

**TITLE IX
TRAFFIC REGULATIONS**

CHAPTERS:

[9-1: PRESCOTT TRAFFIC CODE](#)

CHAPTER 9-1: PRESCOTT TRAFFIC CODE

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9-1-1: WORDS AND PHRASES DEFINED:

This code will adopt the definitions and phrases set out in the Arizona Revised Statutes section 28-101. Any additions will be for the purpose of identifying other words or phrases not included in Arizona Revised Statutes section 28-101.

The following words and phrases, when used in this code, have the meanings respectively ascribed to them in this chapter:

ALLEY OR ALLEYWAY: A public way for vehicular travel, but generally of a width of less than twenty five feet (25').

CENTRAL BUSINESS DISTRICT: That area consisting of the property contained within the boundary of the following streets (including all adjacent sidewalks to the city right of way line): From Sheldon and Marina Streets west to Montezuma Street, south to Willis Street, West to McCormick Street, north to Sheldon Street, west to Grove Avenue, south to Gurley Street, east to Summit Street, south to

Goodwin Street, east to the alley west of the 200 block of South Montezuma Street, south to Carleton Street, east to Marina Street, north to Sheldon Street.

CITY TRAFFIC ENGINEER: As used in section 9-1-2, "Traffic Administration", of this chapter the city traffic engineer is the term used to cover the joint responsibilities of the city engineer and the chief of police.

MOTOR VEHICLE: As contained in Arizona Revised Statutes section 28-101(32).

RECREATIONAL VEHICLE: A motor vehicle or vehicle combination that is designed and customarily used for private pleasure use, and commonly used to provide facilities for sleeping. For purposes of this chapter, a recreational vehicle also includes, but is not limited to, motor homes, travel trailers, boat trailers and horse trailers. (Ord. 2274, 6-25-1991; amd. Ord. 4377, 3-9-2004)

9-1-2: TRAFFIC ADMINISTRATION:

(A) City Traffic Engineer:

1. The office of the city traffic engineer is hereby established. He shall exercise the powers and duties as provided in this chapter and in the traffic ordinances of this city.
2. It shall be the duty of the city traffic engineer to determine the installation and proper timing and maintenance of traffic control devices, to determine the location of all traffic regulatory signs, crosswalks, loading zones, bus loading zones and taxi stands, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operations of traffic on the streets and highways of this city and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this city. (Ord. 1136, 4-12-1976)

9-1-3: ENFORCEMENT OF TRAFFIC REGULATIONS:

- (A) Responsibilities And Duties: The chief of police, officers of the police department and such other special officers or aides as designated by the chief of police, in addition to enforcing all street and traffic laws of this city and all the state vehicle laws applicable to street traffic in the city, shall have the authority, responsibilities and duties as set forth in this code.
- (B) Police Aides: The chief of police may appoint unarmed police aides as employees of the police department. These aides shall be empowered to

commence an action or proceeding before a court or judge for any violation of city ordinances regulating the standing or parking of vehicles.

- (C) Directing Traffic: Members of the fire department, when at the scene of a fire, or other disaster, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (Ord. 1136, 4-12-1976)
- (D) Traffic Investigators: The chief of police may appoint unarmed traffic investigators as employees of the police department. The traffic investigators appointed under this section may also act concurrently as police aides pursuant to subsection (B) of this section. These traffic investigators shall be empowered to:
 - 1. Investigate traffic accidents within the limits of the city of Prescott.
 - 2. Commence an action or proceeding before a court or judge for any violation of a state statute or city ordinance relating to a traffic accident within the jurisdiction of the city.
 - 3. Any traffic investigator appointed pursuant to this section shall be unarmed at all times during the course of his duties. (Ord. 1389, 12-10-1979)

9-1-4: TRAFFIC CONTROL DEVICES:

- (A) Manual And Specifications For Traffic Control Devices: All traffic control signs, signals and devices shall conform to the manual and specifications approved by the state highway commission or resolution adopted by the legislative body of this city. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices. (Ord. 1136, 4-12-1976)

9-1-5: TURNING MOVEMENTS:

- (A) Limitations On Turning: The driver of any vehicle shall not turn such vehicle so as to cross the centerline or center of the roadway for the purposes of parking or to proceed in the opposite direction within the central business district or at any traffic signal or at any location where U-turns are prohibited by posted signs. U-turns shall be permitted within the central business district only within nonsignalized intersections. Unless otherwise prohibited by this section or the provisions of state law U-turns shall be allowed on other streets within the city. (Ord. 1136, 4-12-1976)

9-1-6: ONE-WAY STREETS AND ALLEYS:

- (A) Authority To Sign One-Way Streets And Alleys: The city traffic engineer shall have the authority to designate any street or alley within the city as a one-way street or alley. The city traffic engineer shall place and maintain signs giving notice thereof and no one-way regulations shall be effective unless such signs are posted in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- (B) Posted One-Way Street and Alley Signs. Every person shall drive a vehicle only in the direction indicated by posted signs directing traffic on the roadway, alley or undedicated roads or driveways on City property.
- (C) Temporary Markings. When temporary markings, signs, barricades, or other channelization devices are placed on the City streets by the City Traffic Engineer or the Police Department, directing the location and direction of traffic on the street or portions thereof, regardless of the center line of the roadway, no driver of a vehicle shall disobey the directions of such markings, signs, barricades or other channelization.

9-1-7: METHODS OF PARKING:

- (A) Standing or Parking Close to Curb. Except as otherwise provided in this Chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen inches (18") of the right-hand curb. Where angle parking is required, every vehicle stopped or parked upon a roadway shall be so stopped or parked with the right front wheel within eighteen inches (18") of the right-hand curb. (Ord. 1136, 4-12-76)
- (B) Obedience to Parking Signs or Markings: On those streets and parking lots owned, rented or controlled by the City, which have been signed or marked with lines on the ground by the City Traffic Engineer for the purpose of proper control of parking, no person shall park or stand a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings. (Ord. 1183, 12-13-76; amd. Ord. 2302, 10-8-91)
- (C) Emergency Brake or Securing of Vehicle. No person shall leave a vehicle unattended without first securing the vehicle so it will not roll from a parked position. (Ord. 1136, 4-12-76; amd. Ord. 1666, 1-9-84)
- (D) Parking On Uncurbed Streets: On uncurbed City streets, every vehicle stopped or parked shall be stopped or parked on the right-hand side of the roadway as far as is practicable. (Ord. 1183, 12-13-76)

9-1-8: STOPPING, STANDING OR PARKING PROHIBITED AT SPECIFIED PLACES AND TIMES:

- (A) No Parking in Alleys. No parking shall be permitted in alleys within the Central Business District or in alleys designated as Fire Zone Alleys. The only exception to this shall be delivery vehicles when loading and unloading, and they must park so as to leave available not less than ten feet (10') of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.
- (B) Use of Alleys as Thoroughfares. No person shall use an alley within the City as a thoroughfare, except authorized emergency vehicles, when such alley is designated or signed by the Traffic Engineer. (Ord 1136, 4-12-76)

9-1-9: PARKING FOR CERTAIN PURPOSES PROHIBITED:

- (A) No person shall park a vehicle upon any street, highway, or alleyway for the principal purpose of:
 - 1. Displaying such vehicle for sale. (Ord. 2274, 6-25-91)
 - 2. Repairing such vehicle. (Ord. 1516, 3-23-81, amd. Ord. 3073, eff. 5-27-93)
 - 3. Commercial advertising. (Ord. 3073, eff. 5-27-93)
- (B) All-Night Parking Prohibited. No person shall park a vehicle on the west and north sides of the streets designated in the Central Business District between the hours of two o'clock (2:00) A.M. and five o'clock (5:00) A.M., on Monday, Wednesday, Friday and Sunday mornings, and no person shall park a vehicle on the east and south sides of the streets designated in the Central Business District between the hours of two o'clock (2:00) A.M. and five o'clock (5:00) A.M., on Tuesday, Thursday and Saturday mornings, except physicians on emergency calls or other persons with valid permits from the Police Department.
- (C) Parking of Trucks and Truck-Trailers: No trucks having an overall length in excess of twenty-one feet (21') shall be parked on any street outside the Central Business District, except for the purpose and during the time of the loading or unloading of such trucks, or without a permit issued by the Police Department. (Ord. 2274, 6-25-91)
- (D) Abandoned Vehicles. (amd. Ord. 3093, eff. 6-24-93)

1. No person shall abandon a vehicle upon any City street, public right-of-way or property owned by or leased to the City.
 2. Any police officer who has reasonable grounds to believe that a vehicle has been lost, stolen, abandoned or otherwise unclaimed may remove or cause the removal of such vehicle from any street, public right-of-way or property owned by or leased to the City. The costs of removal and storage pursuant to this section shall be chargeable to the operator and/or owner of the vehicle, and neither the City nor its agents shall be liable for the cost of towing or storing the vehicle if the officer acted under color of his lawful authority.
 3. A vehicle remaining at the same location on any City street, public right-of-way, or property owned by or leased to the City, for forty-eight (48) consecutive hours, shall constitute abandonment.
 4. It shall be an affirmative defense to this section if the vehicle is parked in front of the house or residence of the owner of the vehicle, and the vehicle is not inoperable by reason of dismantling, disrepair or other causes which make it incapable of being propelled under its own power without major repair, provided that the vehicle has current license plates or tabs. (amd. Ord. 3315, eff. 3-16-95)
- (E) No boat or utility trailer shall be parked upon any street, highway, municipal property or alleyway within the City except for the purpose of loading or unloading of such boat or utility trailer, not to exceed twenty-four (24) consecutive hours. (Ord. 2274, 6-25-91)
- (F) No recreational vehicle shall be parked upon any City street, highway, public right-of-way, municipal property or alleyway within the City except for the following purposes:
1. A recreational vehicle may be parked upon a City street, highway, public right-of-way or alleyway which is not otherwise designated as a no-parking zone or which does not have posted time restrictions for the purpose and during the time required for the loading or unloading of such recreational vehicle, not to exceed twenty-four (24) consecutive hours, and not to exceed forty-eight (48) cumulative hours in any seven (7) day period, nor more than seven (7) cumulative days in any thirty (30) day period. (Ord. 2397, 7-14-92; amd. Ord. 3140, eff. 12-23-93)
 2. When the driver of the recreational vehicle is not a resident of the City and is visiting a resident of the City or business within the City.

Notwithstanding this subsection, no recreational vehicle shall be permitted to park upon any street, highway, public right-of-way or alleyway for more than seventy-two (72) cumulative hours in any seven (7) day period. (Ord. 2274, 6-25-91)

3. For the purpose of Section 9-1-9(F)(1), a recreational vehicle shall be deemed parked on a City street for twenty-four (24) consecutive hours if the vehicle is observed parked in the same location for at least three (3) separate occasions, each of which is at least eight (8) hours apart. (Ord. 3140, eff. 12-23-93)
- (G) It shall be unlawful for a motor vehicle or boat to be left unattended upon any bridge, viaduct or crossway, or in any tube, tunnel, street, highway, alleyway or other public right-of-way where the vehicle constitutes an obstruction to traffic. (Ord. 2274, 6-25-91)
- (H) No motor vehicle, boat, utility trailer or recreational vehicle shall be permitted to park upon any parking lots which are owned by the City or leased to the City for more than twenty-four (24) continuous hours, nor more than forty-eight (48) cumulative hours in any seven (7) day period. (Ord. 2274, 6-25-91)
- (I) No person shall park a vehicle upon any parking lot which is owned by the City or leased to the City, nor upon any property owned by or leased to the City, for the purpose of: (Ord. 3073, eff. 5-27-93)
1. Displaying such vehicle for sale.
 2. Washing, greasing or repairing such vehicle.
 3. Commercial advertising.

9-1-10: OTHER RESTRICTED PARKING AREAS:

- (A) The City Traffic Engineer shall designate restricted parking areas or zones by the use of signs, or painted curbs, or both.
1. If the curb is painted red, parking shall be prohibited in the red area adjacent to the painted curbs at all times.
 2. If the curb is painted yellow or white, the space adjacent to the curb so painted shall be used exclusively by vehicles during the loading or unloading of freight or passengers. Signs placed at either one or both ends of such zone may further restrict use of a loading zone for specific vehicles or purposes. (amd. Ord. 3365, eff. 7-13-95)

3. Curb markings to show a time limit restriction of less than thirty (30) minutes shall be green.
 4. Taxicab standing areas shall be designated by signs.
- (B) The City Traffic Engineer shall establish bus stops, bus stands, taxicab stands and stands for other passenger/motor carrier vehicles on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs to be placed thereat by the City Traffic Engineer. (amd. Ord. 3094, eff. 5-25-93; Ord. 4504, 10-25-2005)
- (C) The City Traffic Engineer shall determine and designate by proper signs or markings, placed in locations in which the stopping, standing, or parking of vehicles would create a hazardous condition or would cause delay to traffic, parking of any vehicles in such places is prohibited. (Ord. 1136, 4-12-76)
- (D) Time Limit.
1. No person may park a vehicle upon any roadway, alley, or parking lot owned, rented or controlled by the City, for a consecutive period of time longer than indicated by official signs installed to limit such parking. Sanctions for a violation of this subsection shall be as set forth in Section 9-1-17 of this Code, provided, however, that the mandatory minimum sanction shall be not less than ten dollars (\$10.00) for each such violation. (Ord. 2302, 10-8-91; amd. Ord. 3342 and Ord. 3361, eff. 7-31-95)
 2. Any person who violates the time limit provisions of this subsection two (2) or more times within any twenty-four (24) hour period shall be sanctioned in accord with Section 9-1-17 of this Code, provided, however, that there shall be a mandatory minimum sanction of twenty dollars (\$20.00) for any such second or subsequent violation within any twenty-four (24) hour period, which sanction shall not be suspended.
 3. Any person who violates the time limit provisions of this subsection three (3) or more times within any thirty (30) day period shall be subject to sanctions in accord with the provisions of Section 9-1-17 of this Code, provided, however, that the mandatory minimum sanction shall be twenty dollars (\$20.00) for each third or subsequent violation within any thirty (30) day period, which sanction shall not be suspended. (Ord. 2279, 6-25-91)

4. When applicable, a citation may be issued under subsections 9-1-10(D)2 or 3 for a particular violation, but not both. (Ord. 1898, 5-26-87)
 5. That notwithstanding any restrictions to the contrary, motor vehicles displaying the distinguishing insignia placard issued by the Motor Vehicle Division or motor vehicles which display number plates bearing the international wheelchair symbol which would otherwise allow parking in a physically disabled area are exempt from any posted two hour time limitations; provided, however, that this exemption shall not apply to time limitations which are posted in a physically disabled parking area. (Ord. 3342, eff. 7-31-95)
- (E) Freight Loading Zone: No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked by signs and yellow painted curb as a freight curb loading zone during the hours indicated by such signs. In no case shall the stop for loading and unloading of materials exceed twenty (20) minutes. Vehicles displaying State "Disabled Parking" identifying insignia may stand or park in a freight loading zone while loading or unloading persons for a period not to exceed five (5) minutes. (Ord. 1136, 4-12-76)
- (F) Physically Disabled Parking Areas, Designation: The City Traffic Engineer shall determine and designate by proper signs or markings, parking stalls, places or areas with the distinguishing insignia of the international wheelchair symbol. Such stalls, places or areas shall be specifically reserved for motor vehicles transporting a disabled person and bearing proper number plates or placard with international wheelchair symbol affixed, issued pursuant to Arizona Revised Statutes. The City Traffic Engineer is authorized to establish such stalls, places or areas owned, rented or controlled by the City, or in compliance with Title 28, Arizona Revised Statutes, or any other applicable law. (Ord. 2302, 10-8-91)
- (G) Physically Disabled Parking, Enforcement:
1. Except as provided in Subsection 9-1-10(G)2, no person may stop, stand or park a motor vehicle within any specially designated and marked parking space provided in accord with law unless the motor vehicle is transporting a person eligible for the distinguishing insignia placard or number plates bearing the international wheelchair symbol, and either:
 - (a) The motor vehicle displays the distinguishing insignia placard; or

- (b) The motor vehicle displays number plates bearing the international wheelchair symbol.

This prohibition shall apply to all roadways and properly designated lots and areas within the City. The City will enforce the prohibitions of this Section upon any public or private stall, place, lot or area within the City that is properly designated pursuant to law. Sanctions for violation of this Section shall be in accord with Section 9-1-17 of this Code, provided, however, that the mandatory minimum sanction shall not be less than seventy dollars (\$70.00). Any person who violates the provisions of this Section two (2) or more times within any thirty (30) day period shall be subject to an increased sanction for each second or subsequent violation within a thirty (30) day period in accord with Section 9-1-17 of this Code, provided, however, that the mandatory minimum sanction in such event shall be not less than one hundred sixty-three dollars (\$163.00) for each such second or subsequent violation within a thirty (30) day period. (Ord. 2279, 6-25-91)

- 2. 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 any such parking space for the purpose of loading or unloading such disabled person. No complaint shall be issued to the driver for such momentary parking.
- (H) The provisions of this Section are declared to be severable and if any subsection, sentence, clause or phrase of this Section shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining subsections, sentences, clauses or phrases of this Section but they shall remain in effect, it being the legislative intent that this Section shall stand notwithstanding the invalidity of any part. (Ord. 2054, 12-20-88, eff. 1-19-89)

9-1-11: STOPPING FOR LOADING OR UNLOADING ONLY; BY PERMIT ONLY:

- (A) The police department may issue temporary permits for the purposes of temporary loading, unloading or emergency work within the central business district at other than loading zones. In such case, the police department shall issue suitable signs to cover parking meters. Any person who obtains from the police department a permit to conduct temporary loading, unloading, or emergency work shall display a parking meter sign or cover in the street in front of the building or establishment where such loading, unloading, or emergency work is being conducted.

- (B) The police department shall make a record specifying an indicated time, date, address or location, and name of the individual obtaining the permit for loading or unloading, for emergency purposes. At the conclusion of such loading, unloading or emergency work, or at the expiration of the permit, the sign shall be surrendered by the person holding the permit to the police department. Overparking, or improper use of the permit, or parking meter signs and covers will be punishable by the issuance of a parking citation or court complaint. (Ord. 1136, 4-12-1976)

9-1-12: MISCELLANEOUS PARKING PROVISIONS:

- (A) Applicability: The provisions of this chapter prohibiting the standing, stopping, or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs or on parking meters, 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. The provisions of this chapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the standing, stopping, or parking of vehicles in specified places or at specified times.
- (B) Vicarious Liability Of Illegally Parked Vehicles: Whenever any vehicle shall be parked in violation of any of the provisions of any ordinance prohibiting or restricting parking, or in violation of any of the provisions of this chapter, the person in whose name such vehicle is registered, as well as the driver of the vehicle at the time of the violation, shall be jointly and severally responsible for such violation and are subject to the penalties therefor. (Ord. 2274, 6-25-1991)
- (C) Evidence Of Nonviolation: Subsection (B) of this section shall not prevent a person from presenting evidence in any prosecution of a parking violation that a vehicle was not improperly parked or that said vehicle was not registered to said person at the time of the offense, or said vehicle had been stolen at the time of the alleged offense. Proof that the vehicle was in the possession of another at the time of the violation is irrelevant to the substantive offense.
- (D) Parking In Conformance With Zoning Ordinance: No person shall park, or permit to be parked, any motor vehicle upon any lot or area within the city except in conformance with the zoning ordinance of the city. (Ord. 1466, 8-11-1980; amd. Ord. 1666, 1-9-1984)
- (E) Towing Of Unauthorized Vehicles: A motor vehicle which is parked upon any private property or any parking lot without the permission of the owner or person in control of that property or lot may be towed from that property or lot by the owner or person in control thereof or their agent. In the

foregoing event, the owner and/or driver of such motor vehicle shall be responsible for any and all towing costs (not to exceed \$125.00) and storage costs incurred (not to exceed \$25.00 per day), which costs shall constitute a possessory lien against the vehicle. In order for this subsection to be applicable, there must be signage on that property or lot which is clearly visible and readable from any point within the parking area and at each entrance prohibiting parking, stating that violators are subject to tow, and indicating the address and phone number of the towing company which has towed and impounded the vehicle, and the maximum possible charges for towing and storage. (Ord. 4285, 12-10-2002)

- (F) Fire Lanes: No person shall park, or permit to be parked, any motor vehicle upon any portion of public or private property which has been designated as a "fire lane" pursuant to the international fire code as may be adopted by the city from time to time. (Ord. 4459, 2-22-2005)

9-1-13: TOWING AND IMPOUNDMENT OF VEHICLES:

- (A) Authorization: The police department may take charge, remove and keep in custody, under the direction of the chief of police, his officers, or designated agents, any unoccupied vehicle of any kind or description violating any of the provisions of this title or any of the ordinances of the city or the laws of the state regulating the standing and parking of vehicles.
- (B) Impounded Vehicles; Release: The police department shall cause return to be made to the owner of an impounded vehicle when the owner has furnished evidence of his identity and ownership, signed a receipt and paid the cost for towing and storage fees set forth by the commercial towing service authorized and designated to carry out such function under the direction of the police department. The payment of such removal and storage fees shall not release the owner or driver of such vehicles of any other penalty imposed for a violation of this title or any of the ordinances of the city or the laws of the state.
- (C) Impounded Vehicles; Record, Towing Service: The police department shall maintain a record of all vehicles impounded. Such records shall show the date and the location from which the vehicle was removed, the reason for such removal and impounding, and location at which the vehicle is presently stored. The police department shall further provide for adequate towing service to implement the provisions of this title. The police department is authorized to use a commercial towing service for the towing and storage of any impounded vehicles. (Ord. 2279, 6-25-1991)

9-1-14: REGULATIONS FOR BICYCLES:

- (A) **Parking/Riding On Sidewalks:** No person shall ride a bicycle upon a sidewalk, and no person shall park a bicycle upon a street other than upon the roadway against the curb, or upon the sidewalk in a rack to support the bicycle, or at the curb in such a manner as to afford the least obstruction to pedestrian traffic.
- (B) **Signs:** The public works director is authorized to erect signs on any sidewalk or roadway prohibiting the riding or parking of bicycles thereon by any person and when such signs are in place, no person shall disobey the same. (Ord. 3732, 2-24-1998)

9-1-15: PARADE; ASSEMBLY:

(Rep. by Ord. 3121, 8-24-1993)

9-1-16: MISCELLANEOUS TRAFFIC ENFORCEMENT RULES:

- (A) **Vehicle Shall Not Be Driven On Sidewalk:** The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.
- (B) **Opening And Closing Vehicle Doors:** No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.
- (C) **Unlawful Riding:**
 - 1. It shall be unlawful for any person to be in or upon any portion of a vehicle not designed or intended for the use of passengers while that vehicle is in motion. This prohibition shall include, but not be limited to, the open cargo area of a pickup truck. This provision shall not apply to an employee engaged in the necessary discharge of a duty, nor to a person seated directly on the floor of the cargo area of a pickup truck.
 - 2. It shall be unlawful for the driver of any vehicle to allow any person to violate the provisions of subsection (C)1 of this section. (Ord. 2302, 10-8-1991)
- (D) **Use Of Motorized Skateboard, Motorized Go-Cart Or Other Similar Motorized Devices:**

1. No person shall ride upon, in or on a motorized skateboard, motorized go-cart or other similar motorized device upon any public roadway or public sidewalk.
2. No person shall ride upon, in or on a motorized skateboard, motorized go-cart or other similar device upon any city property unless specifically authorized by the city to do so.

(E) Use Of Skateboard, Coaster, Roller Skates And Similar Devices Restricted:

1. No person shall ride upon, in or by means of skateboard, roller skates, coaster, toy vehicle, go-cart, or any similar coasting or skating device, upon a sidewalk within the central business district. (Ord. 4377, 3-9-2004)
2. Whenever any person is riding such a coasting or skating device upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
3. No person upon roller skates, or riding in or by means of coaster, toy vehicle, go-cart or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing, such person shall be walking and be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. (Ord. 1136, 4-12-1976)
4. No person upon a skateboard, roller skates, or riding in or by means of coaster, toy vehicle, go-cart or similar device, shall go upon any city property unless specifically authorized by the city to do so; provided, however, that this subsection shall not apply to public sidewalks located outside of the central business district. Notwithstanding the foregoing, this prohibition contained in this subsection shall apply to the Prescott public library and the public sidewalk adjacent thereto. (Ord. 4377, 3-9-2004)

(F) Pedestrian Regulations:

1. Crossing Roadway: Except in a crosswalk, no pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb. A pedestrian shall not cross a roadway where prohibited by appropriate signs, markings, devices or by law.

2. Signal Lights And Pedestrian Signals: When a traffic signal displays both circular green lights for traffic movement and a pedestrian signal for pedestrian movement, any pedestrian facing such signal shall not enter the intersection except in compliance with the pedestrian signal. (Ord. 1274, 5-1978)

(G) Low Water Crossings:

1. It shall be unlawful for any person to drive or otherwise allow any motor vehicle to enter any low water crossing when there is water flowing therein, and there are such markings or other signage or indications which would put a reasonable person on notice that to do so may result in the motor vehicle becoming disabled.
2. In addition to the penalties prescribed in section 9-1-17 of this chapter, any person found responsible for a violation of this section shall also be liable for restitution to any governmental entity for the costs incurred by that governmental entity as a result of any emergency response, including, but not limited to, responses by the police department and fire department. (Ord. 3096, eff. 7-8-1993)

- (H) Visual Obstructions: It shall be unlawful for any person to operate a motor vehicle which has any type of visual obstruction, natural or manmade, including, but not limited to, snow or ice, on any windows thereof, of such a nature as to obstruct the driver's clear view through the windshield or side or rear windows; provided, however, that this subsection shall not apply to the rear window or windows if the motor vehicle is equipped with outside mirrors that are on both left hand and right hand sides of the vehicle, and that are located in a manner and in such a condition as to reflect to the driver a view of the roadway through each mirror for a distance of at least two hundred feet (200') to the rear of the motor vehicle. (Ord. 3880, 5-25-1999)

- (I) Construction Zones: It shall be unlawful to operate a motor vehicle above the posted speed limit, or in violation of a traffic control device or sign placed or approved by the city traffic engineer, in a marked construction zone or in a marked construction zone detour route. (Ord. 3991, 5-23-2000; Ord. 4504, 10-25-2005)

9-1-17: PENALTIES:

- (A) Any violation of or failure or refusal to do or perform any act required by this traffic code shall also constitute a civil traffic violation. Civil traffic violations are subject to the provisions of title 28, chapter 6, article 21, Arizona Revised Statutes, and amendments thereto. Sanctions for civil traffic violations shall be determined by the city magistrate, not to exceed

the maximum civil sanctions as set forth in section 1-3-2 of this code. Each day that a violation continues shall be a separate offense. (Ord. 2279, 6-25-1991; amd. Ord. 3991, 5-23-2000)

- (B) Upon a finding of responsibility for a violation of subsection 9-1-16(I) of this chapter, the mandatory minimum sanction shall be not less than one hundred twenty dollars (\$120.00) per violation. The court shall not suspend any portion of the minimum sanction imposed by this section. (Ord. 3991, 5-23-2000)

9-1-18: AUTHORITY TO DETAIN PERSONS TO SERVICE TRAFFIC COMPLAINT:

Any peace officer or duly authorized agent of the city may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this traffic code and to serve a copy of the traffic complaint for any alleged civil or criminal violation of said code. (Ord. 1666, 1-9-1984)

9-1-19: APPLICABILITY OF CERTAIN TRAFFIC REGULATIONS TO PRIVATE STREETS:

- (A) A person shall not drive a vehicle on a private street at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any object, person, vehicle or other conveyance on, entering or adjacent to a private street in compliance with legal requirements and the duty of all persons to exercise reasonable care for the protection of others.
- (B) Except as provided in subsection (C) or (D) of this section, or where a special hazard requires a lesser speed, any speed on a private street in excess of the following speeds is prima facie evidence that the speed is too great and therefore unreasonable:
1. Fifteen (15) miles per hour approaching a school crossing.
 2. Twenty five (25) miles per hour in any business or residential district.
- (C) The speed limits as provided in this section may be altered as authorized in Arizona Revised Statutes section 28-703.
- (D) The maximum speed as provided in this section shall be reduced to that which is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing, such as when:

1. Approaching and crossing an intersection.
 2. Approaching and going around a curve.
 3. Approaching a hillcrest.
 4. Traveling upon any narrow or winding roadway.
 5. Special hazards exist with respect to pedestrians or other traffic, or by reason of weather or highway conditions.
- (E) "Private streets", as used in this section, shall mean paved streets privately owned, not owned by the city, which are open and available for use by the general public and for which an engineering and traffic investigation in accordance with Arizona Revised Statutes section 28-703 has been prepared and accepted by the city.
- (F) Notwithstanding the foregoing, the city shall incur no obligation or duty to provide, post, erect or maintain any signage on private streets, nor to conduct or prepare an engineering and traffic investigation in accordance with Arizona Revised Statutes section 28-703. (Ord. 3184, eff. 5-12-1994)