

ORDINANCE NO. 2024-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 9 TRAFFIC, CHAPTER 9-01 TRAFFIC CODE, SECTION 9-01-001-0002 SPECIFIC SPEED LIMITS; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the Flagstaff City Code, Title 9 Traffic, Chapter 9-01 Traffic Code, Section 9-01-001-0002 Specific Speed Limits, contains specific locations where the posted speed limit is set forth by means other than the process outlined in Arizona Revised Statutes; and

WHEREAS, the Transportation Engineering Section performed a Speed Limit Evaluation study along Butler Avenue from Milton Road to Sawmill Road; and

WHEREAS, the City Council has reviewed the Speed Limit Evaluation study, considered public comment, and directed Staff to lower the posted speed limits along Butler Avenue from Milton Road to Ponderosa Parkway for increased bicycle and pedestrian safety.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. The Flagstaff City Code, Title 9 Traffic, Chapter 9-01 Traffic Code, Section 9-01-001-0002 Specific Speed Limits is hereby amended as follows:

The speed limits of the City shall be as set forth under section 28.701 of the Arizona Revised Statutes, with the following exceptions:

A. No person shall drive a motor vehicle in excess of fifteen (15) miles per hour on the following streets:

1. Bonito Street between Elm Avenue and Thorpe Road;
2. Kendrick Street between Elm Avenue and Hunt Avenue;
3. Izabel Street between Felice Avenue and Cedar Avenue.

B. NO PERSON SHALL DRIVE A MOTOR VEHICLE IN EXCESS OF THIRTY (30) MILES PER HOUR ON THE FOLLOWING STREET:

- 1. BUTLER AVENUE BETWEEN MILTON ROAD AND SAWMILL ROAD.**

C. NO PERSON SHALL DRIVE A MOTOR VEHICLE IN EXCESS OF THIRTY-FIVE (35) MILES PER HOUR ON THE FOLLOWING STREET:

1. BUTLER AVENUE BETWEEN SAWMILL ROAD AND PONDEROSA PARKWAY.

~~D-B~~Based on an engineering and traffic investigation, the City Council retains the authority to determine a reasonable and safe maximum speed limit at other locations.

SECTION 2. Penalties

Penalties for violating the above speed limits are set forth in Arizona Revised Statutes Title 28, as amended and Flagstaff City Code Title 9, Traffic Code, as amended, including Traffic Code Section 9-01-001-0001(E) which states “[u]nless otherwise specified, any person found responsible for a civil traffic violation shall be penalized by a civil sanction not to exceed two hundred fifty dollars (\$250.00), excluding surcharges and assessment.” Criminal penalties for violating the above speed limits are up to 30 days jail and 500.00 fine under Arizona Revised Statutes Section 28-701.02, and additional general penalties for criminal misdemeanors are outlined in Arizona Revised Statutes Title 13, Sections 13-802 and 13-707.

SECTION 3. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 4. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 6. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 16th day of April, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY