

ORDINANCE NO. 2412

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE CODE OF GILBERT, ARIZONA, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE III STOPPING, STANDING AND PARKING, BY AMENDING SECTION 62-67 NO PARKING AREAS; ADDING NEW SECTIONS 62-74 NO OVERNIGHT PARKING AREAS, 62-75 PARKING SPACES FOR ELECTRIC VEHICLES, AND 62-79 STARTING A PARKED VEHICLE ALL RELATED TO PARKING RESTRICTIONS IN THE TOWN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR CIVIL SANCTIONS.

BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

The Code of Gilbert, Arizona, Chapter 62 Traffic and Vehicles, Article III Stopping, Standing and Parking, Section 62-67 No parking areas, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

Sec. 62-67. No Parking Areas.

(a) In addition to the parking restrictions set forth in A.R.S. § 28-873, no person shall park a vehicle in any of the following places:

* * *

- (4) ON A SIDEWALK.
- (5) WITHIN AN INTERSECTION.
- (6) WITHIN FIFTEEN (15) FEET OF A FIRE HYDRANT.
- (7) ON A CROSSWALK.
- (8) WITHIN TWENTY (20) FEET OF A CROSSWALK AT AN INTERSECTION.
- (9) WITHIN THIRTY (30) FEET ON THE APPROACH TO ANY FLASHING BEACON, STOP SIGN, YIELD SIGN OR TRAFFIC CONTROL SIGNAL LOCATED AT THE SIDE OF A ROADWAY.

(10) BETWEEN A SAFETY ZONE AND THE ADJACENT CURB OR WITHIN THIRTY (30) FEET OF POINTS ON THE CURB IMMEDIATELY OPPOSITE THE ENDS OF A SAFETY ZONE.

(11) WITHIN FIFTY (50) FEET OF THE NEAREST RAIL OR RAILROAD CROSSING OR WITHIN EIGHT (8) FEET SIX (6) INCHES OF THE CENTER OF ANY RAILROAD TRACK, EXCEPT WHILE A MOTOR VEHICLE WITH A MOTIVE POWER ATTACHED IS LOADING OR UNLOADING RAILROAD CARS.

(12) WITHIN TWENTY (20) FEET OF THE DRIVEWAY ENTRANCE TO A FIRE STATION AND ON THE SIDE OF A STREET OPPOSITE THE ENTRANCE TO ANY FIRE STATION WITHIN SEVENTY-FIVE (75) FEET OF THE ENTRANCE WHEN PROPERLY POSTED.

(13) ALONGSIDE OR OPPOSITE A STREET EXCAVATION OR OBSTRUCTION WHEN STOPPING, STANDING OR PARKING WOULD OBSTRUCT TRAFFIC.

(14) ON THE ROADWAY SIDE OF A VEHICLE STOPPED OR PARKED AT THE EDGE OR CURB OF A STREET.

(15) ON A BRIDGE OR OTHER ELEVATED STRUCTURE ON A HIGHWAY OR WITHIN A HIGHWAY TUNNEL.

(16) AT ANY PLACE WHERE OFFICIAL SIGNS PROHIBIT STANDING OR STOPPING..

* * *

(c) THE STOPPING, STANDING OR PARKING RESTRICTIONS PROVIDED IN THIS SECTION DO NOT APPLY TO A POLICE OR PEACE OFFICER WHEN THE STOPPING, STANDING OR PARKING IS FOR THE PURPOSE OF ACTUAL PERFORMANCE OF A LAW ENFORCEMENT DUTY.

The Code of Gilbert, Arizona, Chapter 62 Traffic and Vehicles, Article III Stopping, Standing and Parking, is hereby amended by adding new Section 62-74 No Overnight Parking to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

SEC. 62-74. NO OVERNIGHT PARKING AREAS.

(a) THE TOWN MAY PROHIBIT OVERNIGHT PARKING ON TOWN PROPERTY.

(b) NO PERSON SHALL PARK A VEHICLE OVERNIGHT AT ANY PLACE WHERE THE TOWN HAS POSTED SIGNS PROHIBITING OVERNIGHT PARKING.

The Code of Gilbert, Arizona, Chapter 62 Traffic and Vehicles, Article III Stopping, Standing and Parking, is hereby amended by adding new Section 62-75 Parking Spaces for Electric Vehicles to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

SEC. 62-75. PARKING SPACES FOR ELECTRIC VEHICLES.

(a) A PERSON SHALL NOT STOP, STAND OR PARK A MOTOR VEHICLE WITHIN ANY PARKING SPACE SPECIALLY DESIGNATED FOR PARKING AND FUELING MOTOR VEHICLES FUELED EXCLUSIVELY BY ELECTRICITY UNLESS THE MOTOR VEHICLE IS POWERED BY ELECTRICITY AND HAS BEEN ISSUED AN ALTERNATIVE FUEL VEHICLE SPECIAL PLATE OR STICKER PURSUANT TO A.R.S. § 28-2416.

(b) IF A MOTOR VEHICLE IS PARKED IN VIOLATION OF THIS SECTION AND THE OPERATOR IS NOT PRESENT, THE CITATION SHALL BE ISSUED TO THE REGISTERED OWNER OF THE MOTOR VEHICLE.

The Code of Gilbert, Arizona, Chapter 62 Traffic and Vehicles, Article III Stopping, Standing and Parking, is hereby amended by adding new Section 62-79 Starting a Parked Vehicle to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

SEC. 62-79. STARTING A PARKED VEHICLE.

A PERSON SHALL NOT START A VEHICLE THAT IS STOPPED, STANDING OR PARKED UNLESS THE MOVEMENT CAN BE MADE WITH REASONABLE SAFETY.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Civil Sanctions.

Any person found responsible for violating this section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 1-5 of the Gilbert Municipal Code.

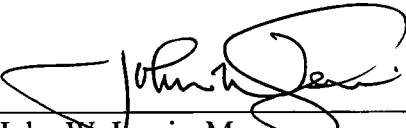
PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 20th day of December, 2012, by the following vote:

AYES: Cook, Cooper, Daniels, Lewis, Petersen, Sentz

NAYES: _____ ABSENT: _____

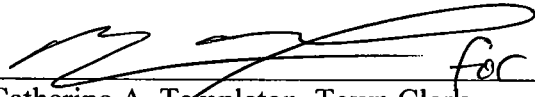
EXCUSED: _____ ABSTAINED: _____

APPROVED this 20th day of December 2012.



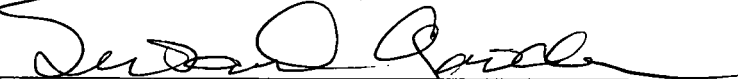
John W. Lewis, Mayor

ATTEST:



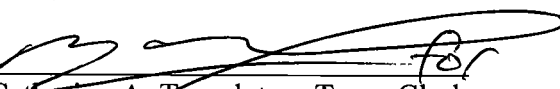
Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:



Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By Susan D. Goodwin

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2412 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 20TH DAY OF DECEMBER, 2012, WAS POSTED IN THREE PLACES ON THE 27 DAY OF DECEMBER 2012.



Catherine A. Templeton, Town Clerk