



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 433

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING CITY CODE § 10.15.235, TITLED, PARKING IN ALLEYS; CONTINUING THE PENALTY FOR VIOLATIONS UNDER CITY CODE § 10.15.990; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1: Section 10.15.235 of the San Luis City Code ("SLCC") shall be amended and restated to read:

(A) No person shall park a vehicle within an alley within the area bounded by Urtuzuastegui Street on the south, Fourth Avenue on the east, Cesar Chavez Boulevard on the north, and William Brooks Avenue on the west.

(B) No person shall stop, stand, or park a vehicle within an alley in a position that blocks the driveway entrance to any property abutting the alley.

(C) No person shall stop, stand, or park a vehicle within an alley where official traffic signs prohibit it, or traffic laws otherwise prohibit it.

(D) No person shall stop, stand, or park a vehicle within an alley within the area described in subsection (A) above except for the purpose of stopping or standing briefly for loading and unloading (including, but not limited to, assisting a disabled person in getting in or out of a vehicle) and then not for a period longer than is actually necessary to load or unload.

(E) No person shall leave a vehicle unattended during loading or unloading as described in the above subsection.

(F) Zones prohibiting or allowing parking, stopping, standing, loading, and unloading may be designated under the procedure established in San Luis City Code Section 10.15.060./

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Section 2: Penalty for Violations. This ordinance is penalized as a civil traffic violation under San Luis City Code § 10.15.990(C), which states, quote:

Parking Regulations.

(1) A person who violates any section of SLCC 10.15.200 through 10.15.295 is guilty of a civil traffic infraction. Violations of SLCC 10.15.200 through 10.15.295 for which a civil sanction is imposed shall be treated as a civil offense and hearings and appeals shall be conducted in accordance with the rules of procedure in civil traffic violation cases as set forth in the A.R.S. Rules Volume 17B.

(2) Any person violating any of the provisions of SLCC 10.15.200 through 10.15.295 which are designated as subject to civil sanction or penalty shall be punished by imposition of a civil sanction not to exceed \$500.00 unless another penalty is specified.

(a) Any person who fails to comply with payment of a civil sanction shall be guilty of violating A.R.S. § 13-2810, interference with judicial proceedings. A conviction shall not preclude the imposition of the assessment of a default fee and/or other fees as set forth below.

(b) In addition to any civil sanction imposed, the Municipal Court shall assess a default fee of not less than \$75.00 for a failure to pay any civil sanction imposed by the court.

(c) A judge or hearing officer may waive all or part of the default fee if the payment of the fee would cause a financial hardship to the defendant.

(d) If the court refers any delinquent fines, fees, sanctions, penalties or restitution for collection, any collection or attorney costs are recoverable from the defendant and may be added to any balance due from the defendant to the court.

(e) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

(f) Violations of SLCC 10.15.200 through 10.15.295 that are continuous with respect to time may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent injunctive or equitable relief.

Section 3: Repealing Conflicting Provisions. If a conflict between the provisions of this ordinance and any other ordinance, city code, resolution, order, regulation, or policy of the City of San Luis, the conflicting provisions are repealed, superseded, and replaced, and the provisions of this ordinance shall govern effective as of the effective date of this ordinance.

Section 4: 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 of this ordinance.

Section 5: Effective Date. This provision of this ordinance shall become effective on May 1, 2023.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this ____ day of March 2023.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney