

CHAPTER 3

TRAFFIC

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10-3-1: DEFINITIONS:

The following words and phrases, when used in this Chapter, shall for the purpose of this Chapter have the meanings respectively ascribed to them in this Section. Whenever any words and phrases used herein are not defined herein but are defined in the State laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein: (Reso. 990)

ALLEYS: Lanes or passageways for use in unloading merchandise, Fire Department convenience, and generally as a means of reaching the rear end of lots or buildings, and not in any way to be considered a thoroughfare. (Reso. 990)

AUTHORIZED EMERGENCY VEHICLE: Vehicles of the Fire Department, Police vehicles, and such ambulances and emergency vehicles of City of Mesa departments or public service corporations as are designed or authorized by the State Highway Commission. (Reso. 990)

BICYCLE: Every device propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is over sixteen inches (16") in diameter, and including any device generally recognized as a bicycle though equipped with two (2) front or two (2) rear wheels. (380,Reso. 990)

BUSINESS DISTRICT: The territory contiguous to and including a roadway when within any six hundred feet (600') along such roadway there are buildings in use for business or industrial purposes, including but not limited to, hotels, banks or office buildings, railroad stations, and public buildings which occupy at least three hundred feet (300') of frontage on one (1) side or three hundred feet (300') collectively on both sides of the roadway. (Reso. 990)

CITY TRANSPORTATION FACILITY: Any City street, sidewalk, bicycle lane, equestrian, bicycle, pedestrian or multi-use path, special use trail, alley, highway, transit stop or station, or similar public way. (5050)

CROSSWALK: (Reso. 990)

- (A) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highways measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. (Reso. 990)
- (B) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface. (Reso. 990)

CURB LOADING ZONE: A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials. (Reso. 990)

DRIVER: Every person who drives or is in actual physical control of a vehicle. (Reso. 990)

FREIGHT CURB LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers). (Reso. 990)

INTERSECTIONS: (Reso. 990)

- (A) The area embraced with the prolongation or connection of the lateral curb lines or if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at or approximately at right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. (Reso. 990)
- (B) Where a highway includes two (2) roadways thirty feet (30') or more apart, then every crossing of each roadway of such dividing highway by an intersecting highway shall be regarded as a separated intersection. In the event such intersecting highway also includes two (2) roadways thirty feet (30') or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection. (Reso. 990)

LANED ROADWAY: A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic. (Reso. 990)

LIMITED-ACCESS HIGHWAY: Every highway, street, or roadway in respect to which owners or occupants of abutting property of lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway. (Reso. 990)

MOTOR VEHICLE: Every vehicle which is self-propelled. (Reso. 990)

MOTORCYCLE: Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor. (Reso. 990,1074)

OFFICIAL TRAFFIC-CONTROL DEVICES: All signs, signals, markings, and devices not inconsistent with this Chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, and guiding traffic. (Reso. 990)

PARK: When prohibited, means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading. (Reso. 990)

PASSENGER CURB LOADING ZONE: A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Reso. 990)

PEDESTRIAN: Any person afoot. (Reso. 990)

POLICE OFFICER: Every officer of the City of Mesa Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations. (Reso. 990)

PRIVATE ROAD OR DRIVEWAY: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. (Reso. 990)

RAILROAD: A carrier of persons or property upon cars, other than street cars, operated upon stationary rails. (Reso. 990)

RAILROAD TRAIN: A steam engine, electric, or other motor, with or without cars coupled thereto, operated upon rails, except street cars. (Reso. 990)

RESIDENCE DISTRICT: The territory contiguous to and including a highway and comprising a business district when the property on such highway for a distance of three hundred feet (300') or more is in the main improved with dwellings or dwellings and buildings in use for business. (Reso. 990)

RIGHT-OF-WAY: The privilege of the immediate use of the roadway. (Reso. 990)

ROADWAY: That portion of a street or highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two (2) or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively. (Reso. 990)

SAFETY ZONE: The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. (Reso. 990)

SERVICE VEHICLE: A licensed vehicle used in the construction, operation or maintenance of a municipal, utility or other similar facility or infrastructure, or in the provision of service for a municipal, utility or other similar service. (5050)

SIDEWALK: That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians. (Reso. 990)

STOP: When required, means complete cessation of movement. (Reso. 990)

STOP, STOPPING, OR STANDING: When prohibited, means any stopping or standing 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 signal or sign. (Reso. 990)

STREET OR HIGHWAY: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (Reso. 990)

THROUGH ROADWAY: Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this act. (Reso. 990)

TRAFFIC: Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purpose of travel. (Reso. 990)

TRAFFIC-CONTROL SIGNAL: Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed. (Reso. 990)

TRAFFIC DIVISION: The traffic division of the Police Department of the City or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the Police Department of the City. (Reso. 990)

VEHICLE: Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks. (Reso. 990)

10-3-2: DUTY OF POLICE DEPARTMENT:

It shall be the duty of the Police Department to enforce 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 State of Arizona criminal traffic violations, to investigate accidents and to assist in developing ways and means to improve traffic conditions, and to carry out all duties specially imposed upon said Department by this Chapter. (Reso. 990,1771)

10-3-3: RECORDS OF TRAFFIC VIOLATIONS:

The 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, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five- (5-) year period, and from that time on, the record shall be maintained complete for at least the most recent five- (5-) year period. All forms for records of violations and notices of violations shall be serially numbered. For each month and year, a written report shall be kept available to the public showing the disposal of all such forms. All records and reports shall be public records. (Reso. 990)

10-3-4: TRAFFIC ACCIDENT STUDIES:

Whenever the accidents at any particular location become numerous, the City Traffic Engineer shall conduct studies of such accidents and determine remedial measures. (Reso. 990,1074,1771,3766,5024)

10-3-5: TRAFFIC ACCIDENT REPORTS:

- (A) The Police Department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. (reso. 990)
- (B) The Police Department shall receive and properly file all accident reports made to it under State law or under any law of the City, but all such accident reports made by drivers shall be for the confidential use of the Police Department and no such report shall be admissible in any civil or criminal proceeding other than upon request of any person making such report or upon request of the court having jurisdiction to prove a compliance with the laws requiring the making of any such report. (Reso. 990)

10-3-6: POLICE DEPARTMENT TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT:

The Police Department shall annually prepare a traffic report which shall be filed with the City Clerk. Such report shall contain information on traffic matters in the City as follows: (Reso. 990,1771)

- (A) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data. (Reso. 990, 1771)
- (B) The number of traffic accidents investigated and other pertinent data on the safety activities of the Police. (Reso. 990, 1771)
- (C) The plans and recommendations of the division for future traffic safety activities. (Reso. 990, 1771)

10-3-7: DUTIES OF OFFICERS OF POLICE AND FIRE DEPARTMENTS:

- (A) It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police to enforce all street traffic laws of the City and all of the State vehicle laws applicable to street traffic. (Reso. 990,1771)
- (B) Officers of the Police Department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require. (Reso. 990, 1771)
- (C) Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police in directing traffic thereat or in the immediate vicinity. (Reso. 990,1771)

10-3-8: OBEDIENCE TO TRAFFIC REGULATIONS:

No person shall do any act forbidden or fail to perform any act required herein. (Reso. 990,1771)

10-3-9: PERSONS PROPELLING PUSH CARTS OR RIDING ANIMALS TO OBEY TRAFFIC REGULATIONS:

Every person propelling any pushcart or driving any animal-drawn vehicle or riding an animal upon a roadway shall be subject to the provisions of this Chapter applicable to the driver of any vehicle, except those provisions which by their very own nature can have no application. (Reso. 990,1771)

10-3-10: COASTERS, ROLLER SKATES, AND SIMILAR DEVICES:

No person upon roller skates or riding any coaster, toy vehicle, or similar device shall go upon any roadway except while crossing a street on a crosswalk, and when crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. (Reso. 990,1771)

10-3-11: PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS:

The provisions of this Chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, County, or Municipality, and no such driver shall violate any of the provisions of this Chapter, except as otherwise permitted by State Statute. (Reso. 990,1771)

10-3-12: EXEMPTIONS TO AUTHORIZED EMERGENCY OR SERVICE VEHICLES:

(A) The provisions of this Chapter regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, as defined in this Chapter, except as follows: (Reso. 990, 1771, 5050)

1. A driver, when operating any such vehicle in an emergency, except when otherwise directed by a Police officer, may: (Reso. 990, 1771, 5050)

(a) Park or stand notwithstanding the provisions of this Chapter. (Reso. 990, 1771, 5050)

(b) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation. (Reso. 990, 1771, 5050)

(c) Exceed the speed limits so long as he does not endanger life or property. (Reso. 990, 1771, 5050)

(d) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property. (Reso. 990, 1771, 5050)

2. The exemptions granted in Subsection (A)(1) of this Section in reference to the movement of an authorized emergency vehicle shall apply when the driver of said vehicle displays at least one (1) lighted lamp exhibiting a red or red-and-blue light or lens visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of the vehicle, other than a Police vehicle when operated as an authorized emergency vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell. An authorized emergency vehicle operated as a Police vehicle need not be equipped with or display the red or red-and-blue light or lens visible from in front of the vehicle. (Reso. 990, 1771, 5050)

(B) The provisions of this Chapter regulating the parking and standing of vehicles shall apply to authorized service vehicles except as follows: (5050)

1. A driver, when operating any such vehicle and engaged in official duties, except when otherwise directed by a police officer, may park or stand notwithstanding the provisions of this Chapter. (5050)

2. The exemption granted in Subsection (B)(1) of this Section shall apply when such parking or standing is to carry out official duties, does not endanger life or property, and temporary traffic control measures as required by applicable City regulations are in place. (5050)

10-3-13: TRAFFIC-CONTROL DEVICES:

(A) Authority to Install Traffic-Control Devices. The City Traffic Engineer shall place and maintain traffic-control devices, signs, and signals when and as required under the traffic regulations of the City of Mesa to make effective the provisions of said regulations and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic laws of the City or under State law or to guide or warn traffic. (Reso. 990,1286,1440,1771,3766,5024)

- (B) Specifications for Traffic-Control Devices. All traffic-control signs, signals, and devices shall conform to the approved specifications. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the City. All traffic-control devices so erected and not inconsistent with the provisions of this Chapter shall be official traffic-control devices. (Reso. 990,1286,1771)
- (C) Obedience to Traffic-Control Devices. The driver 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, subject to the exceptions granted the driver of an authorized emergency vehicle. (Reso. 990,1286,1771)
- (D) When Traffic-Control Devices are Required for Enforcement Purposes. No provisions of this Chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular Section does not state that signs are required, such Section shall be effective even though no signs are erected or in place. (Reso. 990,1286,1771)
- (E) Traffic-Control Signal Legend. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights successively one (1) at a time, the following colors only shall be used, and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows: (Reso. 990,1286,1336,1771)
1. Circular Green. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign, pavement marking, or arrow signal prohibits any particular movement. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited. (Reso. 990,1286,1336,1771)

Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk. (Reso. 990,1286,1336,1771)

2. Circular Yellow. Vehicular traffic facing the signal is thereby warned that the red signal will be exhibited immediately thereafter and such vehicular traffic shall not enter the intersection when the red signal is exhibited. (Reso. 990,1286,1336,1771)

No pedestrian facing the signal shall enter the roadway until the green is shown, unless authorized to do so by a pedestrian "walk" or a symbolic "walking man" signal. (Reso. 990,1286,1336,1771)

3. Circular Red. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and shall remain standing until green is shown alone. (Reso. 990,1286,1336,1771)

No pedestrian facing such signal shall enter the roadway until the green is shown alone, unless authorized so to do by a pedestrian "walk" or a symbolic "walking man" signal. (Reso. 990,1286,1336,1771)

The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of an intersection, or if there is no crosswalk, then at the entrance to the intersection in obedience to a red signal, may make a right turn but shall yield the right-of-way to the pedestrian and other traffic proceeding as directed by the signal, excepting at such intersections as shall, by an appropriate sign, indicate that no right turn can be made against the red signal. (1286,1336,1771)

4. Green, Yellow, and Red Arrows. (1286,1336,1771)
 - (a) Green Arrow. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. (1286,1336,1771)
 - (b) Yellow Arrow. Vehicular traffic facing the signal is thereby warned that the related green arrow movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic may not enter the intersection. (1286,1336,1771)
 - (c) Red Arrow. Vehicular traffic facing a steady red arrow signal shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection, and will remain standing until an indication to proceed is shown. (1286,1336,1771)
 - (d) Flashing Yellow Arrow. Vehicular traffic facing a flashing yellow arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. (5306)
- (F) Traffic-Control Signal at a Place Other Than an Intersection. In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this Chapter shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such signs or marking, the stop shall be made at the signal. (1286,1771)
- (G) Pedestrian "Walk" and "Don't Walk" or Symbolic "Walking Man" and "Hand" Signals. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" or the symbolic "Walking Man" and "Hand" signals are in place, such signals shall indicate as follows: (Reso. 990,1286,1336,1771)
 1. "Walk" or Symbolic "Walking Man." Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the driver of all vehicles. (Reso. 990,1286,1336,1771)
 2. "Don't Walk" or Symbolic "Hand." No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "Walk" or symbolic "walking man" signal shall proceed to a sidewalk or safety zone while the "Don't Walk" or symbolic "Hand" signal is showing. (Reso. 990,1286,1336,1771)
- (H) Flashing Signals. Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows: (Reso. 990,1286,1771)
 1. Flashing Red (Stop Signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign. (Reso. 990,1286,1771)
 2. Flashing Yellow (Caution Signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Reso. 990,1286,1771)

- (I) Display of Unauthorized Signs, Signals, or Markers. No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to the highways of signs giving useful directional information and of a type that cannot be mistaken for official signs. (Reso. 990,1286,1771)

Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice. (Reso. 990,1286,1771)

- (J) Interference With Official Traffic-Control Devices or Railroad Signs or Signals. No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control signal device or any railroad sign or any inscription, shield, or insignia thereon or any part thereof. (Reso. 990,1286,1771)
- (K) Authority to Close Streets for Block Parties. The City Traffic Engineer or his designee is hereby authorized to grant temporary street closures for block parties. (Reso. 990,1074,1286,1440,1771,3766, Ord. 4577,5024)
- (L) City Traffic Engineer to Designate Crosswalks, Establish Safety Zones, and Mark Traffic Lanes. The City Traffic Engineer is hereby authorized: (Reso. 990,1074,1286,1440,1771,3766,5024)
1. 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. (Reso. 990,1074,1286,1440,1771)
 2. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (Reso. 990,1074,1286,1440,1771)
 3. To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic laws of the City. (Reso. 990,1074,1286,1440,1771)
- (M) Authority to Install Yield Right-of-Way Signs. The City Traffic Engineer shall place and maintain yield right-of-way signs when and as required under the traffic regulations of the City and may place and maintain such additional yield right-of-way signs as he may deem necessary to regulate traffic under the traffic laws of the City or under State law or to guide or warn traffic. After the erection of such yield right-of-way signs, the driver of a vehicle about to enter or cross a highway or street from another highway or street shall, whenever a yield right-of-way sign is posted at the intersection thereof, yield the right-of-way to all closely approaching vehicles on the highway or street said driver is about to enter. (1074,1286,1440, 1771,3766,5024)
- (N) Experimental Traffic Control. The City Traffic Engineer, with the approval of the City Manager is authorized to test traffic-control devices under actual conditions of traffic. This testing shall consist of conducting research and tests on current devices and traffic control devices not presently included in the Manual on Uniform Traffic Control Devices. (1440,1771,3766,5024)
- (O) Authority to Install Restricted Entry Signs. Where necessary to preserve the public safety and welfare, the City Traffic Engineer is authorized to post signs restricting entry to a street, alley, driveway, or portion thereof. When authorized signs are erected indicating that entry is restricted, the directions of such sign shall be obeyed. (1771, 2294, 3766, 5024, 5053)

10-3-14: TURNING MOVEMENTS:

- (A) Required Position and Method of Turning at Intersections. The driver of a vehicle intending to turn at an intersection shall do as follows: (Reso. 990,1771)
1. Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway. (Reso. 990,1771)
 2. Approach for a left turn shall be made in that portion of the right half of the roadway nearest the centerline thereof, and after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. (Reso. 990,1771)
 3. Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the centerline thereof and by passing to the right of such centerline where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the centerline of the street being entered upon leaving the intersection. (Reso. 990,1771)
 4. Where both streets or roadways are one-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway. (Reso. 990,1771)
- (B) Authority to Place and Obedience to Turning Markers. (Reso. 990,1074,1771,5024)
1. The City Traffic 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. (Reso. 990,1074,1771,3766,5024)
 2. When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (Reso. 990,1074,1771)
- (C) Authority to Place Restricted Turn Signs. The City Traffic Engineer is hereby authorized to determine those intersections at which drivers 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 between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted. (Reso. 990,1074,1771,3766,5024)
- (D) Obedience to No Turn Signs. Whenever authorized signs are erected indicating that no right, left, or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (Reso. 990,1771)
- (E) Limitations on Turning Around. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (Reso. 990,1771)

10-3-15: PROHIBITING TURNS FROM DRIVEWAYS: (4926,5024)

- (A) Authority to Place Signs Prohibiting Turns from Driveways. The City Traffic Engineer is authorized to determine those driveways from which left, right or all turns onto streets shall be prohibited at all times, prohibited during specific hours, or prohibited at other certain times, and shall place proper signs at such driveways. (1074,1771,3766,4926,5024)
- (B) Obedience to No Turns Signs at Driveways. When authorized signs are erected indicating that left, right, or all turns are prohibited, no driver of a vehicle shall disobey the directions of any such sign. (1771,5024)

10-3-16: ONE-WAY STREETS, ALLEYS, AND DRIVEWAYS:

- (A) Authority to Sign One-Way Streets, Alleys, and Driveways. The City Traffic Engineer shall determine those streets, alleys, or driveways that shall be designated as one-way, and shall place and maintain signs giving notice thereof, and no such regulations 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 or traffic in the opposite direction is prohibited. (Reso. 990,1074,1440,1771,3766,5024)

10-3-17: SPECIAL STOPS REQUIRED:

- (A) Authority to Designate Through Streets. The City Traffic Engineer shall determine those streets to be designated as through streets, and place and maintain a traffic-control device on each and every street intersecting such through street or intersecting that portion thereof designated as such, except where two through streets intersect, in which case the City Traffic Engineer shall determine on which street traffic-control devices shall be placed. When signs are erected giving notice thereof, drivers of vehicles shall stop at every intersection before entering any of the streets or parts of streets so designated and indicated by a traffic-control device. (Reso. 990,1771,5024)
- (B) Intersections Where Stop Required. The City Traffic Engineer is hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one (1) or more entrances to any such stop intersection, and shall erect a traffic-control device at every such place where a stop is required. (Reso. 990,1074,1440,1771,3766,5024)
- (C) Stop Signs. If the traffic-control device is a stop sign, every such stop sign erected pursuant to this Chapter shall bear the word "Stop" in letters not less than six inches (6") in height and such sign shall be reflectorized. Every such stop sign shall be located as near as practical to the stop line. (Reso. 990,1074,1771,5024)
- (D) Vehicles to Stop at Traffic-Control Devices. When traffic-control devices are erected as herein provided at or near the entrance to any intersection, every driver of a vehicle shall stop such vehicle at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, except when directed to proceed by a Police officer or traffic-control signal. No driver shall drive upon or through any private property such as an oil station, vacant lot, or similar property to avoid obedience to any regulations regarding this Section. (Reso. 990,1771,5024)

- (E) Emerging From Alley or Private Driveway. The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway. (Reso. 990,1771,5024)
- (F) Stop When Traffic Obstructed. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Reso. 990,1771,5024)
- (G) Obedience to Signal Indicating Approach of Railroad Train. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this Section, the driver of such vehicle shall stop within fifty feet (50') but not less than fifteen feet (15') from the nearest rail of such railroad and shall not proceed until he can do so safely. The foregoing requirements shall apply when: (Reso. 990,1771,5024)
1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train. (Reso. 990,1771)
 2. A crossing gate is lowered or when a flagman gives or continues to give a signal of the approach of a railroad train. (Reso. 990,1771)
 3. A railroad train approaching within approximately one thousand five hundred feet (1,500') of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard. (Reso. 990,1771)
 4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing. (Reso. 990,1771)

No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed. (Reso. 990,1771)

10-3-18: MISCELLANEOUS RULES:

- (A) Following Fire Apparatus Prohibited. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (Reso. 990,1771)
- (B) Crossing Fire Hose. No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire without the consent of the Fire Department in command. (Reso. 990,1771)
- (C) Driving Through Funeral or Other Procession. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Chapter. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or Police officers. (Reso. 990,1771)

- (D) Drivers in a Procession. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe. (Reso. 990,1771)
- (E) Funeral Processions to be Identified. A funeral procession composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Chief of Police. (Reso. 990,1771)
- (F) When Permits Required for Parades and Processions. No procession or parade, except funeral processions, shall be held without first securing a permit from the Chief of Police, and all such requests for permits shall state the time, place of formation, proposed line of march, destination, and other regulations as the Chief of Police may set forth therein. (Reso. 990,1771)
- (G) Driving on Sidewalk. A person shall not drive a vehicle on a sidewalk area except on a permanent or duly authorized temporary driveway. A person driving an authorized service vehicle engaged in official duties may drive within a sidewalk area at a location other than a driveway. (Reso. 990, 1771, 5050)
- (H) Limitations on Backing. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (Reso. 990,1771)
- (I) Riding on Motorcycles. A person operating a motorcycle or motor scooter shall not ride other than upon the permanent and regular seat attached thereto or carry any other person other than upon a firmly attached seat to the rear or side of the operator. (Reso. 990,1771)
- (J) Clinging to Moving Vehicles. Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicles shall not attach the same or himself to any moving vehicle upon any roadway. (Reso. 990,1771)
- (K) Restricted Access. No person shall drive a vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority. (372,Reso. 990,1771)
- (L) Railroad Trains Not to Block Streets. An engineer, conductor, or other employee or officer of a railroad company who permits a locomotive or cars to be or remain upon the crossing of a public highway over such railway so as to obstruct travel over the crossing for a period exceeding fifteen (15) minutes, except in cases of unavoidable accident, is guilty of a misdemeanor. (745,Reso. 990,1771)
- (M) Regulations for House-moving Vehicles. No driver of a vehicle involved in moving a house or other building shall drive or operate said vehicle on any street or public way within the limits of the City without first securing a permit from the City Manager or designee and all requests for permits shall state the time, the proposed route, and destination of the vehicle. No such house-moving vehicle so involved shall be driven or operated on any street or public way within the City without having in attendance a suitable escort and without having the vehicles marked plainly with the legend "wide load" both in the front and in the rear. The permit to be issued by the City Manager or designee shall be prominently displayed on the house or building being moved, and no permit shall be issued without a fee of two dollars (\$2.00) first being paid by the applicant to the City Manager or designee. In the event that it becomes necessary for any department of the City to move any utility lines, traffic signals, street lights or other City facilities to permit the passage of said house or building, then the applicant for a building permit shall pay to the City the actual cost of time and materials used in moving such utilities, traffic signals, street lights or other City facilities. In the event any damage is done to any City utility lines, traffic signals, streetlights, pavement, or other City facilities in connection with any such moving project, the applicant for such permit shall likewise pay to the City the cost of the time and materials for repairing any such City installation. (372,1771,5024)

- (N) Driving Upon Certain Real Property. No person may operate a motor vehicle upon real property situated in the City other than on a street or highway; provided, that this Subsection shall not be deemed to prohibit the operation of a motor vehicle upon real property under the following circumstances: (1771)
1. Operation of licensed or unlicensed motor vehicles by the property owner, his immediate family, lessee, or invitee which does not violate other applicable laws; (1771)
 2. Lawn and garden maintenance equipment; (1771)
 3. Motor vehicles customary and incidental to farming or ranching activities when the operation of such vehicles is conducted on property properly zoned and used for such activities; (1771)
 4. Temporary construction motor vehicles whose activities are reasonably necessary for the development, repair, or maintenance of property; (1771)
 5. Governmental vehicles when reasonably operated to perform a governmental function; (1771)
 6. Vehicles of an electric power, natural gas, telephone, or other utility company when reasonably operated to facilitate the delivery of utility services. (1771)
- (O) Commercial Vehicles Restricted On Certain Streets. (2256,5024)
1. When authorized signs are erected, commercial vehicles having a manufacturer's rating of one and one-half (1-1/2) tons or more or any commercial vehicle having a length of twenty-two feet (22') or more, inclusive of front and rear bumpers, or a commercial vehicle coupled to a trailer or semi-trailer having a length of twenty-two feet (22') or more, inclusive of the front and rear bumpers, may not operate on those portions of streets so posted except for the delivery and pickup of merchandise, materials, or equipment going to or from a specific location requiring travel on streets so posted. The commercial vehicle must use the shortest and most direct route on such streets. (2256)
 2. Signs prohibiting commercial vehicle traffic may be posted at specific locations where deemed necessary to preserve the public peace and welfare by the City Traffic Engineer. (2256,3766,5024)
- (P) Preferential Lanes. (3490,5024)
- The City Traffic Engineer is hereby authorized to designate preferential lanes by posting signs restricting the use of traffic lanes to certain classes of vehicles or movements. The restricted use of the lanes may be full or part time. Whenever authorized signs are erected indicating a preferential use, no driver shall operate other classes of vehicles or make other movements within that lane. (3490,3766,5024)
- (Q) Maximum Allowable Vehicle Weight on Certain Streets (5258)
1. The City Traffic Engineer is hereby authorized to determine and designate gross vehicle weight limits on portions of streets where such limits are necessary to preserve the public peace and welfare or to protect public assets from damage by vehicles above a specified weight. (5258)
 2. Whenever authorized signs are erected indicating a gross vehicle weight limit, no driver shall operate a vehicle exceeding the indicated gross weight, except as indicated below. (5258)

3. Unless the authorized signs state "No Exceptions," a driver may operate a vehicle exceeding the indicated gross weight for the delivery and pickup of merchandise, materials, or equipment going to or from a specific location requiring travel on streets so posted. Such drivers must use the shortest and most direct route on such streets. (5258)
4. Unless otherwise posted, the gross weight limit does not apply to: (5258)
 - (a) Public transportation and school buses (5258)
 - (b) Public and private emergency vehicles (5258)
 - (c) Public and private utility company vehicles going to or from a specific location requiring travel on streets so posted (5258)
 - (d) City vehicles or any other vehicle used in providing services including but not limited to contract services and waste collection at locations requiring travel on streets so posted. (5258)

10-3-19: PEDESTRIAN'S RIGHTS AND DUTIES:

- (A) Pedestrians Subject to Traffic-Control Signals. Pedestrians shall be subject to traffic-control signals as heretofore declared in this Chapter, but at all other places, pedestrians shall be granted those rights and be subject to the restrictions stated herein. (Reso. 990,1771)
- (B) Pedestrian's Right-Of-Way in Crosswalks. When traffic-control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. A pedestrian's right-of-way in a crosswalk is modified under the condition and as stated hereinafter. (Reso. 990,1771)

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (Reso. 990,1771)
- (C) Pedestrians to Use Right Half of Crosswalk. Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (Reso. 990,1771)
- (D) Crossing at Right Angles. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk. (Reso. 990,1771)
- (E) When Pedestrian Shall Yield. (Reso. 990,1771)
 1. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway. (Reso. 990,1771)
 2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway. (Reso. 990,1771)
 3. The foregoing rules in this Section have no application under the conditions stated hereinafter when pedestrians are prohibited from crossing at certain designated places. (Reso. 990,1771)

- (F) Prohibited Crossing. Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk, and no pedestrian shall cross a roadway other than in a crosswalk in any business district. (Reso. 990,1771)
- (G) Pedestrians Walking Along Roadways. (Reso. 990,1771)
1. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. (Reso. 990,1771)
 2. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. (Reso. 990,1771)
 3. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle. (Reso. 990,1771)
- (H) Drivers to Exercise Due Care. Notwithstanding the foregoing provisions of this Chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (Reso. 990,1771)
- (I) Pedestrians Soliciting/Distributing. It shall be unlawful for any person to enter upon or remain on any median or traveled portion of any street or highway to solicit an occupant of a vehicle for employment, business, or contributions; or for distribution of advertisements, merchandise, or other property; or to offer any services. (3271)

10-3-20: METHOD OF PARKING:

- (A) Standing or Parking Close to Curb. 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 right-hand wheels of the vehicle within eighteen inches (18") of the curb or edge of the roadway except as otherwise provided herein. (Reso. 990,1771)
- (B) Signs or Markings Indicating Angle Parking. The City Traffic Engineer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets. (Reso. 990,1286,1440,1771,3766,5024)
- Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street. (Reso. 990,1286,1440,1771)
- (C) Obedience to Angle-Parking Signs or Markings. Upon those streets which have been signed or marked by the City Traffic Engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. (Reso. 990,1286,1440,1771,3766,5024)
- (D) Permit for Loading or Unloading at an Angle to the Curb. The Chief of Police is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit. (Reso. 990,1771)

(E) Lights on Parked Vehicles. (Reso. 990,1771)

1. Whenever a vehicle is lawfully parked at nighttime upon any street within a business or residence district, no lights need be displayed upon such parked vehicle. (Reso. 990,1771)
2. Whenever a vehicle is parked upon a street or highway outside of a business or residence district during the hours between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise, such vehicle shall be equipped with one (1) or more lamps which shall exhibit a white light on the roadway side visible from a distance of five hundred feet (500') to the front of the vehicle and a red light visible from a distance of five hundred feet (500') to the rear. (Reso. 990,1771)
3. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. (Reso. 990,1771)

(F) Backing Into a Parking Space. Vehicles parked on any street, highway, or roadway or in any publicly or privately owned parking lot or garage being operated or managed by the City or being operated or managed by a private person or entity pursuant to a lease, contract, or other agreement with the City shall not be parked with the rear of the vehicle backed or otherwise placed in the front portion of the parking space. If a parking space in a lot or garage is marked or designated so that two (2) vehicles can be parked end to end in two (2) separate spaces, a vehicle parked therein shall be parked with the rear of the vehicle at the end of the space which is adjacent to the aisle or open area upon which a vehicle may be driven. (1771,2189)

(G) Reparking Within Three Hundred Feet (300'). If a vehicle has been parked in an area on any street or in any public or private lot or in any public or private garage where parking is limited or restricted to a specified period of time by official signs posted at that location, it is prohibited and a violation of this Section for the said vehicle to be reparked for a period of twenty-four (24) hours within three hundred feet (300') of the location where the said vehicle was first parked. (1771,2189)

10-3-21: STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES:

(A) The City Traffic Engineer is hereby authorized to determine the locations of parking prohibitions on public streets and alleys and shall have the authority to place and maintain curb markings and/or appropriate signs indicating these prohibitions and the days and hours during which these prohibitions are applicable. (4811)

1. This authority includes but is not limited to the authority to:
 - (a) Place, maintain or remove traffic signs, curb painting, or other permanent or temporary parking control devices. (4811)
 - (b) Establish zones where only certain types of motor vehicles may park, for example motorcycles, recreational vehicles and compact vehicles. (4811)
 - (c) Establish zones where parking is prohibited at certain times on certain days. (4811)

2. The City Traffic Engineer shall consider the following circumstances when determining the location of parking prohibitions:
 - (a) Traffic safety concerns such as sight distances and obstructions for drivers approaching or exiting driveways, side streets and intersections. (4811)
 - (b) Alleviation of traffic congestion caused by circumstances such as streets that are too narrow to accommodate parking and two directions of through traffic, striping pattern that does not allow space for parking, or streets with exclusive bike lanes adjacent to curbs. (4811)
 - (c) Significant burdens to public safety caused by situations such as solid waste receptacles that are blocked by parked vehicles; parking patterns that facilitate criminal activities such as vandalism or lewd activities; and heavy parking volume that disrupts the quiet enjoyment of residents located near assembly activities such as schools, parks, churches, and businesses. (4811)
- (B) Stopping, Standing, or Parking Prohibited; Whether or Not Official Signs are Posted or Markings in Place. No person may stop, stand, or park a vehicle, except when necessary to avoid conflict with the traffic or in compliance with law or the directions of a Police officer or a traffic-control device, in any of the following places: (Ord 4811 / Reso. 990,1286,1440,1771)
 1. On a sidewalk. (Reso. 990,1286,1440,1771)
 2. In front of a public or private driveway. (Reso. 990,1286,1440,1771)
 3. Within an intersection. (Reso. 990,1286,1440,1771)
 4. Within fifteen feet (15') of a fire hydrant. (Reso. 990,1286,1440,1771)
 5. On a crosswalk. (Reso. 990,1286,1440,1771)
 6. Within twenty feet (20') of a crosswalk at an intersection, unless the City Traffic Engineer has indicated a different length by signs or markings. (Ord 4811 / Reso. 990,1286,1440,1771,3766)
 7. Within thirty feet (30') upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of the roadway. (Reso. 990,1286,1440,1771)
 8. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless the City Traffic Engineer has indicated a different length by signs and markings. (Ord 4811 / Reso. 990,1286,1440,1771,3766)
 9. Within fifty feet (50') of the nearest rail of a railroad crossing. (Reso. 990,1286,1440,1771)
 10. Within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet (75') of said entrance when properly sign-posted. (Reso. 990,1286,1440,1771)

11. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic. (Reso. 990,1286,1440,1771)
 12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street. (Reso. 990,1286,1440,1771)
 13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel. (Reso. 990,1286,1440,1771)
 14. At any place where the curb is painted red. (1771,2888)
 15. In that area between a curb and a sidewalk. (1996,2888)
 16. In any unpaved portion of the public right-of-way behind and adjacent to the curb. (2014,2888)
 17. Upon any street or highway for a period in excess of seventy-two (72) consecutive hours. (2032,2888)
- (C) Moving Vehicle. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (Ord. 4811/Reso. 990,1771)
- (D) Parking Not to Obstruct Traffic. No person may park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic. (Ord. 4811/Reso. 990,1771)
- (E) Parking in Alleys. No operator may park a vehicle within an alley except for the loading or unloading of materials and not then unless such loading or unloading can be accomplished without blocking the alley to the free movement of vehicular traffic. (Ord. 4811/Reso. 990,1771)
- (F) Deleted. (3770)
- (G) Parking for Certain Purposes Prohibited. No person may park a vehicle upon any roadway for the principal purpose of:
1. Displaying such vehicle for sale. (Reso. 990,1771)
 2. Washing, greasing, or repairing such vehicle except repairs necessitated by any emergency. (Reso. 990,1771)
 3. Displaying advertising. (Reso. 990,1771)
 4. Displaying commercial exhibits. (Reso. 990,1771)
- (H) Parking Adjacent to Schools. The City Traffic Engineer is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation. (Ord. 4811/Reso. 990,1286,1440,1771,3766)

When official signs are erected indicating no parking upon that side of the street adjacent to any school property, no person may park a vehicle in any such designated place. (Ord. 4811/Reso. 990,1286,1440,1771)

- (I) Standing or Parking on One-Way Streets. The City Traffic Engineer is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign. (Ord. 4811 / Reso. 990,1286,1440,1771,3766)
- (J) Standing or Parking on One-Way Roadways. In the event a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon such roadway, no person may stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The City Traffic Engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof. (Ord. 4811 / Reso. 990,1286,1440,1771,3766)
- (K) No Stopping, Standing, or Parking Near Hazardous or Congested Places. The City Traffic Engineer is hereby authorized to determine and designate by proper signs places in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic. When official signs are erected at hazardous or congested places authorized herein, no person may stop, stand, or park a vehicle in any such designated place. (Ord. 4811 / Reso. 990,1286,1440,1771,3766)
- (L) Parking Prohibited in Spaces Reserved for the Physically Disabled. (1705,1771,1889,4811)
1. Except as provided in paragraph 3 of this Subsection, no person may stop, stand, or park any motor vehicle within any parking place designated and marked pursuant to the provisions of Title 28, Chapter 3, Article 14, Arizona Revised Statutes, unless the motor vehicle is transporting a person who has been issued a valid placard or international symbol of access special plates and either: (1705,1771,1889,3770)
 - (a) The motor vehicle displays the valid permanently disabled or temporarily disabled removable windshield placard or (1705,1771,1889,3770)
 - (b) The motor vehicle displays international symbol of access special plates that are currently registered to the vehicle. (1705,1771,1889,3770)
 2. If a Police officer, or a duly authorized agent employed by the City, finds a motor vehicle in violation of this Section, such person shall issue a complaint to the operator or other person in charge of the motor vehicle for a civil traffic violation. The court shall impose the minimum civil sanction of fifty dollars (\$50.00) plus the penalty assessments prescribed by statute on a person who violates any provision of this Subsection. (1705,1889,2434)
 3. 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 disabled person, and no complaint shall be issued to the driver for such momentary parking. (1889)
 4. Parking spaces marked in the manner provided in Title 28, Chapter 3, Article 14, Arizona Revised Statutes, may be designated on privately owned property. The designation of such parking spaces as provided herein shall authorize Police officers and other duly authorized agents to enforce the provisions of this Subsection (K) and shall constitute a waiver of any objection by the owner or person in possession of such property to the enforcement of this Subsection. (1889,3770)

5. The Court or Civil Traffic Hearing Officer may dismiss citations under this subparagraph (K) at the arraignment if the person cited satisfies both of the following conditions: (3770)
- (a) Declares and affirms that the vehicle was being used on the date the citation was issued to transport a person who was eligible to be issued a valid placard or international symbol of access special plates; and (3770)
 - (b) Presents a valid placard indicating that the person is permanently or temporarily disabled that was issued pursuant to State law or in accordance with the laws of a nonresident's jurisdiction, or provides proof of current registration for the vehicle that includes the international symbol of access special plates. (3770)
- (M) No Stopping, Standing, or Parking Near School Crosswalks. The City Traffic Engineer is authorized to erect signs prohibiting stopping, standing, or parking between the fifteen (15) mile per hour speed limit signs of an official school crosswalk while the speed limit signs are in place. Such signs shall state that the prohibition against stopping, standing, or parking is in effect only during specified hours on school days. When such signs are in place, no person may stop, stand, or park a vehicle in any such designated place during the prohibited hours. (2061,3770,4811)
- (N) Obstructing a Fire Lane. The required width of access roadways shall not be obstructed in any manner. No person shall stop, stand, or park any vehicle within a fire lane, whether on public or private property, provided that appropriate signs and other markings, as approved by the Fire Chief, shall be erected and maintained in order for this regulation to be effective. (3530,4811)
- (O) On-street decal parking shall be permitted in the business districts located in the area bounded by the University Drive centerline to the south, the Mesa Drive centerline to the west, the Broadway Road centerline to the north, and the Country Club Drive centerline to the east. This area shall be referred to as the decal area. The City Traffic Engineer may designate certain streets or locations in the decal area for parking of vehicles only with approved parking decals. (4492,4811)
1. Parking may be restricted in the decal area during certain hours or weekends and holidays if signs are posted specifying the hours or days that a decal is required. (4492)
 2. The City Traffic Engineer, or city retained parking contractor is authorized to issue parking decals for parking in the decal area. (4492,4811)
 3. The definition of a business district shall be as defined in section 10-3-1 of the City of Mesa's Municipal Code. (4492)

10-3-22: COMMERCIAL VEHICLE PARKING TIME RESTRICTED:

No person may park any commercial vehicle having a gross vehicle weight rating (GVWR) exceeding thirteen thousand (13,000) pounds or having dual rear wheels exceeding seventeen inches (17") in diameter or park any commercial vehicle having the length of twenty-two feet (22') or more, inclusive of the front and rear bumpers, or park a commercial vehicle coupled to a trailer or semi-trailer having the length of twenty-two feet (22') or more, inclusive of front and rear bumpers, in any residential area of the City or on any street, alley, or other public right-of-way at any time for a period of time longer than two (2) hours except when such parking is necessarily required while actually carrying out a lawful commercial purpose. For the purposes of this Section, "residential area" shall mean any area in the City zoned for residential purposes. (750,1771, 2123,2901)

10-3-22.1: PARKING OF SPECIFIED VEHICLES RESTRICTED:

Trailers or semi-trailers designed or intended to be drawn behind a motor vehicle shall not be parked upon a street, alley, or other public right-of-way for a period of time longer than two (2) hours, except commercial vehicles may be parked for a longer period of time only when such parking is necessarily required while actually carrying out a lawful commercial purpose. The provisions of this Section shall not apply to recreational vehicles defined in Chapter 34 of Title 11 of the Mesa City Code. (2901)

10-3-23: STOPPING FOR LOADING OR UNLOADING ONLY:

- (A) City Traffic Engineer to Designate Curb Loading Zones. The City Traffic Engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain curb markings and/or appropriate signs indicating the same and stating the hours during which the provisions of this Section are applicable. (Ord 4811 / Reso. 990,1074,1440,1771,3766)
- (B) Standing in Passenger Curb Loading Zone. No person may stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective and then only for a period of time not to exceed three (3) minutes. (Ord 4811 / Reso. 990,1771)
- (C) Standing in Freight Curb Loading Zone. No person may stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zone are in effect. In no case shall the stop for loading and unloading for materials exceed twenty (20) minutes. (Ord 4811 / Reso. 990,1771)
- (D) City Traffic Engineer to Designate Public Carrier Stands. The City Traffic Engineer, is hereby authorized and required to establish bus stops and taxicab stands and stands for other passenger common carrier motor vehicles in such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, taxicab stand, or other stand shall be designated by appropriate signs. (Ord 4811 / Reso. 990,1074,1440,1771,3766)
- (E) Parking of Buses and Taxicabs Regulated. The driver of a bus or taxicab may not park upon any street in any business district at any place other than at a bus stop or taxicab stand respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers. (Ord 4811 / Reso. 990,1771)
- (F) Restricted Use of Bus and Taxicab Stands. No person shall stand, stop, or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while engaged in loading and unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter the same. (Ord 4811 / Reso. 990,1771)
- (G) City Traffic Engineer to Designate School Bus Loading Zones. The City Traffic Engineer, is authorized and required to establish school bus loading zones in such public streets, in such places, and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every school bus loading zone shall be designated by appropriate signs. (2164,3766,4811)
- (H) Restricted Use of School Bus Loading Zones. No person shall stand, stop, or park a vehicle, other than a school bus, in a school bus loading zone when such zone has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while engaged in loading and unloading passengers when such stopping does not interfere with any school bus waiting to enter or about to enter said loading zone. (2164,4811)

10-3-24: STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS:

- (A) Application. The provisions of this Chapter prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a Police officer or official traffic-control device. (Reso. 990,1771)
- (B) Violation of Laws of City. No person may allow, permit, or suffer any vehicle registered in his name to stand or park in any street in the City in violation of any of the laws of the City regulating the standing or parking of vehicles. (Reso. 990,1771)
- (C) Regulations Not Exclusive. The provisions of this Chapter imposing a time limit on parking shall not relieve any person from the duty to observe the other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times. (Reso. 990,1771)
- (D) Parking Prohibited at Certain Times on Certain Streets. The City Traffic Engineer may determine locations where stopping, standing or parking is prohibited at all times or at certain times and/or on certain days. (Ord 4811 / Reso. 990,1771)
1. In accordance with the rules and regulations herein contained and when signs are erected giving notice thereof, or the curb is painted red under direction of the City Traffic Engineer, no person may at any time stop, stand or park a vehicle upon a portion of any street or alley so designated. (4811)
 2. In accordance with the rules and regulations herein contained and when, under the direction of the City Traffic Engineer, signs are erected giving notice that parking is prohibited at certain times and/or on certain days, no person may stop, stand or park a vehicle upon a portion of any street or alley so designated during the specified times and/or days. (4811)
 3. The City Traffic Engineer shall keep a record of all locations where the City Traffic Engineer, Transportation Advisory Board or City Council establishes permanent stopping, standing or parking prohibitions. The City Traffic Engineer shall also keep a record of any temporary stopping, standing or parking prohibitions established where the restrictions are expected to remain longer than 90 days. (4811)
- (E) Parking Time Limited on Certain Streets. When signs are erected giving notice thereof, parking of a vehicle is limited to a period of time no longer than two (2) hours between the hours of eight (8:00) A.M. and five (5:00) P.M. of any day, except Saturdays, Sundays, and City holidays, upon any of the streets or parts of streets within the City. (Reso. 990,1771,2188)
- (F) Parking Signs Required. Whenever by this or any other laws or regulations of the City any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the City Traffic Engineer to erect appropriate signs giving notice thereof, and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense. (Ord 4811 / Reso. 990,1286,1771,3766)
- (G) Stopping, standing, or parking at all times on any street is prohibited if official signs are erected and in place giving notice thereof that stopping, standing, or parking is prohibited. (2888)

10-3-25: PARKING VIOLATIONS; LIABILITY AND ENFORCEMENT:

- (A) Parking a Civil Traffic Violation; Definition. Violation of any City ordinance or provision of this Code which regulates the time, place, or method of parking is a civil traffic violation. "Parking" means the standing of a vehicle, whether occupied or not. (2188)
- (B) Parking Violations; Persons Liable. (2188)
1. It is unlawful for a vehicle to be parked in violation of any City ordinance or provision of this Code regulating the time, place, or method of parking. Violations of any City ordinance or provision of this Code regulating the time, place, or method of parking which are continuous in nature shall constitute a separate and distinct violation for each full hour thereof. (2188)
 2. Whenever a vehicle is parked in violation of a City ordinance or provision of this Code regulating the time, place, or method of parking, the owner or owners of the vehicle, the registered owner or owners of the vehicle, and the person who parked or placed the vehicle where the violation occurred shall be jointly and individually liable for the violation and for the civil sanction prescribed herein. (2188)
 3. A vehicle parked in contrary to or inconsistent with any City ordinance or provision of this Code regulating the time, place, or method of parking which provides that "no person" may stop, stand, or park a vehicle at a designated location or contrary to any limitations, restrictions, or other provision regulating the time, place, or method of parking is deemed to be parked in violation of said ordinance or provision of this Code. (2188)
 4. Whenever a motor vehicle is parked upon the public right-of-way or other property in violation of this Code and the vehicle has previously been the subject of five (5) or more violations of the parking provisions of the Code within a twelve- (12-) month period but the civil sanctions prescribed under the Mesa City Code for those violations have not been satisfied, then the vehicle shall be deemed to constitute a public nuisance and the owner of the vehicle consents to immobilization, towing, and impoundment of the vehicle pursuant to Title 10 of the Mesa City Code. A possessory lien is hereby created and attached to such vehicle for the payment, in cash or its equivalent, of all current and accumulated parking tickets and for reasonable costs associated with immobilization, towing, and impoundment. (2434)
- (C) Parking Notice; Issuance. (2188)
1. In an action involving unlawful parking, a copy of the notice need not be personally served upon the owner or operator of the vehicle but may be served by attaching a copy to the vehicle. These notices may be issued by a municipally hired police parking monitor or authorized private contractor approved by the Chief of Police. (2188,4693)
 2. The notice shall include the date, time, and location of the violation; the state license number of the vehicle unlawfully parked; reference to the City ordinance or Code provision violated; and notice that within seven (7) calendar days from the day on which the notice was issued the sanction for the violation must be paid and received by the City or a request made and received by the City for a hearing to contest the alleged violation. (1771,2188,4444)
 3. The notice, or copy thereof, shall constitute prima facie evidence of the parking infraction. (3770)

(D) Response to Parking Notice. (2188)

1. Within seven (7) calendar days from the day on which the notice was issued, the person or persons liable for the parking violation shall respond to the notice by one of the following methods: (2188,4444)
 - (a) By appearing in person, by representation, by deposit in a City collection box, or by mail to the City within said seven (7) calendar day period, admitting responsibility for the violation and paying the civil sanction prescribed for the violation. (2188,4444)
 - (b) By contacting the City in person, by representation, by telephone, by mail, or by deposit in a City collection box within said seven (7) calendar day period and requesting a hearing to contest the alleged violation. (2188,4444)
 - (c) By appearing in person at the City Court and requesting an initial appearance before a Hearing Officer to explain the circumstances of the alleged violation. The Hearing Officer at the initial appearance may accept the defendant's explanation and dismiss the notice of violation or shall inform the defendant that the civil sanction must be paid or a request must be made for a civil traffic hearing to contest the alleged violation. (2188)
 - (d) A request for a hearing or payment of the civil sanction will be considered received by the City if it is actually delivered to the City Court, deposited in a City collection box, or postmarked within seven (7) calendar days after the date the notice of violation was issued. A request for a hearing made by telephone will be considered received the day it is made if it is received by a City Court employee between the hours of eight (8:00) A.M. and five (5:00) P.M. of any day, except on Saturday, Sunday, or a City holiday. (2188,4444)

(E) Schedule of Sanctions. The sanctions listed in the following schedule are the minimum sanctions that may be imposed for violations of the Sections of the Mesa City Code listed therein. Any vehicle parked in violation of a City ordinance or other provision of this Code other than those in the following schedule shall cause the person or persons liable for the violation to be assessed a minimum sanction of fifteen dollars (\$15.00). (2188,2434,2573,4444)

Section	Description	Sanction
10-3-21(B)1	Sidewalk Parking	\$26.00
10-3-21(B)2	Blocking Driveway	\$26.00
10-3-21(B)3	Intersection Parking	\$26.00
10-3-21(B)4	Fire Hydrant	\$26.00
10-3-21(B)5	Crosswalk Parking	\$26.00
10-3-21(B)10	Fire Station Exit	\$26.00
10-3-21(B)12	Double Parking	\$26.00
10-3-21(B)14	Red Curb	\$26.00
10-3-21(E)	Alley Parking	\$26.00
10-3-21(G)1	Vehicle for Sale; Parking Prohibited	\$26.00
10-3-21(G)2	Repairing Vehicle; Parking Prohibited	\$26.00
10-3-21(L)	Physically Disabled	\$55.00
10-3-21(N)	Fire Lane	\$26.00
10-5-1(B)2	Lots and Garages; Improper Placement or Display of Permit or Decal	\$26.00
10-5-1(C)	Parking Oversize Vehicle in Compact Car Area	\$26.00
11-17-6	Recreational Vehicle Parking	\$26.00

(2188,2434,2573,3530,4444,5024)

- (F) Failure to Respond to a Notice; Increased Sanction for Failure to Make a Timely Response. (Reso. 990,1771, 2188)
1. If the person or persons liable for a parking violation fail to respond by one of the methods prescribed in Subsection (D) within seven (7) calendar days from the day the notice was issued, the sanction for the violation shall automatically be increased to twice the minimum sanction. If the sanction is not paid within thirty (30) days after the date of the violation and the person or persons liable for the violation have failed to make a timely response pursuant to Subsection (D), the sanction shall be increased automatically to four (4) times the minimum sanction which is due and payable at that time. (2188,4444)
 2. The list of violations and sanctions provided for in Subsection (E) are the minimum sanctions that may be imposed when the defendant responds to the notice in a timely manner. The civil sanctions prescribed herein shall not be suspended or reduced except as provided herein. (2188)
 3. A City Magistrate or a civil traffic Hearing Officer may suspend the payment of an increased sanction or late penalty for the failure to respond to a parking notice; however, a City Magistrate or civil traffic Hearing Officer cannot suspend the payment of the minimum sanction as provided in the schedule in Subsection (E). (2188)
- (G) Civil Traffic Complaints; Hearings. (2188)
1. If a defendant has made a timely request for a hearing pursuant to Subsection (D)1(b) or (D)1(c) or has failed to timely respond to the notice and has not paid the civil sanction as required by Subsection (D)1(a), a civil traffic complaint and summons will be issued by the City Court unless the City Prosecutor determines that a complaint shall not be requested. (2188)
 2. Failure to respond to a civil traffic complaint and summons will result in a default judgment for the amount of the civil sanction. (2188)
 3. A civil traffic hearing for a parking violation may be heard by a civil traffic Hearing Officer pursuant to applicable State statutes and the Arizona Supreme Court Rules of Procedure in Civil Traffic Violation Cases. The Hearing Officer may make such orders as may be necessary and proper to dispose of such cases. (2188)
- (H) Judgments; Collection. The City may contract with a private person or entity for the collection of civil judgments in parking cases. (2188)
- (I) Courtesy Citations. Courtesy citations may be given for time violation and parking without a required permit/decal at the discretion of the authorized private contractor, parking enforcement officer or a Police Officer. No fine or sanction will be incurred for a courtesy citation. No more than two (2) courtesy citations may be given to the same person or vehicle within a period of seven (7) days. A third violation will result in the issuance of a parking notice of a violation. (2188,2573,4693)
- (J) Time calculation. If the seventh (7th) calendar day as set forth herein is a Saturday, Sunday or Legal Holiday, then payment shall be due on the next day that is not a Saturday, Sunday, or Legal Holiday. (4444)

10-3-26: WHEN VEHICLES MAY BE IMPOUNDED:

- (A) Authority to Impound Vehicles. Members of the Police Department are hereby authorized to remove any vehicle from any street, highway, or publicly or privately owned property, parking lot, or garage being operated or managed by the City or being operated or managed by a private person or entity pursuant to a contract, lease, or agreement with the City or duly posted private property as defined in paragraph 5 of this Subsection (A) to the nearest garage or towing company lot designated or maintained by the Police Department or otherwise maintained by the City under the circumstances hereinafter enumerated: (Reso. 990,1074,1142,1669,1771, 1849,1974,2122,2188,2434)
1. When any vehicle is left unattended upon any bridge, viaduct, or causeway or in any tube or tunnel where such vehicle constitutes an obstruction to traffic. (Reso. 990,1074,1142,1669,1771, 1849,1974,2122,2188)
 2. When a vehicle upon a street or highway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal. (Reso. 990,1074,1142,1669,1771,1849,1974,2122,2188)
 3. When any vehicle is left unattended upon a street in an unlawful manner and is so parked as to constitute a definite hazard or obstruction to the normal movement of traffic or is parked in front of a public or private driveway. (Reso. 990,1074,1142,1669, 1771,1849,1974,2122,2188)
 4. When any vehicle is left parked upon a street for a period in excess of forty-eight (48) hours. For the purposes of this paragraph the words "left parked" shall mean being left upon a street for a period of time in excess of forty-eight (48) hours without the vehicle having been moved at least three hundred feet (300'). (Reso. 990,1142,1669,1771,1849, 1974,2122,2188)
 5. When any vehicle is advertised or offered for sale from a vacant property or unauthorized vehicle sales lot without the express written permission of the property owner when such property has been duly posted by the City to prohibit the parking or sale of such vehicles. Any property owner within the City may make application to the City Manager or designee to authorize the City to post signs indicating that the advertising, offering for sale, or sale of any vehicle is prohibited on the applicant's property and further authorizing the City to act as the agent of the property owner to gain compliance with the provisions of this Section. Such application shall be made on a form prescribed by the City Manager or designee. The City Manager or designee shall thereupon cause the applicant's property to be posted with an appropriate sign or signs stating that the advertising, offering for sale, or sale of any vehicle is prohibited thereon. When such property has been so posted, it shall be the duly posted private property. (1142,1669,1771,1849,1974, 2122,2188,5024)
 6. When a vehicle is parked in a fire lane in violation of the provisions of Section 7-2-2(M) of the Mesa City Code. (1849,1974,2122,2188)
 7. When a vehicle is parked, stopped, or standing in violation of any provision contained in Title X, Chapters 2, 3, or 5 of this Code or when signs are erected giving notice that vehicles parked in violation of the parking restrictions may be towed at the owner's expense. (1974,2122,2188)

- (B) Unoccupied Vehicle Violating Laws Declared Nuisance. Any unoccupied vehicle of any kind or description found under the circumstances enumerated in paragraph numbers 1 through 7, inclusive, of Subsection (A) of this Section is hereby declared to be a nuisance and a menace to the safe and proper regulation of traffic. Such vehicle shall be taken in charge by any Police officer and removed from the street, public parking lot or garage, private parking lot or garage, or duly posted private property and kept in custody upon the direction of the Chief of Police. Such vehicle may be recovered by the owner when he has furnished evidence of his identity and ownership and signed a receipt. The owner of such vehicle shall be liable for all towing and storage charges in connection with the removal and storage thereof. The payment of such removal and storage charges shall not release the owner or driver of such vehicle from any other penalty imposed for violation of the traffic laws of the City. (1142,1669,1771,1849,1974,2188)
- (C) Notice of Removal to Owner. Whenever an officer removes a vehicle from a street, public parking lot or garage, private parking lot or garage, or duly posted private property as authorized in this Section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage. (Reso. 990,1142,1669,1974,2188)
- (D) Unidentifiable Vehicles. Whenever an officer removes a vehicle from a street, public parking lot or garage, private parking lot or garage, or duly posted private property under this Section and does not know and is not able to ascertain the name of the owner or for any reason is unable to give notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the Motor Vehicle Department, whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored. (Reso. 990, 1142,1669,1974,2188)
- (E) Thirty-Day Impoundment. Pursuant to ARS §28-3511, a vehicle shall be immobilized or impounded for thirty (30) days for the following reasons:
1. The driver's driving privilege is revoked for any reason; (4659)
 2. The driver's driving privilege is suspended; (4659)
 3. The driver has never been issued a driver license or permit and does not produce evidence of a driver license by another jurisdiction; or (4659)
 4. A Peace Officer has probable cause to arrest the driver for a violation of ARS §§ 4-244, 28-1382, or 28-1383. (4659)
- (F) Thirty-Day Impoundment Fee Pursuant to ARS §28-3513. (4659)
1. If a vehicle is properly impounded, a \$150.00 administrative fee will be charged, relating to the removal, immobilization, impoundment, storage or release of a vehicle. The administrative charge is in addition to any other immobilization, impoundment, or storage charges. (4659)
 2. The administrative fee will be waived upon proof that the vehicle is stolen and the theft was reported. (4659)
 3. If the theft was reported, the operator of the vehicle at the time of immobilization or impoundment is responsible for all towing, immobilization, and storage charges. (4659)

10-3-27: EXCESS LOADS; CIVIL SANCTIONS AND PENALTIES FOR VIOLATION:

(A) Single Axle Load Limit and Gross Weight of Vehicles and Loads. The gross weight imposed by the wheels of any one axle of a motor vehicle and the total gross vehicle weight of any motor vehicle operated upon any City street shall not exceed the weights set forth in ARS §28-1008, §28-1009, and §28-1009.01, and the provisions of said Sections, together with the tables and formulas set forth therein, are incorporated herein by reference and made a part hereof as though fully set forth herein. (1910)

(B) Violation; Classification; Prima Facie Evidence. (1910)

1. A person who violates any of the provisions of this Section is subject to a civil sanction except as otherwise set forth herein. (1910)

2. A second violation of this Section within six (6) months of a judgment for a first violation is a Class 2 misdemeanor. A second conviction as a misdemeanor for violation of Subsection (A) of this Section within one (1) year is a Class 1 misdemeanor. In addition to any term of imprisonment which may be imposed for a second or subsequent violation, the Court shall fine a person the amount which is set forth in the following table: (1910)

If the Excess Weight is:	The Minimum Fine or Civil Sanction is:		
	Sanction	Class 2	Class 1
1,001 to 1,250 Pounds	\$50.00	\$75.00	\$100.00
1,251 to 1,500	\$100.00	\$150.00	\$200.00
1,501 to 2,000	\$150.00	\$225.00	\$300.00
2,001 to 2,500	\$200.00	\$300.00	\$400.00
2,501 to 3,000			\$500.00
3,001 to 3,500			\$600.00
3,501 to 4,000			\$700.00
4,001 to 4,500			\$800.00
4,501 to 4,750			\$900.00
4,751 and Over			\$1,000.00

3. Notwithstanding any of the provisions of Subsection 2 of this Section, a conviction for a violation of this Section in which the excess weight is over two thousand five hundred one pounds (2,501) or greater is a Class 1 misdemeanor. (1910)
4. If the officer finds that the person has violated only the axle weight limitation and not the total weight limitation, the officer shall request a driver to reload the vehicle to comply with the axle weight limitation. If the driver does not comply with the request of the officer to reload, the driver is subject to a civil sanction. (1910)
5. A weight certificate or other document evidencing the receipt of goods for shipment issued by a person engaged in the business of transporting or forwarding goods stating the gross weight of the vehicle with a load which is in excess of the prescribed maximum weight set forth in this Section is prima facie evidence that the weight of a vehicle and load is unlawful. (1910)
6. If the commodity being carried is sold by weight, a weight certificate or other document evidencing the receipt of goods for shipment issued by a person engaged in the business of transporting or forwarding goods stating the gross weight of the vehicle with a load which is not in excess of the prescribed maximum weight limitation permitted by this Section is prima facie evidence that the weight of a vehicle and load is lawful. (1910)