

CHAPTER 14 TRAFFIC (1)

Article 14-1 ADMINISTRATION

- 14-1-1 Duty of Police Chief
- 14-1-2 Records of Traffic Violations
- 14-1-3 Police Chief to Investigate Accidents
- 14-1-4 Traffic Accident Studies
- 14-1-5 Traffic Accident Reports

Section 14-1-1 Duty of Police Chief

- A. It shall be the duty of the Police Chief to provide for the enforcement of the street traffic regulations of Town and all of the state vehicle laws applicable to street traffic in the Town, to make arrests for 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 the Police Chief by this chapter.
- B. Any peace officer of the Town may be authorized by the Police Chief to perform any of the duties of the Police Chief included in this chapter.

Section 14-1-2 Records of Traffic Violations

- A. The Police Chief shall keep a record of all violations of the traffic laws of the Town 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 accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.
- B. All forms for records of violations and notices shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
- C. All records and reports shall be public records.

Section 14-1-3 Police Chief to Investigate Accidents

It shall be the duty of the Police Chief to investigate traffic accidents and to arrest and assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

- (1) Sections 9-240 B (3) and (4), 28-627 and 28-643, A.R.S.

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Section 14-1-4 Traffic Accident Studies

Whenever the accidents at any particular locations become numerous, the Police Chief shall conduct studies of such accidents and determine remedial measures.

Section 14-1-5 Traffic Accident Reports

- A. The Police Chief shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location.

- B. The Police Chief shall receive and properly file all accident reports made to him under state law or under any law of the Town. All such accident reports made by drivers shall be for the confidential use of the Town. 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 compliance with the laws requiring the making of any such report.

Article 14-2 TRAFFIC CONTROL

- 14-2-1 Directing Traffic
- 14-2-2 Obedience to Traffic Regulations
- 14-2-3 Use of Coasters, Roller Skates and Similar Devices Restricted
- 14-2-4 Motorized Skateboards
- 14-2-5 Traffic Control Devices
- 14-2-6 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes
- 14-2-7 Authority to Place and Obedience to Turning Markers
- 14-2-8 Authority to Place and Obedience to Restricted Turn Signs
- 14-2-9 Limitations on Turning Around
- 14-2-10 One-Way Streets and Alleys
- 14-2-11 Regulation of Traffic at Intersections
- 14-2-12 Drivers to Obey Signs
- 14-2-13 Processions
- 14-2-14 Speed Limits

Section 14-2-1 Directing Traffic

- A. The Police Chief is hereby authorized to direct all traffic by voice, hand or signal.

- B. Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police Chief in directing traffic thereat or in the immediate vicinity.

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Section 14-2-2 Obedience to Traffic Regulations

It is unlawful, except as otherwise provided in this code, for any person to do any act forbidden or fail to perform any act required by this chapter or willfully fail or refuse to comply with any lawful order or direction of the Police Chief or of any Fire Department official.

Section 14-2-3 Use of Coasters, Roller Skates and Similar Devices Restricted

- A. 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.
- B. No person shall be allowed to ride upon any bicycle, skateboard, roller skates, or similar device in areas determined by the Chief of Police to be unsafe for such activities. These areas will be clearly marked with signs stating that these activities are not allowed.

Section 14-2-4 Motorized Skateboards

- A. Definition. A motorized skateboard is defined as a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground and which is not otherwise defined under Arizona law (A.R.S. 28) as a “motor-driven cycle”, or “motorized wheelchair.”
- B. Anyone in the Town of Clarkdale who is 14 years old or older may operate a motorized skateboard. However, anyone who is under the age of 18 is prohibited from operating a motorized skateboard on any public property or right-of-way, unless the person has in their possession written consent signed by their parent or legal guardian, whose signature shall be notarized, and shall contain the following:
 - 1. Name and date of birth of the operator.
 - 2. Home address of the operator and the parent or guardian
 - 3. Home and work telephone number of the parent or guardian
 - 4. The following statement:

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“I am the parent (or legal guardian) of (insert name of operator) and authorized him/her to operate a motorized skateboard in the Town of Clarkdale. I have read and discussed with him/her the regulations regarding the operation of motorized skateboards in Clarkdale, and have assured myself that the operator understands these regulations.”

- A. Motorized Skateboards are prohibited:
1. On any sidewalk in Town.
 2. In any town parking areas, town parks or on the town hall complex property.
 3. On any public property that has been posted as an area prohibited to skateboards.
 4. On any street, roadway or highway with a posted speed limit of greater than 25 mph.
 5. On any public property not held open to public vehicle use.
 6. On any private property without the written permission of the owner.
 7. On a public right-of-way, including streets, roadways and alleyways, except during daylight hours and in no event before 7:00 a.m. or after 8:00 p.m.
- A. Traffic laws such as those regulating red light, stop signs, crosswalks, speeding, yielding, and movements on the roadway also apply to motorized skateboards.
- B. Motorized skateboards may be operated on a designated bicycle path or lane, but motorized skateboard operators shall yield at all times to other users. The following is also prohibited:
1. Carrying passengers.
 2. Attaching a motorized skateboard in any manner to any other vehicle or person.
 3. Carrying any package or bundle that prevents the operator from keeping his/her hands on the steering mechanism.

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4. Structurally or mechanically altering the original manufacture's design.
 5. Transporting extra fuel in a separate container or altering the fuel reservoir.
 6. Riding motorized skateboards two abreast on a roadway.
- C. Motorized skateboard operators are required to ride as close as practical to the right-hand curb or edge of the roadway except when passing other vehicles, preparing for a left turn, or when reasonably necessary to avoid hazardous conditions.
- D. The required safety equipment is as follows:
1. A brake that enables the operator to make a braked wheel(s) skid on dry pavement.
 2. A protective helmet (if operator is under age 18) which meets the minimum standards of testing and safety inspection by the bicycle industry.
 3. Footwear that completely covers the feet and toes and includes a sole.
 4. Protective glasses, goggles, or transparent face shield.
- E. Violations of this Section are civil traffic violations and will be prosecuted and punished in the same manner by law as other civil traffic violations. Parents are ultimately responsible for the actions and safety of their children. No parent, guardian or custodian of a child under 18 years of age shall authorize or knowingly permit the child to violate this section.

Section 14-2-5 Traffic Control Devices

- A. The Police Chief, with the approval of the Council, shall place and maintain traffic control devices, signs and signals when and as required under the traffic regulations of the Town 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 Town or under state law or to guide or warn traffic.
- B. 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 Town unless otherwise directed by the Police Chief, subject to the exceptions

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granted in this chapter or by state law. No such regulations shall be effective unless signs are erected and in place at the time of any alleged offense or violation.

Section 14-2-6 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes

The Police Chief is hereby authorized, on approval by the Council:

- A. To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.
- B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.
- C. To mark lanes for traffic on street pavement at such places as he may deem advisable, consistent with the traffic laws of the Town.

Section 14-2-7 Authority to Place and Obedience to Turning Markers

- A. The Police Chief is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law.
- B. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

Section 14-2-8 Authority to Place and Obedience to Restricted to Turn Signs

- A. The Police Chief, on approval by the Council, 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 such signs may be removed when such turns are permitted.
- B. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

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Section 14-2-9 Limitations of 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.

Section 14-2-10 One-Way Streets and Alleys

- A. The Council shall by resolution designate any streets or alleys which are to be limited to one-way traffic.
- B. When any resolution of the Council designates any one-way street or alley, the Police Chief shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

Section 14-2-11 Regulation of Traffic at Intersections

- A. The Council shall by resolution designate through streets, intersections where stops are required, and intersections where vehicles shall yield the right of way.
- B. When any resolution of the Council shall designate any through street or intersection where vehicles are to stop or yield the right of way, the Police Chief shall erect and maintain the appropriate signs at every location where a vehicle must stop or yield the right of way.

Section 14-2-12 Drivers to Obey Signs

Whenever traffic signs are erected as provided in this chapter, every driver of a vehicle shall obey such signs unless directed to proceed by the Police Chief or a 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 regulation included in this chapter.

Section 14-2-13 Processions

- A. No procession or parade, except funeral processions, shall be held without first securing a permit from the Police Chief, and all such requests for permits shall state the time, place of formation, proposed line of march, destination and such other regulations as the Police Chief may set forth therein.

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- B. A funeral procession composed of a procession of vehicles shall be identified by such methods as may be determined and designated by the Police Chief.
- C. 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. This provision shall not apply at intersections where traffic is controlled by traffic control signals or the Police Chief.
- D. 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.

Section 14-2-14 Speed Limits (1)

Any speed in excess of twenty-five miles per hour shall be prima facie evidence that the speed is not reasonable and is a civil traffic violation, on every public street of the Town, except state highways where the posted speed limit is different and those streets designated by resolution of the Council as having other speed limits.

(1) Section 28-703, A.R.S.

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Article 14-3 PARKING (1)

- 14-3-1 Method of Parking
- 14-3-2 Blocking Traffic
- 14-3-3 Parking Adjacent to Schools
- 14-3-4 Authority to Erect Signs Restricting Parking
- 14-3-5 Traffic Control Zones
- 14-3-6 Parking Limitations
- 14-3-7 Restricted Parking Areas
- 14-3-8 Unloading Commercial Vehicles
- 14-3-9 Truck Parking Zone
- 14-3-10 Parking Upon a Street
- 14-3-11 Parking of Commercial Vehicles or Trailers
- 14-3-12 Prohibited Parking
- 14-3-13 Application of Restrictions
- 14-3-14 Restricted Parking Areas for the Handicapped
- 14-3-15 Abandoned Vehicles

Section 14-3-1 Method of Parking

Except as otherwise provided by resolution of the Council, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches of the right hand curb.

Section 14-3-2 Blocking Traffic

- A. No person shall stop, stand or park any motor vehicle, or other vehicle, upon a street in the Town in such a manner or under such conditions as to leave available less than ten 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.
- B. No person shall park a motor vehicle, or other vehicle, within an alley or entrance to a private driveway except for the loading or unloading of materials, and not then unless such loading or unloading can be accomplished without blocking the alley to the free movement of vehicular traffic.

(1) Section 9-240 B, A.R.S.

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Section 14-3-3 Parking Adjacent to Schools

When signs are erected indicating no parking on that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place for one hour before school opens until one hour after school closes on any school day.

Title 28, Chapter 6, Article 14, A.R.S.

Section 14-3-4 Authority to Erect Signs Restricting Parking

The Police Chief, upon approval by the Council, may erect signs requiring parking at an angle to the curb, allowing parking on the left hand curb on one-way streets, notifying drivers that parking is prohibited, and restricting parking in any way that may be necessary. When such signs have been erected, no person shall stop or stand a vehicle in disobedience to such parking restrictions.

Section 14-3-5 Traffic Control Zones

For the purpose of regulating traffic and providing for the safe use of the streets of the Town, the following sections of streets are hereby established as traffic control zones:

Zone A: means both side of Main Street between Ninth Street and Tenth Street.

Zone B: means the east side of South Ninth Street between Main Street and First South Street.

Zone C: means the west side of South Ninth Street between the alley way lying between Main Street and First South Street.

Zone D: means the west side of South Ninth Street between the alley way described in Zone "C" and First South Street.

Zone E: means North Ninth Street for a distance of one hundred feet from the intersection of Main and Ninth Streets and immediately in front of the United States Post Office Building and the Town Hall.

Zone F: means the east side of Tenth Street between Main Street and the alley midway between Main Street and First South Street.

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Section 14-3-6 Parking Limitation

- A. No person shall allow any vehicle to remain parked between nine o'clock a.m. and six o'clock p.m. of any day, excepting Sundays and legal holidays:
 - 1. In Zone "A" for a continuous period exceeding one hour.
 - 2. In Zone "C" for a continuous period exceeding thirty minutes.
 - 3. In Zone "E" for a continuous period exceeding thirty minutes.
 - 4. In Zone "B" for a continuous period exceeding ten minutes.
- B. No person shall allow any vehicle to remain parked in Zone "F" on any day, and at any time, for a continuous period exceeding two hours.
- C. No parking shall be allowed on either side of the following streets:
 - 1. On Lincoln Drive, Mingus Shadow Subdivision.
 - 2. On 11th Street between Main Street and First South Street.
- D. Only parallel parking, as prescribed by Arizona Revised Statutes shall be allowed on either side of Fiesta Street, Patio Park Subdivision, Clarkdale, Arizona.

Section 14-3-7 Restricted Parking Areas

No person owning or operating any commercial vehicle with a nominal rated carrying capacity in excess of three-fourths of a ton shall park or unload such vehicle in Zone "A".

Section 14-3-8 Unloading Commercial Vehicles

Any commercial vehicle with a nominal rated carrying capacity in excess of three-fourths of a ton shall unload in Zone "C" or in the alley intersecting the block between Main Street and First Street. No person shall unload such a vehicle in any other traffic controlled zone in the Town.

Section 14-3-9 Truck Parking Zone

Zone "D" shall be designated as a truck parking zone without time limits, and no person shall park any passenger car in said zone.

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Section 14-3-10 Parking Upon a Street

No person shall 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 of the width of the roadway for free movement of vehicular traffic. The Police Chief is hereby authorized to remove such vehicles parking in violation of this article.

Section 14-3-11 Parking of Commercial Vehicles or Trailers

The parking of any commercial vehicle or any trailer, whether unattached or attached to a vehicle, which because of its size or contents would be a hazard to traffic, property or the safety of persons or animals in the area is prohibited on any street within the corporate limits of the Town.

Section 14-3-12 Prohibited Parking

No person shall park a vehicle upon any street for the principal purpose of:

- A. Displaying such vehicle for sale.
- B. Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
- C. Displaying advertising.
- D. Displaying commercial exhibits.

Section 14-3-13 Application of Restrictions

- A. The provisions of this article 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.
- B. The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

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Section 14-3-14 Restricted Parking Areas for the Handicapped

- A. No person shall park a vehicle in a parking space set aside and identified for use only by persons with physical disabilities, unless the vehicle has displayed thereon a distinguishing insignia as provided in Section 28-881, A.R.S.
- B. Subsection A of this section shall apply only to those parking spaces that are identified with standard signs or other markers, as approved by the Police Department.
- C. Any person or business which causes a parking space to be set aside for use only by persons with physical disabilities and identifies such parking space by the methods described in subsection B of this section shall be deemed to have given consent to the Police Department to enforce a violation of this section, when such violation occurs on the private property of such person or business.

Section 14-3-15 Abandoned Vehicles

Any vehicle left unattended for more than 48 hours within the right of way of a highway, road, street or other public thoroughfare or on any sidewalk is declared to be an abandoned vehicle, and the Police shall forthwith remove the same from the sidewalks or streets of the Town at the expense of the owner of such vehicle.

Article 14-4 VEHICLE STORAGE REGULATIONS

- 14-4-1 Definitions
- 14-4-2 Outdoor Storage
- 14-4-3 Permits
- 14-4-4 Clearing From Private Property
- 14-4-5 Construction
- 14-4-6 Nuisance
- 14-4-7 Appeals

Section 14-4-1 Definitions

In this article unless the context otherwise requires:

- A. **“Dismantled and Partially Dismantled Motor Vehicles”** means motor vehicles from which some part which is ordinarily a component of such motor vehicle has been removed or is missing.

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- B. **“Dwelling”** means any house, building, structure, tent, shelter, trailer or vehicle or portion thereof which is occupied in full or in part as the home, residence, living or sleeping place, or which is intended to be occupied by one or more human beings, either permanently or transiently.
- C. **“Inoperable Motor Vehicles”** means motor vehicles which by reason of dismantling, disrepair or other causes are incapable of being propelled under their own power, without major repair.
- D. **“Major Repair”** means the removal from any vehicle or a major portion thereof, including but not limited to, the differential, transmission, head, engine block or oil pan.
- E. **“Motor Vehicles”** means any wheeled vehicles which are self-propelled or intended to be self-propelled.

Section 14-4-2 Outdoor Storage

- A. Except as hereinafter provided, it is unlawful for any person to store on, place on or permit to be stored on or placed on or allowed to remain on any platted or unplatted parcel of land in the Town a dismantled, partially dismantled or inoperable motor vehicle or any parts of a motor vehicle.
- B. Except as hereinafter provided, it is unlawful for any person to store on, place on or permit to be stored on or placed on or allowed to remain on a parcel of land upon which there is a structure used in whole or in part as a dwelling in the Town a dismantled, partially dismantled or inoperable motor vehicle or any parts of a motor vehicle, unless said dismantled or partially dismantled or inoperable motor vehicle or parts of a motor vehicle shall be kept in a wholly enclosed garage or other wholly enclosed structure, or other acceptable means of hiding such vehicles from the view of neighbors and the general public.
- C. Any bona fide owner, co-owner, tenant or co-tenant may store, permit to be stored or allow to remain on the premises of which he is the owner, co-owner, tenant or co-tenant, any such dismantled, partially dismantled or inoperable motor vehicle, for a period of not to exceed forty-eight hours, provided any such owner, co-owner, tenant or co-tenant may, in the event of hardship, upon payment of the fee hereinafter provided, secure a permit from the Building Inspector of the Town to extend such period for an additional period of not to exceed thirty days. This article shall not be construed so as to permit parking or placing of dismantled, partially dismantled or inoperable motor vehicles on any street area in the Town as now or hereafter defined by the zoning ordinance.

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- D. The provisions of this article shall not apply to any person, who is duly licensed to store dismantled, partially dismantled or inoperable motor vehicles or parts where such activity is within the contemplated purpose under the terms and conditions of the zoning ordinance.
- E. The provisions of the article shall not apply to motor vehicles manufactured prior to 1930 and considered of historical value or to a “classic car” as defined by the Classic Car Club of America and the Arizona Motor Vehicle Division.

Section 14-4-3 Permits

Upon application duly made and upon showing of hardship, the building inspector is hereby authorized to issue a permit provided for in Section 14-4-2. A fee of one dollar for each such permit issued shall be collected and shall be paid into the general fund.

Section 14-4-4 Clearing From Private Property

- A. **Notice to Remove :** The Town Manager is hereby authorized and empowered to notify the owner of any property within the Town or the agent of such owner to properly dispose of dismantled, partially dismantled or inoperable motor vehicles or parts located upon such owner’s property which is dangerous to public health, safety or welfare. Such notice shall be by registered mail, return receipt requested, addressed to said owner at his last known address.
- B. **Action Upon Noncompliance:** Upon failure of any owner to properly dispose of dismantled, partially dismantled or inoperable motor vehicles or parts within fifteen days after receipt of written notice provided for in subsection “A” of this section, or within fifteen days after the date of such notice in the event the same is returned to the Town because of inability to make delivery thereof, provided that the same was properly addressed to the last known address of such owner or agent, the Town Manager is hereby authorized and empowered to pay for the disposing of such dismantled, partially dismantled or inoperable motor vehicles or parts or to order their disposal by the Town.

Section 14-4-5 Construction

This article shall not be construed as repealing any ordinance or code provision now in effect or hereafter made effective relating to rubbish, litter, garbage, refuse, trash or junk, but shall be construed as supplementary to any such provisions as well as any statutes of the State of Arizona relating thereto.

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Section 14-4-6 Nuisance

The presence of a dismantled, partially dismantled or inoperable motor vehicle or part of a motor vehicle on any parcel of land in violation of the terms of this article is hereby declared to be a public nuisance.