

**ORDINANCE NO. 17-06**

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, DECLARING THE DOCUMENT ENTITLED "PARKING CODE AMENDMENTS, JUNE 15, 2017" AS A PUBLIC RECORD; ADOPTING THE "PARKING CODE AMENDMENTS, JUNE 15, 2017" BY REFERENCE; AMENDING THE TOWN CODE OF THE TOWN OF YOUNGTOWN, ARIZONA, BY AMENDING TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.16 PARKING, RELATED TO PARKING REGULATIONS WITHIN THE TOWN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

WHEREAS, that certain document entitled "Parking Code Amendments, June 15, 2017," three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record and said copies are hereby ordered to remain on file with the Town Clerk; and

WHEREAS, the Town Council has determined that the proposed amendments are necessary to update parking regulations within the Town, efficiently enforce the law, and meet the best interest of the 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, is hereby amended to read as set forth in that certain document entitled "Parking Code Amendments, June 15, 2017," which document is hereby adopted and incorporated by reference.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.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 15<sup>th</sup> day of June, 2017, by the following vote:

AYES: 6

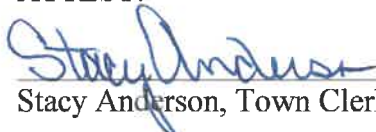
NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

EXCUSED: 1 ABSTAINED: \_\_\_\_\_

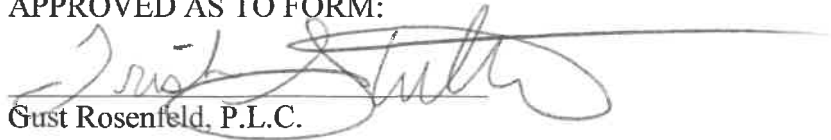
APPROVED this 15<sup>th</sup> day of June, 2017.

  
\_\_\_\_\_  
Michael E. LeVault, Mayor

ATTEST:

  
\_\_\_\_\_  
Stacy Anderson, Town Clerk

APPROVED AS TO FORM:

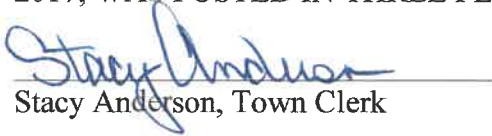


Gust Rosenfeld, P.L.C.

Town Attorneys

By Trish Stuhan

I, STACY ANDERSON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 17-06 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 15<sup>th</sup> DAY OF June, 2017, WAS POSTED IN THREE PLACES ON THE 16<sup>th</sup> DAY OF June, 2017.



Stacy Anderson, Town Clerk

**PARKING CODE AMENDMENTS**

**JUNE 15, 2017**

**TITLE 10 VEHICLES AND TRAFFIC**

**Title 10 VEHICLES AND TRAFFIC**

**Chapters:**

Chapter 10.04 – TRAFFIC CODE ADOPTED

Chapter 10.08 – ADMINISTRATION AND ENFORCEMENT

Chapter 10.12 – TRAFFIC CONTROL REGULATIONS

Chapter 10.16 – PARKING

Chapter 10.20 – ABANDONED VEHICLES

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**Chapter 10.16 PARKING**

**Sections:**

- 10.16.010 Authority to erect signs restricting parking.**
- 10.16.020 Restricted parking areas for the handicapped.**
- 10.16.030 Alley parking.**
- 10.16.040 Fire lane parking.**
- 10.16.050 Parking prohibitions.**
- 10.16.055 Additional traffic regulations.**
- 10.16.060 Parking of recreational vehicles, utility trailers, and-boat trailers.**
- 10.16.070 Stopping, standing and parking.**
- 10.16.080 NUISANCE PARKING CONTROLS.**
- 10.16.090 PENALTY; PRIMA FACIE EVIDENCE OF PARKING INFRACTION;  
VIOLATION.**

**10.16.010 Authority to erect signs restricting parking.**

A. The ~~police~~ chief PUBLIC WORKS MANAGER 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 are erected, no person shall stop or stand a vehicle in disobedience to such signs.

B. The ~~police chief~~ PUBLIC WORKS MANAGER shall notify the Town Manager and the Council in writing of all signs posted pursuant hereto and the council may modify such action at any time by RESOLUTION OR ordinance.

C. All signs presently in effect shall remain in effect until modified as set forth in this title.

**10.16.020 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 disabilities, unless the vehicle has displayed thereon a distinguishing insignia or numbered plates bearing the international wheel chair symbol as provided in A.R.S. Section 28-2409. NOTWITHSTANDING THE ABOVE, A PERSON WHO IS CHAUFFEURING A PERSON WITH A PHYSICAL DISABILITY WITHOUT A DISABLED PLATE OR PLACARD MAY PARK MOMENTARILY IN A PARKING SPACE PROVIDED PURSUANT TO THIS SECTION FOR THE PURPOSE OF LOADING OR UNLOADING THE PERSON WITH A PHYSICAL DISABILITY.

B. Subsection A of this section shall apply only to those parking spaces that are identified with standard signs as provided in A.R.S. Section 28-882. THE POSTING OF SUCH SIGN OR SIGNS SHALL AUTHORIZE ENFORCEMENT OF THE PROVISIONS OF THIS SECTION AND CONSTITUTE CONSENT BY THE OWNER OF THE PROPERTY TO ENFORCEMENT OF THIS SECTION.

C. NO PERSON SHALL PARK A VEHICLE, INCLUDING ONE WITH A DISABLED PLATE OR PLACARD, IN THE ACCESS AISLE OF A SPACE SET ASIDE AND IDENTIFIED FOR USE ONLY BY PERSONS WITH DISABILITIES PURSUANT TO SUBSECTION B. THE ACCESS AISLE SHALL BE DESIGNATED BY DIAGONAL WHITE OR YELLOW LINES SPACED AT APPROXIMATELY TWO-FOOT INTERVALS.

D. NO PERSON SHALL STOP, STAND, OR PARK A VEHICLE IN SUCH A MANNER AS TO BLOCK OR DENY ACCESS TO A WHEELCHAIR CURB ACCESS RAMP.

**10.16.030 Alley parking.**

~~No person shall park or leave any motor vehicle unattended in any alley located within the town limits. If the driver of a parked vehicle cannot be seen from the vehicle, then the vehicle is unattended.~~

IT IS UNLAWFUL TO PARK A VEHICLE WITHIN AN ALLEY, WHETHER POSTED OR NOT, EXCEPT IF THE INDIVIDUAL IS ACTIVELY LOADING OR UNLOADING PERSONS, MERCHANDISE, OR MATERIALS, AND THEN NOT UNLESS SUCH LOADING OR UNLOADING CAN BE ACCOMPLISHED WITHOUT BLOCKING THE ALLEY TO THE FREE MOVEMENT OF VEHICULAR TRAFFIC. NOTWITHSTANDING THE FOREGOING, THE PUBLIC WORKS MANAGER MAY AUTHORIZE LIMITED ALLEY BLOCKAGE FOR

PERIODS NOT TO EXCEED TWENTY (20) MINUTES AT LOCATIONS WHERE SUCH BLOCKAGE IS NECESSARY FOR THE IMMEDIATE LOADING OR UNLOADING OF PERSONS, MERCHANDISE, OR MATERIALS, PROVIDED THAT VEHICLES SHALL REMAIN ATTENDED AT ALL TIMES AND SHALL BE IMMEDIATELY MOVED IF NECESSARY TO ACCOMMODATE THE PASSAGE OF EMERGENCY OR TOWN SERVICE VEHICLES.

**10.16.040 Fire lane parking.**

~~No person shall park any vehicle in a fire zone inside the town. Violators may be towed away at the violator's expense.~~

IT SHALL BE UNLAWFUL TO PARK A VEHICLE IN A DESIGNATED FIRE LANE. THE POSTING OF SUCH SIGNS SHALL AUTHORIZE THE ENFORCEMENT OF THE PROVISIONS OF THIS SECTION AND THEREBY CONSTITUTE CONSENT BY THE OWNER OF THE PROPERTY TO ENFORCEMENT OF THIS SECTION.

**10.16.050 Parking prohibitions.**

No person shall park a motor vehicle on a street in the following areas:

- A. On 114th Avenue from Duluth to Lakeshore Drive on the east and west sides of the street;
- B. 111<sup>TH</sup> DRIVE FROM GRAND AVENUE SOUTH TO MICHIGAN ON BOTH THE EAST AND WEST SIDE OF 111<sup>TH</sup> DRIVE ~~Grand Avenue at 111th Drive: from Grand Avenue south along the westside curb of 111th Drive for approximately one hundred seventy (170) feet;~~
- C. Michigan Avenue beginning at the business address of 11128, then west along the northside curb of Michigan Avenue to 113th Avenue;
- D. Michigan Avenue beginning at the business address of 11211 along the southside curb on Michigan Avenue, then east to 111th Avenue;
- E. Tennessee Avenue at 113th Lane and 113th Drive: no parking around the entire apartment complex on either side of the streets. Also, no parking on Tennessee Avenue beginning at 113th Drive southside curb, west to storm drain;
- F. 113th Avenue, Nevada and Jersey Avenues beginning at Nevada Avenue then along the eastside curb of 113th Avenue North to Jersey Avenue;
- G. The alley between 113th Avenue and 112th Lane behind 12207 113th Avenue beginning at the alley entrance on the southside of Nevada Avenue, south along the eastside of the alley to Youngtown Avenue;

- H. The southside alley at 12207 113th Avenue beginning at 113th Avenue along the eastside to Youngtown Avenue dead end;
- I. 113th Avenue in front of 12207 business address beginning at southside alley entrance along the eastside curb north to Nevada Avenue;
- J. 113th Avenue along the westside curb beginning from the north parking lot entrance of 12238 business address, south to the parking lot of 12207 business parking lot;
- K. 114th Avenue and Lakeshore Drive at Maricopa Lake extending from Connecticut Avenue and 114th Avenue intersection north along the westside of Maricopa Lake grass area to the Lakeshore Drive intersection;
- L. Lakeshore Drive at Connecticut Avenue beginning at Lakeshore Drive intersection at "Y" then continues along the eastside of Lakeshore Drive south to Connecticut Avenue rock-landscaped area at Maricopa Lake;
- M. Alley west of 113th Avenue at 13200 113th Avenue business district running west to Youngtown Lots 9 and 10 next to river bank;
- N. Westside curb of 113th Avenue and Grand Avenue beginning at Grand Avenue then south to Michigan Avenue intersection;
- O. Eastside curb of 113th Avenue and Grand Avenue beginning at Grand Avenue then south to the intersection of Michigan Avenue;
- P. Tennessee Avenue from 113th Drive west to 113th Lane along the north street side curb lane;
- Q. 113th Lane along the east side street curb from Tennessee Avenue north to the alley that runs between 113th Lane and 113th Drive;
- R. Tennessee Avenue from 113th Avenue west to 113th Drive along the south side of the street curb line;
- S. Alabama Avenue from 113th Avenue west to 114th Avenue along the north side of the street curb line.

**10.16.055 Additional traffic regulations.**

A. School Zone. That portion of 113th Avenue from the southern edge of the right-of-way on Wisconsin Avenue to the northern edge of the right-of-way on Michigan is declared to be a school zone. ~~Reduced speed limits shall be in effect during the time proper school zone signs are in place.~~ FIFTEEN (15) MILE PER HOUR SPEED LIMITS SHALL BE IN EFFECT WHEN SCHOOL IS IN SESSION.

B. Four-way Stops. The following intersections are declared to be four-way stops in addition to any other intersections so designated by any prior code or town ordinance:

1. 114th Avenue and Kansas;
2. 112th Avenue and Park Drive;
3. 114th Avenue and Missouri;
4. 114th Avenue and Duluth;
5. 113th Avenue and Tennessee;
6. 114th Avenue and Greer.

C. Three-way Stops. The following intersection is declared to be a three-way stop in addition to any other intersections so designated by any prior code or town ordinance:

1. 113th Avenue and Michigan.

D. No Parking. No parking shall be allowed in the right-of-way at the following locations in addition to any no parking zones established by any prior code or town ordinance:

1. The east side of 113th Avenue from Rhode Island Avenue north to the vicinity of the 12839 block;
2. The north side right-of-way on Rhode Island Avenue from 113th Avenue east to the alley;
3. The north side right-of-way on Tennessee from 113th Avenue east to the alley.

**10.16.060 Parking of recreational vehicles, utility trailers, and boat trailers.**

~~A. Definitions. "Recreational vehicles," "boat trailers," "utility trailers," "campers" and "mobile homes" are defined in Article 11, Section 11-2, et seq.~~

~~B. No person shall park a recreational vehicle, boat and/or a boat trailer, or a utility trailer, in a residential area on any street or alley or right-of-way within the corporate limits of the town, from one-half hour after sunset SIX P.M. to one-half hour before sunrise SEVEN A.M., except as provided in this section:~~

1. In the event of a breakdown or emergency a recreational vehicle, boat trailer or utility trailer may be temporarily parked during such hours upon its owner protecting such vehicle and the public with adequate reflectors, lights or flares and immediately thereafter notifying the police department LAW ENFORCEMENT of such recreational vehicle, BOAT TRAILER'S, or UTILITY trailer's location.



2. The owner of such recreational vehicle, BOAT TRAILER, OR UTILITY TRAILER may park it ~~during the aforementioned hours~~ for the purpose of ACTIVELY loading/unloading supplies and personal effects.
3. Upon application by the owner and/or the person in legal possession of the recreational vehicle, boat trailer, or utility trailer, ~~the police chief~~ the COMMUNITY DEVELOPMENT MANAGER may issue a permit to authorize the parking of the recreational vehicle, boat trailer, or utility trailer for a period not exceeding three (3) days. The permit shall contain a complete description of the recreational vehicle, boat trailer, or utility trailer, the location of the vehicle, the name, address, and telephone number of the person responsible for the vehicle, the dates it is allowed to be parked, the purpose of the parking and any instructions required by the TOWN ~~police department~~ to reasonably ensure the safety of the public and the vehicle.

**10.16.070 Stopping, standing and parking.**

- A. Parallel Parking. Except as otherwise provided by resolution of the council, every vehicle stopped or parked upon a roadway within the corporate limits of the TOWN shall be stopped or parked completely on the paved or traveled portion of the roadway, with the right hand wheels of such vehicle parallel to and within eighteen (18) inches of the curb or the pavement edge where no curb exists. EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, EVERY VEHICLE STOPPED OR PARKED UPON A ROADWAY SHALL BE STOPPED OR PARKED FACING IN THE SAME DIRECTION AS THE TRAFFIC FLOW OF THE NEAREST TRAVEL LANE.
- B. Blocking Traffic. No person shall stop, stand or park any motor vehicle, or other vehicle upon a street in the corporate limits of the town, in such manner or under such conditions as to leave available less than twenty (20) 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 in the observance of traffic signs or signals of a ~~police~~ LAW ENFORCEMENT officer.
- C. Parking on Sidewalks. No person shall park any vehicle or portion of a vehicle upon any sidewalk.
- D. Display Parking ON ROADS. No person shall park a vehicle upon any roadway for the purpose of:
  1. DisplayING such vehicle for sale;
  2. Washing, greasing or repairing such vehicle except for immediate repairs caused by emergency, necessary to be made before the vehicle can be moved;
  3. DisplayING any advertising;
  4. Displaying commercial exhibits.

E. Truck Loading. No person shall load or unload, or cause to be loaded or unloaded, any truck, trailer or tanker within three hundred (300) feet of any dwelling between the hours of ten p.m. of any day and six a.m. of the following day, except the loading or unloading of any truck, trailer or tanker being used as an emergency vehicle for any governmental entity, fire department, or utility company, while such vehicles are actually being used in or preparing for an emergency and except for vehicles operated by the town.

F. No person shall park a truck, trailer, or other vehicle with a gross vehicle weight in excess of twelve thousand (12,000) pounds on any roadway or in any commercial area, between the hours of six p.m. and seven a.m., except for the purpose of loading or unloading as authorized by Section 10.16.070E. of this chapter.

G. No person shall park a commercially-registered motor vehicle having (1) a gross weight rating in excess of ten thousand (10,000) pounds or (2) exceeding a one-ton chassis rating, in any residential area, except for the purpose of load or unloading as authorized by Section 10.16.070E. of this chapter.

H. SPECIFIED PLACES. IT IS UNLAWFUL TO STOP, STAND, OR PARK A VEHICLE IN ANY OF THE FOLLOWING PLACES:

1. IN FRONT OF A PUBLIC OR PRIVATE DRIVEWAY, EXCEPT THAT THIS PARAGRAPH DOES NOT APPLY TO A VEHICLE OR THE DRIVER OF A VEHICLE ENGAGED IN THE OFFICIAL DELIVERY OF THE UNITED STATES MAIL.
2. ON A CROSSWALK.
3. WITHIN TWENTY (20) FEET OF A CROSSWALK AT AN INTERSECTION.
4. AT ANY PLACE WHERE OFFICIAL SIGNS PROHIBIT STANDING OR STOPPING.
5. IN RED ZONES.
6. WITHIN FIVE (5) FEET OF A DRIVEWAY.
7. WITHIN TEN (10) FEET OF AN ALLEYWAY.
8. WITHIN FIFTEEN (15) FEET OF A FIRE HYDRANT PLACED ON PUBLIC OR PRIVATE PROPERTY.
9. WITHIN TWENTY (20) FEET OF THE DRIVEWAY ENTRANCE TO ANY 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.

10. WITHIN OR ADJACENT TO A CONSTRUCTION ZONE, BEHIND OR WITHIN A BARRICADED AREA.
11. WITHIN AN INTERSECTION.
12. WITHIN THIRTY (30) FEET UPON THE APPROACH TO ANY FLASHING BEACON, STOP SIGN, YIELD SIGN, OR TRAFFIC-CONTROL SIGNAL LOCATED AT THE SIDE OF A ROADWAY.
13. WITHIN FIFTY (50) FEET OF THE NEAREST RAIL OF A RAILROAD CROSSING, OR WITHIN EIGHT FEET SIX INCHES (8'6") OF THE CENTER OF ANY RAILROAD TRACK, EXCEPT WHILE A MOTOR VEHICLE WITH MOTIVE POWER ATTACHED IS LOADING OR UNLOADING RAILROAD CARS.
14. ON THE ROADWAY SIDE OF ANY VEHICLE STOPPED OR PARKED AT THE EDGE OR CURB OF A STREET.
15. AT A BUS STOP, EXCEPT FOR PUBLIC BUSES CONDUCTING TRANSPORTATION SERVICES.

I. TOWN-OWNED PROPERTY. NO PERSON SHALL PARK A MOTOR VEHICLE IN OR ON TOWN-OWNED PROPERTY WHEN SIGNS PROHIBITING OR REGULATING PARKING HAVE BEEN PLACED THEREON BY THE TOWN, UNLESS IN COMPLIANCE WITH SUCH ERECTED SIGNS.

J. LAW ENFORCEMENT/FIRE VEHICLE PARKING. WHERE SIGNS ARE ERECTED, GIVING NOTICE THEREOF, IT SHALL BE UNLAWFUL TO PARK A VEHICLE, OTHER THAN A MARKED LAW ENFORCEMENT OR FIRE VEHICLE.

**10.16.080 NUISANCE PARKING CONTROLS.**

A. PARKING ON PROPERTY OF ANOTHER PROHIBITED WITHOUT PERMISSION. IT IS UNLAWFUL FOR THE DRIVER OF A MOTOR VEHICLE TO PARK THE VEHICLE IN OR UPON PROPERTY OF ANOTHER, WITHOUT HAVING IN THE DRIVER'S POSSESSION, THE WRITTEN PERMISSION OF THE PERSON LEGALLY ENTITLED TO POSSESSION OF THE PROPERTY. HOWEVER, A CITATION CHARGING VIOLATION OF THIS SECTION SHALL BE DISMISSED IF THE AFORESAID WRITTEN PERMISSION IS SUBSEQUENTLY PRESENTED TO THE TOWN COURT.

B. PARKING IN A PARK OR PLAYGROUND. IT IS UNLAWFUL TO PARK A MOTOR VEHICLE IN OR UPON THE PARKS AND PLAYGROUNDS OF THE TOWN EXCEPT IN DESIGNATED AND SIGNED PARKING AREAS.

C. PARKING FOR PURPOSES OF SALE ON UNPAVED LOTS. IT IS UNLAWFUL TO PARK A MOTOR VEHICLE FOR THE PURPOSE OF SALE UPON ANY LOT OR AREA WHICH IS NOT PAVED WITHIN THE TOWN. THE DISPLAY OF ANY SIGNS OR OTHER MARKINGS INDICATING THAT A MOTOR VEHICLE IS FOR SALE SHALL BE PRIMA FACIE EVIDENCE THAT THE MOTOR VEHICLE HAS BEEN PARKED FOR THE PURPOSE OF SALE. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO A MAXIMUM OF ONE (1) MOTOR VEHICLE PARKED FOR THE PURPOSE OF SALE WHERE THE MOTOR VEHICLE IS OWNED BY THE RESIDENT OF THE LOT OR AREA ON WHICH THE MOTOR VEHICLE IS PARKED.

D. RESIDENTIAL SALE OF VEHICLES. NO MORE THAN ONE (1) MOTOR VEHICLE MAY BE DISPLAYED FOR SALE AT A RESIDENCE AT ANY ONE TIME AND NO MORE THAN THREE (3) MOTOR VEHICLES MAY BE DISPLAYED FOR SALE AT THE SAME RESIDENCE WITHIN A CALENDAR YEAR.

E. EXPIRED REGISTRATION. IT SHALL BE UNLAWFUL TO PARK A VEHICLE ON ANY TOWN STREET THAT DOES NOT CONSPICUOUSLY BEAR PROOF OF A CURRENT REGISTRATION. A CITATION CHARGING VIOLATION OF THIS SECTION MAY BE DISMISSED IF PROOF OF CURRENT REGISTRATION IS SUBMITTED TO THE TOWN'S MUNICIPAL COURT.

F. PARKING NEAR FIRE OR RESCUE APPARATUS. IT IS UNLAWFUL TO PARK A VEHICLE WITHIN FIVE HUNDRED (500) FEET OF ANY FIRE APPARATUS OR FIRE RESCUE VEHICLE WHICH HAS STOPPED IN RESPONSE TO A FIRE ALARM OR REQUEST FOR MEDICAL OR RESCUE SERVICES.

**10.16.090 PENALTY; PRIMA FACIE EVIDENCE OF PARKING INFRACTION; VIOLATION.**

A. UNLESS OTHERWISE PROVIDED, VIOLATIONS OF THIS CHAPTER ARE CIVIL TRAFFIC VIOLATIONS AND SHALL BE PROSECUTED AS PROVIDED IN SECTION 1.12.010 OF THE TOWN CODE.

B. THE OWNER(S) OF THE VEHICLE AND THE PERSON WHO PARKED OR PLACED THE VEHICLE WHERE THE VIOLATION OCCURRED SHALL BE JOINTLY AND INDIVIDUALLY LIABLE FOR THE VIOLATION AND FOR THE FINE AND FEES PRESCRIBED THEREFOR.

C. IN ANY PROSECUTION CHARGING A VIOLATION OF THIS CHAPTER, PROOF THAT THE PARTICULAR VEHICLE DESCRIBED IN THE CITATION OR COMPLAINT WAS PARKED IN VIOLATION OF THIS SECTION, TOGETHER WITH PROOF THAT THE DEFENDANT WAS, AT THE TIME OF SUCH PARKING, THE REGISTERED OWNER OF SUCH VEHICLE, SHALL CONSTITUTE IN EVIDENCE A PRIMA FACIE PRESUMPTION

THAT THE REGISTERED OWNER OF SUCH VEHICLE WAS THE PERSON WHO PARKED OR PLACED SUCH VEHICLE AT THE POINT WHERE, AND FOR THE TIME DURING WHICH, SUCH VIOLATION OCCURRED.

D. ANY STOPPING, STANDING OR PARKING RESTRICTIONS PROVIDED IN THIS CHAPTER SHALL NOT APPLY TO ANY CODE ENFORCEMENT OFFICER, LAW ENFORCEMENT OFFICER, FIRE PERSONNEL, OR PEACE OFFICER WHEN SUCH STOPPING, STANDING, OR PARKING IS IN ACTUAL PERFORMANCE OF OFFICIAL DUTIES.

E. THE PROVISIONS OF THIS CHAPTER PROHIBITING THE STOPPING, 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 LAW ENFORCEMENT OFFICER OR OFFICIAL TRAFFIC-CONTROL DEVICE.