

## CHAPTER 12 TRAFFIC; MOTOR VEHICLES

### ARTICLE 12-1 ADMINISTRATION

12-1-1	Duty of Police Department
12-1-2	Records of Traffic Violations
12-1-3	Police Department to Investigate Accidents
12-1-4	Traffic Accident Studies
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#### Section 12-1-1 Duty of Police Department

- A. It shall be the duty of the police department, under the direction of the police chief, to provide for the enforcement of the street traffic regulations of the town and all of the state vehicle laws applicable to street traffic in the town, to make arrests for traffic violations, to investigate accidents and to assist in developing ways and means to improve traffic conditions, and to carry out all duties specially imposed by this chapter.
- B. Any peace officer of the town may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this chapter and to serve a copy of the traffic complaint for any alleged civil or criminal violation of this chapter.
- C. The duties imposed on the police department by this chapter may be performed by a police agency under contract with and authorized by the town.

#### Section 12-1-2 Records of Traffic Violations

- A. The police department, under the direction of the police chief, shall keep a record of all violations of the traffic laws of the town or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.
- B. All forms for records of violation and notices shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
- C. All records and reports shall be public records.

#### Section 12-1-3 Police Department to Investigate Accidents

It shall be the duty of the police department, under the direction of the police chief, to investigate traffic accidents and to arrest and assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

#### Section 12-1-4 Traffic Accident Studies

Whenever the accidents at any particular location become numerous, the police chief shall conduct studies of such accidents and determine remedial measures.

**Section 12-1-5 Traffic Accident Reports**

- A. The police department, under the direction of the police chief, shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location.
- B. The police department, under the direction of the police chief, shall receive and properly file all accident reports made to it under state law or under any law of the town. All such accident reports made by drivers shall be for the confidential use of the town. No such report shall be admissible in any civil or criminal proceeding other than upon request of any person making such report or upon request of the court having jurisdiction, to prove compliance with the laws requiring the making of any such report.

**ARTICLE 12-2 TRAFFIC CONTROL**

- 12-2-1 Directing Traffic
- 12-2-2 Obedience to Traffic Regulations
- 12-2-3 Use of Coasters, Roller Skates and Similar Devices Restricted
- 12-2-4 Traffic Control Devices
- 12-2-5 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes
- 12-2-6 Authority to Place and Obedience to Turning Markers
- 12-2-7 Authority to Place and Obedience to Restricted Turn Signs
- 12-2-8 Limitations on Turning Around
- 12-2-9 One-Way Streets and Alleys
- 12-2-10 Regulation of Traffic at Intersections
- 12-2-11 Drivers to Obey Signs
- 12-2-12 Processions
- 12-2-13 Speed Limits

**Section 12-2-1 Directing Traffic**

- A. The police officers are hereby authorized to direct all traffic by voice, hand or signal.
- B. Firefighters, when at the scene of a fire, may direct or assist a police officer in directing traffic thereat or in the immediate vicinity.

**Section 12-2-2 Obedience to Traffic Regulations**

It is unlawful, except as otherwise provided in this code, for any person to do any act forbidden or fail to perform any act required by this chapter or willfully fail or refuse to comply with any lawful order or direction of a police officer or of any fire department official.

**Section 12-2-3 Use of Coasters, Roller Skates and Similar Devices Restricted**

No person upon roller skates or riding any coaster, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk, and, when crossing,

such person shall be granted all the rights and shall be subject to all of the duties applicable to pedestrians.

**Section 12-2-4 Traffic Control Devices**

- A. The police chief, with the approval of the Council, shall place and maintain traffic control devices, signs and signals when and as required under the traffic regulations of the town to make effective the provisions of said regulations, and may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic under the traffic laws of the town or under state law or to guide or warn traffic.
- B. The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic regulations of the town unless otherwise directed by a police officer, subject to the exceptions granted in this chapter or by state law.

**Section 12-2-5 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes**

The police chief is hereby authorized, on approval by the Council:

- A. To designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.
- B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.
- C. To mark lanes for traffic on street pavement at such places as he may deem advisable, consistent with the traffic laws of the town.

**Section 12-2-6 Authority to Place and Obedience to Turning Markers**

- A. The police chief is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicted may conform to or be other than as prescribed by law.
- B. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

**Section 12-2-7 Authority to Place and Obedience to Restricted Turn Signs**

- A. The police chief, on approval by the Council, is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other

hours, in which event the same shall be plainly indicated on the signs, or such signs may be removed when such turns are permitted.

- B. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

**Section 12-2-8 Limitations on Turning Around**

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district nor shall a driver upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

**Section 12-2-9 One-Way Streets and Alleys**

- A. The Council shall by resolution designate any streets or alleys which are to be limited to one-way traffic.
- B. When any resolution of the Council designates any one-way street or alley, the police chief shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are 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.

**Section 12-2-10 Regulation of Traffic at Intersections**

- A. The Council shall by resolution designate through streets, intersections where stops are required and intersections where vehicles shall yield the right-of-way.
- B. When any resolution of the Council shall designate any through street or intersection where vehicles are to stop or yield the right-of-way, the police chief shall erect and maintain the appropriate signs at every location where a vehicle must stop or yield the right-of-way.

**Section 12-2-11 Drivers to Obey Signs**

Whenever traffic signs are erected as provided in this chapter, every driver of a vehicle shall obey such signs unless directed to proceed by a police officer or a traffic control signal. No driver shall drive upon or through any private property such as an oil station, vacant lot or similar property to avoid obedience to any regulation included in this chapter.

**Section 12-2-12 Processions**

- A. No procession or parade, except funeral processions, shall be held without first securing a permit from the police chief, and all such requests for permits shall state the time, place of formation, proposed line of march, destination and such other information as the police chief may request.
- B. A funeral procession composed of a procession of vehicles shall be identified by such methods as may be determined and designated by the police chief.

- C. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designed. This provision shall not apply at intersections where traffic is controlled by traffic control signals or a police officer.
- D. Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

**Section 12-2-13 Speed Limits (Ord 91-01)**

- A. No person shall drive a vehicle on any street, except state highways, within the town limits at a speed in excess of twenty-five miles per hour, except as expressly hereinafter provided, and any speed in excess of this speed shall be prima facie evidence that the speed is too great and therefore unreasonable and unlawful.
- B. For those specific streets or portions thereof as designated in this subsection, no person shall drive a vehicle in excess of the speed as specifically designated for said street or portion thereof, and any speed in excess of this speed shall be prima facie evidence that the speed is too great and therefore unreasonable and unlawful.
  - 1. For Kofa Drive between Graber Road and Tyson Drive the speed limit shall be thirty-five miles per hour;
  - 2. For Plymouth Road between Tyson Drive and Mockingbird Lane the speed limit shall be thirty-five miles per hour;
  - 3. For Tyson Drive between Kofa Drive and Plymouth Road the speed limit shall be thirty-five miles per hour;
  - 4. For all streets or portions thereof that shall extend through and be bounded on both sides by a public park the speed limit shall be fifteen miles per hour for that portion of the street as is contained within the boundaries of said park.
- C. The maximum lawful 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 potential and potential hazards then existing as per subsection D of the A.R.S. § 28-701.
- D. No person shall drive a motor vehicle at a speed that is less than that which is reasonable and prudent under existing conditions.
- E. Any violations or failure to perform any act required by Chapter 12 of this code constitutes a civil traffic violation. Civil traffic violations are subject to the provisions of Title 28, Chapter 5, Articles 2, 3 and 4, Arizona Revised Statutes in reference thereto.

## **ARTICLE 12-3 PARKING**

12-3-1	Method of Parking
12-3-2	Blocking Traffic
12-3-3	Parking Adjacent to Schools
12-3-4	Authority to Erect Signs Restricting Parking
12-3-5	Parking Vehicles on Sidewalks
12-3-6	Abandoned Vehicles on Public Property
12-3-7	Restricted parking Areas for the Handicapped
12-3-8	Fire Lanes on Public or Private Property

### **Section 12-3-1 Method of Parking**

Except as otherwise provided by resolution of the Council, 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 of the right hand curb.

### **Section 12-3-2 Blocking Traffic**

- A. No person shall stop, stand or park any motor vehicle, or other vehicle, upon a street in the town in such a manner or under such conditions as to leave available less than twenty feet of the width of the roadway for the free movement of vehicular traffic, except that a person may stop temporarily, in the actual loading or unloading of passengers or, when necessary, in the observance of traffic signs or signals of a police officer.
- B. No person shall park a motor vehicle, or other vehicle, within an alley or entrance to a private driveway except for the loading or unloading of material, and not then unless such loading or unloading can be accomplished without blocking the alley to the free movement of vehicular traffic.

### **Section 12-3-3 Parking Adjacent to Schools**

When signs are erected indicating no parking on that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place for one hour before school opens until one hour after school closes on any school day.

### **Section 12-3-4 Authority to Erect Signs Restricting Parking (Res 92-14)**

The police chief, upon approval by the Council, 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 shall become effective until such restricted parking area is specifically designated by resolution of the Council and signs have been erected as authorized by this section. No person shall stop or stand a vehicle in disobedience to such parking restrictions.

### **Section 12-3-5 Parking Vehicles on Sidewalks (Ord 98-01)**

No person shall park any vehicle, whether in usable condition or not, nor shall an owner permit his vehicle to be parked upon any sidewalk.

**Section 12-3-6 Abandoned Vehicles on Public Property**

Any vehicle remaining parked upon any sidewalk of the town for more than three days, or any disabled vehicle remaining parked upon any street of the town for more than seven days, is declared to be an abandoned vehicle and the police shall forthwith remove the same from the sidewalks or streets of the town at the expense of the owner of such vehicle.

**Section 12-3-7 Restricted Parking Areas for the Handicapped**

No person shall park a vehicle in a parking space set aside and identified for use only by persons with physical disabilities, unless the vehicle has displayed thereon a distinguishing insignia or numbered plates bearing the international wheel chair symbol as provided in A.R.S. § 28-881.

**Section 12-3-8 Fire Lanes on Public or Private Property (Ord 93-08)**

- A. The fire chief may require that fire lanes for new and existing structures be established on private or public property to provide access for fire-suppression operations by the use of an improved public street, areaway, parking lot, driveway or roadway.
- B. A fire lane is an area, parking lot, driveway, roadway or portion thereof that shall be:
  - 1. Designated or approved by the fire chief;
  - 2. Identified with red painted curbs or six inch wide red stripe the full length of the fire lane, or each fire lane shall have approved signs at the beginning and end of the fire lane, with spacing between the signs not to exceed seventy-five feet. The signs shall be approved by the fire chief and comply with Appendix A, Standard Detail No. 1 of this chapter. Each sign shall face in the direction of oncoming traffic. Signs that identify entranceways only as a fire lane area shall be identified with approved fire lane signs on each side facing forward, and the area between the signs shall be red striped.
- C. A fire lane sign shall be:
  - 1. Affixed to a stationary pole or object.
  - 2. Plainly visible.
  - 3. Maintained clear of obstructions its entire length.
- D. It is unlawful for any person to park any vehicle with or without power within, or otherwise obstruct any fire lane except as may be specifically permitted by the fire chief.
- E. Any vehicle stopped or parked within a fire lane established, designated and marked in accordance with this section shall be issued a "Notice of Ordinance

Violation” by any member of a law enforcement agency or any representative the fire chief or the Town Police Department designates. Any vehicle stopped or parked within a designated fire lane may be removed at the vehicle owner’s expense. Removal of a vehicle under such circumstances may be authorized by the person in lawful possession of the property or by the fire chief or the Town Police Department or their representatives.

F. Fire lanes shall:

1. Extend to within one hundred and fifty feet of an entrance to the interior, or to a point as approved by the fire chief for buildings two stories or less in height.
2. Extend to within fifty feet of an entrance to the exterior, or to a point approved by the fire chief for a building three stories or more in height.
3. Be a minimum of twenty feet in width and have vehicle passing points twenty feet in width and of length and interval as designated by the fire chief.
4. Be surfaced to support the maximum weight of fire apparatus. Surfacing may be concrete, asphaltic concrete, brick, stone, but not necessarily limited to such materials, as approved by the fire chief. Engineering data shall be submitted with plans review submittal to substantiate weight-bearing capacity when required by the fire chief.
5. Have a vertical clearance of no less than thirteen feet, six inches.
6. Have a maximum gradient of eight percent (eight inches in one hundred feet).
7. Have forty-five feet minimum centerline radius on curves.
8. Be dead ended at no more than two hundred feet maximum length; or allow through passage; or terminate in minimum forty-five foot centerline radius cul-de-sac or hammerhead turning area.

G. It shall be unlawful for any person or firm to post a fire lane sign without the approval of the fire chief or his authorized representative.

H. Fire lanes established for new and existing structures shall conform to fire lane requirements applicable at the time of construction, provided that if no fire lane requirements were applicable at the time of construction, the fire chief may require establishment of fire lanes to conform with the current requirements.

I. The specific requirements for this section as applicable to a specific structure may be modified by the fire chief in recognition of varying occupancies, sizes and hazards of building and the provisions of other means of access or fixed fire protection.

J. No person shall place or keep any vehicle, post, fence, growth, trash or other material or thing near any fire hydrant, fire sprinkler connection or fire standpipe

connection that would prevent them from being immediately discernable or in immediate access to them for use. Signs or red painted curbs or six-inch wide red stripes the full length of the restricted area, prohibiting blocking of such fire protection equipment, may be required on private property installation.

- K. That certain document known as the Town of Quartzsite Fire Lanes on Public or Private Property of which three copies shall be on file in the office of the town clerk is made a public record.

## **ARTICLE 12-4 ABANDONED VEHICLES ON PRIVATE PROPERTY**

12-4-1	Definitions
12-4-2	Abandoned Vehicles
12-4-3	Abatement of Nuisance
12-4-4	Enforcement Deferred for Certain Owners
12-4-5	Exemption
12-4-6	Violation; Penalty

### **Section 12-4-1 Definitions**

In this article unless the context otherwise requires:

- A. **“Abandoned”** means worn out, unused, stripped, unclaimed, scrapped, junked or discarded.
- B. **“Private property”** means land owned in the town by any person, firm, partnership or corporation other than the United States or the State of Arizona.
- C. **“Storage”** means the presence or locating of abandoned motor vehicles.
- D. **“Vehicle”** means an automobile, truck or tractor, including trailers and farm equipment.

### **Section 12-4-2 Abandoned Vehicles**

All abandoned vehicles being repaired or restored shall be kept in an enclosed area by the owner or occupant of the property upon which such vehicle is located, in such a manner as to not be visible from any point outside the property.

### **Section 12-4-3 Abatement of Nuisance**

- A. The owner, tenant, lessee or occupant of any private property within the corporate limits of the town upon which storage of an abandoned vehicle is made and the owner of such abandoned motor vehicle involved in such storage shall jointly and severally be responsible for abating said nuisance.
- B. Any owner, tenant, lessee, occupant or other person who fails, neglects or refuses to abate such nuisance shall be notified in writing by certified mail, return receipt requested by the town manager or his representative to abate said nuisance within thirty days from the date appearing on such written notice and that such person may appeal in writing to the Council within thirty days from the date the notice is received by him and prior to the date of compliance. An

extension of the thirty day notice may be issued by the manager in hardship cases not to exceed two weeks from the date of compliance.

- C. When any such owner, tenant, lessee, occupant or other person to whom notice as provided in this section has been mailed fails, neglects or refuses for more than thirty days from the date appearing on said notice to abate said nuisance, the town manager or his representative is hereby authorized and directed to remove said abandoned motor vehicle from said premises, and dispose of the vehicle according to the provisions of the Arizona Revised Statutes relating to abandoned vehicles, including a report to the Motor Vehicle Division of the Arizona Department of Transportation. The owner or person controlling such property shall have thirty days from the date of service upon him to appeal in writing to the Council from the amount of the assessment as contained in the verified statement. If an appeal is not filed with the manager within such thirty day period, then the amount of the assessment as determined by the manager shall become final and binding. If an appeal is taken, the Council shall, at its next meeting, hear and determine the appeal and may affirm the amount of the assessment, modify the amount thereof, or determine that no assessment at all shall be made. The decision of the Council shall be final and binding on all persons.

**Section 12-4-4 Enforcement Deferred for Certain Owners**

- A. If the owner of such abandoned motor vehicle is a member of and on active duty with the Armed Forces of the United States at the time of the notice provided for in this article, enforcement of this article shall be deferred until after his separation from the Armed Services.
- B. If the owner of such abandoned motor vehicle is confined to a hospital or other medical facility at the time of the notice provided for in this article, enforcement of this article shall be deferred until after his discharge from the hospital or other medical facility.

**Section 12-4-5 Exemption**

Any motor vehicle which is being repaired by or on behalf of the owner thereof, or upon which restorative work is being performed by or on behalf of the owner thereof, shall not be subject to the terms of this article. Only vehicles being currently repaired or worked on are exempt.

**Section 12-4-6 Violation; Penalty**

It is unlawful for any owner, tenant, lessee, occupant or other person to fail, neglect or refuse to abate the nuisance as provided in this article. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this article.

**ARTICLE 12-5 WEIGHT LIMITS AND TRUCK PARKING**

- 12-5-1 Purpose and Authority
- 12-5-2 Definitions
- 12-5-3 Restrictions and Notices
- 12-5-4 Exemptions
- 12-5-5 Permits

12-5-6 Administration and Enforcement

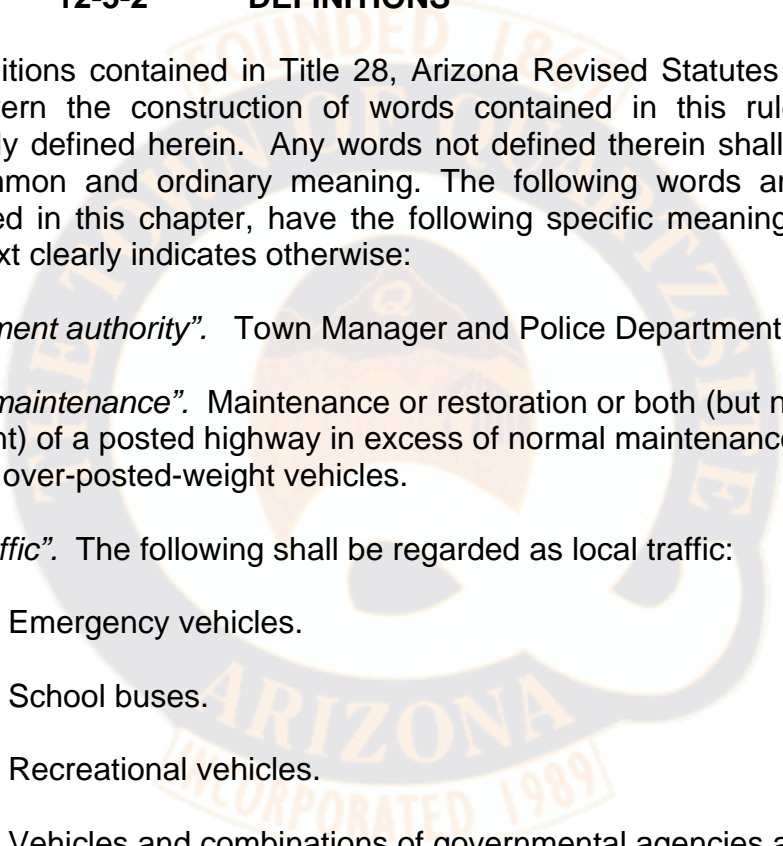
12-5-7 Penalties

**Section 12-5-1 PURPOSE AND AUTHORITY**

The purpose of this rule is to prevent in the Town of Quartzsite the following incidents which may be caused by vehicles of excessive weight (80,000 lbs. GVW or more): to decrease damage to town roadways, roadside improvements, and bridges; to lessen safety hazards and the risk of injury to the traveling public; to extend the life expectancy of town roadways, roadside improvements, and bridges; and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to A.R.S. § 28-1106.

**Section 12-5-2 DEFINITIONS**

The definitions contained in Title 28, Arizona Revised Statutes ('A.R.S.')



shall govern the construction of words contained in this rule, unless specifically defined herein. Any words not defined therein shall be given their common and ordinary meaning. The following words and terms, when used in this chapter, have the following specific meanings, unless the context clearly indicates otherwise:

*"Enforcement authority"*. Town Manager and Police Department.

*"Excess maintenance"*. Maintenance or restoration or both (but not betterment) of a posted highway in excess of normal maintenance, caused by use of over-posted-weight vehicles.

*"Local traffic"*. The following shall be regarded as local traffic:

- (1) Emergency vehicles.
- (2) School buses.
- (3) Recreational vehicles.
- (4) Vehicles and combinations of governmental agencies and utilities or their contractors engaged in construction or maintenance on a posted highway or in a location, which can be reached only via a posted highway.
- (5) Vehicles and combinations going to or coming from a residence for deliveries, commercial establishment, or farm, excluding those vehicles going to and from Justice or Magistrate Court, located on a posted highway or which can be reached only via a posted highway.

These vehicles shall require evidence/proof of their status pursuant to Section 12-5-5 (C) listed below, unless exempt pursuant to Section 12-5-4 as contained herein.

*“Motor home”*. A noncommercial passenger vehicle defined as a "house car" and commonly referred to as a recreation vehicle. House car as a motor vehicle originally designed, or permanently altered, and equipped for human habitation, or to which a camper has been permanently attached. A motor home should not to be confused with a tour bus also called "motor coach," which is used for commercial passenger transportation and requires a commercial driver license to operate.

*“Normal maintenance”*. The usual and typical activities necessary to maintain the roadway, shoulders and drainage facilities in the state of repair existing at the date of the inspection relating to use under permit.

*“Posted roadway, street”*. A roadway or street having a posted weight limit and/or designated and posted as *“NO TRUCKS”*.

*“Posted weight limit”*. A restricted weight limit posted on a roadway under authority.

*“Posting authority”*. The Town Council, Public Works Director, and Police Chief.

*“Recreational vehicle”*. Any self-contained unit used for recreational purposes.

*“Truck(s)”*. Any vehicle of a combination weight of 80,000 lbs. GVW (Gross Vehicle Weight).

## **Section 12-5-3 RESTRICTIONS AND NOTICES**

**A. Restrictions.** The posting authority may impose such restrictions on roadways and on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town roadways, roadside improvements, and bridges to which the restrictions shall apply. See A.R.S. § 28-627.

**B. Classification of Roadway.** All Town roads shall be designated *“NO TRUCKS”*, unless exempted by statute. Streets and roads shall be designated by classification as outlined in the *“Transportation Element”* of the Town of Quartzsite’s General Plan (June, 2003) and any subsequent amendments thereto.

**C. Posting by Sign.** Notice shall be by the use of Selective Exclusion Signs as outlined in the Manual on Uniform Traffic Control Devices (*“MUTCD”*) with the designated words **“NO TRUCKS”**, or the alternate symbol sign [Examples attached hereto]. The notice shall contain, at a minimum, the following information: designation as *“NO TRUCKS”* or the alternate symbol sign and the provisions of this ordinance or resolution at each end of the portion of the roadway thereby affected. See A.R.S. § 28-1106.

**D.** The notice shall be conspicuously posted at each end of the restricted portion of the roadway, roadside improvement, or bridge in a location clearly visible from the travelway. Whenever a restriction expires or is lifted, the signs shall be removed wherever posted. Whenever a restriction is revised or extended, existing signs shall be removed and replaced with new signs reflecting such ordinance amendment.

**E.** This ordinance shall not apply to any state highway in the National System of Interstate and Defense Highways.

**F.** No person may remove, obscure or otherwise tamper with any notice or sign so posted except as provided herein.

#### **Section 12-5-4 EXEMPTIONS**

The following vehicles are exempt from this rule: any two-axle vehicle while delivering home heating fuel or propane; any vehicle while engaged in highway maintenance or repair under the direction of the State or Town; any emergency vehicle (such as firefighting apparatus or ambulances) while responding to an emergency; any school transportation vehicle while transporting students; any public utility vehicle while providing emergency service or repairs; and any recreational vehicle as provided herein.

#### **Section 12-5-5 LOCAL TRAFFIC**

**A. *General rule.*** Local traffic may disregard the posted “NO TRUCKS” restriction unless the posting authority determines that a vehicle or vehicles being driven to or from a particular destination or destinations are likely to damage the highway.

**B. *Vehicles determined likely to damage roadway.*** If the posting authority determines that one or more trucks or commercial vehicles are likely to damage the street, the posting authority will so notify the registrants of the vehicles or owners of the destination or destinations, or both, and will also notify the Town police.

**C. *Proof of local traffic status.*** The following types of documents will constitute evidence that a vehicle is local traffic:

- (1) A bill of lading, shipping order or similar document, which shows a destination on the posted highway.
- (2) Certification by the permittee or an official of a permittee company on the company letterhead describing the local traffic nature of the activity, which the vehicle is engaged in.

#### **Section 12-5-6 ADMINISTRATION AND ENFORCEMENT**

This rule shall be administered and may be enforced by the Town Police Department or Town Manager or his/her duly authorized designee.

**Section 12-5-7 PENALTIES**

A violation of this ordinance shall be enforceable through application of Article 5-7, "Magistrate-Civil Hearing Division and Procedures" of the Quartzsite Town Code. Civil infractions shall be enforced by sanctions of at least TWO HUNDRED and FIFTY DOLLARS (\$250.00) and not to exceed TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00), plus any charge for service of process. As an alternative to the issuance of a civil citation pursuant to Article 5-7, the Town Prosecutor may commence an action by filing a criminal complaint in the name of the Town in Magistrate Court pursuant to Section 5-7-3. Each violation shall be deemed a separate offense. In addition to any fine, the Town may seek criminal restitution or civil damages for the cost of repairs to any damaged roadway or bridge and reasonable attorney fees and costs.

