed near the walk, driveway, or common entrance to such buildings, and affixed upon a date post, fence, mail box, post or other appropriate place so as to be easily discernible. Numbers painted or stenciled on the curb shall not be a lawful substitute for the display of address numbers prescribed by this Ordinance.

9) DISTINCTIVE NAMES AND NUMBERING.

- a. Where only one number can be assigned to any house or building; the owner, occupant, or agent of such house or building, who shall desire distinctive numbers for the upper and lower portion of any house or building, or for any part of any such house or building fronting on any street; such owner, occupant, or agent shall be assigned the suffix (A), (B), (C), etc., as may be required. Fractional numbers shall not be used as an alternative to alphabetical designations.
- b. Distinctive names such as 1st Place, Plaza One, or the like, may be used by owners to name business locations. However, businesses so named shall also display the correct assigned address number or numbers in accord with this Ordinance.

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10) For the purpose of facilitating correct numbering, a plat book of all streets, avenues, and public ways within the city and county service area showing the proper numbers of all houses or other buildings fronting upon all streets, avenues, public or private ways shall be kept on file in the office of the County Judge. These plats shall be open to inspection of all persons during the office hours of the manager. Duplicate copies of such plats shall be furnished by the County Planning Commission.

11) It shall be the duty of the County Judge to inform any party applying for address numbers therefore of the number or numbers belonging to or embraced within the limits of any said lot or property as provided in this Ordinance. In case of conflict as to the proper number to be assigned to any building, the County Court shall determine the number of such building.

12) ADDRESS ASSIGNMENT.

- a. The owner or agent proposing to locate any house, building or structure in need of an address in the address service area of the County of Saline shall apply to the County Judge for the assignment of the correct number or numbers.
- b. In those parts of the address service area where building permits are not issued, the owner or agent shall apply to the County Judge for the assignment of the correct address. Proof of address must be shown by the owner or agent before electrical service is extended to any structure, mobile structure, or vacant lot.
- c. No mail shall be delivered until permanent and proper numbers have been affixed within thirty (30) days to said structure or otherwise in accord with the procedures of this Ordinance.

13) ENFORCEMENT.

- a. Enforcement of Ordinance 87-19 as amended by Ordinance 87-26 shall be delegated to any law enforcement officer who may issue citations for such violations or may seek any other lawful means of enforcing the violation and shall also be delegated to the 9-1-1 Communications Center Coordinator, or his designated representative, who shall have the authority to seek a warranty through the Prosecuting Attorney's Office for enforcement of this Ordinance.
- b. Non-compliance with Ordinance 87-19 as amended by Ordinance 87-26 shall be considered a violation and shall be under the jurisdiction of the Municipal Court of Saline County.

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- c. Penalties: Any person who pleads guilty, nolo contendere, or is found guilty of violating Ordinance 87-19 as amended by Ordinance 87-26 may be fined no more than twenty-five dollars (\$25.00) for the first offense, no more than fifty dollars (\$50.00) for a second offense which occurs more than thirty days after a conviction on the first offense, and no more than one hundred dollars (\$100.00) for the third or subsequent offense which occurs more than thirty days after a conviction on the second or any subsequent offense.

14) EMERGENCY CLAUSE. An emergency is hereby declared to exist and this Ordinance being necessary for the immediate preservation of the public, peace, health and safety, shall be in full force and effect from and after its passage and approval.

([Ord. 1987-019](#), passed 6-9-87; Am. [Ord. 1987-026](#), passed 7-15-87; Am. [Ord. 1988-014](#), passed 6-14-88; Am. [Ord. 1992-001](#), passed 1-21-92; Am. [Ord. 2000-003](#), passed 1-31-00)

**§ 1200.02 REQUIRING PERSONS DOING CONSTRUCTION WORK UPON
COUNTY ROAD RIGHTS OF WAY TO OBTAIN A PERMIT.**

- 1) Saline County Ordinance No. 2001-080 is hereby repealed and re-enacted to read as follows:
 - a. Any person, firm or corporation desiring to install or repair any utility lines or to do any other work within the right of way of any county road of this County shall first obtain a permit to do such installation or maintenance work from the County Judge. There shall be a \$20.00 fee charged for the issuance of such permits, and any person, firm or corporation desiring a permit must agree in writing before the permit may be issued to repair any damage done to the county road during such maintenance or installation work and to restore the surface of the roadway to county road specifications upon completion of the work. Before the County Judge issues any permit to do such installation or maintenance work, the County Judge shall require the applicant to provide a surety bond in the amount of \$10,000.00 as approved by the County Judge. The bond shall remain in full force and effect for a period of one year after the date of completion of all repair work. Only one such bond shall be required for all said work done by any person, firm or corporation. Upon completion of the work, the County Judge shall inspect the same to determine if the surface has been properly restored.
- If the person, firm or corporation does not perform the repair work or, if in the opinion of the County Judge the road surface has not been properly restored, the County Judge may use county labor, equipment and materials to restore the surface of any county roadway cut pursuant to any permit issued under this

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Ordinance and the County judge shall require the permittee doing the cutting to reimburse the County for its expenditures for materials, labor and use of equipment, said amounts to be charged against the bond.

The County Judge may require that any person, firm or corporation who does not obtain a permit before engaging in work within the right of way of any county roadway or surface of any county roadway or any permittee who has not satisfactorily restored the roadway to restore the roadway to the specifications which are attached "Exhibit A" and which are hereby incorporated by reference.

- b. The County Judge is hereby authorized to place such additional requirements upon any permit issued as the County Judge may deem reasonable to insure that free passage of traffic upon the county roads is not unduly interrupted by such work and that the road surfaces damaged thereby are promptly and adequately restored. The County Judge shall designate certain roads within the county road system to be "primary roads," and shall clearly identify the same upon a map maintained by him in the office of the County Judge. The road surface of such primary road shall not be cut for the installation, maintenance or repair of any permitted utility or other construction work but any such installation, maintenance or repair on such primary roads shall be accomplished by drilling under the road's surface. The only cutting of a primary road's surface or road bed that shall be allowed for any of the work permitted under this Ordinance shall be a partial cut from the ditch line to the existing line perpendicular to the center line of said road for the purpose of reaching existing lines. All casing must be long enough to reach from one existing ditch line on the opposite side of the road. Any installation parallel to the center line of any county road shall be accomplished wholly with all utility equipment placed on the last two (2) feet of the outside right of way of the said road.
- c. Any person, firm or corporation receiving a permit to work upon the right of way of a county road must keep one copy of the permit available for inspection at the job site at all times while the work is in progress and a second copy must be furnished to the utility company to be maintained on file before utility service may be connected. Any person, firm or corporation who has not obtained a permit before beginning work upon any county roadway may be ordered to cease work until a permit has been obtained.
- d. Any person, firm or corporation who violates this Ordinance is guilty of a misdemeanor and upon conviction shall be fined not more than \$500.00.

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- e. REPEALER. All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
 - f. It is deemed necessary for the smooth operation of Saline County government that this Ordinance be approved.
- 2) EMERGENCY CLAUSE. It is found by the Quorum Court that a number of individuals and entities are currently engaged in construction work, especially the installation of utilities, and the connection of utility lines to those already existing upon county road rights of way. It is found that this work often results in damage to the road surface, the expense of which must often be borne by the County rather than the party responsible for causing the damage. It is found that the need exists for the County to know who is doing such work upon county road rights of way and to regulate the same before the county road system is further damaged. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of public peace, health and safety shall be in full force and effect from and after its passage and approval. ([Ord. 1977-012](#), passed 5-3-77; Am. Ord. 1978-034, no passage date¹⁴, Am. [Ord. 1994-004](#), passed 2-15-94; [Ord. 2001-080](#), passed 9-18-01; Am. [Ord. 2009-015](#), no passage date¹⁵)

§ 1200.03 REGULATING OVERDIMENSIONAL VEHICLES ON COUNTY ROADS.

- 1) PERMIT. Any vehicle, semitrailer or trailer, laden or unladen, which is required to obtain a permit from the Arkansas State Highway Department for the movement of overdimensional vehicles upon any highway in this state shall be required to obtain a permit from the Saline County Road Department before it can operate or move on or upon a county road. A county permit shall be required for any and all movement upon a county road.
- 2) APPLICATION AND FEES.
 - a. There shall be no fee for obtaining a permit.
 - b. Unless otherwise specified, all permits are issued for a single continuous (one way) movement. The permit shall specifically describe the vehicle to be moved, the origination and each destination of such vehicle load, the dates within which

¹⁴ Ord. 1978-034 was not found in the County books.

¹⁵ Ord. 2009-015 was not found in the County books.

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the operation or movement is to be executed and completed, and the county route to be traveled. Adequate time will be allowed for each one way movement. However, an extension of time may be granted where the request is received by the Road Department prior to expiration of the permit, if inclement weather, vehicle breakdown or other such circumstances beyond the control of the applicant has prevented the trip during the specified dates.

- c. The Road Department may alter the route of vehicles by considering the traffic volume, the width of the roadway and the width and structural integrity of the bridges between the point of origination and destination. The routes selected will also be based on safety of the traveling public, regardless of increased distance, route or times of movement. Any variance from the permitted route will be a violation of the permit which may result in the permit being voided.
 - d. Each permit issued by the Road Department shall be carried in the vehicle to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of the issuing authority granting such permission.
 - e. At the discretion of the County Judge, exception to this Ordinance may be made if extenuating circumstances justify consideration.
 - f. No permit is required for any government agency when the vehicle and load involved is governmental property and the proposed movement entails official business.
- 3) VIOLATION OF PERMIT. Failure to comply with any of the provisions of a permit, and/or this Ordinance in and/or State Code, and/or State Regulation(s) may result in the permit being voided. If false information is provided to obtain a permit, the permit may be voided.
- 4) PENALTIES. Any violation of the permit provisions and/or regulations may result in arrest of the operator. Any person, firm, or corporation found guilty of violating any of the provisions of this Ordinance shall be fined not more than one thousand dollars (\$1,000.00) for each such violation or double that sum for each repetition of the offense or violation as provided by A.C.A. § 14-14-906. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. For each day of violation in continuance thereof, the fine shall be five hundred dollars (\$500.00).
- 5) It is deemed necessary for the smooth operation of Saline County Government that this Ordinance be approved.

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([Ord. 2009-089](#), passed 11-17-09)

§ 1200.04 ACCESS MANAGEMENT PLAN FOR THE ALCOA ROAD/BENTON PARKWAY CORRIDOR.

- 1) The County does hereby adopt the attached *Access Management Plan for the Alcoa Road/Benton Parkway Corridor*, As Amended.

([Ord. 2006-084](#), passed 11-21-06; Am. [Ord. 2012-003](#), passed 1-17-12)

§ 1200.05 MINIMUM STANDARDS FOR THE UPGRADING OF DRAINAGE STRUCTURES AND CONSTRUCTION AND ERECTION OF REPLACEMENT AND NEW BRIDGES.

- 1) From and after the effective date of this Ordinance, anytime Saline County Road Department replaces an existing, or installs a new, drainage structure which includes, but is not limited to, bridges, box culverts, pipes and c/s, the drainage structures shall be of a reinforced concrete type and must meet State of Arkansas and Federal minimum standards as they correspond to road usage classifications.
- 2) The County Judge and the County Road Department shall have the discretion on whether or not the installation or replacement of drainage structures and bridges must meet the minimum State of Arkansas or Federal standards for the following:

Bridges being routinely repaired.

Bridges that serve less than 5 households on a dead-end road or non-thoroughfare.

Bridges providing limited access to agriculture fields, oil fields or similar such area.

- 3) EMERGENCY CLAUSE. There now exists in Saline County an immediate and pressing need to establish minimum standards for the upgrading of drainage structures and for the construction and erection of replacement and new bridges on county roads. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon and after its date of passage.

([Ord. 2015-052](#), passed 8-18-15)

§ 1200.06 SALINE COUNTY AIRPORT HEIGHT ZONING ORDINANCE.

- 1) SHORT TITLE. This Ordinance shall be known and may be cited as the “Saline County Airport Height Zoning Ordinance.”
- 2) DEFINITIONS. As used in this Ordinance, unless the context otherwise requires:

- a. **Airport:** Saline County Airport located southeast of the City of Bryant, Arkansas.

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- b. **Airport Elevation:** 390 feet above mean sea level.
- c. **Airport Manager:** The person responsible for the day-to-day operations and management of the Saline County Airport appointed by the Saline County Airport Commission.
- d. **Approach Surface:** An imaginary plane longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the appropriate approach zone height limitation slope set forth in Section IV of this Ordinance. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
- e. **Approach, Transitional, Horizontal, and Conical Zones:** These zones are set forth in Section III of this Ordinance.
- f. **Board of Adjustment:** Shall mean the body politic created under Section IX herein.
- g. **Conical Surface:** An imaginary surface extended outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
- h. **Hazard to Air Navigation:** An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.
- i. **Height:** For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
- j. **Horizontal Surface:** An imaginary horizontal plane 150 feet above the airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone. The actual elevation of the horizontal surface is 540 feet above mean sea level.
- k. **Nonconforming Use:** Any pre-existing structure, object of natural growth or use of land, which is inconsistent with the provisions, contained herein at the time of the adoption of this Ordinance or any amendment thereto.

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- l. **Nonprecision Instrument Runway:** A runway having an existing or planned instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a strain-in nonprecision instrument approach procedure has been approved or planned.
- m. **Obstruction:** any structure, growth or other object, including mobile object, which exceeds a limiting height set forth in Section IV of this Ordinance.
- n. **Person:** any individual, firm, partnership, public or private corporation, company, association, joint stock association or government entity, and includes any trustee, receiver, assignee or other similar representative thereof.
- o. **Precision Instrument Runway:** A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), Precision Approach Radar (PAR), Microwave Landing System (MLS), or Precision Global Positioning System (GPS). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- p. **Primary Surface:** An imaginary surface longitudinally center on a runway. The primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth in Section III of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway (pavement) centerline.
- q. **Runway:** an area prepared for landing and takeoff of aircraft along its length.
- r. **Structure:** any object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, crane, smokestacks, earth formations and overhead transmission lines.
- s. **Saline County Airport Commission:** A Commission consisting of seven (7) members appointed by the Saline County Quorum Court to oversee the operations and management of the Saline County Airport.
- t. **Transitional Surfaces:** These imaginary surfaces extend outward at 90-degree angles to the runway centerline (and the extended runway centerline) at a slope of (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which

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project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.

- u. **Tree:** Any object of natural growth.
- 3) **AIRPORT ZONES.** In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surface, horizontal surface and conical surface as they apply to the Saline County Airport. Such zones are shown on the “Saline County Airport Height Zoning Map,” consisting of one sheet, prepared by Garver Engineers dated December 2002 and subsequent updates thereof, which is attached to this Ordinance and made part hereof. An area located in more than one of the following zones is considered to be only in the zone with more restrictive height limitation. The various zones are hereby established and defined as follows:
- a. **Nonprecision Instrument Approach Zone (Runway 20):** The inner edge of this approach zone coincides with width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at the horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 - b. **Precision Instrument Approach Zone (Runway 2):** The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 - c. **Transitional Zones:** Area beneath the transitional surfaces.
 - d. **Horizontal Zone:** The horizontal zone is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by the drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
 - e. **Conical Zone:** The area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

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Furthermore, there are hereby created and established zones which include all the land lying beneath the runway protection zones as they apply to the Saline County Airport. The runway protection zones are hereby established and defined as follows:

- f. **Runway Protection Zone (Runway 20):** The inner edge of the zone begins 200 feet beyond the end of the runway and it is trapezoidal in shape and center about the extended runway centerline. The inner width is 1,000 feet, the outer width is 1,510 feet and the length is 1,700 feet, containing 48.978 acres, more or less.
 - g. **Runway Protection Zone (Runway 2):** The inner edge of the zone begins 200 feet beyond the end of the runway and it is trapezoidal in shape and center about the extended runway centerline. The inner width is 1,000 feet, the outer width is 1,750 feet and the length is 2,500 feet, containing 78.914 acres, more or less.
- 4) **AIRPORT ZONE HEIGHT LIMITATIONS.** Except as otherwise provided in this Ordinance, no structure shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this Ordinance to a height in excess of the applicable height limitation herein established for such zone. Such applicable height limitations are hereby established for each of the zones as follows:
 - a. **Nonprecision Instrument Approach Surface (Runway 20):** Slopes thirty four (34) feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface, and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
 - b. **Precision Instrument Approach Surface (Runway 2):** Slopes fifty (50) feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface, and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes outward forty (40) feet horizontally for each foot upward to an additional horizontal distance of 40,000 feet along the extended runway centerline.
 - c. **Transitional Surface:** Slopes seven (7) feet outward for each foot upward, beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation or 540 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface and horizontal surface. Where a precision instrument runway approach surface projects beyond the

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conical surface, there are established height limited sloping seven (7) feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet, measured at 90-degree angles to the extended runway centerline

- d. Horizontal Surface: Established at 150 feet above the airport elevation or at a height of 540 feet above mean sea level.
- e. Conical Surface: Slopes twenty (20) feet outward for each foot upward, beginning at the periphery of the horizontal surface and at 150 feet above the airport elevation, and extending to height 350 feet above the airport elevation or at a height of 740 feet above mean sea level.
- f. Excepted Height Limitations: Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land.

An area covered by two or more zones shall be controlled by the more restrictive height limitations.

- 5) USE RESTRICTIONS. Notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any zone established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airports, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.
- 6) NONCONFORMING USES.
 - a. Regulations Not Retroactive: Notwithstanding the provisions of Section VI, paragraph 3 hereof, the regulations prescribed in this Ordinance shall not be construed to require removal, lowering, or other change or alteration of any Nonconforming Use, or otherwise interfere with the continuance of a Nonconforming Use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance or any duly enacted amendment thereto, and is diligently prosecuted.
 - b. Marking and Lighting: Notwithstanding the preceding provision of this Section, the owner of any existing Nonconforming Use is hereby required to permit the

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installation, operation and maintenance thereon of such markings and lights, as shall be deemed necessary by the Saline County Airport Commission, to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markings and lights shall be installed, operated and maintained at the expense of Saline County Airport Commission.

- c. Lowering or Removal of Nonconforming Uses: In order to eliminate or mitigate existing hazards to landing and taking-off at the Saline County Airport, to improve and make safer the Saline County Airport, and to permit public use of any obstruction navigable airspace needed for such use, the Saline County Airport commission may acquire, by purchase, grant or condemnation, such estate or interest in any Nonconforming Use to the extent necessary to permit lowering or removal of such Nonconforming Use to the extent necessary to conform to the applicable height limitation prescribed in this Ordinance or any duly enacted amendment hereto. In cases of imminent danger to the health, safety and general welfare of the public, the Saline County Airport Commission shall take such immediate steps as necessary to remove said danger, and a hearing shall thereafter be held to determine what compensation, if any, should be made to the owner of the structure or tree causing said danger.

7) PERMITS.

- a. Future Uses: Except as specifically provided in a, b, and c hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created, which exceeds fifty (50) feet in height, unless a permit therefor shall have been applied for and granted by the Saline County Airport Commission. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity for it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with Section VII, paragraph 6.
 - i. In the areas lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

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- ii. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground except when such tree or structure would extend above the height limit prescribed for such approach zones.
- iii. In the areas lying within the limits of the transitional zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than one hundred (100) feet of vertical height above the ground, except when such tree or structure, because of terrain land contour or topographic features, would extend above the height limit prescribed for such transitional zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Ordinance, except as set forth in Section IV, paragraph 6.

- b. Existing Uses: No permit shall be granted that would allow the establishment or creation of an obstruction, or that would allow a Nonconforming Use to become a greater hazard to air navigation than it was on the effective date of this Ordinance, (or any duly enacted amendments thereto) or than it is when the application for a permit is made. Except as indicated, all applications for such a permit for existing uses shall be granted.
- c. Continuance of Nonconforming Uses: The owner of any Nonconforming Use shall be granted a permit authorizing continuance of such Nonconforming Use, upon application therefor made by him; provided that, if such application is not made within ninety (90) days of the effective date of this Ordinance or any duly enacted amendment thereto the Saline County Airport Commission shall by appropriate action compel the owner of the Nonconforming Use, at his own expense, to lower or remove such object to the extent necessary to conform to the regulations. Notwithstanding the foregoing provisions, no permit allowing the continuation of any Conforming use shall be granted where such use is at the time a permit is applied for, not in conformity with the regulations in effect immediately prior to the enactment of any ordinance amending this Article, including but not limited to changes in the height zoning map incorporated herein which may from time to time be amended to eliminate or mitigate existing hazards to landing and taking off at the Saline County Airport, to ensure compliance with all applicable federal laws, or for any other lawful reason.

- d. **Change and Repair of Nonconforming Uses:** Before any Nonconforming Use for which a permit has been issued in accordance with Section VII, paragraph 3 hereof, may be altered or repaired, rebuilt, allowed to grow higher or replanted, a permit must be secured from the Saline County Airport Commission authorizing such change or repair. No such permit shall be granted that would permit the structure or tree in question to be made higher or become a greater hazard to air navigation than it was when the permit for its continuance was granted.
- e. **Nonconforming Use Abandoned or Destroyed:** Whenever the Saline County Airport Commission determines that a Nonconforming Use has been abandoned or more than 50 percent (%) torn down or destroyed, whether voluntarily, by an act of God or otherwise, or has become more than 50% deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations. In such cases of 50% destruction, deterioration or decay, whether application is made for a permit for repair or not, the Saline County Airport Commission shall, by appropriate action, compel the owner of the Nonconforming Use, at his own expense to lower or remove such object to the extent necessary to conform to the applicable height limit.
- f. **Variances:** Any person desiring to erect, increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this Ordinance, must apply to the Saline County Airport Commission for a variance from such regulations. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in practical difficulty or unnecessary hardship, and the relief will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and will be in accordance with this Ordinance. No application for variance may be considered by the Saline County Airport Commission unless a copy of the application has been furnished to the Airport Manager for advice as to the aeronautical effects of the variance. If the Airport Manager does not respond to the application for a variance within fifteen days after receipt, the Saline County Airport Commission may act on its own to grant or deny the application.
- g. **Obstruction Marking and Lighting:** Any permit or variance granted may, if such action is deemed advisable to effectuate the purposes of this Ordinance and be

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reasonable under the circumstances, be conditioned as to require the owner of the structure or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Saline County Airport Commission, this condition may be modified to require the owner to permit the Saline County Airport Commission, at its own expense, to install, operate and maintain the necessary markings and lights.

- h. Notice of Hearing of Application for Permits and Variance; Introduction of Evidence: In all cases of applications for permits and variances as provided for in Section VII hereof a public notice shall be published in the manner prescribed by law for publication of legal notices, of a public hearing upon the application in question; a public hearing shall be held at which any person having an interest in the proceeding shall have an opportunity to offer evidence for, or in opposition to, the application in question; and written findings of fact and conclusions of law shall be made by the Saline County Airport Commission, based upon the evidence offered at the public hearing.
- 8) ENFORCEMENT. It shall be the duty of the Saline County Airport Commission to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Airport Manager upon a form published for that purpose. Applications required by this Ordinance to be submitted to the Airport Manager shall be promptly considered and granted or denied.
- 9) BOARD OF ADJUSTMENT.
 - a. There is hereby created an airport Board of Adjustment consisting of 5 members appointed by nomination by the Saline County Judge and confirmed by the Saline County Quorum Court. Each member shall serve a term of four (4) years and the terms shall be staggered. The terms of the initial members shall be one term of one (1) year, one term of two (2) years, one term of three (3) years, two terms of four (4) years. The terms of the initial members shall be determined by the Saline County Judge in his initial nominations.
 - b. The Board of Adjustment shall have and exercise the following powers to hear and decide appeals from any order, requirement, decision or determination made by the Saline County Airport Commission in the enforcement of this Ordinance.

The Board of Adjustment shall adopt rules governing the discharge of its duty in harmony with the provisions of this Ordinance. Meetings of the Board of Adjustment shall be public. The Board of Adjustment shall keep minutes of its

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proceedings showing the vote of each member upon each question or, if absent of failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the County Clerk and on due cause shown.

- c. The Board of Adjustment shall make written findings of facts and conclusions of law, giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming or modifying any order, requirement, decision or determination which comes before it under the provisions of this Ordinance.

10) APPEALS.

- a. Any person aggrieved, or any taxpayer affected, by any decision of the Saline County Airport Commission made in the administration of this Ordinance, may appeal to the Board of Adjustment.
- b. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Adjustment, by filing with the Saline County Airport Commission and the Saline County Airport Commission shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
- c. An appeal shall stay all proceedings in furtherance of the action appealed unless the Saline County Airport Commission certifies to the Board of Adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate, a stay would in the opinion of the Saline County Airport Commission cause imminent peril to life or property. In such case, proceedings shall not be stayed by order of the Board of Adjustment on notice to the Saline County Airport Commission and on due cause shown.
- d. The Board of Adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in the interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.
- e. The Board of Adjustment may, in conformity with the provisions of this Ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from any may make such order, decision, requirement, decision or determination as may be appropriate under the circumstances.

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- 11) JUDICIAL REVIEW. Any person aggrieved, or any taxpayer affected, by a decision of the Board of Adjustment may, within thirty days thereof, appeal therefrom to the Circuit Court of Saline County, as provided in Section 6 of the “Airport Enabling Act,” Act 116, Acts of Arkansas, 1941. Appeals from the Circuit Court shall be in accordance with statutes governing such appeals in force and effect at the time an appeal is taken.
- 12) PENALTIES. Each violation of this Ordinance, or of any regulation, order or ruling promulgated hereunder, shall constitute a misdemeanor and be punishable by a fine of not more than five hundred dollars (\$500.00), or imprisonment for not more than 180 days, or both; and each day a violation continues to exist shall constitute a separate offense. In addition, the Saline County Airport Commission may institute in any court of competent jurisdiction, an appropriate action or proceeding to prevent, restrain, correct, or abate any violation of the regulations of this Ordinance, or any order or ruling made in connection with its administration or enforcement, and the court shall adjudge then to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to carry out and effectuate the purpose of this Ordinance and the orders and ruling made pursuant to the authority herein given.
- 13) CONFLICTING REGULATIONS. Where there exists a conflict between any of the regulations or limitations prescribed in this Ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.
- 14) SEVERABILITY. If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to severable.
- 15) EFFECTIVE DATE. The immediate operation of the provisions of this Ordinance is necessary for the preservation of the public health, public safety and general welfare, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Quorum Court of Saline County and publication and posting as required by law.
([Ord. 2002-077](#), passed 12-17-02)

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Article II. FERRIES, WHARVES, DOCKS, MARINE SERVICES

A.C.A. § 27-87-103. Declaration of public ferry.

- (a) Where a public road crosses any private stream which has not been meandered as a navigable stream, the bed of which may belong to any individual, if in the opinion of the county court, the public convenience will be promoted thereby, the court may make an order upon its record to that effect, declaring the crossing to be a public ferry.
- (b) And when so declared by the county court, the ferry shall be and remain a public ferry during the pleasure of the court and be subject to all the regulations and restrictions that are made by law applicable to public ferries or navigable streams.

Section

Reserved.

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Article III. PARKING

A.C.A. § 14-304-101. Legislative findings. (Parking Authorities)

The General Assembly determines and declares that:

- (1) Excessive curb parking of motor vehicles on roads and streets in the cities and towns of the State of Arkansas and the lack of adequate off-street parking facilities create congestion, obstruct the free circulation of traffic, diminish property values, and endanger the health, safety and general welfare of the public;
- (2) The provision of conveniently located off-street parking facilities is therefore necessary to alleviate those conditions; and
- (3) The establishment of public off-street automobile parking facilities is deemed to be a proper public or municipal purpose.

Section

Reserved.

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Article IV. PUBLIC TRANSPORTATION

A.C.A. §§ 14-334-101-116. Public Transit System Act.

Section

Reserved.