

Ordinance No. 92-02

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF YUMA COUNTY, ARIZONA, AMENDING THE YUMA COUNTY AIRPORT ORDINANCE.

BE IT ORDAINED by the Board of Supervisors of Yuma County, Arizona that the Yuma County Airport Ordinance is amended to read as follows:

YUMA COUNTY
AIRPORT ORDINANCE

1. UNLAWFUL CONDUCT OF BUSINESS ACTIVITY

A person commits unlawful conduct of business if he engages in commercial activity of any nature, upon the premises of the Yuma International Airport, by soliciting, selling or offering for sale or hire, any product or service, without first having obtained a lease, license or permit from the Airport Authority authorizing such activity and conducts said activity in the manner and at the location authorized.

2. PARKING, SPEED AND OPERATION OF VEHICLES

PART A: Definitions.

Section 1. "Airport" shall mean and include Yuma International Airport and Rolle Field, both of which are on land subject to a lease between the County of Yuma and the Authority dated January 17, 1966, and recorded in the Yuma County Recorder's Office, Book 618, Pages 782-806, as amended.

Section 2. "Airport Operations Officers" shall mean uniformed unarmed officers employed by the Authority as airport police aides for the purpose of enforcing standing and parking regulations, who shall be empowered, pursuant to Arizona Revised Statutes §2-314(C), to commence an action or proceeding before the Yuma County Justice Court for any alleged violation of this resolution regulating the parking or standing of vehicles.

Section 3. "Airport Manager" shall mean the chief administrative official of Yuma County Airport Authority, Inc.

Section 4. "Authority" shall mean Yuma County Airport Authority, Inc.

Section 5. "Motor Vehicle" or "Vehicle" shall mean any motor vehicle, other than aircraft, used for the transportation of persons or cargo.

Section 6. "Park" or "Parking" when prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

Section 7. "Police" or "Police Officers" shall mean any of the following:

A. Airport policemen employed by the Authority, pursuant to Arizona Revised Statutes §2-314(A);

B. Sheriff's deputies employed by the Yuma County Sheriff;

C. Police officers employed by the City of Yuma.

Section 8. "Public Area" of Airport shall mean that portion of an Airport where motor vehicles transporting members of the general public are allowed, subject to the regulations of the Authority as to parking, standing, speed and other modes of operation.

Section 9. "Restricted Area" of an Airport shall mean that area used for aircraft and the support services they require, from which all vehicles shall be prohibited, unless specifically authorized by the Airport Manager.

Section 10. "Standing" shall mean temporarily bringing a vehicle to a standing position, whether the vehicle motor is running or not and whether the operator is in vehicle or not.

Section 11. "State Sign Manual" shall mean the manual and specifications for uniform system of traffic control devices referred to in Section 28-641, Arizona Revised Statutes, which is adopted by this reference to apply to Yuma International Airport and Rolle Field.

Section 12. "Uniform Act" shall mean the Uniform Act Regulating Traffic on Highways, Title 28, Chapter 6, Arizona Revised Statutes, which is adopted by this reference to apply to the streets and roads of both Airports.

PART B: Parking and Standing Regulations.

Section 1. The Airport Manager, under the authority and supervision of the Authority, is empowered to regulate the parking and standing of motor vehicles at both Airports and is empowered to do all things necessary and in compliance with the State Sign Manual to designate and post areas of parking, areas where parking is prohibited, the time and method of such parking, the segregation of categories of parking and any other matter reasonably necessary to promulgate and implement the rules contained in this resolution.

Section 2. It shall be a violation to fail to comply with the signs, markings and other parking designations posted on an Airport by the authority of the Airport Manager. Parking on an Airport is prohibited as follows:

- A. Wherever "No Parking" sign(s) or symbol(s) are posted.
- B. Off roads on shoulders, curbs or grassy areas.
- C. In the traveled portion of any road, lane, ramp or accessway.
- D. In any area designated for Regulated Ground Transportation parking only, unless the vehicle so parked has a permit for such area.
- E. In a crosswalk or within twenty (20) feet of such crosswalk.
- F. In a manner other than as directed and other than within lines designating parking spaces.
- G. Any farther than eighteen (18) inches from the curb, where curb parking is permitted.
- H. In a Restricted Area unless specifically authorized by the Airport Manager.

I. In spaces reserved for the physically disabled, except for a vehicle operated by a physically handicapped person, bearing appropriate license plate, insignia or placard lawfully issued by an authorized public authority designating the vehicle as a physically handicapped vehicle.

J. For overtime parking at a meter.

Section 3. Standing on an Airport is prohibited where signs so indicate.

Section 4. The provisions of this resolution shall apply to the driver of any vehicle, including but not limited to, those owned by, or used in the service of, the United States Government, the State of Arizona, the County of Yuma, or the City of Yuma, or any other political subdivision, and it shall be unlawful for any such driver to violate any of the provisions of this resolution, except as necessary to perform emergency police or fire duties.

Section 5. It is unlawful for a vehicle to be parked or standing in violation of any provision of this resolution.

Section 6. Violation of any provision of this resolution which regulates the time, place or method of parking and standing on an Airport is a civil infraction, punishable by civil fine only.

Section 7. A Police Officer, or an Airport Operations Officer, may issue a citation for any violation of any provision of this resolution. Any such citation shall be in the same form and subject to the same procedure provided for civil traffic violations in general in the County of Yuma.

Section 8. Whenever a vehicle is parked in violation of this resolution regulating the time, place or method of parking, the owner or owners of the vehicle, and the person who parked or placed the vehicle where the violation occurred, shall be jointly and individually liable for the violation and for the civil fine prescribed as punishment therefor. Proof that the particular motor vehicle described in the complaint was parked in violation of this resolution at an Airport, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, will constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred. This shall also apply to those persons in whose names such vehicles are jointly registered; said persons shall be jointly and severally prima facie responsible for such violation and subject to the penalties therefor.

Section 9. The penalty for violating any provision of this resolution shall be a fine of Twenty-five and No/100 Dollars (\$25.00). In addition, the penalty may include a reasonable charge for removal and storage of any vehicle removed, pursuant to Section 12 hereof.

Section 10. The matters regulated by this resolution shall be enforced by Police Officers and by Airport Operations Officers.

Section 11. All citations for violations of the provisions contained herein shall be issued and adjudicated, and fines for violations shall be determined and paid in accordance with the procedures governing prosecution of civil traffic offenses in the Yuma County Justice Court.

Section 12. Any Police Officer or Airport Operations Officer is hereby authorized to remove, or cause to be removed, to a place of safety any vehicle from any street, highway or other area on an Airport, whether Public or Restricted:

A. When such vehicle is illegally parked and unattended;

B. Where such vehicle constitutes an obstruction to traffic;

C. When the person in charge of such vehicle is, by reason of physical injury or condition, incapacitated to such an extent as to be unable to care for its custody or removal;

D. When any vehicle is left unattended in an area designated for short-term or long-term parking for a period of time beyond which such parking is permitted;

E. When any person is arrested while in possession of a motor vehicle and taken into custody;

F. When any vehicle, other than an authorized emergency vehicle, is parked, whether or not attended, in a properly designated fire lane;

G. When any vehicle, other than an authorized emergency vehicle, is parked, whether or not attended, within fifteen (15) feet of a fire hydrant.

PART C: Regulations for Speed and Operation of Vehicles.

Section 1. The Uniform Act is hereby adopted as the code regulating motor vehicle traffic other than parking and standing on the premises of an Airport.

Section 2. The Airport Manager under the supervision of the Authority is empowered to post signs and other traffic control devices, which shall generally conform to the State Sign Manual on the roads and premises of both Airports regulating traffic direction and speed on Public and Restricted Areas, and where traffic shall stop or yield to other traffic.

Section 3. A vehicle shall be driven only in the direction designated on a road sign posted for one-way traffic.

Section 4. Except as provided in subsection A, or where a special hazard requires a lesser speed, any speed in excess of the speeds posted by the authority of the General Manager shall be prima facie evidence that the speed is too great and therefore unreasonable and unlawful, the maximum lawful speed is fifteen (15) miles per hour in any Public Area of an Airport except those areas posted at a lesser rate of speed. The maximum rate in posted areas shall be that posted subject to A and B below:

A. The maximum lawful speed as provided in this Section, and as posted by the Airport Manager, shall be reduced to that which is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing, such as when:

- (i) Approaching and crossing an intersection;
- (ii) Approaching and going around a curve;
- (iii) Special hazards exist with respect to pedestrians or other traffic by reasons of weather or road conditions.

B. No person shall drive a motor vehicle on an Airport at a speed that is greater than that which is reasonable and prudent under the existing conditions.

Section 5. All complaints for violations of Part C of this resolution shall be issued by the Police under the authority of Yuma County and shall be prosecuted and adjudicated in the Justice Court of said County in accordance with the rules of procedure in traffic cases adopted by the Supreme Court of Arizona and applicable state law.

Section 6. The violation of any provision of this Part C shall be a misdemeanor punishable in accordance with the provisions of the Uniform Act.

3. UNLAWFUL ENTRY

A person commits unlawful entry if he enters the premises of the Yuma International Airport except at designated entry ways and in accordance with security instruction posted by the Airport Authority. A person commits unlawful entry if after entering the premises through a closed gate said person fails immediately to close and secure said gate.

4. SAFETY ORDINANCE

No person in or upon any areas adjacent to or within the Yuma International Airport may do or cause any act or shall fail to do any act which would constitute a violation of any rule or regulation of the Federal Aviation Administration (FAA).

5. PENALTIES

Violation of any provision of Sections 1, 3 or 4 of the foregoing ordinance is punishable as a Class 2 Misdemeanor as provided in ARS Section 13-707 which provides for imprisonment for not to exceed four months and ARS Section 13-804 which provides for a fine not to exceed one thousand dollars.

RECORDATION

THIS ORDINANCE SHALL BE RECORDED WITH THE OFFICE OF THE YUMA COUNTY RECORDER AND IS OF NO FORCE OR EFFECT UNLESS SO RECORDED.

PASSED AND ADOPTED this 3RD day of August, 1992.

APPROVED:

BOARD OF SUPERVISORS OF YUMA COUNTY

Danny Bryant, Chairman

ATTEST:

Clerk

James R. Stalle

APPROVED AS TO FORM:

County Attorney