

ORDINANCE NO. 17-10

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.16 PARKING, SECTION 10.16.070 STOPPING, STANDING AND PARKING RELATED TO COMMERCIAL VEHICLE PARKING REGULATIONS WITHIN THE TOWN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

WHEREAS, the Town Council has been amending its parking regulations to protect public health, safety, and welfare of Town residents; and

WHEREAS, the immediate operation of the parking code amendments is necessary as emergency vehicle access is compromised and in some instances emergency vehicles are not able to travel through the Town's streets due to parking issues within the Town. Therefore, for the preservation of the public peace, health, and safety an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Mayor and Council;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

The Code of Youngtown, Arizona, Title 10 Vehicles And Traffic, Chapter 10.16 Parking, Section 10.16.070 Stopping, Standing and Parking is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

10.16.070 Stopping, standing and parking.

* * *

- G. No person shall park a commercially-registered motor vehicle, OR A VEHICLE USED FOR COMMERCIAL PURPOSES EVEN IF NOT ACTUALLY REGISTERED FOR COMMERCIAL USE, WHERE THE VEHICLE haSving (1) a gross weight rating in excess of ten thousand (10,000) pounds or (2) exceedSing a one-ton chassis rating, in any residential area IN THE TOWN, except for the purpose of loadING or unloading THE VEHICLE as authorized by Section 10.16.070E. of this chapter. THIS SECTION SHALL APPLY TO TRACTORS, SEMI-TRAILERS, BUSES, TOW TRUCKS, WRECKERS, AND OTHER VEHICLES USED FOR COMMERCIAL PURPOSES.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.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 Penalties.

Any person found in violation of any provision of this Ordinance shall be responsible under Section 1.12.010 of the Town Code for a civil violation, punishable by a fine not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each violation. Each day that a violation continues shall be a separate offense punishable as herein described. After having been found responsible for committing three (3) or more civil infractions of the same code provision in any twenty-four (24) month period, a person is a habitual offender and may be charged with a class one misdemeanor, punishable by a fine of not less than five hundred dollars (\$500) nor more than twenty five hundred dollars (\$2500), imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.

Section V. Declaring an Emergency.

The immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health, and safety of the Town of Youngtown, and an emergency is hereby declared to exist. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Common Council of the Town of Youngtown.

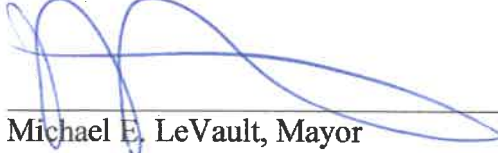
PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 7 day of December, 2017, by the following vote:

AYES: 6

NAYES: 0 ABSENT: 1

EXCUSED: _____ ABSTAINED: _____

APPROVED this 7 day of December, 2017.



Michael E. LeVault, Mayor

ATTEST:



Mary Reynolds, Town Clerk

APPROVED AS TO FORM:



Gust Rosenfeld, P.L.C.
Town Attorneys
By Trish Stuhan

I, MARY REYNOLDS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 17-10 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 7 DAY OF December, 2017, WAS POSTED IN THREE PLACES ON THE 8 DAY OF December, 2017.



Mary Reynolds, Town Clerk