

ORDINANCE NUMBER 14-04

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADDING SECTION 3-99 OF THE MARICOPA CITY CODE REGARDING THE USE OF OFF-DUTY POLICE OFFICERS FOR TRAFFIC CONTROL AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, on May 20, 2010, the City of Maricopa adopted Division VI Police Department, which includes Section 3-91 through 3-110, of the City Code; and

WHEREAS, the City believes the City Code should address the requirement of having off-duty police officers perform traffic control services for contractors, utilities and agencies when traffic is being restricted during peak hours; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that adding Section 3-99 of the Maricopa City would be in the best interest of the City of Maricopa.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

SECTION 1. That the following language be added as Section 3-99 of the City Code:

Sec. 3-99 Employment of Off-Duty Police Officers for Traffic Control Purposes

- (a) Unless otherwise provided for in an approved City issued permit, contractors, utilities and agencies (including City departments) shall use uniformed off-duty police officers, as necessary, at the following locations:
 - 1. Where barricades restrict traffic during peak hours within 300 feet of signalized intersections;
 - 2. Where equipment is intermittently blocking or crossing a traffic lane;
 - 3. Where only one traffic lane is available for two directions of traffic;
 - 4. Where traffic at multiple-lane signalized intersections is restricted to one through traffic lane in any one direction;
 - 5. When signalized intersections are restricted to less than the normal lanes;
 - 6. When a large volume of trucks enter and leave construction site; and
 - 7. Where, in the City's sole and absolute discretion, such traffic control is necessary for the safety of workers or motorists.

- (b) The use of City of Maricopa police officers at the above listed locations within the City is preferred and Maricopa officers shall be given first priority in filling these jobs. Contractors, utilities and agencies should contact the Extra Duty Coordinator at least 24-hours in advance to schedule officers for this purpose.

- (c) The City shall determine the number of police officers, if any, required by the location and time of day. Exceptions may be made at the sole and absolute discretion of the City.

SECTION 2. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion 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 thereof.

SECTION 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 1st day of July, 2014.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney