

CHAPTER 11 - TRAFFIC

Article 11-1 ENFORCEMENT¹

It shall be the duty of the Town Law Enforcement and/or its designated agency to provide for the enforcement of the traffic regulations of the town and all of the state vehicle laws applicable to traffic in the town, to make arrests for traffic violations, to investigate traffic collisions, and to carry out all duties specially imposed upon the Town Law Enforcement agent by this Chapter.

Article 11-2 PERMANENT TRAFFIC CONTROL¹

Section 11-2-1	Adoption of the Manual on Uniform Traffic Control Devices
Section 11-2-2	Traffic Control Devices
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Section 11-2-5	Over-Dimensional (Oversize/Overweight) Loads
Section 11-2-6	Traffic Signals
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Section 11-2-8	Turn Restrictions
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Section 11-2-1 Adoption of the Manual on Uniform Traffic Control Devices

The Town of Queen Creek adopts the Manual on Uniform Traffic Control Devices (MUTCD) handbook (most recently adopted version by the Arizona Department of Transportation) published by the Federal Highway Administration, and the Arizona Department of Transportation Supplement to the Manual on Uniform Traffic Control Devices handbook. Exceptions are noted in the following Sections of this Ordinance.

Section 11-2-2 Traffic Control Devices:

1. No person shall install or maintain in any area of private property used by the public, or intended for traffic using a public street, any sign, signal, marking, or other device intended to regulate, warn, or guide traffic, or which gives the appearance to a reasonable observer of being intended to regulate, warn, or guide traffic.
2. The Town reserves the right to remove any sign that is deemed a nuisance or public hazard, and may, at the discretion of the Town Traffic Engineer impose a reasonable charge to the property owner for the cost of removals from private property.
3. All permanently installed signing within Town right-of-way by private parties (developers) shall comply with Section 11-2-1, as well as the Town's relevant engineering standards, details, and specifications.

¹Ordinance 384-07; Ordinance 460-09; Ordinance 575-15

4. The Town reserves the right to charge monetary damages to any party or organization that is found responsible for damage to any Town owned traffic control device.

Section 11-2-3 Speed Limits:

The Town Traffic Engineer or Council will determine and post the appropriate posted speed limit for all street segments based upon the application of accepted engineering standards, practices, and judgment.

1. All local residential streets shall have a prima facie speed limit of 25mph; these types of streets may or may not be posted with a physical sign.
2. Reduced speed limits for school zones (whenever a school fronts onto an arterial street with a posted speed of 45mph or greater) are to be posted either 30mph or 35mph, and are to be in force between the hours of 7:30am to 3:30pm weekdays.
3. Temporary reduced speed limits for construction and maintenance work zones, special events, or any other activity within or adjacent to the right-of way that would require a reduced regulatory speed limit are to be determined at the time of approval of the Traffic Control Plan. All installations of temporary speed limits shall conform to the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) handbook and the Arizona Department of Transportation Supplement to the MUTCD.

Section 11-2-4 Multi-Way Stop Controls:

Council authorizes the Town Traffic Engineer to establish, as necessary for the safe and efficient flow of traffic, multi-way stop controls that conform to the requirements of the Manual on Uniform Traffic Control Devices handbook.

Section 11-2-5 Over-Dimensional (Oversize/Overweight) Loads:

Loads that are considered over-dimensional in nature are required to possess a valid permit issued from the jurisdiction at the point of origin. The responsible party will be required to file a routing request with the Town of Queen Creek at least 3-business days prior to the anticipated move date. The Town will review the request, the proposed route, as well as the proposed time and schedule to ensure that the load can safely operate. Town staff will approve the route, make recommendations, or deny the load access to the Town's right-of-way.

Over-dimensional loads traveling through, originating or terminating within the Town may be required to have a law enforcement escort.

Section 11-2-6 Traffic Signals:

Council authorizes the Town Traffic Engineer to conduct Traffic Signal Warrant Studies to determine the placement of new traffic signals, and to operate traffic signals at intersections as deemed appropriate by such studies.

Section 11-2-7 Crosswalks, School Zones, and Traffic Lanes:

Council authorizes the Town Traffic Engineer:

¹Ordinance 384-07; Ordinance 460-09; Ordinance 575-15

1. To designate and maintain, by appropriate device, marks or lines upon the surface of the roadway so as to establish crosswalks at locations where there are substantial number of pedestrians crossing the roadway, and at such other places as may be necessary.
2. To establish school zones of such kind and character and at such places as may be necessary for the protection of school children.
3. To add pavement markings as necessary within the Town's right-of-way.

Section 11-2-8 Turn Restrictions:

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street or so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

Council authorizes the Town Traffic Engineer to:

1. Place markers, buttons or signs within or adjacent to an intersection indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law.
2. To determine those intersections at which drivers of vehicles shall not make a right-, left- or U-turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or such signs may be removed when such turn(s) are permitted.

Section 11-2-9 One-Way Streets and Alleys:

Council authorizes the Town Traffic Engineer to designate any street or alleys which is to be limited to one-way traffic.

Proper signing shall be installed at appropriate locations to indicate the one-way condition. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

Section 11-2-10 Regulation of Traffic at Intersections:

Council authorizes the Town Traffic Engineer to designate through streets, intersections where stops are required, and intersections where vehicles shall yield the right-of-way.

Section 11-2-11 Drivers to Obey Signs:

Whenever traffic signs are erected as provided in this chapter, every driver of a vehicle shall obey such signs unless directed to proceed by the town law enforcement agent or a lawful traffic control device. No driver shall drive upon or through any unpaved right-of-way, private property, vacant lot or similar property to avoid obedience to any regulation included in this chapter.

Section 11-2-12 Processions:

No procession or parade, except funeral processions, shall be held without first securing a permit from the town, and all such requests for permits shall state the time, place of formation,

proposed line of march, destination and such other regulations as the Town may set forth therein.

A funeral procession composed of a procession of vehicles shall be identified by such methods as may be determined and designated by the Town.

No driver of a vehicle shall drive between the vehicles comprising of an authorized procession while they are in motion and when such vehicles are conspicuously designated. This provision shall not apply at intersections where traffic is controlled by traffic signals or the town law enforcement agent.

Each driver in a procession shall drive as near to the right hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

Section 11-2-13 Operation of Vehicles on Vacant Lots:

No person shall operate a vehicle on or across any portion of a vacant lot other than on an established dust-proof driveway, except during activities authorized by the Town.

Section 11-2-14 Driving on Private Property:

No person shall operate, drive or leave any motor vehicle, motorcycle, motor scooter, mini-bike, trail bike, dune buggy, jeep or other form of transportation propelled by an internal combustion engine upon the private property of another or upon public property which is not held open to the public for vehicle use, without permission from the owner of the property or the person who is entitled to immediate possession thereof, or the authorized agent of either.

Whenever any person is stopped by a law enforcement officer for investigation of a violation of this section, the person shall show proof that the permission required has been obtained and from whom permission was obtained.

Section 11-2-15 Stopping in a Roadway or Median – Prohibited Acts

No pedestrian may stop or remain in the portion of any roadway designed for vehicular use or in a painted or raised traffic island or median not specifically designated for use by pedestrians except to wait to cross the roadway at the next pedestrian signal or, in the absence of a pedestrian signal, when traffic has cleared or yielded.

Section 11-2-16 Exceptions

A. The provisions of this Section 11-2-15 shall not apply to persons occupying a median or roadway while conducting activities related to maintenance, surveying, construction, landscape maintenance, landscape improvements, or other similar activity necessary for the safe and efficient operation of Town streets; provided that all such operations must be conducted only upon approval of the Public Works Director or designee, and upon such conditions as the Public Works Director shall require, such as adjacent lane closures, use of appropriate safety vests or gear, and/or other safety precautions designed to ensure the safety of motorists and those temporarily occupying the median for these purposes.

B. The provisions of Section 11-2-15 shall not apply to emergency personnel occupying a median or roadway in response to an accident, safety hazard, or other emergency situation. Emergency personnel temporarily occupying a median or roadway for these

purposes should take adequate precautions to help ensure proper notification of the emergency situation if feasible and to provide such safety measures as are appropriate and reasonably available in light of the emergency situation presented.

Section 11-2-17 Penalty

A violation of Paragraph A of this Section 11-2-15 shall be a Class 1 misdemeanor.

Article 11-3 TEMPORARY TRAFFIC CONTROL²

Section 11-3-1	Permission to Access Right-of-Way
Section 11-3-2	Street Closures
Section 11-3-3	Temporary Traffic Control Plans
Section 11-3-4	Certified Persons
Section 11-3-5	Temporary Signing
Section 11-3-6	Flaggers
Section 11-3-7	Haul Routes
Section 11-3-8	Arrow Boards
Section 11-3-9	Off-Duty Law Enforcement Officer ²
Section 11-3-10	Allowable Restriction/Closure Hours/Days
Section 11-3-11	Directing Traffic

Section 11-3-1 Permission to Access Right-of-Way:

Any contractor, agency, utility, or any other person that is performing work within the right-of-way shall obtain an Encroachment Permit from the Town's Community Development Department prior to entering the right-of-way. The permit will not be valid without the required Traffic Control Plan Application and Traffic Control Plan being submitted to and approved by the Town PRIOR to entering the right-of-way. The Traffic Control Plan Application and Traffic Control Plan shall be on-site and attached to the permit whenever activities are taking place in the right-of-way, and shall be produced upon request by Town staff or law enforcement.

Section 11-3-2 Street Closures:

Requests for street closures (excluding special events as determined by the Town) shall be made a minimum of 30-days prior to the date needed. Requests shall be made in writing and shall include a Traffic Control Plan Application and a Traffic Control Plan that meets the requirements of Section 11-3-3. Requests will be reviewed and approved based upon need and potential life/safety issues. If a road closure request is granted, the contractor will be held to the dates requested and approved by the Town. Upon approval, the contractor shall provide the Town with a Cashier's Check (bond) in the amount of Ten Thousand Dollars (\$10,000.00) made payable to the Town of Queen Creek. Should the contractor not complete their work in the agreed upon time limits, the bond shall be subject to forfeit, and a Two Thousand Dollar (\$2,000.00) per day fine may be levied for each day the work is not completed. The contractor may be directed on the last day of authorized work to begin work to open the road. The Town reserves the option of taking the necessary steps to open the road should the need arise.

Section 11-3-3 Temporary Traffic Control Plans:

A Traffic Control Plan in complexity that matches the work being performed and proximity to traffic will be required whenever construction, maintenance or other activities are taking place

¹Ordinance 384-07; Ordinance 460-09; Ordinance 575-15

within the Town's right-of-way. A Traffic Control Plan that is computer generated and that is designed and drawn by a person that is currently certified as a Traffic Control Supervisor by the American Traffic Safety Services Association (ATSSA) will be required along with a Temporary Traffic Control Plan Application (provided by the Town) at least two (2) business days prior to the start of work. Traffic Control Plans shall be submitted directly to the Town, using the established procedure, by the individual or company providing the temporary traffic control services.

Section 11-3-4 Certified Persons:

Any temporary traffic control that is placed within the right-of-way on an arterial street, or as required by the Town shall be completed under the direct, on-site supervision of a person that is currently certified as a Traffic Control Technician by the American Traffic Safety Services Association (ATSSA). The Technician shall carry ATSSA-issued proof of certification on his/her person at all times when working within the right-of-way, and shall produce the certification, as well as state-issued photo identification, upon demand by Town staff or law enforcement.

Section 11-3-5 Temporary Signing:

All temporary signing in place due to the requirements of a Traffic Control Plan shall be a minimum of ASTM Type IV sheeting, a minimum of 36"x36" (for Warning Series signs), and shall be mounted on spring type stands. All signing for projects considered to be Long-Term Stationary in nature by the Manual on Uniform Traffic Control Devices shall be post mounted.

Section 11-3-6 Flaggers:

Any civilian flagger working within the Town's right-of-way shall hold current certification as a flagger by the American Traffic Safety Services Association (ATSSA), or a pre-approved equivalent, and shall carry proof of certification at all times when working within the right-of-way. Certified flaggers may be required to provide proof of certification prior to working within the Town's right-of-way. Off-duty law enforcement officers may be used in lieu of certified flaggers.

No civilian shall be permitted to control traffic at an intersection at any time.

Section 11-3-7 Haul Routes:

If construction activities are determined by the Town to require special routing of haul trucks to prevent impacts on surrounding streets, neighborhoods, or businesses, the contractor will be required to develop, submit, and utilize an approved haul route. A Traffic Control Plan Application and Traffic Control Plan may be required depending upon the complexity of the haul. Any request for an approved haul route shall contain, at a minimum, the following:

- *Origin and destination of the haul route;*
- *A clear and legible plan or map illustrating the proposed haul route, or portion of the haul route within Town limits, showing all roadways on which the haul is proposed, crossing arterials, and the route to be traveled;*
- *Frequency, number, and nature of trucks involved in the haul;*
- *Location and number of certified flaggers (required when trucks are entering or leaving the right-of-way at a point of origin and/or destination, and at the discretion of the Town, when trucks are turning across traffic);*

- *Copy of current Maricopa County Dust Permit (if applicable); and*
- *Traffic Control Plan Application and Traffic Control Plan (if applicable).*

Haul routes will not be permitted through areas where active school crossing controls are in place, during peak travel times or days, within the Town Center area (Ellsworth Rd between Chandler Heights Rd and Rittenhouse Rd, and Ocotillo Rd between Rittenhouse Rd and Hawes Rd), or at the direction of the Town. Additional application requirements, route restrictions, and costs may apply to hauls which involve oversize or overweight vehicles or hazardous materials.

Section 11-3-8 Arrow Boards:

Arrow boards are required whenever a lane merge is in place in the right-of-way; use in shifting conditions shall only be as approved by the Town.

Section 11-3-9 Off-Duty Law Enforcement Officer:

A uniformed law enforcement officer shall be present as required as a part of an approved traffic control plan or as directed by the Town Traffic Engineer or designee. Only Maricopa County Sheriff’s Office (MCSO) deputies regularly assigned to the Queen Creek District shall be permitted to be utilized within the Town Of Queen Creek. If a Queen Creek District MCSO Deputy is not available, only the District or the Town Traffic Engineer or designee may authorize the use of a post-certified peace officer from another jurisdiction.

Section 11-3-10 Allowable Restriction/Closure Hours/Days:

No non-emergency activity that reduces lane width or usable road service shall be permitted to take place between the hours of 5:00am and 8:30am or 4:00pm at 7:00pm on non-holiday weekdays without prior authorization from the Town.

No activity shall take place within the Town’s right-of-way on Saturday, Sunday or Town observed holidays without prior approval. Contractor’s opting to work weekends, observed holidays or other than normal work hours may be charged for hours worked by Town staff at current overtime rates.

Section 11-3-11 Directing Traffic:

1. The town law enforcement and fire protection agencies are hereby authorized to direct all traffic by voice, hand or signal.

Article 11-4 PARKING

Section 11-4-1	Method of Parking
Section 11-4-2	Blocking Traffic
Section 11-4-3	Authority to Erect Signs Restricting Parking
Section 11-4-4	Parking Vehicles on Sidewalks
Section 11-4-5	Restricted Parking Areas for the Physically Disabled
Section 11-4-6	Stopping, Standing or Parking Prohibited
Section 11-4-7	Trailer or Semi-Trailer Parking
Section 11-4-8	Parking Vehicles for Sale in the Public Right-of-Way

Section 11-4-1 Method of Parking:

¹Ordinance 384-07; Ordinance 460-09; Ordinance 575-15

Except as otherwise posted, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches of the right hand curb.

Section 11-4-2 Blocking Traffic:

1. No person shall stop, stand or park any motor vehicle, or other vehicle, upon a street in the Town in such a manner or under such conditions as to leave available less than twenty feet of the width of the roadway for the free movement of vehicular traffic, except that a person may stop temporarily in the actual loading or unloading of passengers, or when necessary, in the observance of traffic control devices, or as directed by the town law enforcement or fire protection agency.
2. No person shall park a motor vehicle, or other vehicle, within an alley or entrance to a private driveway except for the loading or unloading of materials, and not then unless such loading or unloading can be accomplished without blocking the alley to the free movement of vehicular traffic.

Section 11-4-3 Authority to Erect Signs Restricting Parking:

Council authorizes the Town Traffic Engineer to have signs erected requiring parking at an angle to the curb, allowing parking on the left hand curb on one-way streets, notifying drivers that parking is prohibited and restricting parking, stopping and/or standing in any way that may be necessary for the safe and efficient movement of traffic. When such signs have been erected, no person shall stop or stand a vehicle in disobedience to such parking restrictions.

Section 11-4-4 Parking Vehicles on Sidewalks:

No person shall park any vehicle, whether in usable condition or not, nor shall an owner permit his vehicle to be parked, upon any sidewalk in the town.

Section 11-4-5 Restricted Parking Areas for the Physically Disabled:

1. No person shall park a vehicle in a parking space on either public or private property set aside and identified for use only by persons with physical disabilities, unless the vehicle has displayed thereon a distinguishing insignia or numbered plates bearing the international wheelchair symbol as provided in A.R.S. § 28-881. The handicap card shall be placed on the dashboard so as to be visible.
2. Subsection 1 of this section shall apply only to those parking spaces that are identified with standard signs or other markers, as approved by the town.

Section 11-4-6 Stopping, Standing or Parking Prohibited:

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a Town Law Enforcement agent or traffic control device, either on public or private property, in any of the following places:

1. Within fifteen feet of a fire hydrant.
2. In any area designated as a fire lane.

3. In any area designated as prohibiting stopping, standing, or parking.
4. Within a marked school crossing zone.

Section 11-4-7 Trailer or Semi-Trailer Parking:

Trailers or semi-trailers designed or intended to be drawn behind a motor vehicle shall not be parked upon a street, alley, or other public right-of-way for a period of time longer than two (2) hours, except commercial vehicles may be parked for a longer period of time only when such parking is necessary while actually carrying out a lawful commercial purpose. At no time shall any trailer or semi-trailer attached or not to a truck or tractor is parked so as to block a lane of travel on a public street, or otherwise interfere with the safe and efficient movement of traffic.

Section 11-4-8 Parking for Certain Purposes Prohibited:

No person shall park a vehicle upon any portion of the Towns right-of-way for the specific purpose of:

1. Displaying such vehicle for sale.
2. Washing, greasing, or repairing such vehicle except repairs necessitated by any emergency.
3. Displaying advertising.
4. Displaying commercial exhibits.