

ORDINANCE NO. 845

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TITLE VII (TRAFFIC CODE), CHAPTERS 70 (GENERAL PROVISIONS), CHAPTER 71, (TRAFFIC RULES), AND CHAPTER 72 (PARKING REGULATIONS) OF THE TOWN CODE.

(PART 9 OF THE SYSTEMATIC CODE REVIEW AND UPDATE)

WHEREAS, on June 6, 2013, the Town Council directed the Town Attorney, working with the Town's Departments to systematically review the Town Code and to bring to the Council any recommended amendments to ensure consistency with State Law, internal consistency with other Town Ordinances/Code sections, and efficiency of Town operations; and

WHEREAS, Chapters 70 through 73 of Title VII of the Town Code have been reviewed by the Town Attorney, Town Manager, Assistant Town Manager and Deputy Town Manager over Public Safety; and

WHEREAS, the Town desires to amend Chapters 70, 71, and 72,

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

Section 1. Section 70.01 through 70.05 of the Town Code are repealed.

Section 2. Section 70.20 of the Town Code is amended and shall read as follows:

70.20 PLACEMENT OF TRAFFIC CONTROL DEVICES; OBEDIENCE REQUIRED.

(A) The Public Works Department may install warning signs, directional signs, roadway centerline striping, and directional pavement markings as deemed appropriate. It may also replace or install additional regulatory signs to improve safety and clarity.

(B) The Public Works Department, upon approval of the Council, may install new regulatory signs, crosswalks, and other traffic control devices as may be necessary.

(C) The driver of any vehicle shall obey all traffic control devices unless  
(1) otherwise directed by a law enforcement officer, a fire department employee, or a police volunteer or public works employee authorized to direct traffic; or  
(2) subject to any exception granted in this Code or in State law.

Section 3. Sections 70.21, 70.22, and 70.23 of the Town Code are repealed.

Section 4. Section 70.99 of the Town Code is amended and shall read as follows:

70.99 PENALTY.

Any violation of Title VII of this code constitutes a civil traffic violation and is punishable as a civil traffic violation under Title 28 of the Arizona Revised Statutes.

Section 5. Section 71.01 of the Town Code is amended and shall read as follows:

71.01 RESERVED.

Section 6. Section 71.02 of the Town Code is amended and shall read as follows:

71.02 LIMITATIONS ON TURNING AROUND.

The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction-unless such movement can be made in safety and without interfering with other traffic.

Section 7. Section 71.03 of the Town Code is amended and shall read as follows:

71.03 RESERVED.

Section 8. Section 71.05 of the Town Code is amended and shall read as follows:

71.05 RESERVED.

Section 9. Section 71.07 of the Town Code is amended and shall read as follows:

71.07 RESERVED.

Section 10. Section 72.01 of the Town Code is amended and shall read as follows:

72.01 RESERVED.

Section 11. Section 71.02 of the Town Code is amended and shall read as follows:

72.02 BLOCKING TRAFFIC.

No person shall stop, stand or park any motor vehicle, or other vehicle, upon a street in the town in such manner or under such conditions as to leave available less than 20 feet of the width of the roadway for the free movement of vehicular traffic, except that a person may stop temporarily, in the actual loading or unloading of passengers, or when necessary, in the observance of traffic signs or signals of the Police Chief.

Section 12. Section 71.05 of the Town Code is amended and shall read as follows:

72.05 RESERVED.

Section 13. Section 71.06 of the Town Code is amended and shall read as follows:

72.06 RESTRICTED PARKING AREAS FOR THE PHYSICALLY DISABLED.

(A) For purposes of this section and its enforcement, the term "Restricted Parking Area for Physically Disabled Persons" shall refer to those spaces designated by a sign stating, "Reserved Parking" and bearing the internationally accepted symbol of access in accordance with A.R.S. § 28-882(C). Additionally, such a restricted parking area shall include any loading/unloading zone directly adjacent to the parking space designated by painted stripes.

(B) Those persons or businesses required by law or otherwise electing to provide Restricted Parking Areas for Physically Disabled Persons shall maintain such parking so that its designation as parking restricted to such persons is readily obvious. Maintenance shall include the repainting of the lines delineating the area as needed to insure adequate visibility and the upkeep of the sign designating the space as restricted in accordance with A.R.S. § 28-882(C).

(C) Any person or business which causes a parking space to be set aside as a Restricted Parking Area for Physically Disabled Persons shall be deemed to have given consent to the Payson Police Department to enforce a violation of this section when such violation occurs on the private property of such person or business.

Section 14. If any portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this \_\_\_\_ day of February, 2014, by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT \_\_\_\_\_

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Kenny J. Evans, Mayor

ATTEST:

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Silvia Smith, Town Clerk

APPROVED AS TO FORM:



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Timothy M. Wright, Town Attorney