

CHAPTER 12

JEROME TRAFFIC CODE

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Section 12-1-1 Words and Phrases Defined

- A. Definition of Words and Phrases. This Code will adopt the definitions and phrases set out in Title 28 of the Arizona Revised Statutes. Any additions will be for the purpose of identifying words or phrases not included in Title 28 of A.R.S.
- B. The following words and phrases when used in this Code, have the meanings described to them as follows:
 - 1. “Alley or Alleyway.” A public way for vehicular travel, but generally of a width of less than 25 feet.
 - 2. “Fire Alley.” A public way for access to and egress from buildings, for fire and emergency services only.
 - 3. “Public Way.” Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky which is deeded, dedicated or otherwise permanently provided to the public for public use.

4. "Business District." Any area or building whose street or alley frontage is used for business or commercial purposes.

[Ord. 264, 1/26/1993]

Section 12-1-2 Traffic Administration

Upon recommendation of the Town Marshal (Police) and Public Works Director, the Town Council shall:

- A. Determine the installation of proper timing and maintenance of traffic control devices, and honor those placed on State Highway 89A by the Arizona Department of Transportation to control traffic on the stretch of State Highway 89A which is inside the Town limits.
- B. Determine the location of all traffic regulatory signs, cross-walks, loading zones, bus loading zones and taxi stands, on any Town street, and act in conjunction with the Arizona Department of Transportation when dealing with State Highway 89A within the Town limits of Jerome.
- C. Plan the operations of traffic on the streets and highways of this Town.
- D. The driver of any vehicle shall obey the instruction of any official traffic control device applicable thereto placed in accordance with the traffic regulations of the Town of Jerome, or the State of Arizona, unless otherwise directed by the Town Marshal, subject to any of the exceptions granted in this Chapter or by State law. Violation of this subsection is a civil traffic violation.

[Ord. 264, 1/26/1993; Ord. 296, 03/10/1998]

Section 12-1-3 Enforcement of Traffic Regulations

- A. The Chief of Police/Town Marshal, officers of the Police Department and such other special officers or aides as designated by the Chief of Police, shall have the authority, responsibility and duty to enforce all street and traffic laws of this Town and all the State vehicle laws applicable to street traffic in the Town.
- B. Members of the Fire Department, when at the scene of a fire, or other disaster, may direct or assist the police in directing traffic there or in the immediate vicinity.

[Ord. 264, 1/26/1993]

Section 12-1-4 Snow or Other Disaster Days

When, in the opinion of the Chief of Police and/or the Public Works Director, an emergency condition exists due to snow or other such natural occurrence, the Public Works Director, under the direction of the

Chief of Police or in the absence of the Chief of Police, has the power to regulate traffic in and through the Town, to include, but not limited to, posting temporary no parking signs on the Town's streets.

[Ord. 264, 1/26/1993]

Section 12-1-5 Turning Movements

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any two-way street in the Town unless such movement can be made in safety and without interfering with other traffic, or if the street is signed as not allowing U-turns.

[Ord. 264, 1/26/1993]

Section 12-1-6 One-Way Streets and Alleys

- A. Authority to Sign One-Way Streets and Alleys. Upon recommendations from the Chief of Police and Public Works Director, the Town Council shall designate any street or alley within the Town as a one-way street or alley. The Public Works Director shall cause to be placed and maintained signs giving notice of one-way streets and alleys. Such signs shall be placed at every intersection.
- 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 Town right-of-ways.
- C. Temporary Markings. When temporary markings, signs, barricades, or other channelization devices are placed on the Town streets by the Public Works and/or Police Departments, 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.

[Ord. 264, 1/26/1993]

Section 12-1-7 Methods of Parking

- A. Standing or Parking Close to Curb. Except as otherwise provided in this Article, 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 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.
- B. Obedience to Parking Signs or Markings. On those streets which have been signed or marked with lines on the roadway by the Town 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 other markings.
- C. Emergency Brake or Securing the Vehicle. No person shall leave a vehicle unattended without first securing the vehicle so it will not roll from a parked position.

- D. Parking on Uncurbed Streets. On uncurbed Town 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. 264, 1/26/1993]

Section 12-1-8 Stopping, Standing or Parking Prohibited at Specified Places and Times

- A. No Parking in Alleys. No parking shall be permitted 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 (10) feet 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 as a thoroughfare, except authorized emergency vehicles, when such alley is designated or signed by the Town.

[Ord. 264, 1/26/1993]

Section 12-1-9 Parking for Certain Purposes Prohibited

- A. No person shall park a vehicle upon any street, sidewalk or alleyway for the principal purpose of:
 - 1. Displaying such vehicle for sale or for storage.
 - 2. Greasing or repairing such vehicle.
- B. Parking of Trucks and Truck-Trailers. No trucks having an overall length in excess of twenty (20) feet shall be parked on any street outside the 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. 264, 1/26/1993]

Section 12-1-10 Other Restricted Parking Areas

- A. Upon recommendation of the Police, Fire and/or Public Works Departments, the Town Council may designate restricted parking areas by the use of signs and/or painted curbs.
 - 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, the space 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.

- B. The Town Council shall establish bus stops, bus stands, taxicab stands, stands for other passenger/carrier motor vehicles, and street vendor sites on such public streets in such places and in such number as shall be determined in accordance with the Town ordinances. Every such bus stop, bus stand, taxicab stand, or other stand or site shall be designated by appropriate signs. The operator of said stand and/or site shall pay a privilege fee, in advance, in an amount determined by Town ordinance.
- C. Upon recommendation of the Police, Fire and/or Public Works Departments, the Town Council may determine and cause to be designated by proper signs or markings, locations in which the stopping, standing, or parking of vehicles would create a hazardous condition or would cause delay to traffic.
- D. Time Limits
1. No person may park a vehicle upon any roadway or alley for a consecutive period of time longer than indicated by official signs installed to limit such parking. Any violator shall be sanctioned a minimum of five dollars (\$5.00) for a first offense and further violations of this subsection may be increased from time to time in accordance with Town ordinances.
 2. Any person who violates this subsection two or more times within any 24-hour period shall be subject to a minimum sanction of fifteen dollars (\$15.00) for each such second or subsequent violation within any 24-hour period. Sanctions for violations of this subsection may be increased from time to time in accordance with Town ordinances.
 3. Any person who violates this Code three or more times within any 30-day period shall be subject to a minimum sanction of fifteen dollars (\$15.00) for each third or subsequent violation within any 30-day period. Sanctions for violation of this subsection may be increased from time to time in accordance with Town ordinances.
 4. When applicable, a citation may be issued under subsections D. 2 or 3 for a particular violation, but not both.
- E. Freight Loading Zones. No person shall stop, stand or park a vehicle or trailer for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading in any place marked by signs and yellow painted curb as a freight curb loading zone. No motor vehicle or trailer shall be parked in a freight curb loading zone during the hours indicated by such signs unless attended by a qualified driver, and unless it is actively being loaded or unloaded. [Ord. 412, 11/6/2014]
- F. Physically Disabled Parking Areas. The Town Council shall determine and cause to be designated by proper signs or markings, parking stalls, places, or other areas with the distinguishing insignia of the International Wheelchair symbol. Such stalls, places or areas shall be specifically reserved for motor vehicles bearing proper number plates with the International Wheelchair symbol affixed, issued pursuant to the Arizona Revised Statutes.

The Town Council shall cause to be established such stalls, places or areas upon any public roadway or, upon written request of the owner or operator, upon any lot or area within the Town.

No person shall park a motor vehicle in a stall, place or area designated by signs or markings restricting said stall, place or area for physically disabled parking. This prohibition shall apply to roadways and properly designated lots and areas within the Town.

[Ord. 264, 1/26/1993; Ord. 449, 5/14/2019]

Section 12-1-11 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 Town Commercial District at other than loading zones. In such case, the Police Department shall issue suitable signs. Any person who obtains from the Police Department a permit to conduct temporary loading, unloading, or emergency work shall display said 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 work, or at the expiration of the permit, whichever is first, the sign shall be surrendered by the person holding the permit to the Police Department. Overparking, or improper use of the permit, signs and covers shall be punishable by the issuance of a parking citation or court complaint. The cost of such permit shall be a minimum of five dollars (\$5.00), or as set by the Town Council.

[Ord. 264, 1/26/1993]

Section 12-1-12 Miscellaneous Parking Provisions

- A. The provisions of this Article 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 Article 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, the person in whose name such vehicle is registered shall be responsible for such violation and is subject to the penalties therefore.
- C. 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 Town except in conformance with this Code and/or the Zoning Ordinance of the Town.
- E. No person may park a motor vehicle upon any lot or area registered with the Police Department of the Town as prohibiting such parking when said lot or area is posted with signs prohibiting parking.
- F. Except as herein provided, no person shall park a vehicle for more than 48 hours consecutively on any public street or for more than 72 hours in any public or municipally-owned parking lot without it being moved. If parked for longer than the times permitted herein, such vehicle will be considered abandoned and subject to subsection 12-1-13.
 - a. Exceptions: Persons with a physical disability or illness which would preclude their ability to move a vehicle within the times permitted herein, or vehicles which are mechanically inoperable, may be permitted by the Chief of Police to remain parked for a longer period of time, at a fee to be set by Resolution of Council. Such permission shall be granted in writing, for a period not to exceed 60 days, and a copy of the permit shall be conspicuously displayed in the parked vehicle. The permit may be renewed at the discretion of the Chief of Police.

[Ord. 264, 1/26/1993; Ord. 395, 3/13/2012]

Section 12-1-13 Towing and Impoundment of Vehicles

- A. Authorization. The Police Department may take charge of, remove and keep in custody, under the direction of the Chief of Police, any unoccupied vehicle of any kind or description violating any of the provisions of this Code or any of the ordinances of the Town or the laws of the State of Arizona regulating the standing and parking of vehicles.
- B. 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 stored. The Police Department shall further provide for adequate towing service to implement the provisions of the Title. The Police Department is authorized to use a commercial towing service for the towing and storage of any impounded vehicles.
- C. Impounded Vehicles - Release. The Police Department shall direct the return to the owner of an impounded vehicle when the owner has furnished evidence of his/her 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 Town or the laws of the State of Arizona.

[Ord. 264, 1/26/1993]

Section 12-1-14 Regulations for Bicycles; Voluntary; Exception – Rental Agency

- A. License for Bicycle. No person shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license number is attached thereto as provided herein, a voluntary service.
- B. License Application. Application for a bicycle license and license number shall be made upon a form provided by the Town. A license fee of one dollar (\$1.00) shall be paid to the Town before each license or renewal thereof is granted.
- C. Issuance of License
1. The Chief of Police, upon receiving proper application therefore, is authorized to issue a bicycle license to the owner of any bicycle or to any person entitled to the possession of a bicycle. A bicycle license need not be renewed. The Chief of Police may authorize agents to carry out the duties required of the Chief under Section 12-1-14.
 2. The Chief of Police shall not issue a license for any bicycle when he/she knows or has reasonable grounds to believe that the applicant is not the owner of, or entitled to, the possession of such bicycle.
 3. The Chief of Police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued.
- D. Number of License
1. The Chief of Police, upon issuing a bicycle license, shall also issue a license number assigned to this bicycle.
 2. The Chief of Police shall cause such license number to be firmly attached to the frame of the bicycle for which issued.
 3. No person shall remove a license number from a bicycle for which issued except in the event the bicycle is dismantled and no longer operated upon any street in this Town.
- E. Inspection of Bicycles. The Chief of Police, or any officer assigned such responsibility, shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he/she determines is in unsafe mechanical condition.

- F. Rental Agencies. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license number is stamped thereon as provided herein and such bicycle is equipped with the lamps and other equipment required in this Article.
- G. Bicycle Dealers. Every person engaged in the business of buying or selling new or secondhand bicycles shall make and keep a record of every bicycle purchased or sold by such dealer, giving a description of such bicycle by name or make and the frame number or serial number thereof. Such record shall be kept and maintained for at least the most recent three year period.

[Ord. 264, 1/26/1993]

Section 12-1-15 Parade, Assembly and Procession Permits

- A. No procession or parade, except funeral processions, shall be held without first securing a permit from the Town, and all such requests for permits shall state the time, place of formation, proposed line of march, destination and such other regulations as the Town may set.
- B. A funeral procession composed of a procession of vehicles shall be identified by such methods as may be determined and designated by the Town.
- 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 designated. This provision shall not apply at intersections where traffic is controlled by traffic control signals or the Police Department.
- 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.

[Ord. 264, 1/26/1993]

Section 12-1-16 Miscellaneous Traffic Enforcement Rules

- A. Vehicle Shall Not Be Driven or Parked on Sidewalk. The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway. It is unlawful for any person to park any vehicle, whether in usable condition or not, or for an owner to permit his/her vehicle to be parked upon any sidewalk in Town.
- 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. No person shall ride on any vehicle upon any portion thereof not designated or intended for the use of any passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, nor to persons riding within truck bodies in space intended for cargo or merchandise.

D. Bicycle Riding on Sidewalks. Within the Commercial district:

1. No person shall ride a bicycle upon a sidewalk;
2. 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.

E. Use of Coaster, Roller Skates and Similar Devices Restricted. Within the Commercial district:

1. No person shall ride upon, in or by means of roller skates, coaster, toy vehicle, go-cart, or any similar coasting or skating device, upon a sidewalk within a business district.
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.

F. Pedestrian Regulations

1. 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. 264, 1/26/1993]

Section 12-1-17 Authority to Detain Persons to Service Traffic Complaint

Any peace officer or duly authorized agent of the Town may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this Code and to serve a copy of the traffic complaint for any alleged civil or criminal violation of said Code.

[Ord. 264, 1/26/1993]

Section 12-1-18 Penalties

- A. Any person found guilty of violating any provisions of this Code, except as otherwise provided in this Code, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed one thousand dollars (\$1,000.00) or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein above described.
- B. Any violation of or failure or refusal to do or perform any act required by the Traffic Code of the Town constitutes a civil traffic violation. Civil traffic violations are subject to the provisions of Title 28, Chapter 6, Articles 20 and 21, Arizona Revised Statutes and amendments thereto. Added sanctions for civil traffic violations shall be determined by the Town Magistrate according to the schedule of deposits prepared pursuant to Arizona Revised Statutes 22-424.C.
- C. Parking violations that are designated as petty offenses may be issued a parking citation in the amount of ten dollars (\$10.00) for each violation. Each citation issued, unless issued as a “No Fee” warning will have a valid appearance date in the Jerome Magistrate Court. Also, payment of such fees will be handled by the Jerome Magistrate Court. A copy of the ticket is attached hereto and incorporated herein by reference.

[Ord. 264, 1/26/1993; Ord. 296, 3/10/1998]

ARTICLE 12-2: **Residential Parking**

- 12-2-1 Findings and purpose
- 12-2-2 Definitions
- 12-2-3 Residential Parking Restrictions and Permits
- 12-2-4 Issuance of Residential Parking Permits
- 12-2-5 Transfer or sale of Residential Parking Permit
- 12-2-6 Parking in residential parking permit zone without permit prohibited
- 12-2-7 Trailers parked in residential areas
- 12-2-8 Temporary permits
- 12-2-9 Residential Parking Lots
- 12-2-10 Prima Facie Liability
- 12-2-11 Exemptions
- 12-2-12 Annual Review
- 12-2-13 Revocation

Section 12-2-1 Findings and purpose

The Council finds that, in certain areas of the Town, visitor parking impinges upon the need of residents to be able to utilize a reasonable amount of parking space on a street near their own homes. Additionally, the Town of Jerome has a limited number of public parking spaces and areas for residents

to park. This article is adopted in order to allow a reasonable accommodation between the needs of our visitors and the needs of Town residents for parking spaces.

(Ord. 432, 12/12/2017)

Section 12-2-2 Definitions

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Domicile” means a person’s fixed, permanent and principal home for legal purposes.

"Motor Vehicle" means a device in, on or by which a person or property is or may be transported or drawn on a public right-of-way, with motive power, excluding devices moved by human power or used exclusively on stationary rails or tracks.

“Parking” means the stopping or standing of a vehicle, whether occupied or not.

“Parking space,” for the purposes of this ordinance, means an area of at least 20 feet in length by approximately 8 feet in width. It is understood that the Town of Jerome is unique in the construction of its roads and that it does not conform to the assumptions set forth in the Uniform Traffic Code and therefore usable parking spaces may or may not conform to normally accepted standards.

“Recognized dwelling unit” means a dwelling unit as defined by the Jerome Zoning Ordinance.

“Resident” means a person(s) whose domicile is within the town limits of the Town of Jerome.

“Street” or “Highway” means the entire width between boundary lines of every right-of-way if a part of the right-of-way is open to the public for purposes of vehicular travel.

“Trailer” means a vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle.

(Ord. 432, 12/12/2017; Ord. 458, 12/10/2019)

Section 12-2-3 Residential Parking Restrictions and Permits

Parking located on the following streets shall be limited to residents with a residential parking permit only:

- A. County Road, School Street, Center Street, First Street, Second Street, Third Street , Fourth Street, Fifth Street, Sixth Street, Hull Road, Verde Avenue, Holly Street, Clark Street, Rich Street and East Avenue.

(Ord. 432, 12/12/2017; Ord. 458, 12/10/2019)

Section 12-2-4 Issuance of Residential Parking Permits

Persons occupying residences with frontage (based on street address) along a street or portion of a street designated in Section 12-2-3 for residential permit parking, who desire to park a motor vehicle on a public street, may apply to the Town for residential parking permits as outlined in this article.

- A. Applications will be accepted at Town Hall on forms provided by the Town and will first be reviewed by the Zoning Administrator. Following review and approval by the Zoning Administrator, the application will be forwarded to the Police Department for processing.
- B. Recognized dwelling units with frontage along a street or portion of a street designated for residential permit parking shall be entitled to receive one residential parking permit, per recognized dwelling unit, for a single motor vehicle owned or operated by a person residing in the dwelling unit. The following information must be submitted on the application: the name of the registered owner (this information must match the Arizona Department of Motor Vehicle registration for said vehicle), the make and color of the motor vehicle, the vehicle's license plate number and the address of the dwelling unit the vehicle is attached to.
- C. Except as herein provided, residential parking permits shall not be issued to dwelling units with off-street parking on their property, provided that the number of off-street spaces is consistent with the current parking requirements of the Jerome Zoning Ordinance.
 - a. Should the off-street parking spaces be less than number required by the zoning ordinance or be substandard in terms of the size of the space, the applicant may be eligible for a residential parking permit. This will be determined by the Zoning Administrator on a case by case basis.
 - b. Should the off-street spaces be difficult to use due to safety reasons, the applicant may be eligible for a residential parking permit. This will be determined by the Zoning Administrator on a case by case basis.
- D. An inventory of usable parking spaces shall be conducted for each street subject to residential parking by permit. The Jerome Police Chief, Zoning Administrator and Fire Chief will approve the spaces and determine the final number of spaces available on each street. Once the inventory is completed and the number of spaces available is determined, it will be compared to the number of residential parking permit applications. If the number of residential parking permit applications exceeds the number of available parking spaces, permits will be issued by random lottery pick. Once all available spaces on a given street have been assigned by permit, additional permits may be available for spaces located at the Old Town Yard parking lot, with final selection determined by lottery pick.
- E. Persons occupying recognized dwelling units with frontage (based on street address) along a street or portion of a street designated for residential permit parking may, subject to availability of parking spaces as set forth in Section 12-2-4(D), receive up to one additional residential parking permit. No more than a total of two permits per recognized dwelling unit shall be issued or valid. Second permits may be revoked if the availability of parking spaces changes and/or space is needed for issuance of a first permit.
- F. Following review and approval by the Zoning Administrator, residential parking permits may be issued by the Police Department and shall be valid for that motor vehicle, and the street designated thereon, until such time as ownership of the vehicle changes, or the residency of the owner of the vehicle changes. The permit shall become immediately invalid when (i) the person to whom the permit is issued moves to

another residence, whether or not such residence has frontage on the posted area, or (ii) when the vehicle is sold.

- G. It shall be the responsibility of the residential parking permit holder to notify the Jerome Police Department regarding any changes in the information provided in their original application, including changes in vehicles or changes in residency.
 - H. The fee for residential parking permits shall be set by Resolution of the Town Council.
 - I. Priority will be given to the issuance of residential parking permits issued to dwelling unit(s) with a motor vehicle bearing Arizona Disability license plates. In the event of a lottery pick for permits pursuant to Section 12-2-4(D) for a specific street, motor vehicles displaying Arizona Disability license plates will be granted a permit before lottery picks are made. Additionally, application can be made to the Town of Jerome for placement of a “Physically Impaired Parking Only” sign on the street where the registered owner of a motor vehicle bearing Arizona Disability license plates occupies a legal dwelling unit, provided that eligibility criteria as defined herein are met. If such application is approved, applicant shall pay a one-time fee in the amount of \$120.00 to cover the cost of labor and materials.
 - J. In order to qualify for placement of a “Physically Impaired Parking Only” sign pursuant to Section 12-2-4 (I), applicant must provide:
 - 1. A completed Town of Jerome Disabled Person Vehicle Parking Application on forms provided by the Town.
 - 2. Evidence of a current Disability License Plate or Temporary Placard issued by any state Motor Vehicle Department.
 - 3. A letter from a person licensed as a physician (doctor of medicine, osteopathy, podiatry or chiropractic, licensed to practice medicine in the United States), a registered nurse practitioner, physician assistant or by a hospital administrator, documenting at least one of the following conditions:
 - a. Unable to walk more than 100 feet without stopping to rest
 - b. Unable to walk without help from another person or a brace, cane, crutch, wheelchair or other prosthetic device
 - c. Severely limited in ability to walk due to arthritic, neurological or orthopedic condition
- Any “Physically Impaired Parking Only” sign erected pursuant to this Section is subject to periodic review by the Town and may be revoked if the requirements specified herein are no longer being met.
- K. Should a residential parking permit be denied or revoked by the Zoning Administrator or Police Chief, the applicant may appeal in writing to the Jerome Town Council within thirty (30) days from the date they are notified of the denial or revocation of the permit.

(Ord. 432, 12/12/2017; Ord. 458, 12/10/2019; Ord. 461, 8/11/2020)

Section 12-2-5 Transfer or sale of residential parking permit

It is unlawful to sell, transfer, or convey, or to offer to sell, transfer, or convey, any parking permit or placard issued pursuant to this article for any money or consideration whatsoever. Additionally, it shall be unlawful to use or display a residential parking permit on any motor vehicle not assigned to that permit.

(Ord. 432, 12/12/2017)

Section 12-2-6 Parking in residential parking permit zone without permit prohibited

No person shall stop, stand or park a motor vehicle in a zone designated for the exclusive use of vehicles which display a residential parking permit issued pursuant to this article unless such person displays a valid residential parking permit or temporary parking permit.

(Ord. 432, 12/12/2017)

Section 12-2-7 Trailers parked in residential areas.

The parking of trailers shall be prohibited on streets restricted to residential parking only as outlined in Section 12-2-3.

No person shall park a trailer in a public parking lot designated for residential parking only. The Town of Jerome may designate areas in which trailers may be parked for longer periods of time, and may charge a fee for this parking.

This section does not apply to any trailer parked completely on private property as long as it is in compliance with the Jerome Town Zoning Ordinance.

(Ord. 432, 12/12/2017; Ord. 458, 12/10/2019)

Section 12-2-8 Temporary Permits

- A. The owner or occupant of a residential property with frontage (based on street address) along a street or portion of a street designated for permit parking may make application to the Police Department for a temporary residential parking permit for use by a visitor to their property. Temporary permits may be obtained by notifying the Jerome Police Department, by telephone or email, of the make, color and registration plate of the motor vehicle, and the residence the vehicle is attached to. Upon notifying the police department, the owner will place a white piece of paper, no smaller than 5 ½ inches by 8 ½ inches, with the following information: the registration plate number of the vehicle, the address in the residential area the vehicle is associated with and the date the temporary permit was placed in the vehicle. This temporary permit will be placed on the dash of the vehicle clearly visible from the outside by any person

who may walk by. Such permit will be valid for seven (7) days. There shall be no fee for temporary permits.

- B. Once the number of permanent permits issued for any street reaches the number of parking spaces available on that street, no temporary permits shall be issued or valid on that street.

(Ord. 432, 12/12/2017; Ord. 458, 12/10/2019)

Section 12-2-9 Residential Parking Lots

The Town of Jerome may designate area(s) as “Residential Parking Lots” in which a resident of the Town of Jerome may apply for a Parking Permit(s) to park motor vehicle(s) and/or trailers that do not qualify for a permit as outlined in this Article.

(Ord. 432, 12/12/2017)

Section 12-2-10 Prima Facie Liability

Whenever any motor vehicle shall have been parked in violation of any of the provisions of this ordinance prohibiting or restricting parking, the person in whose name such vehicle is registered shall be *prima facie* responsible for such violation.

(Ord. 432, 12/12/2017)

Section 12-2-11 Exemptions

No residential parking permit will be required for any motor vehicle parked completely upon private property. However, if the motor vehicle will be parked at any time in a residential parking area on a public street, the vehicle must display a permanent or temporary parking permit.

Municipal emergency vehicles shall be exempt for this ordinance.

Trailers parked in residential parking only areas to load or unload for periods of no longer than 8 hours are exempt from enforcement.

Commercial delivery vehicles actively engaged in the delivery or pickup of packages or supplies are exempt from enforcement.

(Ord. 432, 12/12/2017)

Section 12-2-12 Annual Review

All parking permits issued shall be subject to an annual review by the Jerome Police Department.

(Ord. 458, 12/10/2019)

Section 12-2-13 Revocation

Any parking permit may be revoked, or any application denied, by the Jerome Police Department for any of the following reasons:

- False or incomplete information provided on the application.
- Repeated violations of this Article.

A second permit issued to the same dwelling unit may be revoked if the availability of parking spaces changes and/or space is needed for issuance of a first permit.

(Ord. 432, 12/12/2017; Ord. 458, 12/10/2019)

ARTICLE 12-3 **Pay To Park**

- 12-3-1 Definitions
- 12-3-2 Manual of Uniform Traffic Control Devices
- 12-3-3 Pay to Park
- 12-3-4 Overtime Parking Violations
- 12-3-5 Other Parking Meter Violations
- 12-3-6 Parking-Permit-Required Areas
- 12-3-7 Other Parking Permit Violations
- 12-3-8 Re-parking Prohibited
- 12-3-9 Parking Within Lines or Markings
- 12-3-10 Notice of Violation
- 12-3-11 Response to Notice of Violation, Review and Hearing
- 12-3-12 Violations and Penalties
- 12-3-13 Enforcement
- 12-3-14 Parking Revenues to be Dedicated

Section 12-3-1 **Definitions**

Whenever any words and phrases used in this chapter are not defined herein but are defined in the State laws regulating the operation of vehicles, the definitions therein shall be deemed to apply to such words and phrases used herein.

In this chapter, unless the context otherwise requires:

1. "Public parking" means parking spaces within the right-of-way and parking spaces within parking lots owned, leased, or otherwise under the control of the Town outside of the right-of-way.
2. "Parking meters" means any pay-to-park equipment leased or owned by the Town, including but not limited to mechanical devices, kiosks, or other multi-space metering equipment, which may or may not be adjacent to the parking space, that accepts payment for the use of parking spaces.

3. "Parking permit" means any valid permit issued to an employee, resident, guest, or otherwise as authorized by the Town of Jerome. In the event that said permit is a digital registry of the license plates of vehicles permitted to park in parking-permit-required areas, the license plate itself is the parking permit for the purposes of this chapter.
4. "Parking-permit-required areas" means any areas that are designated or marked by signs indicating that the areas are subject to parking restrictions.
5. "Pay-to-park areas" means any areas where a time period must be purchased at a parking meter by a person for a vehicle to remain within a parking space.

Section 12-3-2 Manual of Uniform Traffic Control Devices

The Manual of Uniform Traffic Control Devices, as amended and adopted by the Arizona Highway Commission, in conformance with Title 28, chapter 6, article 3, of the Arizona Revised Statutes, 1971, together with all subsequent official rulings on requests for interpretations, changes and experimentation, is hereby adopted as the official document governing all aspects of the installation and operation of traffic-control devices on public ways within the Town.

Section 12-3-3 Pay to Park

The Town of Jerome, by a resolution of its Council, will set the "pay to park" locations, hours and days of operations as well as the fees to be charged.

Council may opt to provide exemptions or discounted fees, or to suspend fees from time to time, by the adoption of a Resolution effecting same.

Operational Procedure to Be Followed: Immediately after parking a vehicle within a pay-to-park parking space, the person in the vehicle shall purchase a time period for the vehicle to remain within said parking space. To purchase a time period, a person must deposit an acceptable form of payment in the nearest parking meter as indicated on the parking meter and follow operational procedures in accordance with the instructions posted on the parking meter. The vehicle may remain within said parking space only for the time period(s) purchased. Failure to deposit payment or follow the operational procedures shall constitute a violation of this Article, subject to the penalties set forth herein.

If a person has a valid permit to park within the pay-to-park area, the person need not purchase a time period for the vehicle to remain within a parking space, but the person must display the permit so that it is visible from the exterior of the vehicle. All other requirements of Section 12-3 are applicable to any vehicle parked with a valid parking permit.

Section 12-3-4 Overtime Parking Violations

It is unlawful for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by, such person to remain parked within any pay-to-park parking space beyond the time for which payment has been made. Any person who causes a vehicle to remain within a pay-to-park parking

space overtime, or for more time than purchased, shall be in violation of this Article and subject to the penalties set forth herein.

Section 12-3-5 Other Parking Meter Violations

The following shall constitute violations relating to parking meters, and are subject to the penalties set forth herein:

- (A) To deface, damage, tamper with, open or willfully break, destroy or attempt in any manner to impair the function of any parking meter.
- (B) To deposit or cause to be deposited in any parking meter any slugs, devices, or other substitutes for lawful payment as indicated on the parking meter.
- (C) To make use of or operate any parking meter for the purpose of advertising or solicitation of business, either directly or indirectly.
- (D) To permit, cause, or allow a bicycle, news rack, animal, or any other thing to be attached to or to be leaned against a parking meter.
- (E) To permit, cause or allow any sign, symbol, sticker, graffiti or similar writings, photos or artwork to be written, etched, attached, hung or posted in any manner on a parking meter without the express written consent of the Town.

Section 12-3-6 Parking-Permit-Required Areas

Parking any vehicle in violation of any parking restriction as indicated and marked with signage shall constitute a violation of this Article and is subject to the penalties set forth herein.

Section 12-3-7 Other Parking Permit Violations

The following shall constitute violations relating to permit parking and are subject to the penalties set forth herein:

- (A) To falsely represent oneself as eligible for a parking permit or to furnish false information in an application for a parking permit.
- (B) To assign or transfer a parking permit, with or without consideration, monetary or otherwise.
- (C) To copy, produce, or create a facsimile of or counterfeit of a parking permit, or to display a facsimile or counterfeit parking permit for purposes of parking in parking-permit-required areas.
- (D) To use, or to allow the use of, a parking permit for a vehicle other than the specific vehicle for which the permit was issued.

Section 12-3-8 Re-parking Prohibited

If a vehicle has been parked in an area on any street where parking is limited or restricted to a specified maximum period of time by official signs posted at that location, it is prohibited and a violation of this Article to repark said vehicle within three hundred (300) feet of the location where it was first parked within the following four (4) hour period.

Section 12-3-9 Parking within Lines or Markings

It is unlawful to park any vehicle across lines or markings painted upon the curb or street to designate a parking space or to park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings.

Section 12-3-10 Notice of Violation

A. In an action involving unlawful parking, a copy of the notice need not be personally served upon the owner or operator of the vehicle but may be served by conspicuously attaching a copy to the vehicle.

B. The notice shall include the date, time and location of the violation, the State license number of the vehicle unlawfully parked, reference to the Town ordinance or code provision violated, the sanction for the violation, and notice that within fifteen (15) calendar days from the day on which the notice was issued the sanction for the violation must be paid and received by the Town of Jerome office designated by the Town Manager or a written request for a hearing to contest the alleged violation must be made and received by the Town of Jerome office designated by the Town Manager.

Section 12-3-11 Response to Notice of Violation, Review and Hearing

A. Within fifteen (15) calendar days from the day on which the notice was issued, the person or persons liable for the parking violation shall respond to the notice by:

1. Paying the civil sanction prescribed for the violation to the Town of Jerome office designated by the Town Manager; or
2. Submitting a written request for a hearing to contest the alleged parking violation to the Town of Jerome office designated by the Town Manager. That designated office will then forward the violation to the Jerome Municipal Court for a hearing.

In the event the fifteenth day from the day on which the notice was issued falls on a Saturday, Sunday or legal holiday, then the person or persons liable for the parking violation shall respond by the next regular business day following the fifteenth day.

B. A civil traffic hearing for a parking violation may be heard by a civil traffic hearing officer at the Jerome Municipal Court pursuant to applicable State statutes and the Arizona Supreme Court Rules of Procedure in Civil Traffic Violation Cases. The hearing officer may make such orders as

may be necessary and proper to dispose of such cases. Any fines imposed by the hearing officer shall not be less than a base fine of ten dollars (\$10.00) excluding State surcharges and fees. Fines imposed after a civil traffic hearing shall be paid to the Jerome Municipal Court. The Jerome Municipal Court shall transmit the portion of the fee due to the Town of Jerome to the Town Treasurer who shall account for the same per the Town budget.

Section 12-3-12 Violations and Penalties

A. All violations of this Article shall be adjudicated as civil traffic violation cases as provided in title 28, Arizona Revised Statutes, as amended.

(1) For the first violation of this Article, or a violation more than one (1) year following a previous violation, a fine will be imposed in the amount of twenty-five dollars (\$25.00) excluding state surcharges and fees.

(2) For a violation within one (1) year from a violation described in this section, a fine will be imposed in the amount of fifty dollars (\$50.00) excluding state surcharges and fees.

(3) Minimum Fine: If payment of the fine is received or notice to contest is filed within fifteen (15) days of issuance of the notice of violation, the sanction for a violation of this chapter upon payment of the sanction or upon conviction shall be not less than ten dollars (\$10.00) plus State surcharges and assessments.

(4) Maximum Fine: Every person held responsible for a violation of any provision of this section shall be penalized by a civil sanction not to exceed two hundred fifty dollars (\$250.00), excluding surcharges and assessments.

(5). Prompt payment: If payment is received within 24 hours of the notice of violation, the fine amount will be fifty percent (50%) of the fine amount listed on the notice of violation. Depositing the notice of violation with the proper discounted fine amount within twenty-four (24) hours in the drop box at the police department is sufficient evidence of prompt payment. Said fines may also be paid on-line or at a paid parking kiosk within Jerome.

(6). Default Judgment and Penalty Assessment: If the person or persons liable for a parking violation fail to respond within fifteen (15) days of the issuance of the notice, a default judgment shall be entered against the registered owner of the vehicle.

B. Disposition of Fines: Funds collected from fines on parking violations shall be turned over to the Town Treasurer who shall account for the same per the Town budget.

Section 12-3-13 Enforcement

Any peace officer or duly authorized agent of the Town may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this Article, and to serve a copy of the traffic complaint for any alleged violation of said Article, and make appropriate court appearances in the prosecution of said offense.

Section 12-3-14 Parking Revenues to be Dedicated

Revenues generated from parking fees shall be dedicated to improving public safety and infrastructure, including streets, sidewalks, and water and sewer infrastructure.

[Ord. 456, 9/10/2019]