

**ORDINANCE NO. 23-38**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING "2023 AMENDMENTS TO CHAPTER 10.25: HAULING WASTE FILL OR WASTE EXCAVATION MATERIAL" BY REFERENCE TO AMEND CHAPTERS 10.05, 10.10, 10.15, AND 10.20 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, the City is authorized to regulate the hauling of waste within the corporate limits of the City.

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Title 10, Vehicle and Traffic, of the City Code to update the rules and regulations related to the hauling of waste within the City would be in the best interest of the City of Maricopa; and

**WHEREAS**, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:**

**SECTION 1.** Those certain documents filed with the City Clerk and entitled "2023 Amendments to Title 10: Vehicles and Traffic" as set forth in Exhibits A, attached hereto and incorporated herein by reference, is hereby declared a public record. One paper copy and one electronic copy of Exhibits A shall be maintained in compliance with A.R.S. § 44-7041 and available for public inspection during normal business hours in the Office of the City Clerk and shall be available on the City's website at: [www.maricopa-az.gov](http://www.maricopa-az.gov).

**SECTION 2.** Title 10: Vehicles and Traffic of the Maricopa City Code is hereby amended as set forth in Exhibits A, and that the amendments depicted therein are hereby approved and adopted.

**SECTION 3.** The following penalty provisions are included in that certain document known as "2023 Amendments to Title 10: Vehicles and Traffic":

C. Any person who owns, leases or occupies property in connection with which fill, excavated material, construction debris, mud, dirt, rock, sand, gravel, concrete or asphalt is hauled or caused or allowed to be spilled, dumped or tracked, or damages public streets, alleys or sidewalks shall be subject to any penalty authorized by this chapter, by the general penalty provision of the City Code, Chapter 1 Section 10.

D. Any person who contracts to do construction work on property in connection with which fill, excavated material, construction debris, mud, dirt, rock, fill, gravel, concrete or asphalt is hauled or caused or allowed to be spilled, dumped or tracked, or damages public streets, alleys or sidewalks shall

be subject to any penalty authorized by this chapter, by the general penalty provision of the City Code, Chapter 1 Section 10.

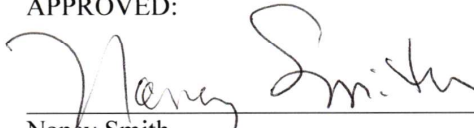
**SECTION 4.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

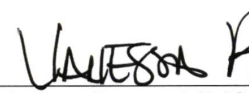
**SECTION 6.** This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 7<sup>th</sup> day of November, 2023.

APPROVED:

  
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Nancy Smith  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, MMC  
City Clerk



APPROVED AS TO FORM:

  
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Denis Fitzgibbons  
City Attorney

**Pursuant to A.R.S. 9-802(A), EXHIBIT A are on file at:**

**Office of the City Clerk, City of Maricopa and  
[www.maricopa-az.gov](http://www.maricopa-az.gov).**

**EXHIBIT A**

**2023 Amendments to Title 10: Vehicles and Traffic**

**Title 10**  
**VEHICLES AND TRAFFIC<sup>1</sup>**

Chapters:

- 10.05      **Traffic and Parking**
- 10.10      **Administration and Enforcement**
- 10.15      **Traffic Control**
- 10.20      **Stopping, Standing and Parking**
- 10.25      **Hauling Waste Fill or Waste Excavation Material**

**Chapter 10.05**  
**TRAFFIC AND PARKING**

Sections:

- 10.05.010    **Definitions in general.**
- 10.05.020    **Definitions pertaining to this title.**

**10.05.010    Definitions in general.**

The definitions in A.R.S. § [28-101](#) et seq. shall be applicable to this title unless a term is specifically defined in this title, or unless the context requires otherwise. [Code 2004 § 12-1.]

**10.05.020    Definitions pertaining to this title.**

For the purposes of interpretation of this title, the following words and phrases shall mean:

“Arterial streets” means all major arterial streets and arterial streets as designated on the existing street classification map.

“City” means the city of Maricopa.

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“Collector streets” means all streets designated as collector streets and minor collector streets on the existing street classification map.

“Curb loading zone” means space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials designated by the city engineer.

“Dumpster” means a large metal bin for refuse designed to be hoisted onto a specially equipped truck for emptying or hauling away.

“Local streets” means all streets that provide direct access to residential, commercial, industrial, or other abutting land and for local traffic movements, and that connect to collector or arterial streets or both.

“Motor vehicle” or “vehicle” means a wheeled vehicle that is propelled by an internal combustion engine that does not operate on rails and that is capable of carrying a passenger or passengers.

“Nonmotorized vehicle” means any trailer or other device that is not self-propelled and is designed with the intended purpose of being towed behind a vehicle.

“Official traffic control devices” means all signs, signals, parking meters, markings, and devices not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

“Operator” means a person who operates or is in actual physical control of a motor vehicle.

“Oversized motor vehicle” means any motor vehicle 84 inches or more in width, excluding side mirrors, and more than 22 feet in length or a gross vehicle weight rating of 8,000 pounds or more.

“Owner” means a person who holds the legal title to a motor vehicle.

“Parade” means any march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.

“Private emergency vehicles” means authorized emergency vehicles other than those defined by A.R.S. § [28-101](#), and including private ambulances, private escort vehicles of funeral and other processions, emergency vehicles of public service corporations, and such others as may

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be designated by the city council. All traffic laws and ordinances are applicable to such private emergency vehicles when they are not proceeding under an emergency situation.

“Procession” means an orderly file of six or more vehicles with suitable escort, such escort being approved by the chief of the police department.

“Rights-of-way” means all property used as a public thoroughfare and lying between the exterior boundary lines of any area granted to or received by the city by grant, gift, easement, deed, dedications or operations of law for street, alley, walk or utility purposes.

“Sidewalk” means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

“Stand” or “standing” means the halting of a vehicle, whether occupied or not, other than for the purpose of and while actually engaged in receiving or discharging passengers.

“Stop or stopping, when prohibited” means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

“Stop or stopping, when required” means the complete cessation from movement of a vehicle.

“Street classification map” means the street classification map in the form as last adopted and amended by the city council.

“Tank semi-trailer” means a vehicle designed for transporting flammable liquids and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

“Tank trailer” means a vehicle without motive power designed for transporting flammable liquids and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

“Tank truck” means a truck having a tank for the transportation of flammable liquids.

“Temporary storage unit” means a transportable, nonmotorized unit designed and used primarily for temporary storage of building materials (before they are utilized for building purposes), household goods, and other such materials for use on a limited basis on residential property. [Code 2004 § 12-2.]

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## Chapter 10.10

### ADMINISTRATION AND ENFORCEMENT

## Sections:

- 10.10.010 Enforcement.
- 10.10.020 Civil traffic procedure.
- 10.10.030 Payment of penalty fee upon receipt of notice of violation.
- 10.10.040 Enforcement procedures.
- 10.10.050 Authority to designate crosswalks, establish safety zones, designate no parking zones and to mark traffic lanes.
- 10.10.060 Authority to place and obedience to turning markers.
- 10.10.070 Authority to place and obedience to restricted turn signs.
- 10.10.080 One-way streets and alleys.
- 10.10.090 Regulation of traffic at intersections.
- 10.10.100 Crosswalks.
- 10.10.110 Safety and school zones.
- 10.10.120 Curb markings.

#### 10.10.010 Enforcement.

A. It shall be the duty of the city police department to provide for the enforcement of the street traffic regulations of the city and all of the state vehicle laws applicable to street traffic in the city, to make arrests for traffic violations, to assist in the prosecution of those persons charged with violations of law, to investigate accidents and to assist the city engineer in developing ways and means to improve traffic conditions and to carry out all duties specifically imposed upon the city police department by this title.

B. Any peace officer of the city may be authorized by the police chief to perform any of the duties of the police department included in this title.

C. The city police department shall keep a record of all violations of the traffic laws of the city or of the state vehicle laws of which any person has been charged in accordance with the city of Maricopa records management program (Ord. [07-03](#)), A.R.S. §§ [41-1346](#) and [41-1347](#).

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D. The police chief may appoint traffic accident investigators who may investigate traffic accidents within the city limits and commence an action or proceeding before a court or judge for any violation of a state statute or city ordinance relating to traffic laws; provided, that such violation is related to a traffic accident within the city's jurisdiction. A traffic accident investigator appointed pursuant to this subsection shall: (1) be unarmed at all times during the course of their duties and will not act as a certified police officer; (2) be a city employee; and (3) shall file written reports as required by A.R.S. § [28-667](#).

E. All forms for records of violations and notices shall be serially numbered.

F. *Unarmed Police Aides.* As specified in MCC [3.40.070](#), the chief of police reserves the right to employ or utilize volunteer members of the police department to enforce city ordinances regulating the parking of vehicles and any other traffic related ordinances as directed by the chief of police or designee. [Code 2004 § 12-11.]

#### **10.10.020 Civil traffic procedure.**

A. The rules of procedure in civil traffic violation cases shall apply to determinations of whether or not a person is responsible for an offense under this title, unless otherwise expressly provided.

B. An action or proceeding brought before the municipal court alleging a violation of this title may be commenced by the issuance of a notification of violation; which may be served in person, attached to the vehicle, or by regular mail as provided in A.R.S. § [28-1591](#); or by the use of an Arizona traffic ticket and complaint. If the proceeding is commenced by notification of violation, the notification may be signed by any police officer or any other duly authorized agent of the city police department. [Code 2004 § 12-12.]

#### **10.10.030 Payment of penalty fee upon receipt of notice of violation.**

A. Any person who becomes aware that a notice of violation has been issued with respect to an alleged violation of any provision of this title may, in lieu of court proceedings, pay the base penalty fee and any state or local mandatory surcharges within 30 days of the date of violation indicated on the notice of violation.

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B. The presiding judge of the municipal court shall, from time to time, adopt a table of charges and penalty fees for violations of this title consistent with ordinances and resolutions of the city council.

C. If the owner or operator of a vehicle for which a notice of violation has been issued fails to pay the penalty fee indicated, or request a civil traffic hearing as provided in subsection (D) of this section, within 30 days from the date the notice of violation was issued, an additional twenty dollar (\$20.00) penalty fee shall be added to the base penalty fee.

D. The owner or operator of a vehicle for which a notice of violation has been issued may contest the violation by requesting a civil traffic hearing. The request for hearing must be in writing and shall be submitted to the hearing officer or designee within 30 days of the date of the notice of violation.

E. If the owner or operator of a vehicle for which a notice of violation has been issued fails to pay the amount of the fine or request a hearing within 30 days of the issuance of the notice of violation, then a summons and complaint shall be issued to the registered owner of the vehicle. The notice of violation for a parking violation shall be issued within 60 days from the date of the notice of violation. The summons shall command the registered owner to appear in the city court on a date and time certain.

F. When a person is found responsible for a violation by a judge or a civil traffic hearing officer, whether by default or after a hearing, the judge or hearing officer shall impose a civil sanction for the violation, which shall be not less than the amount of the prescribed fine, as indicated in subsection (A) of this section, any additional fine for the violation as provided in subsection (C) of this section, if applicable, and any additional fees, surcharges and penalties required by state, federal or local laws.

G. The provisions of subsections (A) and (F) of this section notwithstanding, a judge or civil traffic hearing officer may waive, suspend or reduce the penalty fee that would otherwise be required for a violation of MCC 10.20.080, if at the time of a hearing in city court it has been proven that the vehicle that was the subject of the violation was eligible for and had been issued a valid distinguishing insignia placard at the time of the violation. If a person is found responsible for such a violation and a civil sanction is imposed, however, the amount of the civil sanction imposed shall be subject to all of the applicable fees, surcharges and penalties described in subsection (F) of this section.

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H. A civil sanction imposed pursuant to subsections (F) or (G) of this section, shall be a civil judgment. Such judgment may be recovered by the city as any other civil judgment including any applicable fees and charges. [Code 2004 § 12-13.]

#### **10.10.040 Enforcement procedures.**

A. It shall be the duty of each individual, who is authorized to issue notices of violation, to keep account of all violations of this title, and to attach to a vehicle that is unlawfully parked, a notice of violation that shall include the date, time and location of the violation; the state and license number of the vehicle unlawfully parked; and the code provisions violated.

B. The notice of violation will be in writing and will inform the person owning or operating the vehicle of the violation of the base fine and of the additional penalty fee that may be incurred by failing to pay the base penalty fee within the time period listed on the notice of violation. The notice will also state that failure to pay the base penalty fee within the required time period will result in the filing of a summons and complaint in municipal court.

C. A copy of the notice of violation need not be personally served upon the owner or operator of the vehicle that is the subject of the violation, but may be served by attaching a copy of the notice of violation to the vehicle, as provided in subsection (A) of this section. [Code 2004 § 12-14.]

#### **10.10.050 Authority to designate crosswalks, establish safety zones, designate no parking zones and to mark traffic lanes.**

The city engineer or chief of police is authorized:

A. To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;

B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians;

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C. To designate permanent or temporary no parking zones along city streets and rights-of-way, and to maintain such zones, by appropriate signage, as he may deem necessary for the safe flow of traffic and for the protection of pedestrians;

D. To mark lanes for traffic on street pavement at such places as he may deem advisable, consistent with the traffic laws of the city. [Code 2004 § 12-15.]

#### **10.10.060 Authority to place and obedience to turning markers.**

A. The city engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law.

B. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no operator of a vehicle shall disobey the directions of such indications. [Code 2004 § 12-16.]

#### **10.10.070 Authority to place and obedience to restricted turn signs.**

A. The city engineer is authorized to determine those intersections at which operators of vehicles shall not make a right, left, or U-turn and shall place proper signs at such intersections. The making of such turns may be prohibited entirely or between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or such signs may be removed when such turns are permitted.

B. Whenever authorized signs are erected indicating that no right, left, or U-turn is permitted, no operator of a vehicle shall disobey the directions of any such sign. [Code 2004 § 12-17.]

#### **10.10.080 One-way streets and alleys.**

A. The city engineer may designate any streets or alleys which are to be limited to one-way traffic.

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B. Whenever the city engineer designates any one-way street or alley, he shall cause to be placed and maintained signs giving notice thereof and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. [Code 2004 § 12-18.]

#### **10.10.090 Regulation of traffic at intersections.**

The city engineer may designate through streets, intersections where stops are required, and intersections where vehicles shall yield the right-of-way. [Code 2004 § 12-19.]

#### **10.10.100 Crosswalks.**

The city engineer shall designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary. [Code 2004 § 12-20.]

#### **10.10.110 Safety and school zones.**

The city engineer shall establish safety zones in accordance with A.R.S. §§ [28-797](#) and [28-641](#) and at such places as he may deem necessary for the protection of pedestrians. [Code 2004 § 12-21.]

#### **10.10.120 Curb markings.**

The city engineer shall designate restricted parking zones by use of signs, painted curbs, or both.

A. If the curb is painted red, parking shall be prohibited in the area adjacent to the painted curbs at all times. Curbs painted red may also indicate bus loading zones, but only when

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accompanied by appropriate signs, in which case bus loading and unloading shall not be prohibited.

B. If the curb is painted yellow, the space adjacent to the curb so painted shall be used exclusively by vehicles during the loading or unloading of freight during those hours designated by signs placed at either one or both ends of such zone. [Code 2004 § 12-22.]

## **Chapter 10.15**

### **TRAFFIC CONTROL**

Sections:

- 10.15.010 **Obedience to traffic regulations.**
- 10.15.020 **Directing traffic.**
- 10.15.030 **Traffic control devices.**
- 10.15.040 **Drivers to obey traffic signs.**
- 10.15.050 **Limitations on turning around.**
- 10.15.060 **Driving on private property.**
- 10.15.070 **Operation of vehicles on vacant lots.**
- 10.15.080 **Processions.**
- 10.15.090 **Prohibition against the use of engine brakes.**
- 10.15.100 **Suspension of traffic and parking ordinances.**
- 10.15.110 **Placing debris on a public roadway.**

#### **10.15.010 Obedience to traffic regulations.**

A. It is unlawful, except as otherwise provided in this code, for any person to do any act forbidden or fail to perform any act required by this title or willfully fail or refuse to comply with any lawful order or direction of any police officer, police volunteer or duly authorized agent of the city in the performance of their duties related to the enforcement of this title.

B. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, not less than twenty-five dollars (\$25.00), and no more than five hundred dollars (\$500.00). [Code 2004 § 12-31.]

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**10.15.020 Directing traffic.**

- A. The city police department, including appointed volunteers, is hereby authorized to direct all traffic by voice, hand or signal.
- B. Fire officials, when at the scene of a fire, may direct or assist the city police department in directing traffic thereat or in the immediate vicinity thereof.
- C. Public works employees, when at the scene of an emergency or an active construction site, may direct or assist the police or fire departments in directing traffic thereat or in the immediate vicinity thereof. [Code 2004 § 12-32.]

**10.15.030 Traffic control devices.**

- A. The city engineer shall provide for the placement and maintenance of traffic control devices, signs, signals, and markers when and as required under the traffic regulations of the city, and may place and maintain such additional traffic control devices as may be deemed necessary to regulate traffic under the traffic laws of the city or under state law or to guide or warn traffic.
- B. The operator of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic regulations of the city unless otherwise directed by a police officer or other duly authorized city agent, subject to the exceptions granted in this title or by state law. [Code 2004 § 12-33.]

**10.15.040 Drivers to obey traffic signs.**

- A. Whenever traffic signs are erected as provided in this title, every operator of a vehicle shall obey such signs unless otherwise directed by the city police department or a traffic control signal. No operator shall drive upon or through any private property such as a commercial property, oil station, vacant lot or similar property to avoid obedience of any regulation included in this title.
- B. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, a sum of one hundred dollars (\$100.00). [Code 2004 § 12-34.]
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**10.15.050 Limitations on turning around.**

A. The operator of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street unless such movement can be made safely and without interfering with other traffic.

B. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, a sum of one hundred dollars (\$100.00). [Code 2004 § 12-35.]

**10.15.060 Driving on private property.**

A. No person shall operate, drive or leave any motor vehicle, motorcycle, motor scooter, dune buggy, jeep or other form of transportation propelled by an internal combustion engine upon the private property of another or upon public property which is not held open to the public for vehicle use, without permission from the owner of the property or the person entitled to immediate possession thereof, or the authorized agent of either.

B. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, a sum of one hundred dollars (\$100.00). [Code 2004 § 12-36.]

**10.15.070 Operation of vehicles on vacant lots.**

A. No person shall operate a vehicle on or across any portion of a vacant lot other than on an established dustproof driveway, except during activities authorized by the city.

B. Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00). [Code 2004 § 12-37.]

**10.15.080 Processions.**

A. No procession or parade, except funeral processions, shall be held without first securing a permit from the city, and all such requests for permits shall state the time, place of formation,

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proposed line of march, destination and such other information as the city may set forth therein.

B. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, a sum of one hundred dollars (\$100.00). [Code 2004 § 12-38.]

#### **10.15.090 Prohibition against the use of engine brakes.**

A. It shall be unlawful for a person to operate or permit the operation of the engine of a commercial vehicle so as to assist in braking or slowing the vehicle through the use of any engine brake or engine retarding device on any street or roadway within the city unless the vehicle is an emergency services vehicle.

B. Any violation of this section shall be punishable by a fine of one hundred dollars (\$100.00). [Code 2004 § 12-39.]

#### **10.15.100 Suspension of traffic and parking ordinances.**

The chief of police or designee is authorized to adopt regulations necessary to temporarily suspend traffic and parking ordinances of the city to cover emergencies or special conditions. [Code 2004 § 12-40.]

#### **10.15.110 Placing debris on a public roadway.**

A. No person or persons will deliberately place debris, construction material or any other material in or on a public street within the city of Maricopa that will affect the safe flow of traffic, without having obtained the appropriate construction permit from the city.

B. This section does not apply to city employees in performance of their roadway related duties.

C. Any violation of this section shall be punishable by a fine of one hundred dollars (\$100.00). [Code 2004 § 12-41.]

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## Chapter 10.20

### STOPPING, STANDING AND PARKING

Sections:

- 10.20.010 Presumption in reference to illegal parking.
- 10.20.020 Method of parking.
- 10.20.030 Prohibited parking.
- 10.20.040 Parking duration.
- 10.20.050 Parking on private property.
- 10.20.060 Emergency – No parking.
- 10.20.070 Prohibition against the parking of oversized motor vehicles and nonmotorized vehicles.
- 10.20.080 Restricted parking areas for the physically disabled – Identification – Sanctions.
- 10.20.090 Placement of temporary storage units and dumpsters.

#### **10.20.010 Presumption in reference to illegal parking.**

In any prosecution charging a violation of this chapter, proof that the particular vehicle described in the complaint was parked in violation of this chapter, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred. [Code 2004 § 12-51.]

#### **10.20.020 Method of parking.**

The city engineer may have erected signs requiring parking at an angle to the curb, allowing parking on the left hand curb on one-way streets, notifying operators that parking is prohibited and restricting parking in any way that may be necessary. When such signs have been erected, no person shall stop or stand a vehicle in disobedience to such parking restrictions. City

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employees, or their agents, may disobey such parking restrictions if necessary to perform their public duties. [Code 2004 § 12-52.]

### **10.20.030 Prohibited parking.**

Unless otherwise directed by a police officer or other duly authorized city agent or in accordance with properly erected signage to the contrary, no person shall stop, stand, or park any motorized or nonmotorized vehicle on any city street, roadway, or right-of-way:

- A. In such a manner or under such conditions as to obstruct or impede traffic in any manner;
  - B. In such a manner as to block an alley or the entrance to a private driveway except for the loading or unloading of materials, and not then unless such loading or unloading can be accomplished without interference to the free movement of vehicular traffic;
  - C. In any area designated, signed, and marked as a fire lane;
  - D. Within 33 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly posted;
  - E. Within 15 feet of a fire hydrant;
  - F. For the principal purpose of displaying such vehicle thereon for sale, hire or rental;
  - G. For the principal purpose of painting, greasing or repairing said vehicle except for repairs necessitated by an emergency;
  - H. For the principal purpose of washing or polishing such vehicle or any part thereof when a charge is made for such services;
  - I. Within a lane designated for the making of turning movements or for the operation of bicycles;
  - J. Within an intersection;
  - K. On a crosswalk;
  - L. Within 20 feet of a crosswalk at an intersection;
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- M. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
- N. Within an area designated as a public transit stop;
- O. Within 50 feet of the nearest rail of a railroad crossing or within eight feet six inches of the center of any railroad track, except while a motor vehicle with motive power attached is loading or unloading railroad cars;
- P. On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking);
- Q. On a sidewalk or in that area between the curb and sidewalk or on those roadways without curbs in a manner so as to force a pedestrian to walk in the traveled portion of the roadway;
- R. Upon any bridge or other elevated structure upon a street;
- S. Alongside or opposite any street excavation or obstructions when stopping, standing or parking would impede traffic;
- T. Upon any public street, public right-of-way or public property when such vehicle does not display current registration;
- U. Except as otherwise provided in this title, no person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the curbside wheels of the vehicle within 18 inches of the curb or edge of the roadway;
- V. Directly in front of a community or individual postal box served by the U.S. Postal Service except for the purpose of delivering or collecting mail;
- W. In violation of posted no parking signs or within the area of a painted red curb;
- X. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, a sum of forty dollars (\$40.00);
- Y. Vehicles parked in violation of these subsections are subject to removal and storage at the expense of the registered owner under A.R.S. § [28-872](#). [Code 2004 § 12-53.]
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**10.20.040 Parking duration.**

A. No person shall park any vehicle upon any public street or upon publicly owned, maintained or operated property for a period of 72 or more consecutive hours. For purposes of this section, the vehicle shall be considered to have remained parked unless, during the 72-hour period, said vehicle has been moved at least 100 feet from the position it previously occupied, or the odometer on said vehicle exhibits a change of at least one-tenth of one mile.

B. Vehicles parked in violation of subsection [\(A\)](#) of this section are subject to removal and storage at the expense of the registered owner.

C. Any violation of this section shall be punishable by a fine of forty dollars (\$40.00). [Code 2004 § 12-54.]

**10.20.050 Parking on private property.**

A. It is unlawful for the operator of a motor vehicle to park the vehicle in or upon property of another without first obtaining permission of the person legally entitled to possession of the property.

B. Vehicles in violation of this section may be subject to removal pursuant to A.R.S. § [9-499.05](#).

C. Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00). [Code 2004 § 12-55.]

**10.20.060 Emergency – No parking.**

A. No person shall park a vehicle upon any public highway, street or parking lot in violation of an emergency no parking sign that has been conspicuously posted.

B. The chief of police or designee is authorized to post emergency no parking signs on public highways, streets or parking lots for the purpose of street maintenance, construction, special events or any community related event. The duration of emergency no parking shall be no longer than 72 hours. After a reasonable attempt has been made to contact the owner, any vehicle parked in violation shall be removed at the owner's expense.

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C. Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00). [Code 2004 § 12-56.]

**10.20.070 Prohibition against the parking of oversized motor vehicles and nonmotorized vehicles.**

- A. Subject to the exceptions below, no person shall stop, stand, or park any oversized or nonmotorized vehicle on any public street, road or alleyway within any residential or commercial district.
- B. The prohibition set forth in subsection (A) of this section shall not apply to oversized vehicles or nonmotorized vehicles parked for a period of less than 12 hours for the purpose of loading, unloading, cleaning, or other activity preparatory to or incidental to travel.
- C. The prohibition set forth in subsection (A) of this section shall not apply to oversized vehicles or nonmotorized vehicles parked in residential areas zoned as rural where the minimum lot size is one acre or more.
- D. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, not less than one hundred dollars (\$100.00). [Code 2004 § 12-57.]

**10.20.080 Restricted parking areas for the physically disabled – Identification – Sanctions.**

- A. Except as provided in subsection (D) of this section, no person may stop, stand or park a motor vehicle within any specially designated and marked parking space provided for a physically disabled person, which includes the area indicated by hash marks painted adjacent to each such space, in accordance with this section, A.R.S. § [28-882](#), or any related statute or city code provision, whether on public or private property, unless the motor vehicle is transporting a person eligible for the distinguishing insignia placard or number plates bearing the international wheelchair symbol, and either the motor vehicle displays the distinguishing insignia placard, or the motor vehicle displays number plates bearing the international wheelchair symbol.
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B. Parking spaces subject to this section shall be clearly and conspicuously designated as being reserved for the physically disabled in the following manner:

1. Each such space shall be prominently outlined with paint and the internationally accepted wheelchair symbol shall be painted conspicuously on the ground to the rear of the parking space.
2. Each space shall be posted with a permanent sign, located not less than three feet or more than six feet above the grade. The sign shall bear the internationally accepted wheelchair symbol and shall indicate that the parking space is "reserved" or "reserved parking."
3. Each sign posted on a parking place reserved for the physically disabled on private property shall additionally indicate: "Posted pursuant to MCC [10.20.080](#)." The addition of this statement on such sign or signs shall constitute a waiver of any objection by the owner of the property to enforcement of this section by the police department and shall authorize police officers and other duly authorized agents to enforce the provisions of this section.

C. If a police officer or other duly authorized agent finds a motor vehicle in violation of this section, a complaint shall be issued to the operator or other person in charge of the motor vehicle, or a notice of violation placed on the vehicle, as appropriate.

D. Any person who is chauffeuring a physically disabled person shall be allowed, without a distinguishing insignia placard or number plates bearing the international wheelchair symbol, to park momentarily in any such parking space for the purpose of loading or unloading such physically disabled person. No complaint shall be issued to the driver for such momentary parking.

E. "Physically disabled person," as used herein, means a person who is physically disabled within the meaning of A.R.S. § [28-2409](#), or any superseding statute.

F. It is unlawful to stop, stand, or park a vehicle in such a manner as to block or deny access to a wheelchair curb access ramp, except that this provision shall not prohibit the operator of a vehicle from temporarily stopping in accordance with other parking regulations for the purpose of and while actually engaged in loading or unloading physically disabled passengers.

G. Any person, or persons, violating or failing to comply with any provision of this section shall be fined, upon conviction, a sum of one hundred fifty dollars (\$150.00). [Code 2004 § 12-58.]

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**10.20.090 Placement of temporary storage units and dumpsters.**

- A. Unless permitted by the city engineer, temporary storage units and dumpsters are prohibited from being placed in the public right-of-way or streets.
- B. The property owner(s) and/or lessee(s) of the property and supplier that is found in violation of this section shall be fined, upon conviction, a sum of one hundred dollars (\$100.00).
- C. The property owner(s) and/or lessee(s) of the property and supplier shall be jointly and severably liable for all costs incurred by the city for the removal of the temporary storage unit or dumpster. [Code 2004 § 12-59.]

**Chapter 10.25****Hauling waste fill or waste excavation material.**

## Sections:

**10.25.010 Hauling waste fill or waste excavation material.****10.25.010 Hauling waste fill or waste excavation material.**

A. Any hauling or cause to be hauled waste fill or waste excavation material on the streets and highways within the city shall obtain any necessary Right of Way and/or Construction Haul Permit. Any haul exceeding 1,000 cubic yards shall require a Construction Hauling Permit. The issuance of Right of Way Permits and Construction Hauling Permits will be processed by the City Engineer, who will place such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to the public. Any violation of the Right of Way Permits and Construction Hauling Permits terms or conditions of the permit shall be sufficient grounds for the City Engineer to revoke the permit. Such conditions may include, but are not limited to:

1. Designation of specific routes to be used;
  2. Designation of specific haul hours or days;
  3. Designation of specific locations of access to and from public right-of-way;
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4. Provision for safety precautions such as the use of barricades, warning or traffic signs, flagmen or police officers for traffic control;
  5. Assumption of responsibility to remove any spillage of waste fill or waste excavation material from streets or sidewalks or to pay the city twice the cost of removal;
- B. It shall be unlawful to cause damage or allow fill, excavated material, construction debris, mud, dirt, rock, sand, gravel, concrete or asphalt to be spilled, dumped, or tracked onto public streets, alleys, or sidewalks.
- C. Any person who owns, leases or occupies property in connection with which fill, excavated material, construction debris, mud, dirt, rock, sand, gravel, concrete or asphalt is hauled or caused or allowed to be spilled, dumped or tracked, or damages public streets, alleys or sidewalks shall be subject to any penalty authorized by this chapter, by the general penalty provision of the City Code, Chapter 1 Section 10.
- D. Any person who contracts to do construction work on property in connection with which fill, excavated material, construction debris, mud, dirt, rock, fill, gravel, concrete or asphalt is hauled or caused or allowed to be spilled, dumped or tracked, or damages public streets, alleys or sidewalks shall be subject to any penalty authorized by this chapter, by the general penalty provision of the City Code, Chapter 1 Section 10.
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