

ORDINANCE 2021-6

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SNOWFLAKE, ARIZONA, AMENDING THE SNOWFLAKE TOWN CODE BY ADDING TITLE 6, CHAPTER 4, ENTITLED "TRAFFIC REGULATIONS" AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED, by the Mayor and Town Council of the Town of Snowflake, Arizona, that Town Code Title 6, be amended by adding Chapter 4 to read as follows:

Title 6- Motor Vehicles and Traffic Chapter 4- Traffic Regulations

Section 1- Definition of nontraditional vehicle

Section 2- Applicability of traffic laws; registration; licenses

Section 3- Prohibited operation

Section 4- Responsibilities of parents, guardians, and custodians

Section 5- Reasonable accommodation

Section 6- Town motorized vehicles

Section 7- Authority of town to detain persons to serve traffic complaint

Section 8- Violations

6-4-1 Definition of nontraditional vehicle

A. For purposes of this chapter, "nontraditional vehicle" means any motorized vehicle, whether powered by electricity, natural gas, combustion engine, or otherwise, other than an automobile, motorcycle, or a vehicle which is registered with the Arizona Department of Transportation, or any motorized wheelchair.

6-4-2 Applicability of traffic laws; registration; licenses

- A. All traffic laws shall apply to persons riding nontraditional vehicles. Every person operating a nontraditional vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the rules applicable to vehicles, including, but not limited to, the laws under Arizona Revised Statutes and the traffic regulations of the town, unless otherwise stated in said rules and laws and except as to those provisions which by their nature can have no application.
- B. Subject to subsection (A), this section shall not be construed to require the registration of nontraditional vehicle.
- C. It is unlawful for any person operating a nontraditional vehicle to fail to obey the instructions of official traffic-control signals, signs, and other traffic direction devices applicable to vehicles, unless otherwise directed by a police officer.
- D. The town shall have the authority to issue a civil citation to any person deemed in violation of this section. For the purpose of subsection (D), each unauthorized nontraditional vehicle shall be treated as a separate violation and each day of violation shall be a separate violation upon failure to remove or diligently pursue the removal of the nontraditional vehicle.

6-4-3 Prohibited operation

No person shall operate a nontraditional vehicle:

- A. Except as provided herein, no person may operate or otherwise use automobiles, trucks, cars, vans, motorcycle, or nontraditional vehicles as a means of transportation on any trail or other walking path owned, operated, and/or maintained by the town including, but not

limited to, those trails or other walking paths owned, operated, and/or maintained by the Town of Snowflake.

6-4-4 Responsibility of parents, guardians, and custodians

No person shall, if a parent, guardian, or custodian of a child, authorize or knowingly permit any child to violate this article.

6-4-5 Reasonable accommodation

Nothing in this chapter is or shall be construed as prohibiting a person with a disability from using a motorized mobility device on a trail, sidewalk, or other walking path owned, operated, and/or maintained by the town including, but not limited to, those trails, sidewalks, or other walking paths owned, operated, and/or maintained by the Town of Snowflake.

6-4-6 Town motorized vehicles

Nothing in this chapter shall prohibit the town or any town employee or official from operating a motorized vehicle on any trail, sidewalk, or other walking path owned, operated, and/or maintained by the town including, but not limited to, those trails, sidewalks, or other walking paths owned, operated, and/or maintained by the Town of Snowflake, as long as such operation is in connection with official town business.

6-4-7 Authority of town to detain persons to serve traffic complaint.

Any peace officer or duly authorized agent of the town may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this chapter and to serve a copy of the traffic complaint for any alleged civil or criminal violation of this chapter.

6-4-8 Violations.

Any violation of this chapter shall be subject to a penalty according to the following schedule:

First violation	Second violation	Third violation	Subsequent violations
\$200	\$300	\$400	\$600

WHEREAS the Town of Snowflake ordinances or parts of ordinances in conflict herewith are hereby repealed.

WHEREAS if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

THEREFORE, the Town Clerk is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation.

THEREFORE, this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

PASSED AND ADOPTED this 3rd day of August 2021, by the Mayor and Town Council of the Town of Snowflake, Arizona.



Lynn Johnson, Mayor

ATTEST:



Katie Melser, Town Clerk

APPROVED AS TO FORM:



William J. Sims III, Town Attorney