

ORDINANCE NUMBER 573

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 10.20.040 RESTRICTED PARKING AREAS RESERVED FOR THE PHYSICALLY DISABLED, SUBSECTIONS A. AND C., OF TITLE 10, VEHICLES AND TRAFFIC, OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD, ARIZONA.

WHEREAS, the Cottonwood Police Department has recommended to the City Council that Chapter 10.20.040 Restricted Parking Areas Reserved for the Physically Disabled, Subsections A. and C., of Title 10, Vehicles and Traffic, of the Municipal Code be revised; and

WHEREAS, the City Council has determined that the following changes to the City's Municipal Code are appropriate and desirable.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That Chapter 10.20.040 Restricted Parking Areas Reserved for the Physically Disabled, Subsections A. and C., of Title 10, Vehicles and Traffic, of the Cottonwood Municipal Code be amended by adding/deleting the following provisions indicated by italics as follows:

10.20.040 Restricted Parking Areas Reserved for the Physically Disabled

A. No person shall stop, stand or park a vehicle in a parking space set aside and identified for use only by persons with physical disabilities unless that person or his passenger is physically disabled as defined in Arizona Revised Statutes (ARS) 28-2409.J.3. Any vehicle not displaying thereon a distinguishing insignia or distinguishing number plates as provided by ARS, shall give rise to a presumption that no person or passenger therein is physically disabled. *No person shall obstruct, block, or otherwise bar access to those parking spaces except as provided above.*

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 for the physically disabled 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.

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C. Subsection A of this section shall apply ~~only~~ to those parking spaces outlined with paint and identified with a standard sign as approved or designated by the city traffic engineer which shall be in accordance with the provisions of A.R.S. § 28-882.C. *Subsection A shall also apply to the lines marking the boundaries of a parking space designated for disabled persons and to any area of the pavement adjacent to a parking space designated for disabled persons that is marked by hatched lines and is thereby designated for the loading and unloading of vehicles parked in the space.*

Section 2. That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unlawful, invalid or unenforceable by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 15TH DAY OF MARCH 2011.

Diane Joens, Mayor

APPROVED AS TO FORM:

ATTEST:

Steven B. Horton, Esq.
City Attorney

Marianne Jiménez, City Clerk