ORDINANCE NO. 793

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 72.04 (PARKING RESTRICTIONS; SIGNAGE) AND ADDING SECTION 71.09 (TEMPORARY STREET CLOSURES; SIGNAGE) TO ALLOW THE POLICE CHIEF AND/OR THE PUBLIC WORKS DIRECTOR TO TEMPORARILY RESTRICT PARKING AND/OR CLOSE STREETS.

WHEREAS, the Town of Payson, through the Town Council, regulates the use of its streets including on-street parking; and

WHEREAS, Town Council approval is currently required for temporary street closures; and

WHEREAS, the Town desires to allow the Police Chief and/or the Public Works Director to temporarily prohibit, restrict, or modify any existing on-street parking requirements; and

WHEREAS, the Town desires to allow the Police Chief and/or the Public Works Director to temporarily close a street or streets to vehicular and/or pedestrian traffic,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 72.04 of the Code of the Town of Payson is hereby amended and shall read as follows:

§ 72.04 ~~AUTHORITY TO ERECT SIGNS RESTRICTING~~ PARKING RESTRICTIONS; SIGNAGE.

(A) The ~~Police Chief, upon approval by the~~ Council~~;~~ may prohibit parking, ~~erect signs~~ require~~ing~~ parking at an angle, allow~~ing~~ parking on the left-hand curb on one-way streets, ~~notifying drivers that parking is prohibited~~, and restrict~~ing~~ parking in any way that may be necessary. ~~No parking restrictions shall become effective until a restricted parking area is specifically designated by resolution of the Council and signs have been erected as authorized by this section. It is a violation for any person to stop or stand a vehicle in disobedience to parking restrictions.~~

(B) The Police Chief and/or the Public Works Director may temporarily prohibit parking, restrict parking, or modify any existing parking requirements.

(C) No person may stop or stand a vehicle in violation of any parking prohibition or restriction authorized by this Section.

(D) This Section may be enforced only if signage notifying the public of

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FIRST READING AND PUBLIC HEARING

SECOND READING AND PUBLIC HEARING

any prohibition or restriction is clearly visible from the area of such prohibition or restriction.

Section 2. Section 71.09 of the Code of the Town of Payson is hereby added and shall read as follows:

§ 71.09 TEMPORARY STREET CLOSURES; SIGNAGE

(A) The Police Chief and/or the Public Works Director may temporarily close a street or streets to vehicular and/or pedestrian traffic.

(C) No person shall violate a temporary street closure order.

(D) This Section may be enforced only if notice of any temporary street closure is posted at the entrances to the area of such temporary street closure.

Section 3. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. If any section, subsection, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and Common Council of the Town of Payson declares that they would have adopted this Ordinance and each section, subsection, or portion thereof despite the fact that any one or more sections, subsections, or portions would be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of November, 2010, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Timothy M. Wright, Town Attorney