

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, AMENDING THE MESA CITY CODE TITLE 10, TRAFFIC, BY AMENDING SECTION 10-10-1 TRAFFIC BARRICADE MANUAL; SECTION 10-10-2 AUTHORITY TO APPROVE OR DENY RESTRICTIONS AND ISSUE PERMITS, AND SECTION 10-10-3 VIOLATIONS AND ENFORCEMENT TO REFLECT THE ADOPTION OF THE TEMPORARY TRAFFIC CONTROL MANUAL.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, as follows:

Text written in BOLD ALL CAPS indicates new language. Strikethrough fonts indicate deletions.
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Section 1: That Section 10-10-1 of the Mesa City Code is hereby amended as follows:

~~TRAFFIC BARRICADE~~ TEMPORARY TRAFFIC CONTROL MANUAL (~~5053/RESO 9892~~):

- (A) City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual. The City Traffic Engineer shall develop, publish, and revise from time to time as needed, a manual on procedures and practices necessary to establish temporary control measures to be used in conjunction with partial and full restrictions of all City streets, sidewalks, bicycle lanes, equestrian, bicycle, pedestrian or multi-use paths, special use trails, alleys, highways, transit stops or other facilities, hereinafter referred to as "City transportation facilities," to be used in conjunction with any work, construction, maintenance, or other use of City rights-of-way or easements. Such City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual may consist of a manual or manuals, in whole or in part, developed and published by other cities, states or the federal government, along with modifications, amendments, or a supplement specific to the City of Mesa. The City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual shall be adopted by City Council resolution.
1. Clarifications and Corrections. The City Traffic Engineer is authorized to publish clarifications and corrections to the City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual as needed to provide clarification, additional explanation or illustration of any provision of the City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual, or to correct typographical or other similar errors. Such clarifications and corrections shall be in writing and filed with the City Clerk.
- (B) The City Traffic Engineer or designee, is authorized to approve or disapprove barricading utilized on any City transportation facility, and to take those actions necessary, in his professional judgment and in accordance with the City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual, to promote, preserve and protect public health, safety and welfare on such City transportation facilities with respect to barricading and temporary traffic control.

- (C) It is unlawful for any person to restrict any portion of a City transportation facility, City right-of-way or easement in a manner that is not in compliance with the City ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual unless approved by the City Traffic Engineer or designee.

Section 2: That Section 10-10-2(D) of the Mesa City Code is hereby amended as follows:

Temporary Traffic Control Permit Modification, Suspension or Revocation. The City Traffic Engineer or designee may modify any condition of a permit, or suspend or revoke such Temporary Traffic Control Permit at any time when necessary, in his sole discretion, to promote, preserve or protect public health, safety and welfare. Such permit may also be suspended or revoked if the permit holder fails to follow the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual, applicable laws, or any general or special conditions of the permit.

Section 3: That Section 10-10-3(E) of the Mesa City Code is hereby amended as follows:

Penalties. Upon a finding or admission of responsibility, a violator is subject to the following sanctions:

1. Any act, error, or omission within the right-of-way that creates an imminent risk of death or injury; Civil Sanction: \$1,500.00
2. Restricting the right-of-way or easement without a required Temporary Traffic Control Permit; Civil Sanction: \$1,000.00
3. Restricting traffic during peak traffic hours as described in the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual without authorization; Civil Sanction: \$1,000.00
4. Failing to correct or cure a violation of the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual within the time period stated on the Notice of Violation; Civil Sanction: \$1,000.00
5. Restricting the right-of-way at an intersection with traffic signals without any work being conducted for which the restriction is necessary for a period of one continuous hour unless otherwise approved; Civil Sanction: \$1,000.00
6. Improperly closing a sidewalk or closing a sidewalk without first obtaining a required Traffic Control Permit; Civil Sanction: \$500.00
7. Failing to comply with the conditions, restrictions, limits, times, or location of a Temporary Traffic Control Permit; Civil Sanction: \$500.00
8. Failing to install advance warning signs or failing to install advance warning signs that comply with the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual; Civil Sanction: \$500.00
9. Failing to install traffic barricades or channelizing devices or failing to install traffic barricades or channelizing devices that comply with the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual; Civil Sanction: \$500.00
10. Failing to remove an advance warning sign leaving the sign facing traffic after the traffic restriction has been removed; Civil Sanction: \$250.00

11. Failing to remove traffic control devices from the right-of-way within twenty-four hours after expiration of the Temporary Traffic Control Permit; Civil Sanction: \$250.00
12. Failing to install and maintain traffic control devices that meet the quality requirements described in the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual; Civil Sanction: \$250.00
13. Rendering a bus stop inaccessible without relocating it or making other approved accommodations; Civil Sanction: \$250.00
14. Failure to comply with any other provision of the ~~Traffic Barricade~~ **TEMPORARY TRAFFIC CONTROL** Manual or this Chapter whether or not a Temporary Traffic Control Permit is required; Civil Sanction: \$250.00

PASSED AND ADOPTED by the City council of the City of Mesa, Maricopa County, Arizona, this 11th day of December, 2017.

APPROVED:

Mayor

ATTEST:

City Clerk