

ORDINANCE NO. 2703

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE CODE OF GILBERT, ARIZONA, CHAPTER 54 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, BY AMENDING ARTICLE I IN GENERAL, SECTION 54-1 OBSTRUCTION OF STREETS AND SIDEWALKS AND SECTION 54-2 USE AND OCCUPANCY OF PUBLIC STREETS TO ADDRESS OBSTRUCTIONS OF PUBLIC PROPERTY; AMENDING THE TITLE OF ARTICLE IV BICYCLES WITHIN CHAPTER 62 TRAFFIC AND VEHICLES, TO INCLUDE MICROMOBILITY DEVICES; AMENDING CHAPTER 62 TRAFFIC AND VEHICLES ARTICLE IV BICYCLES, DIVISION 1 GENERALLY, SECTION 62-101 DEFINITIONS, SECTION 62-102 RENTAL AGENCIES - DISPLAY OF ARTICLE PROVISIONS, SECTION 62-103 RESERVED, SECTION 62-104 RESERVED, SECTION 62-105 PARKING, AND SECTION 62-106 RIDING ON BIKE LANES, SIDEWALKS AND ROADWAYS TO PROVIDE RULES APPLICABLE TO BICYCLES AND MICROMOBILITY DEVICES; AMENDING ARTICLE V MOTORIZED PLAY VEHICLES AND MOTORIZED SKATEBOARDS, SECTION 62-141 DEFINITIONS AND SECTION 62-142 APPLICABILITY OF TRAFFIC LAWS RELATING TO MOTORIZED DEVICES TO AMEND THE DEFINITIONS AND RULES APPLICABLE TO MOTORIZED PLAY VEHICLES AND MOTORIZED SKATEBOARDS; PROVIDING FOR CIVIL SANCTIONS AND PENALTIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

The Code of Gilbert, Arizona, CHAPTER 54 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE I IN GENERAL, SECTION 54-1 OBSTRUCTION OF STREETS AND SIDEWALKS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 54-1. - Obstruction of ~~streets and sidewalks~~ of public property.

(a) — ~~It is unlawful for any person to obstruct any street within the town by doing any act or placing upon the street anything that obstructs or interferes with the~~

~~free use or passage upon such street or property or which interferes with any business lawfully conducted by any person, in or upon, facing or fronting on any such street.~~

~~(b) — The responsible party of any property fronting or bordering a street, alley, sidewalk or other passageway within the town shall not allow or permit trees, plant growth, or shrubs to grow in a manner that impedes, obstructs or interferes with passage on said street, alley, sidewalk or other passageway or limits the visibility of any regulatory sign or traffic control device or signal. Notwithstanding the foregoing, said vegetation must be trimmed a minimum eight feet over a sidewalk and a minimum of 13 feet and six inches above a street, alley or other passageway. The public works director or designee shall have the authority to issue the civil sanctions set forth in section 1-5 of the Gilbert Municipal Code.~~

~~(c) — "Street," as used in this section, means that portion of any public highway or thoroughfare, alley, park, private street used to provide town services, and town easement used for ingress and egress or other public grounds within the town.~~

~~(d) — Obstructions as used in this section include, but are not limited to, plant growth, structures, trash receptacles, vehicles, rubbish, and unlawful congregations of persons.~~

(a) Authority. The town manager or designee, code inspectors, park rangers, and Gilbert police officers may enforce this section.

(b) Obstructions prohibited. Unless exempted under 54-1(d) or otherwise permitted by this code :

(1) Except for emergency reasons or where otherwise allowed by the town or state law, it is unlawful for any person or entity, directly or indirectly by itself or through another, to place or maintain upon public property anything that obstructs or interferes with the free use of or passage upon such property, or which otherwise interferes with any lawfully conducted business in or upon, facing or fronting onto any such public property.

(2) It is unlawful for any person, directly or indirectly, by himself or through another person, without permission of the town to:

I. Place any awning, post, balcony, sign, bridge, curb, hydrant, faucet, water pipe or other structure on, over or across public property.

ii. Use, occupy or obstruct public property for the purpose of displaying, selling or leasing goods, wares or merchandise,

property or services, except that sign walkers may be allowed on town sidewalks subject to the Land Development Code and state law.

(3) Violations; Penalties.

- i. Any person or entity found to be in violation of this chapter is responsible for a civil violation subject to the penalty provisions set forth in section 1-5, including provisions governing habitual offenders. Each obstruction in violation of this section shall constitute a separate offense. Each day an obstruction continues shall constitute a separate offense.
- ii. The town may immediately cause the removal or relocation of any obstruction if the obstruction will impede emergency services, obstruct vehicle traffic or create a safety hazard to the public on a public right-of-way. In addition, the town may cause the impoundment and storage of any property used in the commission of a violation of section 54-1(b) at the sole cost of the responsible party.
- iii. Whenever the town impounds property on a reasonable belief that a violation of this section has occurred or that prompt action is required to protect the health or safety of the public, the owner of the property may request an appeal hearing to determine the validity of the impoundment by filing a written request with the town clerk no later than fifteen (15) days from the date of the notice of violation. The hearing shall occur within thirty (30) calendar days from the date a timely request is filed with the town clerk. The hearing shall be conducted by a hearing officer designated by the town manager, but not a town employee. Failure to file a timely hearing request constitutes a waiver of any rights the owner may have to a hearing.
- iv. The owner shall pay all impoundment and storage costs no later than sixty (60) days from the date of the notice of violation. A request for a hearing under section 54-1 (3)(iv) shall not relieve the owner from said payment obligation. Should the owner prevail at the post-impoundment hearing, the town will reimburse the owner for the amount paid under this section 54-1(3)(v).
- v. Impounded property shall be released to the owner or its authorized representative only upon the furnishing of

satisfactory identification or authorization, provided that all amounts owed have been paid.

- vi. Property that is not reclaimed from the town within sixty (60) days after the date of the notice of violation shall be considered abandoned and may be sold or otherwise disposed of by the town in accordance with chapter 2, article V of this code.
 - vii. The violations and penalties herein are in addition to any other violations and penalties established by the law. This section shall not be interpreted as limiting the penalties, actions, abatement procedures, and other remedies that may be taken by the town or other persons under written agreements or any law, ordinance, or rule, including but not limited to public nuisance actions for abatement and damages. In addition, the imposition of a penalty or fee does not prevent the revocation or suspension of a license, permit or franchise.
- (c) Vegetation. Subject to any restrictions under state law, the owner of any property fronting or bordering a street, alley, sidewalk or other passageway shall not allow or permit trees, plant growth, or shrubs to grow in a manner that impedes, or obstructs or interferes with passage on said street, alley, sidewalk or other passageway or limits the visibility of any regulatory sign or traffic control device or signal. Notwithstanding the foregoing, said vegetation must be trimmed a minimum of eight feet over a sidewalk and a minimum of 13 feet and six inches above a street, alley or other passageway.
- (d) Exemptions. Section 54-1 shall not apply to obstructions for emergency reasons or to other encroachments authorized by this code, state law, a town permit, an easement, license or other written agreement with the town.
- (e) Definitions.
- (1) Obstructions, as used in this article, means any unauthorized encroachment or placement upon public property, which interferes with or impedes upon its free use or passage, including but not limited to, plant growth, structures, trash receptacles, vehicles, rubbish, unlawful congregations of persons, signage, bicycles micromobility devices, motorized play vehicles, and other commercial or personal property items.
 - (2) Person means an individual, firm, association, partnership, joint venture or corporation.
 - (3) Public property, as used in this article, means that portion of any property, street, alley, path, lane, multiuse trail, sidewalk, facility

or improvement that is owned, leased, operated, maintained or managed by the town, or is otherwise open to the town for providing town services-

- (4) Responsible party, as used in this article, means any person or entity who causes, permits, facilitates, aids or abets a violation of this section or who fails to perform an act or duty required pursuant to this section is subject to the enforcement provisions of this section. For the purpose of this chapter, there is a rebuttable presumption that the owner of the property used in the commission of a violation of this section is the responsible party.

The Code of Gilbert, Arizona, CHAPTER 54 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE I IN GENERAL, SECTION 54-2 USE AND OCCUPANCY OF PUBLIC STREETS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 54-2. ~~Use and occupancy of public streets~~ (Reserved).

~~It is unlawful for any person, directly or indirectly, by himself or through another person, without permission of the council to:~~

- ~~(1) Place any awning, post, balcony, sign, bridge, curb, hydrant, faucet, water pipe or other structure on, over or across any public street, alley, park or other public place.~~
- ~~(2) Use, occupy or obstruct public sidewalk, street or alley for the purpose of displaying goods, wares or merchandise, except that sign walkers shall be allowed on public sidewalks. The regulations for sign walkers set forth in Section 4.402W of Chapter 1 Zoning Regulations, Division 4 General Regulations, Article 4.4 Sign Regulations, are hereby adopted as the regulations for sign walkers on public sidewalks.~~
- ~~(3) For purposes of this section, a "sign walker" is defined as a person who wears, holds or balances a sign that conveys a commercial message, including a costume sign. A "costume sign" is defined as clothing that is integral to the conveyance of a commercial message. Commercial logos and other commercial identification on shirts, hats and other clothing are not costume signs.~~

The title of ARTICLE IV BICYCLES, within CHAPTER 62 TRAFFIC AND VEHICLES, of the Code of Gilbert, Arizona, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

ARTICLE IV. BICYCLES AND MICROMOBILITY DEVICES.

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE IV BICYCLES, DIVISION 1 GENERALLY, SECTION 62-101 DEFINITIONS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Should any definition conflict with Title 28 of Arizona Revised Statutes, the definition under state law shall apply:

Bicycle means ~~any one-, two- or three-wheeled vehicle having cranks, levers or pedals for its propulsion by the feet~~ a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either: (a) two tandem wheels, either of which is more than sixteen inches in diameter, or (b) three wheels in contact with the ground, any of which is more than sixteen inches in diameter. For the purpose of this chapter, a bicycle is not a micromobility device.

Bicycle lane means a path or lane specifically designated for the preferential or exclusive use of bicycles.

Bus zone means an area specifically reserved for the loading and unloading of bus passengers.

Crosswalk means (a) that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs from the edges of the traversable roadway, or (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Electric bicycle means a bicycle or tricycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts, which meets the requirements of a Class 1, Class 2 or Class 3 electric bicycle. Except as otherwise provided in this chapter and state law, an electric bicycle is subject to the same provisions of this article as a bicycle.

- (a) Class 1 electric bicycle means a bicycle or tricycle that is equipped with an electric motor, which provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty (20) miles per hour.
- (b) Class 2 electric bicycle means a bicycle or tricycle that is equipped with an electric motor, which may be used exclusively to propel the bicycle or tricycle and is not capable of providing assistance when the bicycle or tricycle reaches the speed of twenty (20) miles per hour.
- (c) Class 3 electric bicycle means a bicycle or tricycle that is equipped with an electric motor, which provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty-eight (28) miles per hour.

Electric personal assistive mobility device means a self-balancing device with one wheel or two non-tandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour or less and is designed to transport only one person.

Electric standup scooter means a device with no more than two wheels that has handlebars, is designed to be stood upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than twenty (20) miles per hour.

Intersection means the area embraced within the prolongation or connection of the lateral curb lines, or if none, the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict. If a highway includes two roadways thirty or more feet apart, each crossing of each roadway of the divided highway by an intersecting highway is a separate intersection. If the intersecting highway also includes two roadways thirty or more feet apart, each crossing of two roadways of the highways is a separate intersection.

Median means an area in the approximate center of a street that is used to separate the directional flow of traffic.

Micromobility device, for the purpose of this chapter, means an electric bicycle, an electric personal assistive mobility device, and an electric standup scooter. The town manager or a town director shall have the authority to designate additional types of devices as micromobility devices consistent with the law, so long as such designation is posted on the town's website. Micromobility device excludes bicycles and personal delivery devices.

Owner means the person or company who owns the bicycle or micromobility device or any person who is a lessee, conditional vendee or mortgagor of a bicycle or micromobility device with a right to immediate possession.

Park, if prohibited, means to leave unattended.

Pedestrian means any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle.

Person means an individual, firm, association, partnership, joint venture or corporation.

Multi-use path means a paved or unpaved shared-use path or trail that is specifically designated for non-motorized traffic and recreation, such as the shared-use paths and trails shown in the Gilbert Parks, Recreation, and Trails Master Plan.

Sidewalk means any area or way owned or controlled by the town and used for purposes of pedestrian traffic, whether or not it is paved.

Street as used in this article, means any portion of roadway, highway, alley, thoroughfare, or other property that is open to the public for purposes of vehicular travel. Street includes the associated right-of-way, berm or shoulder, parkway, crosswalk, median, bicycle lane, and any associated roadway or access easement of the town.

Town property means any property, facility or improvement that is owned, leased, operated, maintained or managed by the town.

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE IV BICYCLES, DIVISION 1 GENERALLY, SECTION 62-102 RENTAL AGENCIES—DISPLAY OF ARTICLE PROVISIONS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-102. - Rental agencies—Display of article provisions.

Every person and entity engaged in the business of being a rental agency of new or used bicycles or micromobility devices ~~rental agency~~, shall take proactive measures to inform its customers about applicable rules and regulations and shall provide prominently display a copy of the ~~provisions of this article~~ to its customers, either in paper format or by means of a website or mobile application.

~~in a conspicuous place on the premises of the business. No company shall engage in the business of renting micromobility device on property or rights-of-way of the town without express permission of the town.~~

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE IV BICYCLES, DIVISION 1 GENERALLY, SECTION 62-103 RESERVED, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-103. ~~Reserved.~~ Operation of micromobility devices.

(a) Permissible areas of operation. Subject to the restrictions in this chapter, a person may operate a micromobility device in the following locations unless prohibited by signage:

- (1) Within a street with posted speed limits of twenty-five (25) miles per hour;
- (2) Within a multi-use path except that class 3 electric bicycles are prohibited on multi-use paths; and
- (3) On a sidewalk except that class 3 electric bicycles are prohibited on multi-use paths.

(b) Prohibited areas of operation. Except as otherwise stated in this section, a person shall not operate a micromobility device in the following locations:

- (1) Within any area where signage prohibits such operation;
- (2) Within any designated bicycle lane; and
- (3) Within any public street where the speed limit is greater than twenty-five (25) miles per hour.

(c) Rules of operation.

- (1) When operating on public roadways, all operators of micromobility device shall comply with all traffic rules and regulations, including but not limited to the rules of the road under Title 28 of Arizona Revised Statutes. It is unlawful for any person operating a micromobility device to fail to obey the instructions of official traffic-control signals, signs, and other traffic direction devices applicable to vehicles, unless otherwise directed by a police officer.
- (2) The operator of a micromobility device shall yield the right-of-way to pedestrians and other users by slowing down, stopping, or moving to the opposite side of the path, sidewalk, or street. A pedestrian or other user shall not suddenly traverse into the path of

a micromobility device that is so close that it is impractical or impossible for the operator to yield.

- (3) The operator of a micromobility device shall remain at a safe distance behind pedestrians and vehicles and shall not follow too closely.
 - (4) It is unlawful to operate a micromobility device across any prohibited areas of operation. The operator shall dismount the micromobility device and walk said device across all prohibited areas of operation.
 - (5) No person shall operate a micromobility device at a speed greater than the posted speed limit or at a speed greater than is reasonable and prudent under then-existing circumstances.
 - (6) No person shall operate an electric assisted micromobility device in the Town unless it is equipped with a braking system in sufficient working order to control and stop the movement of the device.
 - (7) No person operating or riding upon a micromobility device shall attach themselves or the micromobility device to any other vehicle or device.
 - (8) No person shall operate a micromobility device while carrying any package, bundle or other item that prevents the operator from safely steering the device.
 - (9) The owner of a micromobility device shall be responsible for all damage to public property caused by the micromobility device.
 - (10) Nothing in this chapter shall be interpreted to mean that, by designating permissible areas of operation, the town is deeming such areas as suitable or safe for any particular micromobility device. Each person operating a micromobility device shall be responsible for complying with the manufacturer's safety guidelines and recommendations. No operator of a micromobility device shall operate a micromobility device that has been structurally altered from the original manufacturer's design. No operator of a micromobility device shall allow passengers unless the device was designed by the manufacturer to allow for passengers.
- (d) Violations. The town shall have the authority to issue a civil citation to any person deemed in violation of this section pursuant to section 1-5 of the Gilbert Municipal Code.

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE IV BICYCLES, DIVISION 1 GENERALLY, SECTION 62-105 PARKING, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-105. - Parking.

No person shall park a bicycle ~~upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle, or against a building or in such a manner as to be an obstruction to pedestrian traffic.~~ or micromobility device in a manner that violates chapter 54 of this code. The Town Manager shall have the authority to designate or limit areas available for parking bicycles and micromobility devices.

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE IV BICYCLES, DIVISION 1 GENERALLY, SECTION 62-106 RIDING ON BIKE LANES, SIDEWALKS AND ROADWAYS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-106. ~~Riding on bike lanes, sidewalks and roadways.~~ Operation of bicycles.

- (a) It shall be unlawful to ride a bicycle on sidewalks where signs have been erected ~~which~~ that prohibit said bicycling.
- (b) While riding on sidewalks in locations where bicycling is permitted, bicyclists shall yield the right-of-way to pedestrians and other users by slowing down, stopping, or moving to the opposite side of the path, sidewalk, or other applicable travelway.
- (c) The traffic engineer is authorized to erect signs ~~on~~ along any roadway or sidewalk prohibiting the riding of bicycles thereon by any person, and, when such signs are in place, no person shall disobey the same.
- (d) Violation. Any person found to be in violation of this section is responsible for a civil violation.
- (e) For the purpose of this section only, "bicycle" shall not refer to an electric bicycle, motorized bicycle or micromobility device.

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE V MOTORIZED PLAY VEHICLES AND MOTORIZED SKATEBOARDS, SECTION 62-141 DEFINITIONS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-141. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Should any word, term or phrase conflict with a definition in Arizona Revised Statutes, Title 28, the definitions in Title 28 shall apply.

Moped means as defined under Arizona Revised Statutes, Title 28.

Motor driven cycle means as defined under Arizona Revised Statutes, Title 28.

Motorcycle means as defined under Arizona Revised Statutes, Title 28.

Motorized play vehicle means a coaster, scooter, any other alternatively fueled device or other motorized vehicle that is self propelled by a motor or engine and which is not otherwise defined in Arizona Revised Statutes, Title 28, as a "motor vehicle," "motor driven cycle" or "motorized wheelchair.", for the purpose of this article, means a moped, motor driven cycle, motorcycle, or motorized quadricycle unless otherwise specified in this article. Motorized play vehicle does not include a motorized wheelchair.

Motorized skateboard means a self-propelled device which has a motor or engine, a deck on which a person may ride and at least two wheels in contact with the ground and which is not unless otherwise defined in Arizona Revised Statutes Title 28, as amended, as a "motor vehicle," "motor driven cycle" or "motorized wheelchair."

Motorized play vehicle means as defined under section 62-141.

Motorized quadricycle means as defined under Arizona Revised Statutes, Title 28.

Motorized skateboard means as defined in section 62-141.

Operator means a person who operates or is in actual physical control of a device governed by this article motorized play vehicle or a motorized skateboard upon a public roadway, sidewalk, right of way, park, bicycle path or any other public property used for the operation of motor vehicles.

Owner means a person who holds the legal title to a device governed by this article motorized play vehicle or motorized skateboard, or any person who is a lessee, conditional vendee or mortgagor of a motorized play

~~vehicle or motorized skateboard~~ said device with a right to immediate possession.

The Code of Gilbert, Arizona, CHAPTER 62 TRAFFIC AND VEHICLES, ARTICLE V MOTORIZED PLAY VEHICLES AND MOTORIZED SKATEBOARDS, SECTION 62-142 APPLICABILITY OF TRAFFIC LAWS, is hereby amended to read as follows (additions in underlined; deletions in ~~strikeout~~):

Sec. 62-142. Applicability of traffic laws; registration; licenses.

- (a) All traffic laws shall apply to persons riding motorized play vehicles and motorized skateboards. Every person operating a motorized play vehicle or motorized skateboard upon a roadway shall be granted all of the rights and shall be subject to all of the ~~duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles, or by the~~ including but not limited to the laws under Arizona Revised Statutes, Title 28, and the traffic regulations of this the town applicable to the driver of a vehicle, unless otherwise stated in said rules and laws and except as to special regulations in this chapter and except as to those provisions which by their nature can have no application.
- (b) ~~This~~ Subject to subsection (a), this section shall not be construed to require the ~~licensing or registration of motorized play vehicles or motorized skateboards, the licensing of motorized play vehicle or skateboard operators, or the carrying of insurance covering accidents involving motorized play vehicles or motorized skateboards.~~
- (c) It is unlawful for any person operating a motorized play vehicle or motorized skateboard ~~not to~~ fail to obey the instructions of official traffic-control signals, signs, and other traffic direction devices applicable to vehicles, unless otherwise directed by a police officer.
- (d) The town shall have the authority to issue a civil citation to any person deemed in violation of this section. For the purpose of subsection (d), each unauthorized motorized play vehicle or motorized skateboard shall be treated as a separate violation and each day of violation shall be a separate violation upon failure to remove or diligently pursue the removal of the motorized play vehicle or motorized skateboard.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 III. Providing for Civil Sanctions.

Any person found responsible for violating this section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 1-5 of the Gilbert Municipal Code.

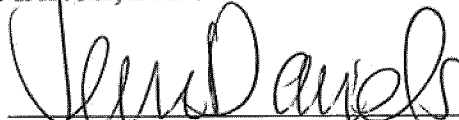
PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 7th day of March, 2019, by the following vote:

AYES: Anderson, Cook, Daniels, Peterson, Ray, Taylor, Yentes

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this 7TH day of MARCH, 2019.



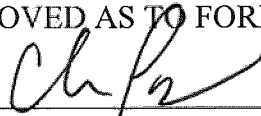
Jenn Daniels, Mayor

ATTEST:



Lisa Maxwell, Town Clerk

APPROVED AS TO FORM:



Christopher W. Payne, Town Attorney

I, LISA MAXWELL, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2703 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 7TH DAY OF MARCH, 2019, WAS POSTED IN FOUR PLACES ON THE 13th DAY OF March, 2019.



Lisa Maxwell, Town Clerk