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DEC 09 2013

ORDINANCE NO. 4508

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE CHANDLER CITY CODE, CHAPTER 12, BY ADOPTING A DEFINITION FOR STORED VEHICLE IN SECTION 12-1 AND PROHIBITING THE PARKING OF STORED AND OTHER OVERSIZED VEHICLES IN SECTION 12-4.

BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1. AMENDMENT OF CHANDLER CITY CODE.

The Chandler City Code Chapter 12, Section 12-1, is amended as follows: (a) Section 12-1 is hereby amended to adopt a definition of *Stored vehicle* to read as follows:

> ***Stored vehicle* means a vehicle left on any street, highway, road or other public thoroughfare for more than forty-eight (48) consecutive hours without being moved at least three hundred feet (300').**

SECTION 2. AMENDMENT OF CHANDLER CITY CODE.

The Chandler City Code Chapter 12, Section 12-4, is amended as follows: (a) Subsection 12-4.3 is hereby amended to adopt prohibited parking of stored and oversized vehicles and providing for the removal of stored vehicles by law enforcement, to read as follows:

12-4. - Parking.

12-4.1. Presumption in reference to illegal parking. In any hearing in which a violation of any law or regulation governing the standing or parking of a vehicle is alleged, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where and for the time during such violation occurred.

12-4.2. Parking in alleys prohibited; exceptions. No person shall park any motor vehicle or trailer in any alley within the City limits, except as follows:

A. For the purpose of loading or unloading merchandise or passengers, provided that at no time shall such motor vehicle or trailer be so parked as to completely obstruct or block normal passage of traffic in or through the alley.
B. For the purpose of repair service, when necessary to load or unload tools or parts for such service.

Any motor vehicle or trailer stopped or parked in any alley and left unattended for a period of time to exceed ten (10) minutes shall be deemed to be in violation.

12-4.3. Storing Vehicles. **No person shall store a vehicle upon any street, highway, road, other public thoroughfare or any other public property except for vehicles owned by the city that are parked on public property.**

A. When a law enforcement officer or duly authorized agent has reason to believe that a vehicle has been stored in violation of this section, a written notice shall be placed upon the vehicle in a conspicuous place. The notice shall state that if the vehicle is not moved within forty-eight (48) hours from the date and time recorded by the law enforcement officer or duly authorized agent at the time the notice was issued, it will be a violation of this section.

B. If the vehicle is not moved from its location within forty-eight (48) hours from the date and time the notice was issued by the law enforcement officer or duly authorized agent, it may be removed from its location by the law enforcement officer.

C. Whenever a vehicle has been removed pursuant to this section, the law enforcement officer shall give or cause to be given to the registered owner of the vehicle, if known, written notice of the fact of removal, the reasons therefore and the place to which the vehicle has been removed.

D. If the law enforcement officer is unable to ascertain the name of the registered owner or give the notice required in subsection c., the law enforcement officer shall send a written notice of removal to the motor vehicle department. The notice shall contain a description of the vehicle, the date, time and place from which removed, the reasons for removal and the name of the place to which the vehicle has been removed.

12-4.~~4~~3. Parking not to impede traffic. No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the public roadway for free movement of vehicular traffic.

12-4.~~5~~4. Parking for display or working on vehicle. No person shall park a vehicle upon any public roadway for the principal purpose of displaying such vehicle for sale, displaying advertising, displaying commercial exhibits, washing, greasing or repairing such vehicle, except repairs necessitated by emergency.

12-4.~~6~~5. Parking oversized vehicles, trucks or trailers on residential streets prohibited. No person shall stand or park any vehicle with a gross vehicle weight in excess of fourteen thousand five hundred (14,500) pounds, nor any vehicle modified or altered to add a crane, racks, frames or other structures to customize for a business purpose, nor any trailer or semi-trailer designed or intended to be drawn behind a motor vehicle and used or designed for a business purpose, on any vacant or unimproved lot, street, alley, or other public right-of-way in or within two hundred (200) feet of a residential zone for a period of time longer than two (2) hours, except such vehicles may be parked for a longer period of time only when such parking is necessarily required while actually loading, unloading, delivering or making a service call at a residence. ~~The provisions of this section do not apply to boats or recreational vehicles nor to pickups with crossover or wheel well utility/tool boxes located in the bed of the pickup and not larger than seventy-five (75) inches in width by fifteen (15) inches in depth by twenty-five (25) inches in length.~~ **No person shall park a recreational vehicle, bus, boat, utility trailer, portable camping trailer, offroad-highway vehicle or hauler on a residential street, except a person may park such vehicle for the purpose of loading and unloading and not for more than 48 hours. Under no circumstances shall A person be allowed to inhabit any of the prescribed vehicles while parked on the street.**

12-4.~~7~~6. Parking space for physically disabled persons; prohibition.

A. Except as provided in subsection B, a person shall not stop, stand or park a motor vehicle or otherwise occupy any specially designated and marked parking space provided pursuant to A.R.S. 28-882 unless the motor vehicle is transporting a person who has been issued a valid placard or international symbol of access special plates and either:

1. The motor vehicle displays the valid permanently disabled or temporarily disabled removable windshield placard.

2. The motor vehicle displays international symbol of access license plates that are currently registered to the vehicle.

B. A person who is chauffeuring a person with a physical disability without a placard or international symbol of access special plates may park momentarily in a parking space provided pursuant to A.R.S. 28-882 for the purpose of loading or unloading the person with a physical disability, and a complaint shall not be issued to the driver for the momentary parking.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this ____ day of November, 2013.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council this ___ day of November, 2013.

ATTEST:

_____ _____

CITY CLERK MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4508 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of November, 2013, and that a quorum was present thereat.

_____

CITY CLERK

Published: