

# Temporary Work Zone Traffic Management Policy

---

There is hereby established in the City of Surprise (the “City”) a Temporary Work Zone Management Policy to improve work zone safety and to manage temporary roadway restrictions in order to minimize delays and frustrations for the traveling public. The Temporary Work Zone Traffic Management Program is intended to enhance the planning, application and oversight of traffic control management in temporary work areas in roadways, sidewalks and transit zones.

Traffic control shall comply with these special provisions and follow the guidelines contained in the latest editions of the Manual on Uniform Traffic Control Devices (“MUTCD”) Federal Highway Administration and/or the City of Phoenix Traffic Barricade Manual. Deviations from these specifications, except during emergency conditions, must have the prior approval of the City Engineer.

The codes and standards referenced in this Policy are considered part of the requirements of this Policy to the prescribed extent of each such reference. Where differences or conflicts occur between provisions of this Policy or the City’s Traffic Control Permit Policy and other referenced standards, the City ordinances and policies shall apply. Whenever there are practical difficulties involved in carrying out the provisions of this Policy, ambiguities or conflicts, the City Engineer shall have the authority to grant modifications or resolve such conflicts and ambiguities. The City Engineer shall first find that special individual reasons makes the strict letter of this Policy impractical and the modification(s) are in compliance with the intent and purpose of this Policy and that such modification does not lessen health, life and safety requirements. Any person directly affected by such administrative decisions of the City Engineer under this chapter shall have the right to appeal to the City Manager, provided that a written request for appeal is filed within 10 days after the City Engineer’s decision.

The provisions established herein apply to all persons, contractors, utilities and other agencies in Surprise public right-of-way. It also applies to any temporary traffic control used during parades and special events that use the public right-of-way. During incident management governed by Police and/or Fire personnel such as vehicle crashes, gas leaks, or other major occurrences, there is often no way to immediately get resources in place to fully comply with the provisions of this policy. Nevertheless, street traffic control management is needed and this normally occurs under the authority of law enforcement, which provides manual control of traffic during emergencies. During these types of incidents, a generous use of available substitute tools such as flares and roll-up emergency signs is encouraged. The longer the duration of an incident, the more consideration should be given to establish traffic control techniques such as prescribed in this policy. If temporary traffic control is requested by a City official to replace any incident management equipment, a verbal approval from the City Engineer or his/her designee is adequate to place the necessary traffic control. However, a traffic control plan will need to be submitted within a reasonable amount of time following the setup for documentation purposes.

## I. DEFINITIONS:

**ADA:** Americans with Disabilities Act

**Alley:** Lanes or passageways for use as a means of access to the rear of lots or buildings

**Applicant:** Any entity that applies for an Annual Traffic Control Permit

**Arterial Street:** Any street that is classified as a Parkway, Major Arterial or a Minor Arterial in the 2030 Roadway Plan

**Business days:** Monday through Friday excluding holidays observed by the City of Surprise

**Collector Street:** Any non-residential street that is not classified in the 2030 Roadway Plan

**Entity:** Any organization; business or governmental body

**Excessive Violations:** A recurrence of the same violation within a thirty day period

**MUTCD:** Manual on Uniform Traffic Control Devices

**Peak Hours:** Weekdays between the hours of 5:00am – 8:30am and 3:30pm – 9:00pm

**Permittee:** Any entity that receives an Annual Traffic Control Permit

**Right of Way:** All land in the City of Surprise dedicated and/or expressly reserved for the use of vehicular and pedestrian traffic and/or utilities

**ROW:** Right of Way

**Sidewalk:** A pathway dedicated within the City of Surprise right of way for the exclusive travel of pedestrians. This may consist of a pathway constructed of concrete, asphalt, or compacted gravel

**Traffic Restrictions:** Any reduction to the normal flow of vehicular and/or pedestrian traffic in the public right of way or any reduction of vehicular and/or pedestrian access to the public right of way, including any act or item that causes said reductions

**The City:** The City of Surprise

**TCP:** Traffic Control Plan

**Weekdays:** The days of the week starting at 5 am Monday and ending at 10 pm Friday

**Weekends:** The days of the week starting at 10 pm Friday and ending at 5 am on Monday

**II. TRAFFIC CONTROL PROGRAM COMPONENTS:**

**1. Annual Traffic Control Permit**

Any entity with the desire to set and/or remove traffic control is required to be registered with an annual permit from the City.

**2. Civil Citations**

Fines may be assessed for temporary traffic control violations.

**3. Impound Authority**

The City shall have authority to remove and store traffic control devices in emergency situations or as a last resort if the owner will not pick them up. This action as described herein will be at the cost of the entity that has received a permit from the City (the "Permittee").

**III. PERMIT COSTS:**

**Annual Traffic Control Permit**

Annual permit fee is \$750.00. Any entity wanting to set and/or remove temporary traffic control in the City ROW will be required to obtain the annual permit which shall be valid for one calendar year.

**IV. REQUIREMENTS TO OBTAIN A TRAFFIC CONTROL PERMIT:**

Any entity wishing to obtain a permit to place, maintain, and/or remove temporary traffic control within the City of Surprise shall satisfy the following requirements:

**A. Hold a current business license with the City of Surprise:**

The applicant shall provide documentation that a current City of Surprise business license has been obtained.

**B. Have the following insurance:**

- i. Comprehensive General Liability: One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) combined aggregate.
- ii. Automobile Liability: One Million Dollars (\$1,000,000) per accident.
- iii. All insurance provided for hereinabove shall be affected under valid and enforceable policies issued by financially responsible insurers which meet the requirements for insurers which are subject to the service of legal process in the State of Arizona and rated A- or better by A.M. Best Company.

- iv. Prior to commencing work under this program, applicant shall furnish the City of Surprise with certificates of insurance or formal endorsements, issued by the applicant's insurer(s), as evidence that policies providing the required coverages, conditions and limits by this program are in full force and effect. If a policy does expire during applicant's participation in this program, a renewal certificate must be sent to the City of Surprise fifteen (15) days prior to the expiration date.

**C. Provide the City with a list of company representatives:**

- i. The applicant shall provide and submit to the City of Surprise the contact information for the individuals named below, or respective titles, to include name, title, address, office phone number, cell phone number and fax number, if applicable:

- (a) President
- (b) Vice President
- (c) Manager
- (d) Field Supervisor
- (e) 24-hour contact

**D. Meet City of Surprise Expectations:**

- i. All persons listed as the responsible party and/or authorized agent for day to day operations shall be certified at the traffic control supervisory level or higher by the American Traffic Safety Services Association (ATSSA)
- ii. All persons responsible for placement, maintenance, and removal of temporary traffic control shall be certified at the traffic control technician level or higher by the American Traffic Safety Services Association (ATSSA)
- iii. i24/7 emergency response
- iv. Graffiti-free traffic control devices at time of work zone setup
- v. Compliance with the guidelines in the MUTCD and/or the Phoenix Barricade Manual
- vi. Service and/or maintenance of all traffic control devices in use within the City of Surprise a minimum of once a week or as requested by City of Surprise personnel due to hazardous/emergency situations
- vii. All temporary traffic control devices shall be "clustered" in a safe, neat manner when the setup is removed at the end of the work day.

- viii. Removal of all traffic control devices within 24 hours of expiration of approved traffic control plan
- ix. It shall be the Permittee's responsibility to provide, erect, maintain service and remove all necessary signs, barricades, high level warning devices, lights, delineators, and other devices necessary to properly mark and control the construction areas for the safe and efficient movement of vehicular and pedestrian traffic.
- x. The Permittee shall provide a 24-hour emergency telephone number for traffic control. The telephone number shall be on each traffic control device.
- xi. The Permittee shall provide other traffic control devices or measures as deemed necessary by the City Engineer or his/her designee.

## **V. TRAFFIC CONTROL PERMIT:**

Any traffic control permit issued may grant some or all of the following:

- i. Daytime off-peak setup from the hours of 8:30 am to 3:30 pm.
- ii. Nighttime off-peak setup in non-residential areas from the hours of 9:00 pm – to 5:00 am.
- iii. A 24 hour setup if the work can be shown unable to be completed with either a daytime or nighttime off-peak setup.

### **A. When to Submit a Traffic Control Plan to the City:**

The purpose of a traffic control plan is to encourage forethought as to the time of day, sequence of construction, degree of restriction and traffic control needed. The City Engineer or designee based on field conditions at the time of work may modify an approved Traffic Control Plan. An approved Traffic Control Plan shall be on site at all times by the Contractor and Permittee.

A Traffic Control Plan shall be required for all projects that:

- i. Divert, detour, or interrupt normal flow of vehicle and/or pedestrian traffic
- ii. When work occurs in the right of way within 20 feet of the edge of a traveled roadway

### **B. How to Submit a Traffic Control Plan to the City:**

Traffic Control Plans may range in complexity from use of typical illustrations in an approved traffic control manual to a detailed site plan showing signing, type of intersection, barricading, diversions, detours, and project phasing. In all cases, the required Traffic Control Plan shall satisfactorily address all construction restrictions, the requirements of the permit and these regulations.

- i. All traffic control plan submittals shall be submitted to the City by a company that has a current annual traffic control permit.
- ii. The submittal form can be completed online at <https://www.surpriseaz.gov/FormCenter/Public-Works-9/Barricade-Provider-Services-Information--44>.
  - (a) For restrictions the Traffic Control Plan (“TCP”) and submittal form must be submitted online for review at least two business days (48 hours) prior to the start of construction.
  - (b) For full closures the TCP and submittal form must be submitted online for review at least twenty (20) business days prior to the start of construction.
- iii. In no way will submission of a TCP guarantee approval for start of construction at the 48-hour/20 day mark. If the TCP or submittal form need correction a new review period will start upon the new submittal date. Construction is not authorized to proceed without the City Engineer or designees approval of the TCP and concurrence that construction can proceed with minimum public and traffic impact.
- iv. Once approved, any change to the TCP or specific information approved in a previous submittal shall require a re-submittal of the TCP and submittal form.
- v. All traffic control plans shall contain at least the following information clearly stated on every page of the plan:
  - (a) Engineering permit number example, E09P-1234. This permit number will be supplied by the contractor.
  - (b) Requested start and end date of traffic control setup
  - (c) Requested start and end time of traffic control setup
  - (d) Specific channeling device or barricade required,
  - (e) Contractor contact information and any other pertinent information requested by the City.

## VI. GENERAL TRAFFIC REGULATIONS:

The following are the minimum requirements for all traffic control, unless otherwise provided for in the permit or as directed by the City Engineer or designee.

### A. Restriction Times

Traffic restrictions are not permitted on arterial or collector streets during the weekday peak traffic hours of 5:00 a.m. to 8:30 a.m. and 3:30 p.m. to 9:00 p.m. During off peak traffic hours, the minimum number of lanes shall be two lanes (one in each direction, plus left turn lanes at intersections) on streets with four lanes or less, and four lanes on streets with six or more lanes, unless otherwise approved. Major roadways such as Bell Road shall have hours of restriction on a case-by-case basis, as directed by the City of Surprise.

<u>Number of Existing Lanes</u>	<u>Number of Lanes to Maintain Open during Restriction</u>
More than four lanes	Four lanes (two each direction)
Four or fewer lanes	Two lanes (one each direction)

To keep nighttime noise to acceptable levels, Permittee shall not conduct any work during the hours of 9:00 p.m. to 5:00 a.m. in residential areas per **City of Surprise Ordinance 34-105** without the written approval of the City Engineer or designee. Special noise abatement conditions and procedures will be required if nighttime work is approved.

Certain times throughout the year a limit will be placed on the time, type, and locations of traffic restrictions. This may include areas around schools during school hours, areas around major shopping areas during the holiday shopping season (the day after Thanksgiving to the day after New Year's), and any road that is used to travel to and/or from the Surprise Recreation Campus during sporting and special events. This includes but is not limited to the annual baseball spring training season.

### B. Use of Off-Duty Officers

A uniformed off-duty Surprise Police Officer with a fully marked patrol vehicle shall be present when any excavation or similar activity will occur in the right of way within 150' of a signalized intersection, or if required by the City Engineer or his/her designee. Off-duty officers are positioned at work sites that occur within 150' of a signalized intersection to ensure that safe and efficient traffic movement is maintained. If there is a malfunction in the signal operation or a major traffic delay caused by the construction activities, the officer can direct traffic as needed. Use of Surprise off duty officers is preferred because of radio communications with on-duty officers, accountability, and citation writing ability. Additionally, history has shown that Surprise officers show more allegiance to making the City of Surprise streets operate more efficiently than others less familiar with Surprise. Having the off-duty officer on site allows for immediate response to the need for traffic direction without having to pull an on-duty officer from patrol.

Off duty Surprise officers must be hired directly by the Contractor through the City of Surprise Police Department. Information regarding contracting an officer through Surprise PD is available at **(623) 222-4334** or on the web at <https://www.surpriseaz.gov/1586/Hiring-an-Off-Duty-Officer>. The Surprise Police Department shall verify availability for a Surprise off-duty officer. If a Surprise officer is unavailable the Surprise Police Department Off-Duty Coordinator shall approve the use of an officer from the Maricopa County Sheriff Office or DPS. The use of an officer from an alternate agency without authorization from the City shall result in a cease work order for the jobsite until the proper authorization is obtained. Only sworn officers from the City of Surprise or, if approved by the Surprise Police Department, MCSO, and DPS are permitted to work off- duty in work zones in the City of Surprise.

Off duty police officers that are alert, visible, and accommodating can be a valuable public relations asset for both the City and the Contractor. Conversely, they can create a poor image for both if they are not contributing to the safe and efficient movement of traffic. Since off duty officers wear an official uniform, their performance reflects powerfully upon the City of Surprise. Expectations of the City and employers of police officers hired for traffic control are set high. When off duty officers are hired to support construction/maintenance/ special event efforts, expectations are that officers will:

- Perform in a manner that favorably reflects on the City of Surprise.
- Communicate with onsite foreman regarding planned work hours and scope of work for that day upon arrival at the work site.
- Position themselves in such a manner as to have access to the traffic signal cabinet, yet maintain a full view (360-degree vision) of ALL traffic movements.
- Station their vehicle in a manner that does not block sidewalks, traffic or construction activity.
- Be equipped with the proper equipment (i.e., ANSI Class II or higher safety vest, signal cabinet key, two-way radio, etc.) as required to perform this vital temporary traffic function.
- Assure that there are no physical obstructions (i.e., vehicles, equipment, or materials blocking sidewalk without proper and authorized sidewalk closure) preventing ADA compliant access for pedestrians.
- “*Stand by their post*” at all times except during planned breaks, i.e., observing traffic, not simply watching work being performed or sitting in vehicles. As with any employer,



breaks need to be coordinated with the Contractor to ensure that the officer is present during all construction activities.

- Assist pedestrians through work zones.
- Temporarily stop traffic as needed to allow for the entering/exiting of vehicles and/or equipment into/from the work site.
- Work with flagmen personnel to direct traffic through stop sign controlled intersection as a part of a flagging traffic control setup.
- Keep traffic lanes and sidewalks functional, and free of illegally parked construction vehicles.
- Use the manual pushbutton control in the traffic control cabinet to help traffic move efficiently as needed.
- Observe and immediately report traffic problems to police dispatch and/or Traffic Engineering.
- Direct traffic through intersections as needed.
- Assist in the restriction and/or closing of roadways during setup of work zones.

### **C. Lane Requirements**

Traffic lanes shall normally be 12 feet in width and have a minimum safe operating speed of 25 – 35 miles per hour depending on the posted speed limit. When the TCP calls for an asphalt or oil paved detour, the Contractor shall provide and maintain it in a safe drivable condition. Where traffic is diverted from the pavement, the Contractor shall provide a suitable graded traveling surface with proper dust control. If a diversion will be in place overnight or exceed 5 working days, the diversion may require paving or other acceptable dust palliatives as determined by the City Engineer or designee. When steel plates are used to cover open trenches, “BUMP” (W8-1) signs shall be installed to notify motorists. All arterial and major collector street pavements where the posted speed is 35 MPH or greater, shall be milled and steel plates placed flush with the top of existing pavement. If posted speed is 35 MPH or greater, pinned and/or welded recessed steel plates shall be required on AC pavement. The Contractor shall maintain all traffic control devices 24 hours a day for the entire construction period.

### **D. Police and Fire Department Notification**

On all major streets, the Surprise Police and Fire Departments shall be provided with, by the contractor, the location and duration of any road restriction as well as the name and phone number of the person responsible for 24-hour maintenance of traffic control devices. Surprise Fire Department can be contacted at **(623) 222-5000**; Surprise Police Department can be contacted at **(623) 222-4000**.

#### **E. Closing Roads, Sidewalks, and Alleys**

Except under emergency conditions, roads shall not be closed for construction activity unless prior approval is obtained from the City Engineer or designee. Road closures will not be permitted within one mile of an existing major traffic control operation. The Contractor's request for closure shall include an analysis of the impact of diverting traffic to alternate routes versus constructing a paved detour. **This request must be submitted to the City 20 business days prior to requested closure.** The contractor is required to notify Fire, Police and Public Works departments as well as any schools and/or businesses affected by the closure. Changeable Message Signs with duration and locations as approved by the City Engineer or designee shall be in place a minimum **of 10 business days** in advance of closing roads after the approval is granted. Information signs shall be placed displaying hotline numbers sending 24 hour complaints to the **Contractor** not the City.

#### **F. Access to Property**

Access to all properties for normal services shall be maintained at all times where possible. When local access cannot be maintained, the Contractor shall notify the affected property owner/resident at least 48 hours in advance of the access closure. Access for emergency services must be maintained at all times. In no case shall the access be restricted for more than eight hours. Access shall not be closed for fire stations, hospitals, police stations or schools.

Commercial access shall be maintained for at least one point of access during all construction activity unless approved by the City Engineer or designee. The Contractor shall give 48 hours notification to the responsible person for all affected parties, concerning all access restrictions.

#### **G. Overnight Traffic Diversions**

For diversions that move traffic from normal lanes, temporary bypasses shall be utilized during daylight hours only and traffic shall be restored to its normal lanes overnight if possible. Traffic plates and temporary pavement shall be used. If conditions warrant, the City Engineer or designee may grant exceptions.

#### **H. Sidewalk Closure**

Sidewalk closures are required to have an approved traffic control plan prior to being placed. Pedestrian traffic shall be notified of sidewalk closure by signage at the nearest accessible intersections to the affected sidewalk as well as at the point of the closure itself. All possible means shall be employed to keep sidewalks open, even if temporary sidewalks and/or pedestrian pathways are constructed. All temporary sidewalks and/or pedestrian pathways must maintain compliance with the ADA and Phoenix Barricade Manual.

**I. Public Safety**

If for public safety, the City needs to install temporary traffic control devices due to non-response by the Contractor, the Contractor shall be charged for all time, material and equipment used. Once a permit has expired, the Permittee has 24 hours to remove all traffic control devices from City of Surprise right-of-ways. Failure to comply will result with the Permittee being charged for all time, material and equipment used to remove the traffic control devices from the right-of-ways. Should this be a recurring event, the City reserves the right to deny future traffic control plan approvals.

**J. Portable Concrete Barriers and Water Filled Barriers**

Portable concrete barriers and/or water filled barriers maybe required when construction hazards warrant or when directed by the City Engineer or designee. Portable concrete barriers may be used to provide protection from vehicle intrusion into a work zone or pedestrian pathway. These barriers shall follow all guidelines set forth in chapter 6F of the MUTCD. The traffic approach ends of all portable barriers shall be protected from vehicle impact by flaring the ends away from the traveled way beyond the limits of the clear zone at a rate consistent with the following table or by the use of approved attenuation devices:

<u>Taper</u>	<u>Posted Speed</u>
8:1	35 MPH
9:1	40 MPH
10:1	45 MPH
11:1	50 MPH

Water filled barriers may be used as longitudinal channelizing devices in work zones or pedestrian pathways. The use of these devices shall follow all guidelines set forth in chapter 6F of the MUTCD.

**K. Portable Changeable Message Signs**

Portable changeable message signs may be required to inform the public of restrictions and detours. The use of these signs shall follow all guidelines set in chapters two and six of the MUTCD. The placement of changeable message boards shall require the submittal of a TCP to approve the location and message of the sign. Changeable message signs shall be used for traffic related purposes only and shall not be used for advertising purposes.

#### L. Trench Plating

To cover hazards and restore normal traffic flow during non-work times, the Contractor may be required to use traffic plates. Use of plates shall be short time periods, not to exceed three workdays. Extended use may be granted with the approval of the City Engineer or designee. All plates shall be flush with the surface on roads and pinned or welded where the speed limit is 35 mph or greater. "Cold patch" shall be used along all edges of the plates.

### VII. SHORT TERM RESTRICTION AND SERVICE VEHICLES:

Vehicles covered in this section are those required by the nature of their work to travel slowly or stop for brief periods in City streets. These may include, but are not limited to, minor pavement patching, temporary traffic control placement and/or removal, sanitation pickup, street sweeping, street painting, or traffic sign or signal maintenance.

***Service vehicle operations are prohibited on major arterial and collector streets during peak traffic hours.*** During other times, to optimize safety operators need to plan their work to avoid stopping in the traveled portion of the street whenever possible and, when stopped, minimize the time required. Service vehicles are required to follow ***all*** traffic/parking laws. This includes but is not limited to parking in posted no parking areas, blocking bike lanes, and parking on and/or blocking sidewalks. Service vehicles ***shall*** maintain the minimum number of lanes in each direction as described in Section VI, paragraph A while stopped. Shifting traffic into a two way turning lane without the proper center line delineation is not permitted.

When service vehicles must travel slowly or stop for brief periods, they ***shall*** display one of the following operating high level warning light systems.

- ***Two Rotating Flasher or Strobe Light High Level Warning Light Devices***

These devices must provide 360 degree visibility. They may be used in combination and incorporated into a "light bar" for added visibility.

- ***One Advance Warning Panel and Two Rotating Flasher or Strobe Light High Level Warning Light Devices***

Arrow panels shall be used in combination with rotating flashers or strobe lights to provide 360 degree visibility.

Flashing lights and arrow panels shall be located on service vehicles so that they remain in full view, front and rear, at all times and are not obscured by dump beds, mounted equipment, trailers, or work activity. Minimum mounting height shall be 8'-0".

When it is necessary for service vehicles to stop for brief periods, it shall be standard operating procedure to display the high level operating system **and** the vehicles four-way hazard warning flashers. Additionally, a short taper of cones (minimum of 50' and six 28" cones) at the rear of the vehicle should be used. The use of cones during slow moving operations or for stops shorter than five minutes is not required, but encouraged to be used whenever practical.

Vehicles meeting these requirements shall follow these time allowances.

- **Up to 15 minutes** for vehicles equipped with two flashing or strobe high level warning devices and a short taper of 28" cones (minimum of 50' and six cones) at the rear of the vehicle.
- **Up to 45 minutes** for vehicles equipped with advance warning arrow panels, two rotating flasher or strobe light high level warning light devices and a short taper of 28" cones (minimum of 50' and six cones) at the rear of the vehicle.

## **VIII. EXISTING TRAFFIC SIGNAL AND SIGNING DEVICES:**

The Contractor shall maintain and/or relocate all existing signal indications, warning signs, stop, yield and street name signs; erect, clean and in full view of the intended traffic at all times. Portable signs should be used to supplement blocked or removed signs. Signs in conflict with traffic control signs shall be covered by City approved methods.

The Contractor is responsible for the cost of replacing lost signs and for the permanent repair or replacement of damaged signal equipment and loop detectors.

Should damage occur to existing signal equipment, the Contractor shall notify the City Traffic Signals Technician at **(623) 824-6419** immediately, to make the necessary temporary repairs to restore traffic signal operation.

The Contractor will reset all disturbed signs to permanent locations when construction is completed. The Contractor shall notify the City Technician when the work is complete. All necessary temporary signs shall remain in place until permanent signs are reset.

## **IX. FLAGGING OPERATIONS:**

All flaggers shall be properly trained and certified by a recognized by either the International Municipal Signal Association (IMSA) or American Traffic Safety Services Association (ATSSA) and shall carry proof of training with them at all times. Flaggers shall use "STOP / SLOW" paddles to control traffic; orange construction flags are not permitted.

**X. FAILURE TO COMPLY:**

**A. Guideline Policies**

Any person that obtains a Right of Way and/or Traffic Control Permit with the City shall follow all guidelines set forth in the City of Surprise Temporary Work Zone Traffic Management Policy, the MUTCD and/or Phoenix Barricade Manual. Any violation of any of these guidelines may result in a cease work order and/or an imposed civil citation according to this schedule.

- i. Restricting roadway without valid permit and/or approved traffic control plan for longer than the time limits specified for short term/service vehicle work zones or failing to meet the equipment requirements specified for use in short term/service vehicle work zones: \$1,000.00
- ii. Restricting traffic within 150 feet of a signalized intersection during excavation activities or as determined by the City Engineer or designee without a uniformed off duty officer from the City of Surprise or City approved alternate agency present in violation of the permit and/or Traffic Control Plan: \$ 1,000.00
- iii. Leaving traffic control devices in ROW 24 hours after approved Traffic Control Plan expires: \$ 250.00
- iv. Violating restrictions, limits, times and locations of the approved Traffic Control Plan: \$ 500.00
- v. Missing or improper use of barricades and/or delineation devices as shown in the approved Traffic Control Plan: \$ 1,000.00
- vi. Closing, restricting, or otherwise rendering a sidewalk or pedestrian pathway unusable without authorization: \$ 500.00
- vii. Failure to Correct Violation \$ 1,000.00

Civil citations will be issued by a division of the Surprise Police Department and will include information provided by the City of Surprise Engineering Department. The civil citation will be delivered through certified mail. Documentation will include any or all of the following; inspector’s daily notes, phone logs, photos, faxes received from Permittee, and any other documentation supportive of the failure to abide.

**B. Civil Citation Process**

- i. Violation observed by City personnel
- ii. Photographs of violation taken by City personnel for documentation.
- iii. Documentation taken by City personnel; i.e., Contractor and/or Barricade Company name, location, date, and time of day of observed violation.

- iv. City personnel will contact Contractor and/or Barricade Company if present to address and correct the violation. If the Contractor and/or Barricade Company are not present, City personnel will attempt to contact the responsible party by phone at the number provided by the Permittee. Once contact is made an appropriate timeline will be given for correction of the violation. All conversations will be documented.
- v. A second visit will be made to the site of violation by City personnel to ensure that the violation has been corrected. If the violation has not been corrected by the deadline, a second violation, "Failure to Correct Violation," may be issued.
- vi. All documentation taken by City personnel will be given to the City Engineer for review. Upon review, if deemed appropriate, the Traffic Engineer will forward all documentation and recommendation of issuance of a Civil Citation to Surprise Police.
- vii. Surprise Police will issue a Civil Citation to the Contractor and/or Barricade Company via certified mail that will be filed with the City of Surprise Municipal Court.
- viii. In certain cases of negligent or repeated violations, the Surprise Police Department may be requested to arrive on site and issue a Civil Citation to the responsible party on site; i.e. the contractor foreman or superintendent.

Payment of imposed civil citation - Any party receiving a notice of civil citation shall make payment in accordance to the timeline given with the citation.

Failure to pay civil citation – Failure to pay civil citation as provided herein will result in the automatic termination of the Traffic Control Permit, and such permit holder shall be prohibited from obtaining additional traffic control plan approvals until all outstanding civil citations have been paid in full.

Disputing a civil citation – Dispute of a civil sanction will be handled through the City of Surprise Municipal Court. The Contractor/Barricade Company may be subject to Court fees in addition to the fine if a hearing is held.

Traffic Control Permit suspension – In addition to or in place of these civil citations, the City of Surprise may suspend for up to twenty business days the Permittee’s Traffic Control Permit. A suspension may be imposed due to failure to comply after written warning and/or negligent violations. Suspensions will result in the rejection of all TCP submittals for new projects but will allow ongoing projects to continue.

## **XI. IMPOUND AUTHORITY:**

The City shall have the authority to remove and store any traffic control device from the City’s right of way after sufficient notice has been given to the barricade use permit holder. Any traffic control device that has been impounded by the City will have to arrange for pickup through the City of Surprise Traffic Control Technician. Storage fees shall be imposed on any impounded traffic control

device. The rate for storage shall be \$1.00 per device per day. All information regarding pickup requests and impoundment of traffic control devices will be documented and emailed to permittees authorized agent.

Notification from the City of violation shall follow as described:

- |      |  |                              |
|------|--|------------------------------|
| i.   | Expected pickup of all traffic control devices | One day after exp. of TCP    |
| ii.  | First pickup notification from the City        | Two days after exp. of TCP   |
| iii. | Second pickup notification from the City       | Four days after exp. of TCP  |
| iv.  | Final pickup notification from the City        | Six days after exp. of TCP   |
| v.   | Impound of traffic control devices             | Eight days after exp. of TCP |

**XII. CONTACT INFO:**

**City of Surprise**

After Hours Traffic Signals	<b>623.824.6419</b>
After Hours Signs	<b>623.824.6419</b>
City Clerk	<b>623.222.1200</b>
Finance	<b>623.222.1800</b>
Fire	<b>623.222.5000</b>
Off Duty Police Officers	<b>623.222.4334</b>
Police	<b>623.222.4000</b>
Public Works	<b>623.222.6000</b>
TCP Fax Submittal	<b>623.222.1701</b>
Traffic Control	<b>623.222.1734</b>
Transportation	<b>623.222.6000</b>
Water Services	<b>623.222.6000</b>

**Other Agencies**

EPCOR Water	<b>623.445.2400</b>
EPCOR After Hours Emergency	<b>623.974.2521</b>
Arizona Public Service	<b>602.371.7171</b>
Arizona Public Service Emergency	<b>602.258.5483</b>
Dysart Unified School District	<b>623.876.7000</b>
Southwest Gas	<b>877.860.6020</b>
Southwest Gas 24 Hour Emergency	<b>602.271.4277</b>