1. State law provides cities may enact most of their own parking regulations.

   A. Phoenix City Code (PCC) 36-133 provides a presumption of responsibility upon the registered owner/s of the vehicle for any violations of City parking codes.

   B. If an Arizona Revised Statue (ARS) and PCC exist for a parking violation, employees will use the PCC.

   C. If a vehicle requires towing due to a parking violation, employees will follow the procedures outlined in Operations Order 7.5.05, Towing and Wreckers, sections 5 and 6.

2. **OCCUPIED VEHICLES**

   A. A Notice of Violation (NOV) may be used if the driver is the registered owner according to Motor Vehicle Department (MVD) records.

   B. An Arizona Traffic and Ticket Complaint (ATTC) will be used if the driver is not the registered owner according to MVD records.

3. **COMMON PARKING VIOLATIONS**

A. Vehicle Parked in Fire Access Lane **PCC 36-134.4**	• Red painted curb and posted sign are required. • Cite violators on complaint.
B. Parking Prohibited **PCC 36-134**	• Cite unattended vehicles if they are not mechanically disabled. • Must indicate specific subsection on NOV. ∗ See Traffic Violation Card Form PPD #7 for specific subsections.
C. Parking to Impede Traffic **PCC 36-136**	• Cite the driver of an occupied vehicle. • If unoccupied, a reasonable effort will be made to locate the operator. • If the operator is not located, tow vehicles that are creating a hazard.
D. Parking in Alley **PCC 36-137**	• Cite unattended vehicles after allowing 30 minutes for loading and unloading. • Vehicles may park for a maximum of five minutes for the purpose of loading/unloading physically disabled persons. • Loading/unloading of persons or items must be accomplished without blocking other traffic or interfering with a fire escape. • Commercial license plates are required to load/unload items in an alley adjacent land zoned for commercial or industrial use.
E. Parking for Display or Work on Roadway **PCC 36-138**	• Cite on complaint.
F. Parking Trucks or Trailers on Residential Streets **PCC 36-140**	• Cite on complaint when the violation occurs on the street or on the improved or unimproved shoulder, in accidents, or when a hazard exists.
G. Parking on Private Property **PCC 36-144**	• Refer to paragraphs 4.A. thru 4.D. of this order.
H. Abandoned Vehicles **PCC 36-144**	• Refer to paragraph 4.H. and 4.I. of this order.
I. Parking on Non-Dust Free Lots **PCC 36-145**	• Vehicles must be on a “dust free” surface such as asphalt, concrete, 3 inches of gravel, etc., as specified by the zoning administrator. • Cite violators. • An exception would be vehicles that may be parked in the backyard of residential lots.
J. Parking on a Public Right-of-Way **PCC 36-147**	• Vehicles may be cited after the vehicle has been “red tagged” (Vehicle Removal Notification and Unattended Vehicle Check Form 80-288D affixed to vehicle) for 48 hours.

3. **COMMON PARKING VIOLATIONS** (Continued)

K. Parking on Registered, Posted Lots PCC 36-148	• Cite when a vehicle is parked for any reason on any lot or area registered with the City (lot must be posted with official signs prohibiting any parking). • Note the lot number on the NOV.
L. Restricted Parking Area Reserved for Physically Disabled PCC 36-149	• Cite on-view on public and private property. • Vehicle must display a State Department of Transportation Disabled License Plate or mirror placard. • Spaces must be posted with a sign including the international wheelchair symbol, minimum verbiage of "Reserved Parking" or similar phrase and PCC 36-149. • Sign height will be no less than 3' and no more than 6' as measured from the bottom of the sign to the parking surface. • Accessible parking spaces will be identified with an international wheelchair symbol on the ground within the confines of the space.
M. Emergency Brake Set PCC 36-150	• Cite in accident situations.
N. Freight Loading Zones PCC 36-153	• Cite when vehicles are parked longer than 30 minutes for loading and unloading in loading zones abutting land zoned for commercial use (unless an extended loading permit is displayed). • Zones are for vehicles bearing commercial plates. • Cite vehicles not bearing commercial plates at any time. • Vehicles with disabled parking permits may park for a maximum of five minutes while loading or unloading physically disabled persons.
O. Expired Meter PCC 36-154B	• Cite violators. • Vehicles with disabled parking permits are exempt for one hour.

4. **PARKING AND TOWING FROM PRIVATE PROPERTY**

A. For specific information on police ordered and private tows, see Operations Order 7.5.05, Towing and Wreckers.

B. Park-and-Ride Facilities – Due to the Trip Reduction Program, park-and-ride facilities are NOT marked with signage, to comply with PCC 36-144B.

(1) If police employees respond to calls for service at these locations, they will NOT impound vehicles under parking enforcement guidelines.

C. Residential/Non-Commercial Parking Violations, PCC 36-144.A

(1) No person shall park in any private driveway or on private property without the consent of the owner.

(2) Complaints concerning residential or other non-commercial areas:

(a) The complainant may select a wrecker company and have the vehicle towed at their expense.

- The tow company must notify the Department.

(b) No citations or reports are required.

(c) If the complainant insists and the problem cannot be resolved in any other manner, an officer may issue an NOV and have the vehicle towed.

- This is a **CIVIL** matter.

4. D. Registered and Operable Vehicles on Residential Lots (Civil), PCC 36-161

(1) Any vehicle parked on a residential lot, visible from beyond the lot boundary, must be operable and have current registration.

(2) Routine violations will be the responsibility of the City's Planning Department, Zoning Information Division.

- Zoning personnel will request assistance from officers when confronted with hostile or uncooperative property owners.
- Officers may issue an ATTC at the request of a zoning inspector.
- If the zoning inspector determines a zoning ordinance is more appropriate than the City Code, the officer will issue an ATTC and/or write a Case Report (CR) as appropriate.
- Zoning personnel will provide officers with the necessary information to complete the ATTC and CR.
- Officers will not tow vehicles in violation.

(3) This is not applicable to off road vehicles.

E. Posted Parking Lots/Areas, PCC 36-144A

(1) Officers may issue an ATTC on complaint if the owner/operator is present and the lot is properly posted and meets the requirements listed in PCC 36-144B.

(2) Officers will not utilize a contract wrecker for tows from such lots.

(3) The owner of the parking area must call the wrecker listed on the required sign.

(4) The owner of the parking area can have illegally parked vehicles towed without any citations or reports being issued.

(5) Tow truck operators must have one of the following:

- Permission from the vehicle owner
- A request from a law enforcement agency
- A written tow order signed by the property owner/agent

F. Non-Posted Parking Lots/Areas, PCC 36-144H

(1) This is not a citable offense as the owner of the private parking lot/area gives implied consent to unrestricted parking unless posted signs are in accordance with PCC 36-144B.

(2) Tow truck operators cannot tow a vehicle from a private parking area unless the proper signs are posted.

(3) No action will be taken by police employees.

(4) Owners should be advised to post their lots.

4. F. (5) Lot owners may have an abandoned vehicle towed from their lots at their own expense, however:

- The vehicle must be left for more than 15 days to be considered abandoned.
- The tow truck operator must have the towing order in possession.
- The real property owner or his agent will sign the towing order which will list the specific vehicle to be towed.
- Unlike posted lots, the order cannot authorize the tow of an unknown vehicle at a future date.

(6) A wrecker will not be called by police employees.

G. Illegally Parked Vehicle on a Public Thoroughfare

(1) Illegally parked vehicles on a public street, per ARS 28-871/874, may be towed if a hazard exists.

(a) A check through Arizona Crime Information Center (ACIC)/National Crime Information Center (NCIC) will be conducted to verify the vehicle is not an outstanding stolen.

(b) The officer will run a registration check to determine the registered owner.

(c) An Information Channel dispatcher will attempt to contact the owner.

- If the owner cannot be contacted or the owner was initially contacted and the vehicle has not been moved, employees will request a contract wrecker for an immediate tow.
- Employees will stand by for the wrecker and follow the procedures outlined in Operations Order 7.5.05, Towing and Wreckers, sections 5 and 6.

(2) An NOV is not required.

H. Inoperable Vehicle on a Public Right-of-Way, PCC 36-162

(1) For purposes of this order, an inoperable vehicle is defined as any vehicle that is incapable of moving under its own power and not merely temporarily disabled or being repaired.

(2) Employees will check the vehicle through ACIC/NCIC.

(a) An NOV should be issued if current ownership can be established.

(b) If current ownership cannot be established, a citation is not required.

- When making registration checks of vehicles displaying handicap plates, enter the plate with “WC” for a registration check only.
- Enter the plate without “WC” to determine if it is a reported stolen vehicle.

(3) Employees will request a contract wrecker for an immediate tow unless the owner is present and able to remove the vehicle.

- Employees will stand by for the wrecker and follow the procedures outlined in Operations Order 7.5.05, Towing and Wreckers, sections 5 and 6.

4. I. Unattended Operable Vehicle on a Public Street

(1) Any operable vehicle left unattended on a public street or public right-of-way for 48 hours, or on public property for 72 continuous hours, may be considered abandoned and is subject to seizure under ARS 28-4801 and ARS 28-4834.

(2) In on-view situations or on a first complaint, the following procedures will be used:

(a) The license and vehicle identification number (VIN) will be checked through ACIC/NCIC.

- If the VIN tag has been removed or altered, the vehicle will be towed/impounded following the procedures outlined in TM6-00 Stolen Vehicle Response plan, section 6.C.

(b) The owner of the vehicle will be contacted and advised to remove the vehicle.

- Employees will not advise owners that moving the vehicle a few feet either way will prevent the vehicle from being towed/impounded.

(c) A Vehicle Removal Notification and Unattended Vehicle Check form (“red tagged”) will be completed and affixed to the vehicle’s rear window.

- Results of a registration check and whether or not the owner was contacted will be noted on the tag.
- Vehicle tires will be marked with a traffic crayon across the tread.

(c) Employees will ensure the call is assigned a 917 radio code and a disposition code of “I”.

- Employees will complete a Field Interview (FI) ensuring all pertinent vehicle information is included.

(3) Employees should recheck the abandoned vehicle 48 to 72 hours later (based on the information on the Vehicle Removal Notification and Unattended Vehicle Check form) and check the license and VIN through ACIC/NCIC again.

(a) If the information regarding the registered owner was not initially obtained due to MVD being down, etc., employees will obtain a registration check and contact the owner.

- If the owner cannot be contacted, or the owner was initially contacted and the vehicle has not been moved, employees will request a contract wrecker for an immediate tow.
- Employees will stand by for the wrecker and follow the procedures outlined in Operations Order 7.5.05, Towing and Wreckers, sections 5 and 6.

(4) A CR or parking citation is not required.

(5) If the owner arrives during the tow, and is prepared to move the vehicle immediately, the vehicle will be released.

(a) If the wrecker is at the scene, the employee will mark the wrecker bill as a ‘”dry run” and sign the wrecker bill.

(b) The employee may cite the vehicle owner for PCC 36-147.

5. **COMPLETING THE NOV**

A. RMS NOVs - The RMS Citation form will be the primary method for issuing NOVs (refer to the RMS User Manual for procedures on completing the Citation form).

- If the RMS NOV is unavailable, a ticket book NOV may be issued.

  * Employees will be required to complete an RMS NOV as soon as possible using the information listed on the ticket book NOV.

B. Ticket Book NOVs

(1) The appropriate violation box will be marked with an X, and the specific code will be circled.

NOTE: Only **one** violation will be marked/circled per NOV.

(2) For violations not listed on the NOV, box 1 will be marked with an X, and the following will be clearly printed on the line provided:

- Specific code number (circled)
- Violation description
- Amount of the fine due (reference PCC 36-156.02)

6. **VOIDING ATTCS AND NOVS** - See Operations Order 7.6.00, Arizona Traffic Ticket Complaint, section 6.

7. **VOIDING NOVS RECEIVED BY DEPARTMENT EMPLOYEES**

A. If an employee fails to adhere to parking policies/regulations, the employee will be responsible for paying the fines imposed.

B. Procedures for voiding NOVs inappropriately received by Department employees are outlined in Operations Order 6.1.03, Parking Enforcement Regulations for Employees.

Last Organizational Review: