

## CHAPTER 12-3.

### PARKING

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*See Ordinance 94.12 for prior history of chapter 12-3*

#### 12-3-1 Definitions.

The following definitions shall apply throughout this chapter:

- A. "Handicap parking space" means any specially designated and marked parking space provided in accordance with section 12-3-6 for physically disabled persons.
- B. "Parking" means the standing of a vehicle, whether occupied or not. Parking does not include a temporary stop for the purpose of and while actually engaged in loading or unloading.
- C. "Right-of-way" means the entire width between boundary lines of every way set apart for public travel when any part of it is open to the use of the public for purposes of vehicular travel.
- D. "Sale" means any transfer of title or possession or both, for consideration. Sale includes any exchange, or barter, conditional or otherwise, in any manner or by any means whatsoever, including consignment transaction and auctions of property.
- E. "Vehicle" means every device by which any person or property is or may be transported or drawn on a street or highway.

*Ordinance 2006.31 added section 12-3-1*

#### 12-3-2 Method of parking

- A. Except as otherwise authorized by posted regulatory signs, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be stopped or parked with the right hand wheels of the vehicle parallel to and within 18 inches of the right hand curb.
- B. Where authorized by posted regulatory signs, vehicles may be parked with the left-hand wheels adjacent to and within eighteen inches of the left-hand curb of a one-way roadway.
- C. Where authorized by posted regulatory signs, angle parking is permitted on any roadway. This paragraph shall not apply on any federal aid highway or state highway unless the director of the Arizona department of transportation has determined by resolution or order that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

*Ordinance 2006.31 renumbered section 12-3-2, added paragraphs B and C, and modified paragraph A*

#### 12-3-3 Blocking traffic

- A. It shall be a civil infraction for any person to stop, stand or park any motor vehicle or other vehicle on the paved or main traveled part of a public roadway so as to leave available less than ten feet of the width of the public roadway for the free movement of vehicular traffic.
- B. On a public roadway with yellow centerline markings, it shall be a civil infraction for any person to stop, stand or park any motor vehicle or other vehicle on the paved or main traveled part of a public roadway so as to leave available less than ten feet of the width of roadway between the yellow centerline markings and the curb on the same side of the centerline markings as the parked vehicle for the free movement of vehicular traffic.
- C. It shall be a civil infraction for any person to stop, stand or park any motor vehicle or other vehicle on the paved or main traveled part of a public roadway outside of a business or residence district unless the vehicle is clearly visible from a distance of 200 feet in each direction on the roadway.
- D. This section does not apply to:
  - 1. The driver of a vehicle that is stopped temporarily when loading or unloading passengers or in the observance of traffic signs or police officer instructions.
  - 2. The driver of a vehicle that is disabled while on the paved or main traveled portion of a highway in a manner and to an extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in that position.
  - 3. A vehicle or the driver of a vehicle engaged in the official delivery of the United States mail that stops on the right-hand side of the highway for the purpose of picking up or delivering mail if the following conditions are met:
    - a. A clear view of the vehicle is available from a distance of 300 feet in each direction on the roadway or a flashing amber light at least four inches in diameter with the letters "stop" printed on the light is attached to the rear of the vehicle.
    - b. The vehicle has a uniform sign that:
      - i. Is at least fourteen inches in diameter.

- ii. Is approved by the Arizona department of transportation.
- iii. Has the words "U.S. Mail" printed on the sign.
- iv. Is attached to the rear of the vehicle.

*Ordinance 2006.31 renumbered and substantially modified section 12-3-3*

#### **12-3-4 Stopping, standing or parking prohibitions**

Except if necessary to avoid conflict with other traffic or if in compliance with law or the directions of a police officer or traffic control device, it shall be a civil infraction for any person to stop, stand or park a vehicle in any of the following places:

- A. On a sidewalk.
- B. In front of a public or private driveway, except that this paragraph does not apply to a vehicle or the driver of a vehicle in the following situations:
  - 1. When loading or unloading materials in a way that does not block the driveway to the free movement of vehicular traffic.
  - 2. When engaged in the official delivery of the United States mail if both of the following apply:
    - a. The driver does not leave the vehicle.
    - b. The vehicle is stopped only momentarily.
- C. Within an intersection.
- D. Within fifteen feet of a fire hydrant.
- E. On or within 20 feet of a crosswalk.
- F. Within 30 feet on the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway.
- G. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless otherwise authorized by posted regulatory signs.
- H. Within 50 feet of the nearest rail or a railroad crossing or within eight feet six inches of the center of any railroad track, except while a motor vehicle with motive power attached is loading or unloading railroad cars.
- I. Within 20 feet of the driveway entrance to a fire station.
- J. Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- K. On the roadway side of a vehicle stopped or parked at the edge or curb of a street.
- L. On a bridge or other elevated structure on a public road or within a tunnel.
- M. At any place where official signs prohibit parking, standing or stopping.
- N. On a controlled access highway except for emergency reasons or except in areas specifically designated for parking such as rest areas.
- O. Within an alley except when loading or unloading materials in a way that does not block the alley to the free movement of vehicular traffic.
- P. Within 50 feet of a public transit bus stop.

*Ordinance 2006.31 adopted section 12-3-4 and deleted former section 12-3-4 ("Parking vehicles on sidewalks")*

#### **12-3-5 Authority to erect signs restricting parking**

The town engineer may erect signs requiring parking at an angle to the curb, allowing parking on the left hand curb on one-way streets, notifying drivers that parking is prohibited and restricting parking in any way that may be necessary. No parking restrictions authorized by this section shall become effective until signs have been erected. Signs need not be erected before enforcement of parking restrictions adopted by other sections of this chapter. It shall be a civil infraction for any person to stop or park a vehicle in disobedience to the parking restrictions.

*Ordinance 2006.31 renumbered and substantially modified section 12-3-5*

#### **12-3-6 Stopping, standing or parking in handicap parking space**

A. Except as provided in subsection D of this section, no person may stop, stand or park a motor vehicle within a handicap parking space unless the motor vehicle is transporting a person eligible for the distinguishing insignia placard or number plates bearing the international wheelchair symbol, and either:

- 1. The motor vehicle displays the distinguishing insignia placard; or

2. The motor vehicle displays number plates bearing the international wheelchair symbol.

B. In any prosecution charging a violation of any of the provisions of this chapter governing the standing or parking of a vehicle, the person in whose name the vehicle is registered shall be prima facie responsible for the violation and subject to the penalty for it.

C. If a law enforcement officer employed by the town finds a motor vehicle in violation of this section, the officer shall issue a complaint which shall be attached or placed upon the vehicle which is unlawfully parked.

D. Any person who is chauffeuring a physically disabled person shall be allowed, without a distinguishing insignia placard or number plates bearing the international wheelchair symbol, to park momentarily in a handicap parking space for the purpose of loading or unloading the physically disabled person. No complaint shall be issued to the driver for that momentary parking.

E. Handicap parking spaces shall be designated on privately owned property as provided by the town land development code. Each handicap parking space shall be prominently outlined with paint and posted with a permanent sign located not less than three feet or more than six feet above the grade and of a color and design approved by the Arizona department of transportation bearing the internationally accepted wheelchair symbol and the caption "reserved parking". The designation of handicap parking spaces as provided in this chapter or as required pursuant to the town land development code shall authorize police officers, and other duly authorized agents, to enforce the provisions of this section and shall constitute a waiver of any objection by the owner or person in possession of the property to the enforcement of this section, and the owner or person in possession shall be deemed to have consented by that designation.

F. The chief of police is authorized to institute a volunteer handicap parking enforcement specialist program in which special volunteers are authorized to issue citations only to persons who violate this section.

*Ordinance 2006.31 renumbered and slightly modified section 12-3-6*

### **12-3-7 Law enforcement exception**

The stopping, standing or parking restrictions provided in this chapter do not apply to a police or peace officer when the stopping, standing or parking is for the purpose of actual performance of a law enforcement duty.

*Ordinance 2006.31 added section 12-3-7*

### **12-3-8 Unarmed police parking enforcement aides**

The police department may employ unarmed police parking enforcement aides empowered to commence an action or proceeding pursuant to **chapter 5-7** of the town code for any violation of vehicle standing or parking regulations. The authority of the unarmed police parking enforcement aide shall be strictly limited to the enforcement of vehicle standing or parking regulations. They are not granted any other powers or benefits to which peace officers of the town are entitled.

*Ordinance 2006.31 renumbered and modified section 12-3-8*

### **12-3-9 Parking within right-of-way to display vehicle or goods for sale**

It shall be a civil infraction to park a vehicle within any Town of Marana right-of-way for the purpose of:

- A. Displaying the vehicle for sale; or
- B. Displaying advertising; or
- C. Displaying goods for sale.

*Ordinance 2006.31 added section 12-3-9*

### **12-3-10 Parking on public land to display vehicle for sale**

It shall be a civil infraction to park a vehicle upon land owned by the town or by any other government agency for the purpose of displaying the vehicle for sale.

*Ordinance 2006.31 added section 12-3-10*

### **12-3-11 Presumption of liability**

A. The display of any signs or other markings indicating that a vehicle is for sale shall be prima facie evidence that the vehicle has been parked for the purpose of sale.

B. Whenever a vehicle is parked in violation of this chapter, the registered owner of the vehicle and the person who parked the vehicle where the violation occurred are jointly and severally responsible for the violation.

*Ordinance 2006.31 added section 12-3-11*

### **12-3-12 Truck, trailer and recreational vehicle parking restrictions**

A. Commercial trucks and oversized vehicles shall not be parked on a residential-area public street at any time, except while actively carrying on the activity for which the truck or vehicle is designed, including by way of example and not limitation:

1. A moving truck while loading or unloading.
2. A tradesman's work truck while the trade is being undertaken.
3. Construction vehicles during construction.

B. The following shall not be parked on a residential-area public street for more than 72 consecutive hours:

1. Vehicles with a trailer attached.
2. Trailers unattached from vehicles.
3. Recreational vehicles 20 feet or more in length.

C. For purposes of this section, the term "residential-area public street" shall mean any street within or contiguous to land zoned or used primarily for single family or multi-family residential uses.

*Ordinance 2006.31 added section 12-3-12*

#### **12-3-13 Violations – chapter 12-3; penalty**

A. Any violation of chapter 12-3 shall be a civil traffic violation.

B. Any person found responsible for violating any provision of chapter 12-3 shall be fined not more than \$250 for each violation.

*Ordinance 2006.31 renumbered and modified section 12-3-13*