

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING JEROME'S TOWN CODE CHAPTERS 12 AND 10: SPECIFICALLY SECTIONS 12-1-2, TRAFFIC ADMINISTRATION; 12-1-18, PENALTIES; AND 10-1-13, NOISE

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF JEROME, ARIZONA:

SECTION 1. The existing Section 12-1-2 of the Code of the Town of Jerome shall be deleted in its entirety and the following substituted:

SECTION 12-1-2 Traffic Administration

Upon recommendation of the Marshal (Police) and Public Works Director, the Town Council shall:

(A) Determine the installation and proper timing, and maintenance of traffic control devices, and honor those placed on Highway 89A by the Arizona Department of Transportation to control traffic on the stretch of Highway 89A which is inside the Town limits.

(B) Determine the location of all traffic regulatory signs, cross-walks, loading zones, bus loading zones and taxi stands, on any Town street, and act in conjunction with the Arizona Department of Transportation when dealing with State Highway 89A within the Town limits of Jerome.

(C) Plan the operations of traffic on the streets and highways of this Town.

(D) The driver of any vehicle shall obey the instruction of any official traffic control device applicable thereto placed in accordance with the traffic regulations of the Town of Jerome, or the State of Arizona, unless otherwise directed by the Marshal, subject to any of the exceptions granted in this Chapter or by State law. Violation of this subsection is a civil traffic violation.

SECTION 2. Section 12-1-18, Penalties, Subsection (A) shall remain unchanged. Subsection (B) shall be deleted in its entirety and the following substituted, and Subsection (C) shall be added as follows:

(B) Any violation of or failure or refusal to do or perform any act required by the Traffic Code of the Town constitutes a civil traffic violation. Civil traffic violations are subject to the provisions of Title 28, Chapter 3, Arizona Revised Statutes and amendments thereto. Added sanctions for civil traffic violations shall be determined by the Town Magistrate according to the schedule of deposits prepared pursuant to Arizona Revised Statutes.

(C) Parking violations that are designated as petty offenses may be issued a Parking Citation in the amount of Ten Dollars (\$10.00), for each violation. Each citation issued, unless issued as a "No Fee" warning will have a valid appearance date in the Jerome Magistrate Court. Also, payment of such fees will be handled by the Jerome Magistrate Court. A copy of the Ticket is attached hereto and incorporated herein by reference.

SECTION 3. Section 10-1-13 shall be deleted in its entirety and the following substituted:

SECTION 10-1-13 Noise

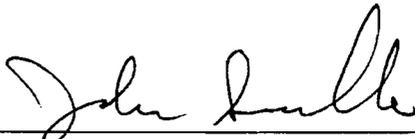
(A) It is hereby declared to be a public nuisance and it is unlawful for any person, firm, or corporation owning, or operating, or in control of any restaurant, hotel, dance hall, show, store, or any place of amusement, entertainment or accommodation, to play, or permit to be played any music or musical instrument or instruments whether played by individuals, orchestra, radio, phonograph, music box, compact disk, tape, or other mechanical device or means, in such a loud or unusual manner as to be offensive to the senses, or so as to disturb the slumbers, peace and quiet, or otherwise interfere with or annoy the comfortable enjoyment of life or property of any considerable number of persons in the neighborhood, and is no less a nuisance because the extent of the annoyance inflicted is unequal.

(B) It is unlawful to play, operate, or use any device known as a sound truck, loud speaker, or amplifier, radio or phonograph, compact disk, or tape, with a loud speaker or sound amplifier or any instrument of any kind or character which emits loud or raucous noises and is attached to or upon any person or any vehicle, unless

such person, or person in charge of such vehicle, shall have first applied to and received written permission from the Marshal to operate any such device or vehicle so equipped.

(C) It is unlawful for any person to operate a motor vehicle of any kind, which is not, at all times, equipped with a muffler, or factory equivalent, or noise reduction equipment, upon the exhaust thereof in good working order and in constant operation to prevent excessive or unusual noise. It is unlawful for any person operating any motor vehicle of any kind, to use a cut-out, by-pass, or similar muffler elimination appliance. Violation of this subsection is a Class Three misdemeanor.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Jerome, Arizona, this 10 day of March, 1998.



John Scarcella, Mayor

ATTEST:



Al Palmieri, Town Clerk

APPROVED AS TO FORM:



Corbin Vandemoer, Town Attorney