

**ORDINANCE NO. 18-06**

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 17 ZONING, CHAPTER 17.60 PARKING AND LOADING, SECTIONS 17.60.010 PARKING IN RURAL DISTRICT, 17.60.020 PARKING IN R-3 DISTRICT, 17.60.030 PARKING IN R-2 DISTRICT, AND 17.60.040 PARKING IN R-1 DISTRICT 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 17 Zoning, Chapter 17.60 Parking and Loading, Sections 17.60.010 Parking in Rural District is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**17.60.010 - Parking in rural district.**

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- B. The parking of commercially-registered motor vehicles OR A VEHICLE USED FOR COMMERCIAL PURPOSES EVEN IF NOT ACTUALLY REGISTERED FOR COMMERCIAL USE, WHERE THE VEHICLE haSving (i) a gross weight rating in excess of ten thousand (10,000) pounds or (ii) exceedSing a one-ton chassis rating, on property located in the R rural district is prohibited, except for purposes of loading and unloading, as set forth in Section 10.16.070: Stopping, standing and parking, of this code. THIS SECTION SHALL APPLY TO TRACTORS, SEMI-TRAILERS, BUSES, TOW TRUCKS, WRECKERS, AND OTHER VEHICLES USED FOR COMMERCIAL PURPOSES.

The Code of Youngtown, Arizona, Title 17 Zoning, Chapter 17.60 Parking and Loading, Section 17.60.020 Parking in R-3 District is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**17.60.020 - Parking in R-3 district.**

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- C. The parking of commercially-registered motor vehicles OR A VEHICLE USED FOR COMMERCIAL PURPOSES EVEN IF NOT ACTUALLY REGISTERED FOR COMMERCIAL USE, WHERE THE VEHICLE haSving (i) a gross weight rating in excess of ten thousand (10,000) pounds or (ii) exceedSing a one-ton chassis rating, on property located in the R-3 district is prohibited, except for purposes of loading and unloading, as set forth in Section 10.16.070: Stopping, standing and parking, of this code. THIS SECTION SHALL APPLY TO TRACTORS, SEMI-TRAILERS, BUSES, TOW TRUCKS, WRECKERS, AND OTHER VEHICLES USED FOR COMMERCIAL PURPOSES.

The Code of Youngtown, Arizona, Title 17 Zoning, Chapter 17.60 Parking and Loading, Section 17.60.030 Parking in R-2 District is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**17.60.030 - Parking in R-2 district.**

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- C. The parking of commercially-registered motor vehicles OR A VEHICLE USED FOR COMMERCIAL PURPOSES EVEN IF NOT ACTUALLY REGISTERED FOR COMMERCIAL USE, WHERE THE VEHICLE haSving (i) a gross weight rating in excess of ten thousand (10,000) pounds or (ii) exceedSing a one-ton chassis rating, on property located in the R-2 district is prohibited, except for purposes of loading and unloading, as set forth in Section 10.16.070: Stopping, standing and parking, of this code. THIS SECTION SHALL APPLY TO TRACTORS, SEMI-TRAILERS, BUSES, TOW TRUCKS, WRECKERS, AND OTHER VEHICLES USED FOR COMMERCIAL PURPOSES.

The Code of Youngtown, Arizona, Title 17 Zoning, Chapter 17.60 Parking and Loading, Section 17.60.040 Parking in R-1 District is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**17.60.040 - Parking in R-1 district.**

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- C. The parking of commercially-registered motor vehicles OR A VEHICLE USED FOR COMMERCIAL PURPOSES EVEN IF NOT ACTUALLY REGISTERED FOR COMMERCIAL USE, WHERE THE VEHICLE has (i) a gross weight rating in excess of ten thousand (10,000) pounds or (ii) exceeding a one-ton chassis rating, on property located in the R-1 district is prohibited, except for purposes of loading and unloading, as set forth in Section 10.16.070: Stopping, standing and parking, of this code. 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, firm, company, or corporation, whether as a principal, owner, agent, tenant, employee or otherwise, violating, disobeying, omitting, neglecting or refusing to comply with any provision of this Ordinance shall be guilty under Section 17.04.110 of the Town Code of a class one misdemeanor, punishable upon conviction by a fine not less than two thousand five hundred dollars (\$2,500.00) or by imprisonment in the jail designated by the Town, for a term not exceeding six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

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 19<sup>th</sup> day of April, 2018, by the following vote:

AYES: 7 \_\_\_\_\_

NAYES: 0 \_\_\_\_\_ ABSENT: \_\_\_\_\_

EXCUSED: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_


APPROVED this 19<sup>th</sup> day of April, 2018.

  
\_\_\_\_\_  
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. 18-06 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 19<sup>th</sup> DAY OF April, 2018, WAS POSTED IN THREE PLACES ON THE 20<sup>th</sup> DAY OF April, 2018.

  
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Mary Reynolds, Town Clerk