



# Ordinance

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

## ORDINANCE NUMBER 309

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, ESTABLISHING A PARKING MANAGEMENT PROGRAM WITHIN THE CITY OF SAN LUIS;; AMENDING CITY CODE SECTION 10-3, PARKING REGULATIONS, BY REPEALING SECTION 10-3-12 AND AMENDING SECTION 10-3-18; PROVIDING FOR PENALTIES; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of San Luis recognizes the lack of public parking areas within the business district and the need to manage and control parking spaces under the city's jurisdiction to make such parking available to those wishing to patronize local businesses; and

WHEREAS, A.R.S. §9-240.3(a) provides the Mayor and City Council full control over streets, alleys, avenues and sidewalks within the City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL, AS FOLLOWS:

### Section 1. Definitions

- A. The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.
- B. The word "street" shall mean and include any public street, avenue, road, boulevard, highway or other public place located in the City and established for the use of vehicles.
- C. The word "person" shall mean and include an individual, firm, co-partnership or corporation.
- D. The word "operator" shall mean and include every person who shall operate, drive or be in control of any vehicle upon any street.
- E. The word "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

F. The words "parking control device" shall mean any device, mechanical or computerized used to aid the control of parking spaces.

G. The words "parking meter" shall mean and include any mechanical device or computerized device or meter not inconsistent with this Chapter, placed or erected for the regulation of parking by authority of this Chapter.

H. The words "transit enforcement officer" for the purpose of this ordinance shall mean a person designated or appointed to enforce the city ordinances and state laws regulating the parking, standing or stopping of vehicles within the city of San Luis.

### Section 2. Acquisition of Equipment

The City Administrator or his/her designee is hereby authorized to make purchase of parking control devices in the quantity and of such type or manufacture as to meet the needs of the city of San Luis. The City Administrator is further authorized to make purchases of any equipment necessary to maintain parking control devices or any other equipment necessary to enforce the provisions of San Luis City Code Section 10-3, Parking Regulations. All purchases shall be made in accordance to the rules and regulations governed by Ordinance Number 219, Article 3-4, Purchasing Policy Procedures.

### Section 3. Establishment of Parking Control Zones

At the direction of the City Council by resolution duly adopted, the City Administrator, or his or her designee, shall have the authority to establish parking control zones within the City and to install parking control devices within those zones.

### Section 3. Repealing Section 10-3-12

Section 10-3-12, Parking trucks and trailers on residential streets is hereby repealed.

### Section 4. Amending section 10-3-18

Section 10-3-18 of the City Code is hereby amended to read as follows:

#### 10-3-18 Time limit and Operation of Parking Meters

A. No person may park a vehicle upon any roadway for a consecutive period of time longer than indicated by official signs installed to limit such parking.

B. Except during the periods hereafter fixed and except in a period of emergency determined by an officer of the Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space regulated by a parking meter, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit or cause to be deposited in the appropriate parking meter the proper coin of the United States or deposit appropriate fee by use of an authorized credit or debit card as is required for the parking meter and as is designated by proper directions on the parking meter or

an adjacent official city sign, and when required by the directions on the parking meter or an adjacent official city sign, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such parking meter in accordance with directions properly appearing on the parking meter or an adjacent official city sign. Failure to make the proper deposit or to properly set the timing mechanism shall constitute a violation of this Section. Upon the deposit of appropriate fee (and the setting of the timing mechanism in operation when so required) the parking space may be lawfully occupied by a vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located. If a vehicle remains parked in any such parking space beyond the parking time limit set for the parking space, and if the parking meter indicates such illegal parking, then the vehicle shall be considered as parking overtime and beyond the period of legal parking time, and shall be deemed a violation of this Section.

Section 6. Designation of Transit Enforcement Officers

The position of Transit Enforcement Officer is hereby created. The City Administrator is authorized to designate or appoint such Transit Enforcement Officers as may be necessary to meet the needs of parking enforcement within the City of San Luis.

Section 7. Repealing any Conflicting Provisions

In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superceded, and replaced, and the provisions of this ordinance shall govern.

Section 8. Providing for Severability

If any section, subsection, sentence, phrase, clause or portion of this ordinance, or any part of the code adopted herein by reference 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.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA THIS 20<sup>th</sup> DAY OF October 2011.

for  \_\_\_\_\_  
Juan Carlos Escamilla, Mayor

ATTEST:



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Sonia Cuello, City Clerk

APPROVED AS TO FORM:



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Glen Gimbut, Esq., City Attorney