

**ORDINANCE NUMBER 14-13**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING "CHAPTER 12 TRAFFIC AND PARKING" BY REFERENCE AS SECTIONS 12-1 THROUGH 12-59 OF THE MARICOPA CITY CODE AND REPEALING ARTICLES I THROUGH IV OF CHAPTER 12 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, that certain document known as the "Chapter 12 Traffic and Parking" was adopted as a public record by Resolution No. 14-39 on September 16, 2014;

**WHEREAS**, on June 1, 2004, the City of Maricopa adopted Chapter 12 Traffic and Parking as part of the City Code, which was amended on September 21, 2010 and October 16, 2012;

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Chapter 12 by repealing Articles I through IV and adopting Sections 12-1 through 12-59 would be in the best interest of the City of Maricopa; and

**WHEREAS**, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:**

**SECTION 1.** Pursuant to Arizona Revised Statutes Section 9-802, that certain document known as "CHAPTER 12 TRAFFIC AND PARKING" of the Maricopa City Code, three copies of which are on file in the office of the City Clerk of the City of Maricopa, Arizona, which document was made a public record by Resolution No. 14-39 of the City of Maricopa, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

**SECTION 2.** Chapter 12 of the Maricopa City Code and all amendments thereto are hereby repealed in their entirety and replaced with Chapter 12 Traffic and Parking which was made public record by Resolution No. 14-39 of the City of Maricopa, Arizona.

**SECTION 3.** Chapter 12 of the Code of the City of Maricopa contains the following penalty clauses:

- A. Pursuant to Section 12-13(c), if the owner or operation of a vehicle for which a notice of violation has been issued fails to pay the penalty fee indicated, or request a civil traffic hearing as provided in subsection 12-

13(d), within thirty (30) days from the date the notice of violation was issued, an additional \$20 penalty fee shall be added to the base penalty fee.

- B. Pursuant to Section 12-31(b), for violations of Section 12-31, the fine, upon conviction, shall be not less than twenty five dollars (\$25), and no more than five hundred dollars (\$500).
- C. Pursuant to Sections 12-34(b), 12-35(b), 12-36(b), 12-37(b), 12-38(b), 12-39(b), 12-41(b) and 12-59(b) , violations of Sections 12-34, 12-35, 12-36, 12-37, 12-38, 12-39, 12-41 or 12-59 shall be punishable by a fine of one hundred dollars (\$100).
- D. Pursuant to Sections 12-53(x) and 12-54(c), violations of Sections 12-53 and 12-54 shall be punishable by a fine of forty dollars (\$40).
- E. Pursuant to Sections 12-55(c) and 12-56(c), violations of Sections 12-55 and 12-56 shall be punishable by a fine of fifty dollars (\$50).
- F. Pursuant to Section 12-57(d), for violations of Section 12-57, the fine, upon conviction, shall be not less than one hundred dollars (\$100).
- G. Pursuant to Section 12-58(g), for violations of Section 12-58, the fine, upon conviction, shall be one hundred fifty dollars (\$150).
- H. Pursuant to Sections 12-53(y), 12-54(b) and 12-55(b) vehicles in violation of Sections 12-53, 12-54 or 12-55 are subject to removal and storage at the expense of the registered owner.

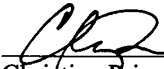
**SECTION 4.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

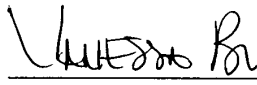
**SECTION 6.** This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

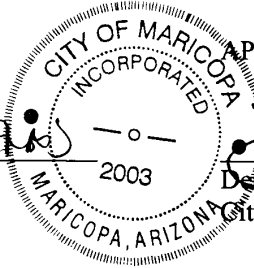
**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 16<sup>th</sup> day of September, 2014.

APPROVED:

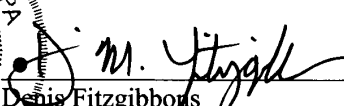
  
\_\_\_\_\_  
Christian Price  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, CMC  
City Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
Denis Fitzgibbons  
City Attorney