

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 13-368

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, ADOPTING NEW TOWN CODE CHAPTER 10.10 "PARKING VEHICLES FOR SALE."

WHEREAS, for aesthetic and business purposes, the Mayor and Town Council wish to prohibit vehicle sales that are visible from the street, other than from the premises of a properly licensed vehicle business.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, that it adopts new Chapter 10.10 "Parking Vehicles for Sale" to the Town Code as follows:

Chapter 10.10

PARKING VEHICLES FOR SALE

Sections:

10.10.010 Parking vehicles for sale.

10.10.020 Violation – penalty.

10.10.010 Parking vehicles for sale.

A. No person shall park or permit to be parked any vehicle (as defined in Title 28 of Arizona Revised Statutes) for the purpose of sale upon any paved or unpaved lot or area within the Town adjacent to State Route 260 (White Mountain Blvd.) or Porter Mountain Road, except that one (1) vehicle may be displayed for sale at a time, when the vehicle is owned by the owner or resident of the property. The sale of three (3) or more vehicles per year by a person or from one location shall be considered an automobile business which must be properly licensed in accordance with the laws, rules, and regulations of the State. The display of any signs or other markings indicating that a vehicle is for sale shall be prima facie evidence that the vehicle is parked for sale or permitted to be parked for sale. Businesses properly licensed and regulated to sell vehicles by the State at a location with proper zoning within the Town are excluded from this prohibition at that location.

B. If the code enforcement officer, a police officer, or other designated official employed by the Town finds a vehicle in violation of this section, the officer or official may issue a complaint/citation to the owner or other person in charge of the vehicle, or place a notice of violation on the vehicle, as appropriate.

10.10.020 Violation – penalty.

A. Any person violating any provision of this chapter shall be guilty of a civil traffic violation subject to citation/charging and penalties as provided in current A.R.S. Title 28 Transportation, Chapter 5 Penalties and Procedures.

B. Any person found guilty of violating any provision of this chapter shall be subject to a civil sanction which shall be not less than sixty dollars (\$60.00) and not exceed the maximum civil penalty provided in A.R.S. § 28-1598. Multiple offenses in any twelve (12) month period may be subject to enhanced penalties and charges as provided in current A.R.S. Title 28 Transportation, Chapter 5 Penalties and Procedures.

PASSED AND ADOPTED by the Mayor and Town Council of Town of Pinetop-Lakeside, this 7th day of February 2013.

TOWN OF PINETOP-LAKESIDE

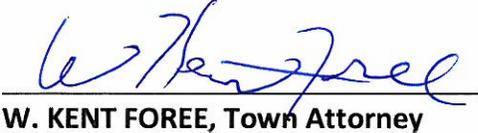

RICH CROCKETT, Mayor

ATTEST:



LU ANNE FROST, Town Clerk

APPROVED AS TO FORM:



W. KENT FOREE, Town Attorney