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ADOPTED BY THE
MAYOR AND COUNCIL

PROPOSED ORDINANCE

RELATING TO PARKWISE; CHANGING THE NAME OF THE TRANSPORTATION ENTERPRISE AREA MANAGEMENT (TEAM) OVERSIGHT COMMISSION TO THE PARKWISE COMMISSION; AMENDING THE TUCSON CODE, CHAPTER 10A, ARTICLE XIV; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The Tucson Code, Chapter 10A, Community Affairs, Article XIV is amended to read as follows:

“ARTICLE XIV.

Section 10A-145. Declaration of policy.

(a) It is the policy of the city to enhance the quality of life and stimulate economic development within the area defined by the City Center Strategic Vision Plan by creating a partnership between the city and the community that efficiently and creatively utilizes parking resources to improve the overall accessibility and environment of the region. The ~~Transportation Enterprise Area Management (TEAM)~~ ParkWise program will be responsible for focusing, coordinating, and supporting, the city's role in parking and associated transportation issues.

(b) The primary funding source for this program is parking revenues. Therefore, the city will establish, upon adoption of this article, a "TEAMParkWise reserve of fund" account within the general fund to enable monies generated by TEAM-ParkWise to be carried forward from year to year to be reinvested into parking and other related public improvement projects within the city center as approved by the mayor and council.

(c) Although the primary focus of TEAM-ParkWise will be within the city center, mayor and council may direct ~~TEAM-ParkWise~~ to implement and manage self supporting parking programs in other areas of the city should the need arise. Parkwise

is also authorized to enter into agreements with private property owners to operate and manage parking lots and parking structures, so long as ParkWise covers its anticipated costs out of anticipated revenues from the agreements.

Sec. 10A-146. ~~TEAM ParkWise oversight~~ commission created.

There is hereby created an entity to be called the ~~Transportation Enterprise Area Management (TEAM) ParkWise oversight~~ commission for the city center, and beyond if authorized by the mayor and council. The city center is described as the area bounded by the following streets: On the north by the intersection of Grande Avenue and Grant ~~Avenue~~Road, east along Grant ~~Avenue~~Road, south along Country Club ~~Street~~Road, west along 22nd Street, and north along Grande Avenue to Grant Road.

Sec. 10A-147. Membership composition; appointment; terms.

(a) Appointment. The ~~TEAM oversight ParkWise~~ commission shall be composed of fifteen (15) members who shall serve without compensation as follows:

- (1) The city manager will make two (2) appointments.
- (2) Councilmembers from Wards I, III, V, and VI will each appoint one (1) neighborhood representative.
- (3) The following organizations will each make one (1) appointment:
 - a. Fourth Avenue Merchants Association (FAMA)
 - b. University of Arizona
 - c. Tucson ~~Pima Arts Council Arts District Partnership~~
 - d. Campus Community Relations Commission (CCRC)
 - e. Citizens Transportation Advisory Committee (CTAC)
 - f. Marshall Foundation Main Gate
 - g. ~~Downtown Advisory Council (DAC) Metropolitan Tucson Convention and Visitor's Bureau~~
 - h. Chamber of Commerce
 - i. Tucson Downtown Alliance (TDA)
- (4) Notwithstanding section 10A-134 of the Tucson Code, individuals appointed to the ~~TEAM ParkWise oversight~~ commission may simultaneously serve on more than one (1) city body.

(b) Terms. The commissioners who are first appointed shall be designated to serve for staggered terms, so that the terms of three (3) commissioners shall expire after one (1) year; the terms of three (3) commissioners shall expire after two (2) years; the terms of four (4) commissioners shall expire after three (3) years; and the terms of five (5) commissioners shall expire after four (4) years. Each commissioner's initial term will be determined by drawing lots at the commission's first meeting. All appointments thereafter shall be for four-year terms, except that councilmembers' neighborhood representative appointments shall not serve beyond the term of the councilmember making such appointment.

Sec. 10A-148. Functions and purposes.

The functions, purposes, powers, and duties of the ~~TEAM oversight ParkWise~~ commission are to:

(a) Advise the director of transportation on matters related to on-street and off-street parking, enhanced pedestrian, bicycle, and transit programs, special events, and capital improvement district projects within the city.

(b) Assist the department of transportation in developing parking enhancement projects for the city;

(c) Review on an ongoing basis existing city and neighborhood parking programs, signage programs, pedestrian, bicycle, and transit programs and make recommendations to the director of transportation for future programs and/or revisions to existing programs;

(d) Monitor the progress of installation, construction, operation, replacement, maintenance, repair, and improvement of the property and improvements used for parking in the city.

(e) Annually review and recommend the proposed annual budget for the ~~TEAM ParkWise~~ program within the department of transportation.

(f) Recommend to the director of transportation revisions to the schedule of user charges for the use of parking facilities provided or furnished by the city, including the placement, times, and rates for on-street metered parking, as well as recommending changes in penalties, interest, collection costs, and other charges for delinquencies in payment of such charges;

(g) Review and report to the director of transportation on major capital parking enhancement improvements;

(h) Consult with the mayor and council when requested on specific transportation and parking issues which may develop in the future;

(i) Study the city's specialized parking permit programs and recommend expansion, modification, and/or other changes to the director of transportation;

(j) Assist the city in coordinating the efforts of merchants and property owners in promoting common plans of action and facilitation of transportation, parking, urban design, communications and quality of life improvements in downtown Tucson. However, the commission shall not engage in any anti-competitive practice or discourage any person from locating any legal business in any particular place;

(k) Work with other city and county commissions on issues of mutual interest and concern relating to transportation and parking enhancement;

(l) Recommend such action as it deems necessary or desirable to accomplish the above functions.

Sec. 10A-149. Commission organization.

(a) The commission shall select a chair and a vice-chair from among its members, who shall serve for one-year terms. The vice-chair shall act as chair in the absence or disability of the chair, or in the event of a vacancy in that office.

(b) The commission shall adopt rules and bylaws for its operations that are consistent with this chapter and other legal authority, and shall meet at such times and places as determined by the commission.

(c) The bylaws and all minutes of commission meetings shall be filed with the city clerk.

Sec. 10A-150. Commission reports.

The commission shall render to the director of transportation an annual report on or before ~~March~~ September 15 as well as submitting any additional reports and recommendations as requested by the mayor and council.

Sec. 10A-151. Limitation of powers.

Neither the commission nor any member thereof may incur city expenses or obligate the city in any way without prior authorization from the mayor and council.”

SECTION 2. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions or

applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Tucson that this ordinance become immediately effective, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, _____.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

REVIEWED BY:

CITY ATTORNEY

CITY MANAGER

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ARTICLE I. IN GENERAL

Sec. 20-1. Definitions.

The words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in A.R.S. title 28, except for the words and phrases defined herein, as follows:

Sec. 20-1(1). Alley means any public or private way set aside as a right-of-way for municipal services, or street or alley purposes and as a means of reaching the rear end of lots or buildings.

Sec. 20-1(2). Annual permit means a permit allowing the operation or movement, during a calendar year, of a specific vehicle, or vehicle and load, along truck routes established pursuant to section 20-15 of this Code.

Sec. 20-1(3). Bicycle zone means a place adjacent to a curb reserved for the exclusive use or purpose of parking bicycles. Such zone shall be designated by blue and white marking on the curb or signs appropriately marked for the exclusive use of bicycles, or by both such signs and blue and white curb markings.

Sec. 20-1(4). Booting means to place a device on a vehicle to prevent the vehicle's movement until the device is removed.

Sec. 20-1(5). Business district means the area contiguous to and including a street, where within any six hundred (600) feet along the street there are buildings used for business or industrial purposes which occupy at least three hundred (300) feet of frontage on one side, or three hundred (300) feet collectively on both sides of the street.

Sec. 20-1(6). Central business district means all streets and portions of streets within the area described as follows: All that area bounded by the following streets: On the north by Sixth Street; on the east by Fourth Avenue; on the south by Cushing Street to Stone Avenue and from Stone Avenue by East Fourteenth Street; and on the west by Granada Avenue.

Sec. 20-1(7) Commercial vehicle means any vehicle originally registered for commercial use, or any vehicle rated for a load capacity in excess of 1 ton, or any vehicle not originally designed for personal private passenger transportation.

Sec. 20-1(8) Curb means the raised edge or curbline along the lateral lines of a roadway, or in the absence of a raised edge, the curbline or lateral lines along the edge of the vehicular travel lanes, to include any designated or marked road shoulder.

Sec 20-1 ~~(9)(7)~~. Disabled or handicapped curb loading zone means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials for the physically disabled as defined in section 20-222 of this Code. Such zone shall be designated by blue marking on the curb, or by appropriate signs, or by both such signs and blue curb markings.

Sec. 20-1 ~~(10)(8)~~. Divided highway or street means any street or highway within the city that has been divided into two (2) roadways by leaving an intervening space, island or other physical barrier, or clearly indicated dividing section so constructed as to obstruct or impede vehicular traffic.

Sec. 20-1 ~~(11)(9)~~. Envelope permit means a permit issued for the operation or movement, during a calendar year, along truck routes established pursuant to section 20-15 of this Code, of a nonspecific and nonreducible vehicle, or vehicle and load, that does not exceed two hundred fifty thousand (250,000) pounds in gross weight, fourteen (14) feet in width, sixteen (16) feet in height, one hundred twenty (120) feet in length, and has at least four (4) axles.

Sec. 20-1 ~~(12)(10)~~. Freight curb loading zone means a space adjacent to a curb for the exclusive use of authorized vehicles, as defined in section 20-195.1 of this Code, during the loading or unloading of freight. Such zone shall be designated by yellow marking on the curb, or by appropriate signs, or by both such signs and yellow curb markings.

Sec. 20-1 ~~(13)(11)~~. Impound means to tow or remove a vehicle and then store the vehicle at a garage or lot designated by the police department or maintained by the city.

Sec. 20-1 ~~(14)(12)~~. In governmental service means owned or operated by any federal, state, county, or municipal agency, or any agency whose primary source of operating revenue is public taxation.

Sec. 20-1 ~~(15)(13)~~. Mobile home means a nonmotorized dwelling, as defined in section 23-21 of this Code.

Sec. 20-1 ~~(16)(14)~~. Mobile home permit means a permit issued for a one-time, one-way, continuous movement of a specific mobile home, whose dimensions and/or weight exceed the limits set forth in A.R.S. title 28, sections 1002 through 1031, or any successor provision(s), along a designated route to a designated

location. Any subsequent movement of the mobile home, whether from the designated location back to its original location, or to any other location, shall require a new and separate mobile home permit.

Sec. 20-1 ~~(17)~~(15). Motor vehicle means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Sec. 20-1 ~~(18)~~(16). No parking zone means a space adjacent to a curb which is designated by red markings on the curb, or by appropriate signs, or by both such signs and red markings on the curb.

Sec. 20-1 ~~(19)~~(17). Official time standard means whenever certain hours are named herein, they shall mean standard time or such time as may be in current use in the city.

Sec. 20-1 ~~(20)~~(18). Oversize or overweight vehicle, load or mobile home means a vehicle, load or mobile home whose dimensions and/or weight exceed the limits set forth in A.R.S., title 28.

Sec 20-1 ~~(21)~~(19). Passenger curb loading zone, means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or their personal effects. Such zone shall be designated by white marking on the curb, or by appropriate signs, or by both such signs and white curb markings.

Sec. 20-1 ~~(22)~~(20). Police officer means every officer of the municipal police department or any *certified law enforcement* officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Sec. 20-1 ~~(23)~~(21). Recreational vehicle means a motor vehicle or vehicle combination that is designed and customarily used for private pleasure use and includes vehicles commonly called motor homes, pickup trucks with campers, travel trailers, boat trailers, or horse trailers.

Sec. 20-1 ~~(24)~~(22). Residence district means the area contiguous to and including a street, not comprising a business district, where for a distance of three hundred (300) feet or more the property along the street is predominantly improved with residences.

Sec. 20-1 ~~(25)~~(23). Right-of-way means the privilege of the immediate use of the street, highway and alleys.

Sec. 20-1 ~~(26)~~(24). Sidewalk area means that portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, whether identified on the ground as a pedestrian walkway or not.

Sec. 20-1 ~~(27)~~(25). Single trip permit means a permit issued for a one-time, one-way, continuous operation or movement of a specific vehicle, or vehicle and load, along a designated route to a designated location. Where the single trip permit is for both a vehicle and load, it shall be permissible under that permit to completely unload the vehicle at the designated location and thereafter return the empty transporting vehicle directly to its original location, so long as the return trip is completed within twenty-four (24) hours of beginning the movement of vehicle and load that is authorized under the permit.

Sec. 20-1 ~~(28)~~(26). Thirty-day permit means a permit allowing the operation or movement of a specific vehicle, or vehicle and load, along a designated route for a period of thirty (30) days from the date of issuance.

Sec. 20-1 ~~(29)~~(27). Traffic means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any highway, street or alley for purposes of travel.

Sec. 20-1(30) Traffic agent means any person authorized by this code to enforce any provisions of this code.

Sec. 20-1 ~~(31)~~(28). Traffic division means the traffic division of the police department of the city; or in the event a traffic division is not established, then such term, whenever used herein, shall be deemed to refer to the police department of the city.

(1953 Code, ch. 17, § 1; Ord. No. 1821, § 3, 4-21-85; Ord. No. 4502, § 2, 6-21-76; Ord. No. 4653, § 1, 5-16-77; Ord. No. 5931, § 2, 12-19-83; Ord. No. 6041, § 1, 6-25-84; Ord. No. 6988, § 1, 6-20-88; Ord. No. 7757, § 1, 1-27-92; Ord. No. 8270, § 1, 11-21-94; Ord. No. 8464, § 1, 3-20-95; Ord. No. 8958, § 7, 9-22-97)

State law references: Similar provisions, A.R.S. 20-8-602.

Sec. 20-2. Civil traffic violations.

It shall be a civil traffic violation for any person, firm or corporation to violate any of the provisions of article I, II, III, IV, V or VI of this chapter.

(1953 Code, ch. 17, § 6; Ord. No. 5391, § 3, 8-3-81; Ord. No. 5931, § 3, 12-19-83)

Sec. 20-3. Penalties.

Unless otherwise specifically provided in this chapter, the violation of any provision of article I, II, III, V or VI shall result in the imposition of a civil sanction which shall not exceed five hundred dollars (\$500.00). (1953 Code, ch. 17, § 23c; Ord. No. 5391, § 4, 8-3-81; Ord. No. 5931, § 4, 12-19-83; Ord. No. 9492, § 2, 11-27-00)

Sec. 20-4. Applicability to public employees.

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this state, county or city; and it shall be unlawful for any such driver to violate any of the provisions of this chapter except as otherwise permitted in this chapter or by state statute.

(1953 Code, ch. 17, § 8)

State law references: Similar provisions, A.R.S. § 28-623.

Sec. 20-5. Applicability to pushcarts, animals, animal-drawn vehicles.

Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this chapter applicable to the driver of any vehicle, except those provisions which by their very nature can have no application.

(1953 Code, ch. 17, § 10)

State law references: Similar provisions, A.R.S. § 26-625.

Sec. 20-6. Reserved.

Sec. 20-7. Office of traffic engineer created; general powers, duties.

The office of city traffic engineer is hereby established. The duties of the traffic engineer shall be, among other things, to regulate traffic under the provisions of this chapter and the traffic ordinances of the city. It shall be the general duty of the traffic engineer to establish, change, remove or prohibit, as conditions may require, boulevard stops, pedestrian lanes, parking spaces, parking time limits, safety and loading zones, U-turns and right- and left-hand turns, traffic lanes, public carrier stands and other necessities of traffic, subject to the approval of the city manager, and under such regulations as he may prescribe; provided, that nothing in this section shall be construed as conferring upon the office of traffic engineer the duties or authority over traffic of the chief of police.

(1953 Code, ch. 17, § 2)

Sec. 20-8. Enforcement duties of police.

It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all traffic laws of the city and all of the state vehicle laws applicable to traffic in the city.

(1953 Code, ch. 17, § 3)

Sec. 20-9. Police authorized to direct traffic; emergency authority.

Officers of the police department, community service officers or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand or signal in conformance with state and city traffic laws; provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, such officers may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(1953 Code, ch. 17, § 4; Ord. No. 4605, § 1, 1-3-77)

Sec. 20-10. Authority of officers of fire department.

Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

(1953 Code, ch. 17, § 5)

Sec. 20-11. Reserved.

Editor's note: Section 20-11, requiring obedience to police and fire officers, derived from the 1953 Code, ch. 17, § 7, was repealed by § 1 of Ord. No. 5931, adopted Dec. 19, 1983.

Sec. 20-11.1. Appointment of park rangers as special policemen.

The police chief may in his sound discretion certify as peace officers certain persons employed by the city parks and recreation department as park rangers, provided they meet the following qualifications:

Sec. 20-11.1(1). Attend a full training course at the Tucson Police Academy.

Sec. 20-11.1(2). Be not less than twenty-one (21) years of age.

Sec. 20-11.1(3). Be a citizen of the United States and of good moral character and able to read and write the English language understandably.

(Ord. No. 2954, § 1, 1-16-67; Ord. No. 4605, § 2, 1-3-77)

Sec. 20-11.2. Jurisdiction of special policemen.

(a) The authority of the park rangers as special policemen shall be limited to when they are on duty as park rangers and when they are off duty but in the parks and in the park ranger's uniform and shall be limited, further, in that such authority shall exist only in public parks of the city or while in fresh pursuit out of public parks:

(1) When the person to be arrested has committed a misdemeanor or felony in the presence of the park ranger in the parks; or

(2) When the park ranger has reasonable ground to believe a felony has been committed in the parks, and reasonable grounds to believe the persons to be arrested has committed it.

(b) Public parks shall include all those grounds dedicated or deeded to the city for park purposes or those that are used for public park and recreation purposes, grounds maintained by the parks and recreation department and all structures or improvements included within any of the above areas when such structures are maintained or their use controlled by the parks and recreation department.

(Ord. No. 2954, § 1, 1-16-67; Ord. No. 3010, § 2, 6-5-67; Ord. No. 4605, § 3, 1-3-77)

Sec. 20-11.3. Authority of special policemen.

A park ranger, as a special policemen, shall be considered as and have the authority of a peace officer to make arrests within their jurisdiction, as set forth in section 20-11.2 of this chapter.

(Ord. No. 2954, § 1, 1-16-67; Ord. No. 4605, § 4, 1-3-77)

Sec. 20-11.4. Status of special policemen.

Special policemen shall not be a part of, nor affiliated or connected in any official capacity with, the city police department. Special policemen shall exercise such other limited police powers as may be delegated to them by the police chief. A special policemen shall not be subject to, or acquire any rights under any police pension fund of the state or of the city.

(Ord. No. 2954, § 1, 1-16-67)

Sec. 20-11.5. Compensation of special policemen.

Special policemen shall receive no compensation from the city police department for duties performed.

(Ord. No. 2954, § 1, 1-16-67)

Sec. 20-11.6. Revocation of authority.

The police chief shall have the authority to revoke the status of special policemen when he finds such revocation to be in the best interest of the city.

(Ord. No. 2954, § 1, 1-16-67)

Sec. 20-11.7. Appointment of community service officers.

The chief of police shall, at his discretion, have the authority to appoint certain persons to the position of community service officer, providing they meet the following qualifications:

Sec. 20-11.7(1). Attend a specified training course at the Tucson Police Academy.

Sec. 20-11.7(2). Must be eighteen (18) years of age.

Sec. 20-11.7(3). Be a citizen of the United States and of good moral character, and able to understand, read and write the English language.

Sec. 20-11.7(4). Possess a high school diploma (or general equivalency diploma).

(Ord. No. 4605, § 5, 1-3-77; Ord. No. 8761, §§ 1, 2, 10-7-96)

Sec. 20-11.8. Authority of community service officers.

Community service officers shall have the authority:

Sec. 20-011.8(1). To investigate traffic accidents occurring within the city limits of Tucson.

Sec. 20-11.8(2). To issue summons, or commence an action or proceeding before a court or judge for any violation of any state statute or local ordinance relating to traffic laws, providing that such violation is related to a traffic accident within the jurisdiction of the city.

Sec. 20-11.8(3). To commence an action or proceeding before a court or judge for any violation of city ordinance or state statutes regulating the standing or parking of vehicles.

Sec. 20-11.8(4). To investigate complaints of thefts or attempted thefts of property, and to file reports relating to each offense.

Sec. 20-11.8(5). To carry out any lawful order of, or conduct such investigations as directed by, the chief of police not involving hazardous duty.

(Ord. No. 4605, § 6, 1-3-77; Ord. No. 8761, § 3, 10-7-96)

Sec. 20-11.9. Appointment of civilian volunteer police assist specialists.

The chief of police shall have the authority and discretion to appoint certain persons to the position of unarmed civilian volunteer police assist specialist, providing those persons meet the following qualifications:

Sec. 20-11.9(1). Attend training as required under the direction of the chief of police.

Sec. 20-11.9(2). Be at least eighteen (18) years of age, of good moral character, and able to understand, read and write the English language.

(Ord. No. 7671, § 1, 8-5-91)

Sec. 20-11.10. Authority of civilian volunteer police assist specialists.

Civilian volunteer police assist specialists, acting in an unarmed capacity, shall have the authority at the discretion of the chief of police, to:

Sec. 20-11.10(1). Commence an action or proceeding before the administrative hearing officer for any violation of any chapter of the Tucson Code regarding the stopping, standing or parking of motor vehicles.

Sec. 20-11.10(2). Testify, on behalf of the city as required before the administrative hearing officer or any subsequent court proceedings involving any violation of any chapter of the Tucson Code regarding the stopping, standing or parking of motor vehicles.

Sec. 20-11.10(3). Assist in the taking of reports involving civil infractions of the Tucson Code and file reports relating to such infractions.

Sec. 20-11.10(4). Carry out any lawful order of the chief of police, not involving hazardous duty, the exercise of the power of arrest or the use of force.

(Ord. No. 7671, § 1, 8-5-91)

Sec. 20-12. Impounding vehicles--When permitted.

(a) Members of the police department are hereby authorized to impound a vehicle from a street, alley or highway under any of the circumstances enumerated in this section.

(b) Members of the fire department are authorized to impound a vehicle under the circumstances enumerated in subsections (d)(6) or (7) of this section.

(c) ~~Members of the parking enforcement section~~ *Traffic agents* are authorized to remove a vehicle under the circumstances enumerated in subsections (d) ~~(1), (3), (4), (6), (7)~~, (9), (10) or (11) of this section.

(d) Vehicles may be impounded under the following circumstances:

(1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic, and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(3) When any vehicle is left unattended upon a street or alley and is parked illegally or constitutes a definite hazard or obstruction to the normal movement of traffic.

(4) When any vehicle is left unattended upon a street for a period in excess of ~~forty-eight (48)~~ *twenty four (24)* hours.

(5) When any person is arrested while in possession of a motor vehicle and taken into custody.

(6) When any vehicle other than an authorized emergency vehicle is parked, whether or not attended, in a properly designated fire lane established pursuant to chapter 13 of this Code, or earlier legislation.

- (7) When any vehicle other than an authorized emergency vehicle is parked, whether or not attended, within fifteen (15) feet of a fire hydrant placed on either public or private property.
- (8) When any person is given a civil citation for operating a motor vehicle off the roadway within a quarter mile of a structure in violation of section 11-70.1 of this Code.
- (9) When a special limited magistrate or magistrate orders a vehicle impounded as authorized by this Code.
- (10) When any vehicle is owned by a person who has three (3) or more unpaid civil parking infractions or has failed to respond as set forth in section 20-203(a) of this Code.
- (11) When any vehicle has been booted for more than forty-eight (48) hours.
(1953 Code, ch. 17, § 17; Ord. No. 4969, § 1, 5-14-79; Ord. No. 5544, § 1, 4-12-82; Ord. No. 8464, § 2, 3-20-95; Ord. No. 9697, § 1, 4-15-02)

Sec. 20-13. Same--Notice.

Sec. 20-13(1). If owner known. Whenever an officer removes a vehicle from a street as authorized in section 20-12, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

Sec. 20-13(2). If owner unknown. Whenever *the police department a traffic agent* removes a vehicle from a street under section 20-12 and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, the traffic agent shall immediately send or cause to be sent a written report of such removal by mail to the motor vehicle division, state highway department, whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.
(1953 Code, ch 17, § 18)

Sec. 20-14. Same--Redemption or sale.

Application for redemption of a vehicle impounded under the provisions of sections 20-12 and 20-13 shall be made by the owner or his duly authorized agent, who shall be entitled to the possession thereof upon payment to the city of the sum of five dollars (\$5.00), together with all other costs of removal, storage, and any assessments due pursuant to section 20-203 that may have accrued thereon. In the event the vehicle impounded shall not be redeemed by its owner or agent within thirty (30) days, then such vehicle shall be sold for such penalty, charges, costs and any assessments due pursuant to section 20-203 that may have accrued thereon, in a manner provided by A.R.S. Title 28. This remedy shall be cumulative of any and all other penalties provided by this chapter.

(1953 Code, ch. 17, § 19; Ord. No. 8464, § 3, 3-20-95; Ord. No. 8958, § 7, 9-22-97; Ord. No. 9697, § 2, 4-15-02)

Sec. 20-15. Truck routes established.

Within the incorporated city all streets identified as arterial or collector streets in the Major Streets and Routes Plan, adopted by Resolution 12340 and as amended, are hereby established as truck routes.

(1953 Code, ch. 17, § 20; Ord. No. 3448, § 1, 5-18-70; Ord. No. 5927, § 1, 12-19-83; Ord. No. 7757, § 2, 1-27-92)

Sec. 20-15.1. Driving vehicles with a gross vehicle weight rating in excess of twenty thousand pounds on streets not designated as truck routes prohibited; exceptions.

(a) All vehicles having a total gross vehicle weight rating in excess of twenty thousand (20,000) pounds, including, but not limited to, trucks, truck tractors, road tractors, trailers, semitrailers, vehicle transporters, or any combination of such vehicles, shall use only those streets established as truck routes. It is unlawful to drive any vehicle having a gross vehicle weight rating in excess of twenty thousand (20,000) pounds on a street not established as a truck route, except as provided in section 20-15.2 below, or where a permit has

been issued by the chief of police, or that officer's designee, pursuant to the procedures set forth in section 20-16.

(b) The ~~director of transportation, or the director's designee, traffic engineer~~ is authorized to prohibit certain vehicles from using certain designated streets, including truck routes, by the placement of appropriate signs limiting the gross weight of vehicles permitted to use those streets. However, the vehicles may use the streets designated under this section to make a delivery or pickup or to provide services to a property as permitted under section 20-15.2(b).

(Ord. No. 7757, § 3, 1-27-92; Ord. No. 8270, § 2, 11-21-94)

Sec. 20-15.2. Exceptions to truck route restrictions.

(a) Section 20-15.1 does not apply to recreational vehicles.

(b) A vehicle regulated under section 20-15.1 may:

(1) Leave the truck routes by the shortest route to perform the following activities, after which it must return to the nearest designated truck route.

(i) Deliver, pick up, load, or unload merchandise, materials, or equipment, including furniture and other household goods, except as prohibited under section 20-17; or

(ii) Provide construction, repair, or similar services to a property.

(2) Drive on any street within a business district, except as prohibited under section 20-15.1(b) or section 20-17.

(Ord. No. 7757, § 3, 1-27-92)

Sec. 20-16. Special permission required to use streets not designated for trucks or to operate or move vehicles, loads or mobile homes exceeding state limitations; exemptions; permit and fee structure; violation a civil infraction.

(a) Except as may be otherwise specifically provided in subsection (b), where it is necessary for a vehicle whose use of city streets is regulated under section 20-15.1(a) to use a street not established as a truck route pursuant to section 20-15; or for any oversize or overweight vehicle, load, or mobile home to use any street, whether established as a truck route or not, that lies within the corporate limits of the city and that is not designated as a state highway, application shall be made to the chief of police, or that officer's designee, for a permit for such use under police department supervision, and no such use of streets as is set forth in this subsection shall occur, unless and until such permit is issued.

(b) A permit pursuant to subsection (a) is not required in the following situations:

(1) Where a vehicle whose use of city streets is regulated under section 20-15.1(a) engages in activities specifically authorized by section 20-15.2(b).

(2) Where the total maximum width of the vehicle, or of the vehicle and load, does not exceed one hundred two (102) inches, exclusive of safety equipment, and the operation or movement takes place solely on streets established as truck routes pursuant to section 20-15.

(3) Where the vehicle is exempted from size, weight and load limitations under A.R.S. section 28-1001(b), or any successor provision(s).

(c) The chief of police, or that officer's designee, is hereby authorized to issue the permits required under subsection (a). The categories of authorized permits shall be as follows: single trip permits, mobile home permits, thirty-day permits, envelope permits, and annual permits. Permits to use a street not designated as a truck route shall be issued on a single trip or thirty-day basis only. Envelope permits shall be issued on an annual basis only, and neither envelope permits nor single trip permits shall be issued for the movement of mobile homes. Any movement of a mobile home subject to the permit requirements of this section shall be undertaken as one continuous journey pursuant to a mobile home permit, which shall be valid for ninety-six (96) hours from the time of issuance.

(d) A person seeking any of the types of permits authorized under subsection (c) shall submit an application, accompanied by the corresponding fee as established in subsection (e). Such fees shall be waived for a vehicle, load or mobile home in governmental service. In addition, no fee shall be collected for a vehicle, load, or mobile home for whose operation or movement a valid permit has been issued by the state, a political subdivision of the state, or any other municipality, when the operation or movement of such vehicle, load, or mobile home terminates in or transits the city.

(e) Permit fees shall be as follows:

TABLE INSET:

Type of Permit
Non Truck
Route
Oversize
Overweight
Envelope

Single trip:
\$15.00
\$ 15.00
\$ 25.00

Mobile Home:

\$ 15.00
\$ 25.00

Thirty-day:
\$30.00
\$ 30.00
\$ 50.00

Annual:

\$240.00
\$480.00
\$600.00

Note: The fee for annual permits issued after January 31 of a calendar year shall be reduced by one-twelfth (1/12) for each full calendar month that has expired prior to issuance of the permit. Where a vehicle, load, or mobile home is both oversize and overweight, the permit fee shall consist solely of the overweight fee.

(f) Upon receipt of the application, and payment of any applicable fee, the chief of police, or that officer's designee, may grant the requested permit. The permit may restrict the use of any street, whether or not established as a truck route, or the operation or movement of any oversize or overweight vehicle, load, or mobile home, by day of the week, time of the day, route, or location within the city, and may set such additional restrictions as are necessary for public safety and convenience.

(g) All annual permits issued under this section shall expire at midnight on January 1 of the next calendar year, and persons seeking an annual permit for the new calendar year shall be required to submit a new application and permit fee.

(h) Any violation of the provisions of this section, specifically including, but not limited to, the failure to obtain a required permit or to comply with permit restrictions, is declared to be a civil infraction punishable by a mandatory sanction of not less than one hundred fifty dollars (\$150.00), nor more than two thousand five hundred dollars (\$2,500.00), no part of which shall be suspended or waived by the court.

(1953 Code, ch. 17, § 20; Ord. No. 8270, § 3, 11-21-94; Ord. No. 8958, § 7, 9-22-97)

Sec. 20-17. Districts where loading, unloading large vehicles prohibited; variances.

(a) No single-unit vehicle having more than two (2) axles or having an overall length in excess of twenty-six (26) feet, and no tractor-semitrailer having more than three (3) axles or having an overall length in excess of forty (40) feet shall be permitted to load or unload any packages of merchandise within that district bounded on the north by the south and west line of Toole Avenue and Franklin Street, on the east by the east line of Fourth Avenue, on the south by the south line of Fourteenth Street and Cushing Street, and on the west by the west line of Granada Avenue, between the hours of 6:30 a.m. and 9:00 a.m., 12:00 p.m. and 1:00 p.m., and 3:30 p.m. and 6:00 p.m.

(b) The ~~city traffic engineer~~ *director of transportation, , or the director's designee*, may grant written variances from the provisions as set forth in subsection (a) provided:

- (1) The nature of the merchandise being delivered is exceptional; or
 - (2) The nature of the business or service on the property is exceptional; and
 - (3) The applicant can conform to any required barricading and signing as set forth in section 25-24; and
 - (4) The variance is not against the public interest, safety, convenience or general welfare.
- (1953 Code, ch. 17, § 21; Ord. No. 7157, § 1, 3-20-89)

Sec. 20-18. Governmental vehicles exempt from truck route and loading or unloading provisions. The provisions of sections 20-15 through 20-17 shall not be construed to prohibit the use of any street, alley or area of the city by vehicles of the United States Government, this state, county or city while in performance of their official or normal duties.
(1953 Code, ch. 17, § 22)

Sec. 20-19. Driving on property of another prohibited without permission. It is unlawful for the driver of a motor vehicle to drive a vehicle in or upon property of another without having in his possession the written permission of the person legally entitled to possession of the property. However, no person charged with violating this section shall be found responsible and such charge against him shall be dismissed, if he subsequently produces in court the aforesaid written permission.
(1953 Code, ch 17, § 23; Ord. No. 4115, § 1, 12-10-73; Ord. No. 5391, § 5, 8-3-81; Ord. No. 5931, § 6, 12-19-83)

Secs. 20-19.1, 20-20. Reserved.

Editor's note: Section 20-19.1, prohibiting parking on property of another without permission, derived from Ord. No. 5391, § 6, adopted Aug. 3, 1981, and § 20-20 providing for impounding and redemption of motor vehicles parked on property of another, derived from the 1953 Code, ch. 17, § 23, were both repealed by § 1 of Ord. No. 5931, adopted Dec. 19, 1983. See now § 20-223 for these provisions.

Sec. 20-21. Driving in parks and playgrounds. It is unlawful to drive a motor vehicle in or upon the parks and playgrounds of the city except on streets or roads designated for vehicular traffic.
(1953 Code, ch. 17, § 23a; Ord. No. 5391, § 7, 8-3-81)

Sec. 20-21.1. Reserved.

Editor's note: Section 20-21.1, regulating parking in parks and playgrounds, derived from Ord. No. 5391, § 8, adopted Aug. 3, 1981, was repealed by § 1 of Ord. No. 5931, adopted Dec. 19, 1983. See now § 20-224.

Sec. 20-22. Driving on city-owned property. It shall be unlawful for a driver of any motor vehicle to drive a motor vehicle in or upon city-owned property, other than public streets or alleys, when signs prohibiting or regulating driving have been placed thereon by the ~~traffic engineer~~ *director of transportation, , or the director's designee*, as authorized by this chapter, unless in compliance with such erected signs.
(1953 Code, ch. 17, § 23b; Ord. No. 5931, § 7, 12-19-83)

Sec. 20-23. Reserved.

Editor's note: Section 20-23, prohibiting parking for purpose of sale on unpaved lots, derived from Ord. No. 4968, § 1, adopted June 11, 1979, and Ord. No. 5391, § 9, adopted Aug. 3, 1981, was repealed by § 1 of Ord. No. 5931, adopted Dec. 19, 1983. See now § 20-226.

Sec. 20-24. Reserved.

Editor's note: Section 20-24, prohibiting clinging to moving vehicles, derived from the 1953 Code, ch. 17, § 13, was repealed by § 1 of Ord. No. 5931, adopted Dec. 19, 1983.

Sec. 20-25. Boarding, alighting from moving vehicles. No person shall board or alight from any vehicle while such vehicle is in motion.
(1953 Code, ch. 17, § 14)

Sec. 20-26. Opening vehicle doors into traffic.

It shall be unlawful for any person to open any door of a vehicle on the street side thereof when other moving vehicles are so close thereto as to constitute a hazard.
(1953 Code, ch. 17, § 15)

Sec. 20-27. Unlawful riding.

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.
(1953 Code, ch. 17, § 16)

Sec. 20-28. Roller skating, skateboards, coasting, toy vehicles, prohibited on roadways; skateboards prohibited in central business district areas and all library property and facilities within the Tucson-Pima Library System; exceptions:

(a) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway, except while crossing a street in a crosswalk, and, when so crossing, such person shall be granted all of the rights and shall be subject to all of duties applicable to pedestrians.

(b) Unless otherwise provided for in this section, it shall be a civil infraction for any person upon or by means of any skateboard or similar device, to operate or cause to be operated any such device upon any publicly owned property, including streets or sidewalks, within the area described as: That area bounded by the following streets: On the north by the intersection of Alameda and Granada Avenue, east along Alameda to Church Avenue, south along Church Avenue to Cushing Street, west along Cushing Street to Grenada Avenue and north along Granada Avenue to Alameda Street.

(c) It shall be a civil infraction for any person upon or by means of any skateboard or similar device, to operate or cause to be operated any such device upon any Tucson-Pima Library property or facility, including adjacent streets or sidewalks, when such prohibition is clearly and conspicuously posted by the city.

(1953 Code, ch. 17, § 9; Ord. No. 8474, § 1, 3-27-95; Ord. No. 8588, § 1, 10-23-95; Ord. No. 8862, § 1, 4-14-97; Ord. No. 9198, § 1, 2-1-99)

Sec. 20-29. Requirement for helmet use; Bicycle renters and sellers; civil penalties; waiver of fine.

Sec. 20-29(1). No person under eighteen (18) years of age shall ride a bicycle or be a passenger on a bicycle, ride in a restraining seat attached to a bicycle, or ride in a trailer towed by a bicycle unless that person is wearing a properly fitted and fastened bicycle helmet which meets the current standards of the American National Standards Institute for protective headgear.

Sec. 20-29(2). It shall be unlawful for any person to rent or lease any bicycle to or for the use of a person under the age of eighteen (18) years unless:

(a) The person is in possession of a protective helmet meeting the standards set out above in section 20-29(1) at the time of such rental or lease; or

(b) The rental or lease includes a protective bicycle helmet meeting the standards set out above in section 20-29(1) and the person agrees to wear the helmet at all times while operating or riding as a passenger on the bicycle.

Sec. 20-29(3). A person regularly engaged in the business of selling bicycles shall provide any purchaser of a bicycle with a written explanation, either on the receipt of sale or on a separate form indicating receipt of a written explanation of the provisions of section 20-29(1) and (3).

Sec. 20-29(4). Any person in violation of this section shall be found guilty of a civil infraction and be required to pay a minimum fine of fifty dollars (\$50.00) which cannot be suspended except pursuant to subsection 20-29(5).

Sec. 20-29(5). The penalty provided in this section for a violation of section 20-29(1) may be waived if an offender presents suitable proof that an approved helmet has been purchased or otherwise obtained since the time of the violation and that the minor uses or intends to use said helmet whenever required to do so by this section.

(Ord. No. 8167, § 1, 11-22-93)

Sec. 20-30. Operating motorized skateboards and motorized play vehicles; definitions; prohibitions; penalty.

A. Purpose and intent. It is the purpose and intent of this enactment to provide for the regulation of motorized skateboards and motorized play vehicles in order to protect the safety of pedestrians, bicyclists, motor vehicle drivers and operators of motorized skateboards and motorized play vehicles alike. The increasing prevalence of motorized skateboards and growing concerns about their safe uses requires local regulation in order to protect the public safety.

The state has granted municipalities express authority to regulate or prohibit the operation of motorized skateboards. Therefore, the mayor and council find it is in the public interest to prohibit the operation of motorized skateboards and motorized play vehicles except on private property.

B. Definitions . In this article, unless the context otherwise requires:

Motorized play vehicle means a coaster, scooter, any other alternatively fueled device, or other motorized vehicle that is self-propelled by a motor or engine, gas or electric, and which is not otherwise defined in A.R.S. title 28, as a "motor vehicle," "motorcycle," "motor-driven cycle," "motorized wheelchair" or "electric personal assistive mobility device."

Motorized skateboard means a self-propelled device that has a motor, gas or electric, a deck on which a person may ride and at least two (2) tandem wheels in contact with the ground, and which is not otherwise defined in A.R.S. title 28, as a "motor vehicle," "motorcycle," "motor-driven cycle," "motorized wheelchair" or "electric personal assistive mobility device."

C. Prohibited operation.

1. No motorized skateboard or motorized play vehicle may be operated on any public sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or shared-use path.

2. No motorized skateboard or motorized play vehicle may be operated on any private property of another without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

3. No person shall operate a motorized skateboard or motorized play vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

D. Responsibilities of parents, guardians, and legal custodians.

1. The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this section.

2. If a fine is imposed upon a minor who is found to be in violation of this section, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this section.

E. Violation declared civil traffic violation. Any violation of this section is punishable as a civil traffic violation pursuant to sections 20-2 and 20-3 of this chapter.

(Ord. No. 9962, § 1, 5-10-04)

Secs. 20-31--20-39. Reserved.

ARTICLE VII. STOPPING, STANDING AND PARKING*

*Editor's note: Ord. No. 9196, § 1, adopted Jan. 25, 1999, repealed the former Art. VII, §§ 20-193--20-277, which pertained to stopping, standing and parking, and enacted a new Art. VII, §§ 20-200--20-282 to read as herein set out. For more information, see the Code Comparative Table.
Cross references: Off-street parking, § 23-600 et seq.; off-street loading, § 23-640 et seq.

DIVISION 1. GENERALLY

Sec. 20-200. Unlawful parking prohibited; classification; parking defined; parties liable; applicability of regulations; continuous violations; mandatory fines and fees; community service.

(a) Classification. Violation of any provision of this article which regulates the time, place, or method of parking shall constitute a civil infraction.

(b) Definition. Parking means the standing of a vehicle, whether occupied or not.

(c) Parties liable. 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.

(d) Applicability of regulations. 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.

(e) Continuous violations. Where parking is time restricted, each full time period the vehicle is unlawfully parked shall constitute a separate violation. In all other cases, each day the violation continues shall constitute a separate offense.

(f) Mandatory fines and fees. Unless otherwise specifically provided by this article, the fines and fees for violating any provision of this article shall be mandatory, no part of which may be suspended or waived by the court.

(g) Community service. Community service work may be substituted for fines and fees ~~at a rate of five dollars (\$5.00) per hour-~~ *in accordance with Tucson City Code Chapter 1 Section 1-8(4).*

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-201. Reserved.

Editor's note: Ord. No. 9492, § 3, adopted Nov. 27, 2000, repealed § 20-201, which pertained to administrative enforcement fee. See the Code Comparative Table.

Sec. 20-202. Prima facie evidence of parking infraction.

No civil infraction may be established except upon proof by a preponderance of the evidence; provided, however, that a parking violation notice, or copy thereof, issued in accordance with this chapter and the Local Rules of Practice and Procedure in City Court Civil Proceedings shall be prima facie evidence thereof and shall be admissible in any judicial or administrative proceeding as to the correctness of the facts specified therein.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-203. Failure to respond to citation; default fee; booting and impounding vehicle authorized, booting and impound fees; damages to boot.

(a) Arizona Registered Vehicles.

When a citation is issued to a vehicle registered within the state of Arizona, the Court shall within (7) working days send a citation letter to the owner address on file with the Arizona Department of Motor Vehicles advising the owner of the citation and containing the date, time, and location of the violation as well as the vehicle description and violation description; or a duplicate copy of the citation.

(b) (a) If the owner or operator of the vehicle involved in a civil parking violation or infraction fails to respond within *thirty (30) calendar days seven (7) working days* from the day the citation was issued by one (1) of the prescribed methods in Rule 7 of the Local Rules of Practice and Procedure in City Court

Civil Proceedings, a default fee pursuant to section 8-6.7 shall be assessed and the court shall within 7 working days of the default date send a default letter to the owner address on file with the Arizona Department of Motor Vehicles, advising the owner that the citation is in default and that the vehicle may be subject to boot or impoundment as set forth in section 20-203.1(c).

(c) Foreign Registered Vehicles.

If the owner or operator of the vehicle, registered in a state or jurisdiction other than Arizona, involved in a civil parking violation or infraction fails to respond within seven (7) working thirty (30) calendar days from the day the citation was issued by one (1) of the prescribed methods in Rule 7 of the Local Rules of Practice and Procedure in City Court Civil Proceedings, a default fee pursuant to section 8-6.7 shall be assessed.

(d) (b) In addition to actions taken under section 20-203 (b) or (c)-(a) above, the citing authority may boot, impound or cause to be booted or impounded any motor vehicle owned by a person who has three (3) or more unpaid civil parking infractions or has failed to respond to the civil parking infractions as set forth in section 20-203 (b) or (c)-(a), giving notice that there shall be a hearing before a limited special magistrate within forty-eight (48) hours of the booting or impoundment, excluding weekends and holidays. The owner of the vehicle which was booted or impounded may post a bond in the amount of the booting and/or impound fees, damages or replacement cost of the boot if any, and potential fines in order to have the vehicle released pending the hearing. The limited special magistrate shall conduct the hearing as follows:

(1) The limited special magistrate shall conduct a hearing where the sole issue shall be to determine whether the vehicle was owned by the person at the time of the civil parking infractions, determine whether the infractions have been paid or otherwise responded to, and determine whether the boot was damaged or taken from the vehicle.

(2) If the owner fails to appear as directed by the citing authority, the limited special magistrate shall enter a default judgment in the amount of the unpaid fines, booting fees, impound fees, other costs imposable under this section and order the vehicle impounded until all fines, fees and other costs imposable under this section are paid or the vehicle is disposed of pursuant to sections 20-13 and 20-14 of this Code.

(3) For purposes of this hearing, the transference of title of the vehicle from the owner of the vehicle when the civil parking infraction occurred to another person after the vehicle was booted or impounded is not a defense to nonpayment of the fines and the vehicle will not be released until the unpaid fines, booting and/or impound fees and any other costs imposable under this section are paid, except pursuant to subsections (b)(6) and (7) of this section.

(4) If a continuance is granted to the defendant for good cause, the booted or impounded vehicle may be released upon the posting of a cash bond in the amount of the booting and/or impound fees, other costs imposable under this section and potential fines. If a continuance is granted to the city for good cause, the impounded or booted vehicle shall be released forthwith without the necessity of a bond.

(5) If the case is continued, the limited special magistrate shall set the hearing within thirty (30) days.

(6) If judgment is entered in favor of the owner, the booted/impounded vehicle shall be released forthwith to the operator or owner of the vehicle, unless the boot was damaged or taken, without any booting and/or impound fees, and any bond posted shall be returned to the person posting the bond unless the boot was damaged or taken, then the vehicle shall not be released nor the bond released until the repair or replacement cost for the boot is paid.

(7) If judgment is entered in favor of the city, the limited special magistrate shall order the payment of unpaid fines and fees booting and/or impound fees and damages or replacement cost of the boot, if any. The limited special magistrate may order the vehicle impounded until all fines, fees and damages or replacement cost of the boot, if any, are paid or the vehicle disposed of pursuant to sections 20-13 and 20-14 of this Code. The limited special magistrate may allow the vehicle released if the owner shows good cause and agrees to make payments. However, the booting and/or impound fees and any damages or replacement cost of the boot, if any, shall be paid before the vehicle is released to the owner.

(8) The booting fee shall be in the amount of seventy-five dollars (\$75.00) and the impound fee shall be in the amount of the towing or removal costs plus storage fees. These fees are hereby declared to be cost recovery measures, administrative in nature, separate from and in addition to any civil penalty imposed.

(9) Any person who damages a boot on a vehicle either by attempting to remove the boot or by trying to drive off with the boot or by taking the boot is responsible for the repair or replacement cost of the boot. The limited special magistrate shall order the repair or replacement cost of the boot be paid before the release of any vehicle.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-204. Booting or impounding ~~list; notice; booting or impounding list; notice.~~

- (a) In order for a vehicle to be booted or impounded, the civil parking infraction citation shall contain the information that failure to respond or pay the fine for the civil parking infraction may result in either the booting or impounding of any vehicle owned by the vehicle owner and the imposition of booting or impound fees.
- (b) When ~~a vehicle any person~~ has three (3) or more unpaid civil parking infractions or ~~the vehicle owner~~ has failed to respond to the civil parking infractions as set forth in section 20-203 ~~(b) or (c) (a)~~, the city court shall ~~send a notice to the person at the last address listed by the state motor vehicle division that the person's name will be placed place that person's name vehicle on the booting/impound list seven (7) days from the date the notice was mailed, unless the person pays for all civil parking infractions or requests a hearing to contest the citations.~~
- (c) After a ~~person's name vehicle~~ has been placed on the booting/impound list, any ~~other~~ vehicle owned by the ~~person is owner of that vehicle is also~~ subject to booting and/or impoundment. ~~Prior to the booting or impoundment of any vehicle registered in a state or jurisdiction other than the State of Arizona, where such booting or impoundment is based solely on section 20-204(b) or 20-204(c), a boot/impound notice shall be affixed to the vehicle at least twenty-four (24) hours in advance of any booting or impoundment advising the owner and/or operator of the vehicle that the vehicle has been placed on the booting/impound list and is now subject to booting or impoundment without further notice.~~
- (d) ~~Twenty-four (24) hours after a boot/impound notice has been affixed to a vehicle pursuant to section 20-204(d), that vehicle, as well as any other vehicle owned by the same owner, shall be subject to booting or impoundment without further notice.~~

(Ord. No. 9196, § 1, 1-25-99)
Secs. 20-205--20-209. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 20-210. Director of transportation; ~~Duties; Authorization authorized~~ to issue citations.

~~(a) The duties of the director of transportation, or his designee, shall include, among other things, to regulate parking under the provisions of this chapter and the parking ordinances of the city. It shall be the general duty of the director of transportation, or his designee, to establish, change, remove or prohibit, as conditions may require, boulevard stops, pedestrian lanes, parking spaces, parking time limits, safety and loading zones, public carrier stands and other necessities of facilitating parking.~~

~~(b) The director of transportation, or his designee, is hereby authorized to issue citations enforcing any regulation relating to the stopping, standing or parking of motor vehicles contained in any chapter of this Code.~~

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-211. Administrative guidelines.

The director of transportation has authority to prepare such administrative guidelines as may be deemed necessary and desirable to implement the provisions of this article. Three (3) copies of these guidelines will be kept on file by the city clerk.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-212. Civilian volunteer police assist specialists authorized to issue citations.

Civilian volunteer police assist specialists appointed at the discretion and under the direction of the chief of police are hereby authorized to issue citations enforcing any regulation relating to the stopping, standing or parking of motor vehicles contained in any chapter of this Code.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-213. Parking enforcement agents exempt.

Any stopping, standing or parking restrictions provided in this article shall not apply to any police officer, peace officer, or parking enforcement agent when such stopping, standing or parking is for the purpose of actual performance of law enforcement duty.

(Ord. No. 9196, § 1, 1-25-99)

Secs. 20-214--20-219. Reserved.

DIVISION 3. PARKING FOR INDIVIDUALS WITH PHYSICAL DISABILITIES

Sec. 20-220. Parking for individuals with physical disabilities; designation; enforcement.
Parking spaces subject to these provisions shall be clearly and conspicuously designated as being reserved for individuals with physical disabilities. Such designation shall include a standard symbolic disabled parking sign bearing the number of this section of this Code and conforming to specifications for design and placement as approved by the director of transportation. The posting of such sign or signs shall authorize enforcement of the provisions of this division and shall thereby constitute consent by the owner of the property to enforcement of this division.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-221. Penalty.
Unless otherwise specifically provided, the penalty for violating any ordinance or provision of article VII, division 3, which regulates the time, place, or method of parking a vehicle shall be a mandatory fine of five hundred eighteen dollars (\$518.00), no part of which may be suspended or waived by the court. This fine includes any assessments imposed under state law.
(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00; Ord. No. 9859, § 1, 6-23-03)

Sec. 20-222. Parking prohibited in spaces reserved for individuals with physical disabilities.
(a) It shall be unlawful to park any motor vehicle, other than one bearing a license plate with the international wheelchair symbol or displaying a placard issued under state law for this purpose, in a parking space reserved for use by individuals with physical disabilities whether on public property or private property available for public use, when such space is designated as described in section 20-220 above.
(b) If the owner or operator of the vehicle involved in a violation of this section, subsequently produces to the court proof of possession of a valid placard issued under state law for these purposes, the fine shall be reduced to twenty dollars (\$20.00), no part of which may be suspended or waived by the court. This fine includes any assessments imposed under state law.
(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00)

Sec. 20-222.1. Parking prohibited in access aisles of spaces reserved for individuals with physical disabilities.
It shall be unlawful for any vehicle, including one with a disabled plate or placard, to park in the access aisle of such space as designated by diagonal white or yellow lines spaced at approximately two-foot intervals.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-222.2. Paratransit loading zones.
When signs are erected giving notice thereof, it is unlawful to stop, stand, or park a vehicle in any provisional paratransit loading zone. The provisions of this section shall not apply to vehicles bearing a license plate with the international wheelchair symbol or displaying a placard issued under state law for this purpose, or to authorized commercial paratransit vehicles, when any such vehicles are actively engaged in loading or unloading of passengers. In no case shall the stop for the loading or unloading of passengers exceed twenty (20) minutes.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-223. Wheelchair curb access ramps.
It is unlawful to stop, stand, or park a vehicle in such a manner as to block or deny access to a wheelchair curb access ramp. A violation of this section is punishable by a fine of one hundred dollars (\$100.00) and such fine shall not be suspended. This fine includes any assessments imposed under state law.
(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00)
Sec. 20-224. Reserved.

DIVISION 4. BASIC PARKING CONTROLS

Sec. 20-225. Penalty.

Unless otherwise specifically provided, the penalty for violating any provision of article VII, division 4, which regulates the time, place, or method of parking a vehicle shall be a mandatory fine of twenty five dollars (\$25.00), no part of which may be suspended or waived by the court. This fine includes any assessments imposed under state law.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00; Ord. No. 9859, § 2, 6-23-03)

Sec. 20-226. Designation of places angle parking permitted.

The director of transportation shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal aid or state highway within the city unless the state highway commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

Angle parking shall not be intended or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of a two-way street.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-226.1. Obedience to angle parking signs, marking.

Upon those streets which have been signed or marked by the director of transportation for angle parking, it is unlawful to park a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or marking.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-226.2. Parking at angle to load or unload merchandise.

When a vehicle is stopped for the purpose of loading or unloading merchandise, it is unlawful to park such vehicle at an angle to the curb or freight curb loading zone designated by appropriate signs and markings for such purpose.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-226.3. Angle parking.

Where signs are posted specifying the direction of a vehicle for angle parking, it shall be unlawful to park a vehicle not in accordance with the signs.

(Ord. No. 9434, § 1, 8-7-00)

Sec 20-226.4 Angle parking, direction.

Unless signs are posted directing otherwise, vehicles shall pull into angled parking spaces while traveling in the same direction as the travel flow of the nearest traffic lane and shall park facing the curb.

Sec. 20-227. Designation of common-carrier passenger vehicle stands.

The director of transportation is hereby authorized and required to establish bus stops and stands for other passenger common-carrier motor vehicles other than taxicabs on such public streets, in such places and in such number as the director of transportation shall determine to be of the greatest benefit and convenience to the public; and every such bus stop or other stand shall be designated by appropriate signs.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-228. Taxicab stands--application for; location; signs required.

Upon receipt of a written application, the director of transportation is hereby authorized to determine the location of taxicab stands and shall place and maintain appropriate signs and/or markings indicating same. The written application shall define the area wherein the taxicab stand is requested, the size of zone requested, the hours of day during which the zone is needed, and such other pertinent information as may be necessary for the director of transportation to determine whether the application should be granted.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-228.1. Same--Revocation.

The director of transportation may at any time, without notice, remove, relocate or alter any taxicab stand issued under this section.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-229. Time limit parking.

When signs are erected giving notice thereof, it is unlawful to park a vehicle for longer than the time period posted. *It shall be unlawful to park a vehicle in the same time restricted space, or same type time restricted space within the same block, for any portion of two consecutive time periods.*

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230. Designation of parking meter zones; authority to create, alter, eliminate.

For the purposes of this division, the term parking meter zones means zones, areas or streets established or designated by the mayor and council where parking meters may be installed by the department of transportation. The director of transportation is hereby granted the authority to convert existing time limit parking zones into parking meter zones meter. The mayor and council may create, expand, change or eliminate any of the such zones.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.1. Director of transportation to install within designated zones.

The director of transportation may cause parking meters to be installed in such parking meter zones established by mayor and council for the purpose of and in such numbers and at such places as in the director of transportation's judgment may be necessary to regulate and control the parking of vehicles therein.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.2. Temporary suspension of operation--When granted.

The director of transportation may temporarily suspend the operation of parking meters upon request by contractors, merchants, or others, for bona fide reasons if in the director of transportation's judgment such suspension shall be in the interest of public safety, traffic control, health or the general welfare.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.3. Same--Fees.

Request for suspension of parking meters shall be made upon forms supplied by the city and filed with the director of transportation. Before meters are suspended, the following fees shall be paid in full:

For each day, or part thereof:

The full parking fee that would otherwise be charged within a twenty-four-hour time period.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.4. Location; legend.

Parking meters installed in parking meter zones shall be placed at the curb immediately adjacent to the individual parking spaces hereinafter described, and each parking meter shall be so constructed and adjusted as to show or display a signal that the space adjacent to which it is established is or is not legally in use.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.5. Spaces to be marked; parking in spaces.

(a) It shall be unlawful to park any vehicle across any line or marking designating the parking space for which a parking meter is used, or to park a vehicle in such a position that the same shall not be entirely within the space designated by such lines or markings.

(b) It shall be unlawful to park any vehicle at a metered space in such a way as to prevent another vehicle from parking in any adjacent space.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9434, § 2, 8-7-00)

Sec. 20-230.6. Overtime parking prohibited; "feeding" meters prohibited.

(a) It is unlawful to park a vehicle in any space upon any street within a parking meter zone adjacent to which a parking meter is established for more than the length of time indicated on signs or meters maintained on the street pursuant to this chapter, or for any time during which the meter is displaying a

signal indicating that such space is illegally in use, except during the time necessary to set the meter to show legal parking.

(b) Overtime parking prohibited; "feeding" meters prohibited. It is unlawful to add additional time to a parking meter beyond the maximum length of time indicated on signs. ~~or meters without first moving the vehicle out of the metered space. It shall be unlawful to park a vehicle in the same time restricted space for any portion of two consecutive time periods.~~

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9434, § 3, 8-7-00)

Sec. 20-230.7. Effective days and hours.

Time limit parking restrictions in metered zones, including effective days and hours, shall be clearly posted on meters and/or signs.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.8. Prima facie evidence of overtime parking.

The parking or standing of any motor vehicle in a parking meter space at which zone the parking meter is displaying the flag, sign or signal showing that such space is not legally in use shall constitute prima facie evidence that the vehicle has been parked or allowed to stand in such zone for a period longer than permitted by the provisions of this division.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.9. Meters to show parking compliance.

Parking meters, when installed, shall be so adjusted as to show legal parking upon the deposit of United States coins or other legal payment method in the amounts indicated on such meters, during the periods of time stated on such meters.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.10. Deposit of slugs prohibited.

It shall be unlawful to deposit, or cause to be deposited, in any parking meter, any slug, device or metallic substitute for coins of the United States.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.11. Residential parking permit meter exemption.

The holder of a valid residential parking permit issued pursuant to §§ 20-255 et seq. shall be authorized to park at any parking meter located in the designated area for which the residential parking permit is issued, without having to pay the metered rate and without being found in violation of any time limitations otherwise imposed. This exemption shall not apply to parking at any meters located outside of the designated area for which the permit has been issued, including other residential parking permit areas.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-230.12. Parking rates; director of transportation authorized to set rates within specific range; infraction.

(a) The director of transportation is authorized to establish initial parking rates subject to mayor and council approval.

(b) Thereafter, subject to the advisory recommendation of the ~~TEAM oversight commission~~ *ParkWise Commission*, the director of transportation is authorized to set parking meter rates within the range of five cents (\$0.05) to one dollar and fifty cents (\$1.50) per hour for any location within an established parking meter zone.

(c) Three (3) copies of the current parking rate schedules and all future rate schedules established by the director of transportation under this section shall be filed with the city clerk.

(d) It shall be unlawful for persons occupying parking meter spaces not to deposit proper coins in meters in accordance with the rates posted on the meters and on file with the city clerk.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-231. Police/fire vehicle parking.

Where signs are erected, giving notice thereof, it shall be unlawful to park a vehicle, other than a marked police or fire vehicle.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-232. Government plated vehicles.

Where signs are erected, giving notice thereof, it shall be unlawful to park a vehicle not bearing government plates.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-233. Specific vehicle type restrictions (RV, motorcycle, etc.).

Where signs are erected, giving notice thereof, it shall be unlawful to park a vehicle of body style, or type, different than that body style, or type of which the signs(s) indicate.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-234. Hazard flashers mandatory.

Where signs are erected, giving notice thereof, it shall be illegal to park a vehicle without utilizing the vehicle's emergency hazard flashers. This restriction may be posted in conjunction with, and in addition to, any other section of this article.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-235. Public parking prohibited in parking lots or spaces reserved for city officers or employees.

(a) It is unlawful for any person not an officer or employee of the city to stand or park a vehicle on city parking lots or parking spaces reserved for or allocated to city employees or officers.

(b) It is unlawful for any officer or employee of the city to stand or park a vehicle on city parking lots or parking spaces reserved for or allocated to another city employee or officer without that officer's or employee's permission.

(c) The provisions of this chapter relating to parking meters, and to the enforcement of parking violations set forth in section 20-230, unless the context otherwise requires, shall apply to public use designated parking spaces on such lots having city parking meters.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-236. Height limit restriction.

It shall be unlawful to park a vehicle of height in excess of the clearly and conspicuously posted height limit of an off-street parking facility.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-237. Obedience to markings; double parking prohibited.

It shall be unlawful to park a vehicle in off-street parking facilities, designed and maintained in accordance with Tucson Code chapter 23, except within the individually marked parking spaces. It shall be unlawful to park a vehicle in such a manner as to block ingress or egress to another legal parking space.

(Ord. No. 9196, § 1, 1-25-99)

Secs. 20-238--20-245. Reserved.

DIVISION 5. NUISANCE PARKING CONTROLS

Sec. 20-246. Penalty.

Unless otherwise specifically provided, the penalty for violating any provision of article VII, division 5, which regulates the time, place, or method of parking a vehicle shall be a mandatory fine of fifty dollars (\$50.00), no part of which may be suspended or waived by the court. This fine includes any assessments imposed under state law.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00; Ord. No. 9859, § 3, 6-23-03)

Sec. 20-247. Parking for certain purposes prohibited.

It is unlawful to park a vehicle upon any roadway for the purpose of:

(1) Washing, greasing or repairing such vehicle, except for immediate repairs necessitated by an emergency and necessary to be made before the vehicle can be moved; or

(2) Displaying commercial exhibits, except by special permit lawfully issued by the city.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-248. Parking regulations for peddlers.

No peddler shall park a vehicle or alternating vehicles or series of vehicles on any public street for the purpose of peddling food or wares for a period in excess of sixty (60) continuous minutes, or in excess of one hundred twenty (120) minutes in any 24-hour period at one (1) location. The parking of such vehicle within a distance of three hundred (300) feet from the original parking space shall be deemed one (1) location. No service from such vehicle to the public shall be made from the traffic side or the side of the vehicle which faces the center of the public street. However, such vehicle may park for such purposes in the vicinity of a special event, such as a football game or other sporting event, circus, fair, rodeo or parade, during the period of the event, plus one (1) hour, prior to and after the event.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-248.1. Parking regulations for peddlers in certain central business district streets.

(a) Peddlers may not park a vehicle for the purpose of peddling food or wares in the central business district upon Stone Avenue between Franklin Street and 14th Street, and upon Congress Street and upon Pennington Street between Sixth Avenue and Church Avenue, except in the red painted street zones at the following designated areas:

- (1) North side of Pennington Street, east of Stone Avenue;
- (2) West side of Stone Avenue, north of Pennington Street;
- (3) South side of Congress Street, east of Stone Avenue.

Parking for such purposes at permitted areas is limited from 9:00 a.m. to 4:00 p.m., Monday through Friday, and is not permitted on sidewalks.

(b) The permitted area may not be used for peddlers' vehicles all day on special event days when the named streets are blocked off to vehicle traffic.

(c) Peddlers' vehicles must be removed immediately in event of an emergency, and must be at least fifty (50) feet from any objecting business.

(d) Only one (1) peddler's vehicle is permitted for each permitted designated area. The first peddler at the area each day shall have prior right to the area until the vehicle is removed.

(e) The maximum size of a peddler's vehicle shall be forty-eight (48) inches high, forty-eight (48) inches wide, and seventy-two (72) inches long.

(f) All items relating to the peddling activity must be kept in or under the peddler's vehicle, and nothing placed on any public area adjacent to the vehicle, including signs.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-249. Freight curb loading zones; location of provisional zones in parking meter zones.

The director of transportation is hereby authorized to determine the location of provisional freight curb loading zones within any parking meter zone. The director of transportation may at any time, without notice, remove, relocate or alter any freight curb loading zone issued under this section.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-249.1. Same--When nonauthorized vehicles prohibited in provisional zones.

When signs are erected giving notice thereof, it is unlawful to stop, stand or park a vehicle in any provisional freight curb loading zone between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday except public holidays, however the provisions of this section shall not apply, when the vehicle's hazard warning flashers are in operation, if the authorized commercial vehicle or government-plated truck is parked in any provisional freight curb loading zone for a period of time not to exceed thirty (30) minutes.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-250. 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 department of transportation or to the city court.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-251. Parking in parks and playgrounds.

It is unlawful to park a motor vehicle in or upon the parks and playgrounds of the city except in designated and signed parking areas.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-252. Parking on city-owned property.

No person shall park a motor vehicle in or on city-owned property, other than public streets or alleys, when signs prohibiting or regulating parking have been placed thereon by the director of transportation as authorized by this chapter, unless in compliance with such erected signs.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-253. 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 city. 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. For the purposes of this section, a lot or area which is not paved means the absence of any of the surfacing methods described in chapter 23. 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, and the sale of such motor vehicle would come within the meaning of a casual activity or sale as described in section 19-100.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-254. Parking prohibited during certain hours on certain streets.

When signs are erected in each block giving notice thereof, it is unlawful to park a vehicle between the hours as specified by the signs.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-255. Residential permit parking.

The director of transportation may designate, a residential area or areas consisting of streets or portions of streets on which the parking of motor vehicles may be restricted in whole or in part to motor vehicles bearing a valid parking permit issued pursuant to these provisions by the director of transportation and approved by mayor and council, to residents of the area so designated. The director of transportation shall provide for the issuance of permits and cause parking signs to be erected in the area, indicating the times and conditions under which parking shall be by permit only. A permit shall be issued upon application and payment of the applicable fee, only to the owner or operator of a motor vehicle who resides on property immediately adjacent to a street within the residential permit parking areas.

It is unlawful for any person to do any of the following:

- (a) Park a motor vehicle in a residential parking permit area during the designated hours unless the vehicle is equipped with a valid permit or valid visitor's pass.
- (b) Falsify information to obtain a residential parking permit or visitor's pass.
- (c) Fail to surrender a residential parking permit or visitor's pass to the city director of transportation's designee on demand if such permits or passes are used in violation of these provisions or if the holder of the permit or pass is no longer entitled to the pass or permit.
- (d) Knowingly park a motor vehicle displaying a residential parking permit or visitor's pass in a permit parking area during the designated hours when the holder of the permit or pass is not entitled to possess the permit or pass.
- (e) Use a residential permit or visitor's pass outside of the designated residential permit parking area for which the residential parking permit is issued or outside of the 500-foot distance from the qualified residence for which the visitor's pass is issued.
- (f) Otherwise violate these regulations, including but not limited to the issuance or use of residential parking permits or visitor's passes.
- (g) The owner of a vehicle may contest the revocation of a permit by filing a written application for a hearing with the civil infractions division of city court requesting that the court determine whether justification existed for the revocation of the permit existed under the provisions of this article. The application shall be filed within ten (10) days after the revocation of the permit, and not thereafter. The court shall set a time and date for a hearing to be held no later than fifteen (15) days after receipt of the written application for a hearing and shall notify both the applicant and the director of transportation of the

hearing date. At the hearing, the city shall prove by a preponderance of evidence that the revocation of the permit was justified pursuant to the provisions of this article.
(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-257. Special events permit parking.

The director of transportation may designate special events parking permit areas consisting of streets or portions of streets on which the parking of motor vehicles may be restricted during posted specified hours to motor vehicles bearing valid special events parking permits or visitor's passes issued pursuant to these provisions. The director of transportation shall provide for issuance of permits and shall place signs (which may be temporary) which indicate the hours and conditions under which parking shall be by permit or visitor's pass only.

It is unlawful for any person to:

- (a) Park a motor vehicle in a special events parking permit area during the designated hours unless the vehicle is equipped with a valid special event permit or valid special event visitor's pass.
- (b) Violate any regulations pursuant to section 20-255 relating to the issuance and use of parking permits.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-258. Additional permit parking programs; fees; director of transportation authorized to establish additional permit parking programs and to establish annual parking permit fee.

(a) In addition to other permit parking programs authorized in this article, the director of transportation is authorized to establish, subject to the advisory recommendation of the *ParkWise Commission TEAM oversight commission*, additional permit parking programs as may be necessary and desirable to control traffic in high demand areas within the area described in section 10A-146 as the city center. Pursuant to this section a "high demand area" is defined as one where over seventy-five (75) percent of the legal curb parking spaces are occupied on a recurring basis.

(b) Subject to the advisory recommendation of the *ParkWise Commission TEAM oversight commission and mayor and council approval*, the director of transportation is authorized to establish an annual fee for such additional permit parking programs to reduce parking in high demand areas and to promote alternate modes of transportation.

(c) Three (3) copies of the designations of programs and fees established under this section by the director of transportation shall be listed within the administrative guidelines on file with the city clerk.

(d) Mayor and council may, at their discretion, change, modify or eliminate fees and/or permit parking programs established by the director of transportation.

(e) Vehicles parked within a designated parking permit area are subject to all provisions of section 20-255 except that applicants are not required to reside on a property immediately adjacent to the designated permit parking area in order to obtain a valid parking permit.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-259. Expired registration.

It shall be unlawful to park a vehicle on any city 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 City Court.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9434, § 4, 8-7-00)

Sec. 20-260. Stopping, standing, parking prohibited in sidewalk area.

It shall be unlawful to stop, stand or park a vehicle, whether posted or not, in any planted, landscaped or dirt area between the curb, or the roadway and the property line.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9434, § 5, 8-7-00)

Sec. 20-261. Unattended *and inoperable* vehicles prohibited.

(a) It shall be unlawful to park, and or leave unattended, on any street or roadway or right-of-way thereof, any vehicle for a period in excess of twenty four (24) forty-eight (48) hours.

(b) Any operable, currently registered, non-commercial, passenger vehicle registered to a resident of a property immediately adjacent to the parked vehicle shall be exempt from section 20-261(a) provided the vehicle is not in violation of any other section of this code.

(c) It shall be unlawful to park, ~~and~~ or leave unattended, on any street or roadway or right-of-way thereof any vehicle exempt from section 20-261(a) as described in section 20-261(b) for a period in excess of seven (7) calendar days. (Ord. No. 9196, § 1, 1-25-99)

Sec. 20-262. Truck parking on streets not designated as truck routes prohibited.

(a) It is unlawful to park any vehicle having a total gross vehicle weight rating in excess of twenty thousand (20,000) pounds, including, but not limited to, trucks, truck tractors, road tractors, trailers, semi-trailers, vehicle transporters, or any combination of such vehicles:

- (1) On a street not designated as a truck route under article I section 20-15 of this chapter; or
- (2) On a street posted pursuant to section 20-15.1(b) with a sign or signs limiting the gross weight of vehicles permitted on the street; or
- (3) Within a residence district.

(b) Notwithstanding the prohibition in section 20-272(a) above, a restricted vehicle may park, except as otherwise prohibited by this article:

(1) On any street within a business district, unless the street is posted pursuant to section 20-15.1(b) with a sign or signs limiting the gross weight of vehicles on the street; or

(2) On any street to perform the following activities, except that, upon completion of such activity, the vehicle must return to the nearest designated truck route:

(i) Deliver, pickup, load, or unload merchandise, materials, or equipment, including furniture and other household goods; or

(ii) Provide construction, repair, or similar services to a property.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00)

Note: Formerly § 20-272.

Section 20-263. Recreational vehicles; Commercial vehicles.

It shall be unlawful to park any recreational vehicle, or any commercial vehicle, on the same block of any street or roadway or right-of-way thereof for any portion of any two consecutive calendar days.

Secs. 20-~~264 263~~-20-270. Reserved.

DIVISION 6. SAFETY ISSUES

Sec. 20-271. Penalty.

Unless otherwise specifically provided, the penalty for violating any provision of article VII, division 6, which regulates the time, place, or method of parking a vehicle shall be a mandatory fine of one hundred fifty dollars (\$150.00), no part of which may be suspended or waived by the court. This fine includes any assessments imposed under state law.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9492, § 3, 11-27-00; Ord. No. 9859, § 4, 6-23-03)

Sec. 20-272. Reserved.

Editor's note: Ord. No. 9492, § 3, adopted Nov. 27, 2000, renumbered the provisions of former § 20-272 as current § 20-262. The user is directed to § 20-262 for provisions concerning truck parking on streets not designated as truck routes prohibited. See the Code Comparative Table.

Sec. 20-273. Parking in alleys.

It is unlawful to park a vehicle within an alley, whether posted or not, except for the loading or unloading of merchandise and 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 provision, the director of transportation 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 city service vehicles.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 9424, § 1, 7-10-00; Ord. No. 9434, § 6, 8-7-00)

Sec. 20-274. Hazardous areas adjacent to schools.

The director of transportation is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property where and when such parking would, in his opinion, interfere with traffic or

create a hazardous situation. When official signs are erected indicating no parking upon such side of a street adjacent to any school property, it is unlawful to stop, stand, or park a vehicle in any such designated place.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-275. Standing or parking outside of business or residence district.

Upon any highway outside of a business or residence district, it is unlawful to stand or park any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practical to stand or park the vehicle off that part of the highway, but in every event an unobstructed width of the highway opposite the vehicle shall be left for the free passage of other vehicles; and a clear view of the standing or parked vehicle shall be available from a distance of two hundred (200) feet in each direction upon the highway. This section shall not apply if the vehicle is disabled while on the paved or main-traveled part of a highway and is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-276. Buses stopping on crosswalks, within intersections prohibited.

It shall be unlawful for any bus to stop within an intersection or on a crosswalk for the purpose of receiving or discharging passengers.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-277. Stopping, standing or parking prohibited in specified places.

Except for public buses, which may stop in a no-parking zone marked or sign posted as a bus loading zone, or authorized commercial vehicles or government-plated trucks as defined in section 20-249 in freight curb loading zones, or disabled or handicapped vehicles in disabled zones, or passengers or their effects in passenger curb loading zones, it is unlawful to stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with law or directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk area.
- (2) In front of a public or private driveway.
- (3) On a crosswalk, whether marked or unmarked.
- (4) Within twenty (20) feet of a crosswalk at the departing side of an intersection whether marked or unmarked.
- (5) In red zones.
- (6) Where "no-parking" signs are specifically posted.
- (7) Within five (5) feet of a driveway.
- (8) Within ten (10) feet of an alleyway.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-278. Stopping, standing or parking prohibited in additional specified places.

Except for public buses, which may stop in a no-parking zone marked or sign posted as a bus loading zone, it is unlawful to stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with law or directions of a police officer or traffic control device, in any of the following places:

- (1) Within fifteen (15) feet of a fire hydrant placed on public or private property.
- (2) Within twenty (20) feet of the driveway entrance to any fire station.
- (3) Within or adjacent to a construction zone, behind or within a barricaded area as permitted by the traffic engineer per Tucson Code 25-20 et seq.
- (4) Within an intersection.
- (5) 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.
- (6) Within thirty (30) feet of the approaching side of an intersection either marked or unmarked.
- (7) Within fifty (50) feet of the nearest rail of a railroad track, except while a motor vehicle with motive power attached is loading or unloading railroad cars.
- (8) On the roadway side of any vehicle stopped or parked at the end or curb of a street.
- (9) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.

- (10) On a controlled-access highway except for emergency reasons or except in areas specifically designated for parking, such as rest areas.
 - (11) When any vehicle is left unattended upon a street or alley and is parked in violation of the law or otherwise constitutes a definite hazard or obstruction to the normal movement of traffic.
 - (12) Within a center left turn lane.
 - (13) When any vehicle stops, stands or parks on a laned street or roadway and obstructs or stops traffic behind the vehicle.
 - (14) At a bus stop.
- (Ord. No. 9196, § 1, 1-25-99; Ord. No. 9434, § 7, 8-7-00)

Sec. 20-279. Parallel parking.

Except as otherwise provided in this article, every vehicle stopped or parked upon a roadway where there are adjacent curbs, and parallel parking is authorized, shall be so stopped or parked with the curbside wheels of the vehicle within eighteen (18) inches of the right-hand curb with the vehicle's right wheels or on one-way streets only the left-hand curb with the vehicle's left wheels. *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.*

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-280. 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.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-281. Parking prohibited on certain streets and portions of streets.

When signs are erected giving notice thereof, it is unlawful to park a vehicle at any time upon any of the streets or portions of streets.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-282. Fire lanes.

When signs are erected as per Tucson Code 13-3 et seq. and the Uniform Fire Code, giving notice thereof, 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.

(Ord. No. 9196, § 1, 1-25-99)

Secs. 20-283--20-299. Reserved.

Chapter 30 DEPARTMENT OF TRANSPORTATION*

*Cross references: Administration, ch. 2; motor vehicles and traffic, ch. 20.

Sec. 30-1. Department of transportation established.

Sec. 30-2. Powers and duties of the department of transportation.

Sec. 30-3. Functional units established under the department of transportation.

Sec. 30-4. Environmental property access privilege program (EPAPP); fees; monitor wells.

Sec. 30-5 Special Duty Parking Services Program.

Sec. 30-1. Department of transportation established.

There is hereby established a department of transportation, the head of which shall be the director of transportation. The director's appointment and removal shall be in accordance with sections 2, 6 and 11 of Chapter V of the Charter.

(Ord. No. 8070, § 2, 6-21-93)

Sec. 30-2. Powers and duties of the department of transportation.

The department of transportation shall perform such work and duties as the city manager may designate, and the director of transportation shall carry out such assigned duties and functions, including the supervision of functional units established within the department of transportation, as deemed advisable.

(Ord. No. 8070, § 2, 6-21-93)

Sec. 30-3. Functional units established under the department of transportation.

(a) The following functional units are hereby established under the department of transportation:

Administrative and Programming Services

Engineering

ParkWise

Public Transportation

Real Estate

Streets Maintenance

Traffic Engineering

Transportation Planning

(b) Such units shall have such functions and duties as may be assigned to them by the director of transportation, together with such additional functions, powers, duties and organizational framework as may be designated by the city manager.

(Ord. No. 8070, § 2, 6-21-93)

Sec. 30-4. Environmental property access privilege program (EPAPP); fees; monitor wells.

(a) Upon application, the department of transportation may allow a private party to use public rights-of-way and/or city property for purposes of characterizing and ameliorating

subsurface environmental contamination originating from the applicant's property. That use shall be limited to soil borings in the public right-of-way and soil borings and monitor wells on city property.

(b) Fees for soil borings in the public right-of-way and on city property are as follows:

Public rights-of-way:

Application fee . . . \$200.00

Boring fee (per borehole) . . . 100.00

Permit fee . . . 10.00

City property:

Application fee . . . 200.00

Boring fee (per borehole) . . . 100.00

Right-of-entry permit fee (minimum) . . . 250.00

(c) Monitor wells may be located on city property if the requested property is available for sale and the applicant agrees to purchase that property through the city's remnant sales program.

(Ord. No. 8695, § 1, 5-6-96)

TABLE INSET:

(table not shown)

Sec. 30-5: SPECIAL DUTY PARKING SERVICES PROGRAM

(A) Definitions.

In this chapter unless the context otherwise requires:

(1) Director means the director of the Tucson Department of Transportation, or the director's authorized designee(s).

(2) Traffic agent means any person authorized by this code to enforce any provisions of this code.

(3) Special duty parking services means enforcement or related activities voluntarily performed at the option of Tucson transportation department traffic agents to employers other than the City of Tucson. Such services may be provided only outside of an traffic agent's regular duty hours.

(B) Special duty parking services; authorizing director of transportation to execute agreements with employers that set forth the wages and conditions for special duty parking services; authorizing use of city resources for billing, accounting, and payment; authorizing director to charge an administrative fee; and permitting use of city vehicles.

(1) Notwithstanding any other provision of this Code, the director is authorized to prepare, enter into, implement and administer special duty parking services agreements with such non-city employers as may be deemed appropriate when employing special duty parking services.

(2) The director is authorized to use city resources to accomplish billing, accounting, collection, and payment to traffic agents participating in the special duty parking services program.

(3) The director is authorized to establish a minimum rate of pay for traffic agents providing special duty parking services, and to recover all or part of the administrative costs associated with administering the special duty parking services program.

(4) The director is authorized to permit the use of city vehicles and other specialized equipment for special duty parking services provided that such use does not conflict with

the needs of regular duty parking services and provided that the use meets the criteria established by the transportation department for use of city vehicles.