

CHAPTER 14 TRAFFIC (1)

Traffic Code Revised by Resolution #1516; Ordinance #372 on 4/12/2016; Effective 5/12/2016

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 the Town of Clarkdale (hereinafter "the Town") and all of the State vehicle laws applicable to street traffic in the Town; to make arrests for traffic violations; to investigate accidents; 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, or his or her designee, 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 records shall be retained for a five-year period after closure.
- 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 become public records after final adjudication.

Section 14-1-3 Police Chief to Investigate Accidents

It shall be the duty of the Police Chief, or his or her designee, 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.

CHAPTER 14 TRAFFIC (1)

Section 14-1-4 Traffic Accident Studies

Whenever accidents at any particular location or locations become numerous, the Police Chief, or his or her designated agent(s), shall conduct studies of such accidents and determine remedial measures.

Section 14-1-5 Traffic Accident Reports

- A. The Police Chief, or his or her designee, shall maintain a suitable system of filing traffic accident reports
- B. The Police Chief, or his or her designee, shall receive and properly file all accident reports made to him, her or them 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, and/or any other certified Town personnel deemed necessary, are hereby authorized to direct all traffic by voice, hand or signal.

CHAPTER 14 TRAFFIC (1)

- B. Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police Chief, as well as any other Police Department personnel or certified Town personnel, the Police Chief or his or her designee, deems necessary, in directing traffic thereat or in the immediate vicinity.

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, Bicycles, Hover Boards 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. Such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians when crossing.
- B. No person shall be allowed to ride upon any bicycle, skateboard, roller skates, hover boards, or similar device in areas determined by the Police Chief or his or her designee, to be unsafe for such activities. These areas will be clearly marked with signs stating these activities are not allowed.

Section 14-2-4 Motorized Skateboards

- A. Definition. A motorized skateboard is defined as a self-propelled device having a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground 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 who is 14 years of age or older may operate a motorized skateboard. However, anyone 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 his or her possession written consent signed by his or her parent or legal guardian, whose signature shall be notarized. The written consent 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/or work telephone number of the parent or guardian.

CHAPTER 14 TRAFFIC (1)

4. The following statement:

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

- C. Motorized Skateboards are prohibited:

1. On any sidewalk in the Town.
2. In any town parking areas, town parks or the town hall complex property.
3. On any public property 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.

- D. Traffic laws such as those regulating red lights, stop signs, crosswalks, speeding, yielding, and movements on the roadway also apply to motorized skateboards.

- E. 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.

CHAPTER 14 TRAFFIC (1)

3. Carrying any package or bundle preventing the operator from keeping his or her hands on the steering mechanism.
 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.
- F. 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 or executing a left turn, or when reasonably necessary to avoid hazardous conditions.
- G. The required safety equipment is as follows:
1. A brake enabling the operator to make a braked wheel(s) skid on dry pavement.
 2. A protective helmet (if the operator is under age 18) which meets the minimum standards of testing and safety inspection by the bicycle industry.
 3. Footwear completely covering the feet and toes and including a sole.
 4. Protective glasses, goggles, or transparent face shield.
- H. 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 or his or her designee, in conjunction with the appropriate Public Works and/or Utilities personnel, shall place and maintain traffic control devices, signs and signals when and as required under 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 or she may deem necessary to regulate traffic under the traffic laws of the Town or under state law or to guide or warn traffic.

CHAPTER 14 TRAFFIC (1)

- 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, or his or her designee, subject to the exceptions 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.

- C. The Police Chief or his or her designee shall maintain regulatory control of traffic control signage and/or devices as those regulations pertain to public safety.

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

The Police Chief, or his or her designee, is hereby authorized to:

- A. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where there is particular danger to pedestrians crossing the roadway, and at such other places as may be deemed necessary.

- B. Establish safety zones of such kind and character and at such places as may be deemed necessary for the protection of pedestrians.

- C. Mark lanes for traffic on street pavement at such places as may be deemed 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, or his or her designee, 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.

CHAPTER 14 TRAFFIC (1)

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

- A. The Police Chief, or his or her designee, 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.

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 Police Chief, or his or her designee, shall designate any streets or alleys which are to be limited to one-way traffic.
- B. The Police Chief, or his or her designee, 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 Police Chief, or his or her designee, shall designate through streets, intersections where stops are required, and intersections where vehicles shall yield the right of way.
- B. The Police Chief, or his or her designee, shall erect and maintain the appropriate signs at every location where a vehicle must stop or yield the right of way.

CHAPTER 14 TRAFFIC (1)

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 his or her designee, 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, or his or her designee, 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.
- 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, or his or her designee.
- C. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while the vehicles 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, and/or any other Police Department personnel the Police Chief, or his or her designee, deems necessary.
- 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 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 the Police Chief, or his or her designee, as having other speed limits.

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

CHAPTER 14 TRAFFIC (1)

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 designated by the Police Chief, or his or her designee, 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 when stopped temporarily, in the actual loading or unloading of passengers, or when necessary, in the observance of traffic signs or signals of the Police Chief, or his or her designee.

- 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.

CHAPTER 14 TRAFFIC (1)

Section 14-3-3 Parking Adjacent to Schools

When signs are erected indicating no parking on the 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, or his or her designee, may erect signs requiring parking at an angle to the curb, allowing parking on the left hand curb on one-way streets, notifying drivers parking is prohibited, and restricting parking in any way deemed to 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.

CHAPTER 14 TRAFFIC (1)

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.

CHAPTER 14 TRAFFIC (1)

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, or his or her designee, 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.

CHAPTER 14 TRAFFIC (1)

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 14-4-1 VEHICLE STORAGE REGULATIONS

- A. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.
- B. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

(2012 International Property Maintenance Code. (2011). Retrieved January 26, 2016, from <http://publicecodes.cyberregs.com>)

CHAPTER 14 TRAFFIC (1)

C. Violation:

1. A 30 day notice of remediation shall be given for violation of 14-4 if an enforcing officer determines there is no imminent danger to the public or Town.
2. Immediate remediation will be mandated if it is shown an imminent danger does exist as deemed by an enforcing officer.
3. An officer can act based on his or her idea of imminent danger.