

ORDINANCE NO. 2010-29

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 14-68 PERTAINING TO PERMISSIBLE ROUTES, UNLAWFUL ACTS AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

THEREFORE, it is ordained by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Chapter 14 of the Peoria City Code (1992) is amended by amending Section 14-68 pertaining to Permissible routes; unlawful acts and which shall read as follows:

Sec. 14-68. Permissible routes, unlawful acts.

(a) Trucks must operate only on truck routes, through truck routes except as provided by this code.

(b) It shall be unlawful to:

(1) Operate any truck on any street in the City of Peoria in violation of the provisions of this code.

(2) To instruct any person, employee or agent to operate a truck on any street in the City of Peoria in violation of the provisions of this code.

(c) It shall be presumed that any truck indicating ownership by a commercial enterprise is being operated with the consent of the registered owner as set forth on the motor vehicle registration.

(d) Any person violating the provisions of this article section shall be guilty of a class one misdemeanor. The Court shall impose a minimum sanction, not including surcharges of not less than three hundred and fifty (\$350.00) dollars. The sanction shall not be waived or reduced. Notwithstanding the above, for a first violation of this section within a one year period, the City Attorney may amend any citation or complaint filed in a matter under this section to a civil traffic violation.

SECTION 2. If any section, subsection, sentence, clause or phrase 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 3. This Ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 19th day of October, 2010.

Dated: 10/21/10



Bob Barrett, Mayor

ATTEST:


for Rhonda Simmons, Acting City Clerk



APPROVED AS TO FORM:


Stephen M. Kemp, City Attorney

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