

ORDINANCE NO. 5121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING CHAPTER 49 OF THE CODE OF THE CITY OF CHANDLER BY ADDING ARTICLE I – TRANSPORTATION COMMISSION AND ARTICLE II – TRANSIT RULES AND REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That Chapter 49 of the Chandler City Code is hereby amended to read as follows (additions in ALL CAPS, deletions in ~~strikeout~~):

Chapter 49 – TRANSPORTATION COMMISSION

ARTICLE I. TRANSPORTATION COMMISSION.

49-1. Establishment.

There is hereby established a transportation commission, consisting of seven (7) members appointed by the Mayor, subject to the approval of the City Council. These members shall be qualified electors of the City and a resident of the City for at least one (1) year immediately preceding the date of the member's appointment.

49-2. Terms of office.

Terms of office for members of the Transportation Commission shall be for three (3) years, except the first members of the Commission shall be appointed for the following terms: two (2) members shall serve for one (1) year; two (2) members shall serve for two (2) years; and three (3) members shall serve for three (3) years. Thereafter their successors shall serve a full term. All such terms shall expire on the first day of May in which such term is due to expire. A vacancy in office during the term shall be filled in the same manner as the original appointment, and the newly appointed member shall serve out the remaining term of the member whose vacancy is being filled.

49-3. Officers and bylaws.

The Transportation Commission shall elect a chairperson and vice chairperson from among their members at the first meeting following May of each year. The Transportation Policy Manager or his/her duly authorized representative shall act as secretary of the Commission but shall not be allowed to vote. No officer elected by the Commission shall serve in the same capacity for more than two (2) consecutive one (1) year terms. The Commission may adopt bylaws which may,

among other things, set forth the time and place of meetings and the operating procedures of the Commission. All bylaws and any amendments thereto shall be subject to City Council review and approval.

49-4. Reserved.

Ord. No. 4983, § 1, adopted Jan. 13, 2022, renumbered the former § 49-4 as § 2-32. Said section pertained to powers and duties generally. The historical notation has been retained with the amended provisions for reference purposes.

49-5. Grounds for removal or forfeiture of office.

The grounds for removal of members or forfeiture of office will be in accordance with section 2-6 of this Code.

ARTICLE II. TRANSIT REGULATIONS.

49-6. – DEFINITIONS.

IN THIS CHAPTER, THE FOLLOWING TERMS, PHRASES, AND THEIR DERIVATIONS SHALL HAVE THE MEANING GIVEN HEREIN:

PERSONAL TRANSPORTATION DEVICE. ANY COMPACT HUMAN-POWERED OR MOTORIZED DEVICE, OTHER THAN A BICYCLE, DESIGNED FOR TRANSPORTING AN INDIVIDUAL.

PROPERLY STOWED AND SECURED. FASTENED TO A BICYCLE RACK OR, IF NONE IS AVAILABLE, ANOTHER FIXED OBJECT, WITH A LOCKING DEVICE INTENDED FOR THAT PURPOSE.

TRANSIT STOP. A LOCATION WITHIN THE CITY OF CHANDLER DESIGNATED FOR THE BOARDING AND DISEMBARKING OF PASSENGERS ON ANY FORM OF PUBLIC TRANSPORTATION, INCLUDING ADJACENT RIGHTS-OF-WAY, SEATING AREAS, AND ANY PARKING AREA PROVIDED.

TRANSIT STATION. A LOCATION WITHIN THE CITY OF CHANDLER PROVIDING AMENITIES FOR USERS OF PUBLIC TRANSPORTATION SUCH AS WAITING AREAS, SHADE AND LANDSCAPING, RESTROOMS, FARE VENDING MACHINES, AND PARK-AND-RIDE OR OTHER PARKING FACILITIES.

49-7. – PROHIBITED CONDUCT.

NO PERSON SHALL:

- A. REMAIN AT A TRANSIT STATION OR TRANSIT STOP FOR MORE THAN ONE HOUR IN AN EIGHT-HOUR PERIOD.

- B. ENTER OR REMAIN ON ANY TRANSIT STATION OR TRANSIT STOP AT ANY HOURS DURING WHICH TRANSIT SERVICES ARE NOT IN OPERATION, EXCEPT THAT TRANSIT PATRONS' INCIDENTAL USE UP TO 30 MINUTES BEFORE OR AFTER THE HOURS OF OPERATION IS PERMITTED.
- C. STORE ANY PERSONAL PROPERTY IN OR AT A TRANSIT STATION OR TRANSIT STOP EXCEPT A BICYCLE OR OTHER PERSONAL TRANSPORTATION DEVICE PROPERLY STOWED AND SECURED DURING THE TIME PERIOD DESCRIBED IN SECTION 49-7(B).
- D. PARK ANY VEHICLE AT A TRANSIT STATION OR TRANSIT STOP PARKING LOT OVERNIGHT WITHOUT A PERMIT.

49-8. – ENFORCEMENT AND PENALTY.

- A. POLICE OFFICERS AND SUCH OTHER CITY OFFICIALS OR CONTRACTORS AS THE CITY MANAGER SHALL DESIGNATE ARE AUTHORIZED TO ENFORCE THE PROVISIONS OF THIS CHAPTER.
- B. POLICE OFFICERS SHALL HAVE AUTHORITY TO REMOVE PERSONS FROM ANY TRANSIT STOP OR TRANSIT STATION WHOM THEY OBSERVE TO BE ENGAGING IN CONDUCT PROHIBITED UNDER SECTION 49-7 OF THIS CHAPTER.
- C. VEHICLES PARKED OVERNIGHT IN VIOLATION OF SECTION 49-7(D) MAY BE TOWED PURSUANT TO SECTION 12-4.3 OF CHAPTER 12 OF THIS CODE.
- D. POLICE OFFICERS AND SUCH OTHER CITY OFFICIALS OR CONTRACTORS AS THE CITY MANAGER SHALL DESIGNATE SHALL HAVE AUTHORITY TO CONFISCATE PERSONAL PROPERTY STORED IN VIOLATION OF SECTION 49-7(C) OF THIS CHAPTER.
- E. A VIOLATION OF THIS CHAPTER IS A CLASS 1 MISDEMEANOR AND PUNISHABLE IN ACCORDANCE WITH CHAPTER 1-8.
- F. NO PERSON SHALL BE ISSUED A CITATION FOR A VIOLATION OF THIS SECTION UNLESS THE PERSON HAS PREVIOUSLY RECEIVED A WARNING FROM THE CITY OF CHANDLER WITHIN THE PREVIOUS 12 CALENDAR MONTHS OR THE PROPERTY ON WHICH A VIOLATION OCCURS HAS BEEN CONSPICUOUSLY POSTED WITH A WARNING OF THE PROVISIONS OF THIS SECTION.
- G. AN INDIVIDUAL FOR WHOM PROBABLE CAUSE EXISTS TO BE CHARGED WITH A VIOLATION OF THIS CHAPTER, IN LIEU OF BEING ISSUED A CRIMINAL CITATION MAY, AT THE ELECTION OF THE CITING POLICE OFFICER AND WITH THE CONSENT OF THE INDIVIDUAL, BE TAKEN TO A FACILITY PROVIDING SOCIAL

SERVICES RELATED TO MENTAL HEALTH, HOUSING, AND/OR SUBSTANCE ABUSE TREATMENT.

H. IN ADDITION TO OR IN LIEU OF ANY SENTENCE IMPOSED FOR A VIOLATION OF THIS SECTION, THE COURT MAY SENTENCE A PERSON TO PERFORM COMMUNITY RESTITUTION OR ORDER A TERM OF EDUCATION OR TREATMENT CONSISTENT WITH A.R.S. § 13-717.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance 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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2025.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2025.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5121 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2025, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



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