

ORDINANCE NO. 1553

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, RELATING TO ON-STREET PARKING ON MAIN STREET AND IN DOWNTOWN AREAS OF THE CITY OF MESA; PROHIBITING PARKING THEREON BETWEEN 9:00 O'CLOCK P.M. AND MIDNIGHT ON ANY FRIDAY OR SATURDAY, AND BETWEEN THE HOURS OF MIDNIGHT AND 5:00 O'CLOCK A.M. ON ANY SATURDAY OR SUNDAY; AUTHORIZING THE IMPOUNDMENT OF VEHICLES ILLEGALLY PARKED; AMENDING SECTION 10-3-27(F) OF THE MESA CITY CODE BY ADDING THERETO A NEW PARAGRAPH 7; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, parking of vehicles on Main Street and that portion of all streets or parts of streets bounded by Country Club Drive on the West and Mesa Drive on the East and by First Street on the North and First Avenue on the South between the hours of 9:00 o'clock P.M. and midnight on Friday and Saturday, and between midnight and 5:00 o'clock A.M. on any Saturday and Sunday contributes greatly to a hazardous condition because of existing traffic congestion, and such parking is not needed because most of the businesses located adjacent to those portions of Main Street are not open during those hours; and

WHEREAS, the City Council has determined that it is necessary to remove parking on the areas and days and between the hours designated to provide for the public health, welfare and safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That Section 10-3-27(F) of the Mesa City Code is amended by adding thereto a new paragraph 7 to read as follows:

"7. (a) When signs are erected giving notice thereof, no person shall park a vehicle between the hours of 9:00 o'clock P.M. and midnight on any Friday or Saturday, and between the hours of midnight and 5:00 o'clock A.M. on any Saturday or Sunday on Main Street between the West city limits and the East city limits, and on any street or part of any street lying between Country Club Drive on the West and Mesa Drive on the East, and between First Street on the North and First Avenue on the South.

(b) Members of the Police Department are hereby authorized to remove a vehicle from the streets or parts of streets referred to in (a) above between the hours designated therein when a vehicle is parked in violation of this paragraph. Whenever an officer removes a vehicle as authorized in this paragraph, and the officer knows or is able to ascertain from the registration records on the vehicle the name and address of the owner thereof, such officer shall immediately give notice in person, by telephone, or in writing to such owner of the fact of removal and the reasons thereof and of the place to which the vehicle has been removed. In the event the vehicle is stored in a public garage or storage lot, a written notice containing the name and address of the owner shall be given to the proprietor of such garage or storage lot. The owner of such vehicle shall pay all towing and storage charges in connection with the removal and storage thereof, prior to obtaining possession of said vehicle."

Section 2: PENALTY: That any person who shall violate any of the provisions of this ordinance or of the Mesa City Code as amended herein shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a

fine not to exceed \$1,000.00 or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

Section 3: EMERGENCY CLAUSE: The extreme traffic congestion which results from the permitted parking on the areas defined in this ordinance needs to be abated immediately and this ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Mesa and shall become effective immediately upon its adoption and approval by the Mayor.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 21st day of December, 1981.

APPROVED:

Don W. Strauch  
Mayor

ATTEST:

Loethe Lano  
City Clerk

EFFECTIVE DATE: December 22, 1981