

ORDINANCE NO. O2025-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING TITLE 3, CHAPTER 32 OF THE YUMA CITY CODE REGULATING CIVILIAN ACCIDENT INVESTIGATORS

WHEREAS, the State of Arizona, through Arizona Revised Statutes (A.R.S.) § 28-627, authorizes the City to employ civilians to perform limited traffic related tasks; and,

WHEREAS, the City of Yuma Police Department employs civilians pursuant to A.R.S. § 28-627; and,

WHEREAS, the current ordinances related to Civilian Accident Investigators were adopted in 1986, in reliance on a former version of A.R.S. § 28-627; and,

WHEREAS, the current ordinances related to Civilian Accident Investigators need updating for clarity and compliance with current State law; and,

WHEREAS, the employment of civilians pursuant to A.R.S. § 28-627 is necessary for the operation of the Yuma Police Department to relieve sworn officers from responding to low level traffic related incidents and enforcement.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: Yuma City Code, Chapter 32: *Civilian Accident Investigators*, is amended as follows where strike through text shows deletions and bolded text shows additions to the ordinance:

CIVILIAN ACCIDENT TRAFFIC INVESTIGATORS

~~§ 32-45 Definition.~~

~~—For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.~~

~~—CIVILIAN ACCIDENT INVESTIGATOR. A duly authorized agent (male or female) employed by the Yuma Police Department under the authority of this subchapter.~~

§ 32-465 Established; Appointment.

The position of **eCivilian Traffic accident i**Investigator is hereby created within the Yuma Police Department, which shall be under the control and supervision of the Chief of Police or his designee. They shall be appointed in accord with the personnel rules of the city. **pursuant to A.R.S. § 28-627(E)(1) and (2).**

§ 32-476 Official Status.

~~The civilian accident investigator will be “non-sworn personnel authorized to investigate traffic accidents occurring within the city limits, and issue both criminal and civil traffic citations pursuant to A.R.S. § 28-627, or pursuant to the traffic rules of this code. The civilian accident investigator will not have powers of physical arrest. They will not be subject to or acquire any rights to the Police Pension Fund Act of this state.”~~**Civilian Traffic Investigators shall be employees of the City of Yuma. The authority of a Civilian Traffic Investigator is limited to that expressly set forth in A.R.S. § 28-627(E)(1) and (2) and this chapter. A Civilian Traffic Investigator is not granted any other powers or benefits to which**

Arizona Peace Officers are entitled. A Civilian Traffic Investigator shall not carry a firearm while performing duties on behalf of the City of Yuma.

~~§ 32-48 Uniforms.~~

~~—The Chief of Police shall designate and specify the type and color of uniform for the civilian accident investigator.~~

§ 32-497 Authority and Duties.

~~The authority and duties of the civilian accident investigator shall be as follows:~~**Civilian Traffic Investigators have the following powers and authorities:**

- A. Issue citations or complaints for violations of Chapter 212 of this Code pertaining to the standing or parking of vehicles.**
- B. Investigate traffic accidents occurring within the City of Yuma.**
- C. Issue citations or complaints for violations of state statute or the Yuma City Code relating to traffic, if the violation is related to a traffic accident occurring within the City of Yuma.**
- D. File written reports as required by A.R.S. § 28-667.**

~~—(A) The civilian accident investigator shall have the authority to issue civil and criminal traffic citations per A.R.S. § 28-627.~~

~~—(B) The civilian accident investigator shall have the authority to enforce city ordinances under the traffic rules of this code, and to issue civil and criminal traffic citations for a violation of said traffic rules.~~

~~—(C) The civilian accident investigator shall investigate traffic accidents occurring within the city limits, and related duties as assigned.~~

SECTION 2: Penalty

Any person, entity, or corporation, found in violation of any provision of this ordinance shall be deemed guilty of a class 2 misdemeanor, and shall be punished as provided in § 10-99 of the Yuma City Code.

Adopted this _____ day of _____ 2025.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

APPROVED AS TO FORM:

Lynda L. Bushong
City Clerk

Richard W. Files
City Attorney