



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 407

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS ARIZONA AMENDING THE CITY CODE SECTION 112.99 ESTABLISHING A MINIMUM FINE IN THE “BORDER AREA” FOR CONDUCTING TAXICAB BUSINESS ON PUBLIC PROPERTY NOT DESIGNATED AS A BORDER AREA TAXI STAND OR BORDER AREA WAITING STAND; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND IMPOSING A PENALTY.

WHEREAS, A.R.S. §§ 9-499.01 and 9-240(B)(2) authorize the city to penalize and enforce its ordinances; and

WHEREAS, Under A.R.S. § 28-626(B)(3), the city shall enact parking ordinances; and

WHEREAS, A.R.S. § 218-1598 authorizes the city to impose fines for civil traffic violations not to exceed \$250.00; and

WHEREAS, the purpose and findings of under San Luis City Code 112.01 apply to this ordinance;

THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona:

Section 1. San Luis City Code Section 112.99 is amended to read:

- (A) A person who violates any section of this chapter is responsible for a civil sanction punishable pursuant to the provisions of § 10.99. Each day a violation continues shall be a separate offense punishable as heretofore described.
- (B) A person who uses an area as a taxi stand or a taxi waiting stand, and
 - (1) the City of San Luis has not designated the area as a taxi stand or a taxi waiting stand, and
 - (2) the area is publicly owned property, and
 - (3) the area is within the area described in § 112.02 definitions of Border Area Taxi Stand and Border Area Taxi Waiting Stand,
 - (4) whether or not the person has a border area taxi vehicle permit, then the

person is subject to a civil penalty not less than and not more than \$250.00 for each violation. For continuing violations, each day constitutes a separate offense.

It is not a civil offense for a taxicab to pick up a customer who has either hailed the taxicab or has otherwise requested that the taxicab pick them up, and the location does not violate any traffic, parking or other laws.

Section 2. In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, order, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 4. 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.

PASSED, ADOPTED and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this ____ day of January 2021.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil, City Attorney