



INSTRUMENT #9911477
OFFICIAL RECORDS OF
SANTA CRUZ COUNTY
SUZANNE SAINZ
COUNTY RECORDER

REQUEST OF :

SANTA CRUZ CO. BD. SUPERVISORS

DATE: 12/09/99 TIME: 4.35

FEE: 0.00

DOCK 818 PAGE 78 PAGES: 6

CAPTION HEADING

ORDINANCE NUMBER 1999-3

DOCK 818 PAGE 78

ORDINANCE NUMBER 1999-3**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF SANTA CRUZ COUNTY, ARIZONA ADOPTING CERTAIN STANDARDS, POLICIES, AND SPECIFICATIONS TO BE USED BY SANTA CRUZ COUNTY IN ESTABLISHING, ALTERING, MAINTAINING, OR ABANDONING COUNTY HIGHWAYS, PUBLIC ROADS, AND SUBDIVISION STREETS IN ITS JURISDICTION**

WHEREAS, the Board of Supervisors is authorized to lay out, maintain, control and manage public roads and bridges within the County pursuant to A.R.S. § 11-251(4), and

WHEREAS, the Board of Supervisors may adopt all ordinances necessary or proper to carry out the duties, responsibilities and functions of the County pursuant to A.R.S. § 11-251.05, and

WHEREAS, the Board of Supervisors may spend monies for maintenance of public roads and streets other than legally designated County highways located without the limits of an incorporated city or town, where the roads or street are laid out, opened, used and constructed without cost to the County, and utilizing standard engineering road specifications adopted by the Board of Supervisors pursuant to A.R.S. § 28-6705(A)(1) and (2), and

WHEREAS, Santa Cruz County desires to adopt certain documents containing engineering standards and specifications necessary for the development and control of its road and street system in the best interest of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF SANTA CRUZ COUNTY THAT:

Section 1: Title:

This ordinance shall be known as the Santa Cruz County Road Standards, Policies and Specifications Ordinance (hereinafter Ordinance).

Section 2: Adoption:

Certain documents, three (3) copies of which are in the custody of the Santa Cruz County Clerk of the Board of Supervisors and are physically kept on file in the Santa Cruz County Public Works Department (hereby designated to be part of the Office of the Clerk of the Board of Supervisors for this purpose only) being marked and identified as the indicated editions of the following publications are hereby adopted as the Santa Cruz County Road Standards, Policies and Specifications:

Manual on Uniform Traffic Control Devices (MUTCD)	1989 Edition
Standards for Work Zone Traffic Control (Part IV of the MUTCD)	1993 Edition
Uniform Standards Specifications and Details for Public Works Construction (Maricopa Association of Governments [MAG] Specification & Details)	1998 Edition
Roadway Design Manual (Maricopa County Department of Transportation [MCDOT] Road Standards)	1993 Edition
Policy on Geometric Design of Highways and Streets (American Association of State Highway Transportation Officials [ASSHTO] Handbook)	1994 Edition

**BE IT FURTHER ORDAINED BY THE BOARD OF SUPERVISORS OF
SANTA CRUZ COUNTY THAT:**

Any superseding editions of the above adopted documents identified in Section 2 are hereby adopted and incorporated into this Ordinance sixty (60) days from date of publication of any such superseding edition.

Section 3: Area of Jurisdiction:

Santa Cruz County Road Standards, Policies and Specifications shall be utilized in design, engineering, procurement, construction, maintenance and demolition of County highways, public roads, and subdivision streets that are established, altered, maintained or abandoned in the unincorporated area of Santa Cruz County.

Section 4: Definitions:

- A.) The Public Works Department of Santa Cruz County shall administer this Ordinance through the Public Works Director.
- B.) Whenever “other standards,” “other specifications,” or “other regulations” are referred to in the Santa Cruz County Road Standards, Policies and Specification, they shall mean other standards, specifications, or regulations adopted by Santa Cruz County. If there is a conflict between such other standards, specifications or regulations, the more restrictive shall prevail.

Section 5: Appeals and Interpretation:

- A.) Interpretation of the Santa Cruz County Road Standards, Policies and Specifications shall be made by the Santa Cruz County Public Works Director after due consultation with the Santa Cruz County Engineer.
- B.) Appeals on interpretation by the Public Works Director, or from provisions of the Santa Cruz County Road Standards, Policies and Specifications may be made only to the Board of Supervisors.

Appeals:

An appeal from any decision of the Director of Public Works may be taken to the Board of Supervisors by any person aggrieved.

An appeal is taken by filing with the Clerk of the Board of Supervisors a written notice of appeal specifying the grounds therefore. A notice of appeal shall be considered filed with the Board of Supervisors when delivered to the Clerk of the Board of Supervisors, and the date and time of filing shall be entered on the notice of appeal.

An appeal must be filed within ten (10) days after the date of the decision appealed from and the date for the public hearing shall be no later than twenty-one (21) days thereafter.

Whenever an appeal is filed, the Public Works Director shall forthwith transmit to the Board of Supervisors all papers constituting the record relating to the action appealed from.

An appeal stays all actions by the Public Works Director seeking enforcement of or compliance with the decision appealed from, unless the Public Works Director certifies to the Board of Supervisors a stay would, in his opinion cause imminent peril to life and/or property.

The Board of Supervisors may reverse or affirm (wholly or partly) or may modify the requirement or decision or determination appealed from and shall have all the powers of the Public Works Director from whom the appeal is taken.

Section 6: Administration and Enforcement:

It shall be the duty of the Public Works Director of Santa Cruz County to administer and enforce this Ordinance. All other County officials and agencies shall, whenever requested by the Public Works Director, participate in, and assist, the Public Works Director in the administration and enforcement of this Ordinance to the extent that they are lawfully authorized to do.

Section 7: Violation and Penalties:

Any violation of this Ordinance may be enforced by criminal or civil remedies. Each day that a violation of any provision of this Ordinance shall continue shall be deemed to constitute a separate offense.

Any violation of this Ordinance shall constitute a public nuisance. Any person, firm or corporation violating this Ordinance, or any part thereof, is guilty of a Class II Misdemeanor. Penalties applicable to any violation of this Ordinance shall be as provided for in Arizona Revised Statutes Class II Misdemeanors.

Civil remedies may include injunction, mandamus, abatement, fines or any other appropriate proceeding to prevent, enjoin, abate or remove the unlawful location, erection, construction, reconstruction, enlargement, change, maintenance of use. Civil penalties may not exceed the amount of the maximum fine for the Class II Misdemeanor.

Section 8: Severability:

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or any part of the adopted documents 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 section thereof.

Section 9: Repeal:

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent that they are inconsistent with any provisions contained herein.

Section 10: Effective Date:

The effective date of this Ordinance shall be December 31, 1999.

PASSED AND ADOPTED THIS 30th DAY OF November, 1999.

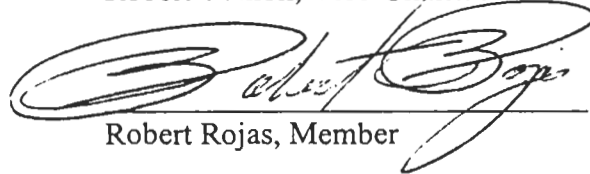
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS



Ronald R. Morriss, Chairman

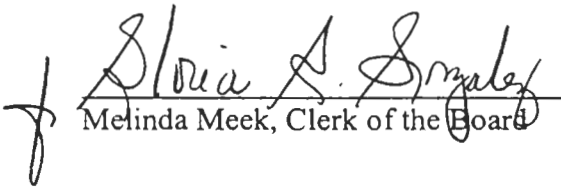


Robert Damon, Vice-Chairman



Robert Rojas, Member

ATTEST:


Melinda Meek, Clerk of the Board

November 30, 1999
Dated

APPROVE AS TO FORM:


Holly J. Hawn, Deputy County Attorney

11/30/99
Dated