

## CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

Sec. 13-22. Criminal Damage; damaging or defacing streets or sidewalks; driving on closed streets; violations; classification.

(a) It is unlawful to deface, walk, ride, or drive upon or over any sidewalk or street crossing composed of or containing cement, asphaltic concrete, fog, preservative or slurry seal or chip seal during the construction or repair thereof, or before the same is thrown open to public use. The existence of fencing, barricades, barriers or posting shall constitute reasonable notice that a sidewalk or street is closed to public use.

(b) It is unlawful to enter upon and street, road, bridge, park, water or wastewater undertaking, drainage facility or construction site whether on public or private property, while such site is restricted by fencing, barricades or dirt barrier and posted indicating construction. The existence of fencing, barricades or dirt barrier and posting shall constitute reasonable notice that entry is prohibited to unauthorized persons.

(c) It is unlawful to damage in any manner any road, street or bridge in the city limits by using the same, by heavy vehicles in excess of the limits provided by Chapter 14 of this code, malicious destruction, or by any act that will result in damage to roads, streets or bridges. It shall be presumed that driving on a roadway, street or bridge with a weight in excess of posted weight limits is an act that will result in damage to roads, streets or bridges.

(d) Violation of this Section shall be a class (1) misdemeanor. Upon conviction for a violation of this section, the Court shall order restitution to the City for the amount of damage incurred, including, but not limited to the labor cost of repair or replacement.

State law reference(s) -- Criminal damage, A.R.S. §13-1602.

(Code 1977, § 5-1-2(B), (C))

(Ord. 01-181, 12/11/01, Amended) SUPP 2001-4

(Ord. 03-169, 9/16/03, Amended) SUPP 2003-3