

Chapter 27 PARKS AND RECREATION¹

ARTICLE I. IN GENERAL

Sec. 27-1. Parks and recreational facilities and programs; statement of purpose.

- (a) The city has established parks and recreational facilities and programs for the use and enjoyment of its residents, believing that the provision of such parks, facilities, and programs is necessary to meet the significant social, physical and mental health needs of the community.
- (b) To the extent possible, the city has provided parks, facilities, and programs without directly imposing fees for such parks, facilities, and programs. To continue providing parks, facilities, and programs for the use and enjoyment of the community at a high level of quality, it may be necessary to charge fees to those persons who most directly benefit from certain parks, facilities and programs.
- (c) Fees and charges imposed for the use of parks, facilities, and programs may be established at levels that permit the city to recover its costs of providing such parks, facilities, and programs to the community.

(Ord. No. 1944, § 1, 5-27-97)

Sec. 27-2. Fees.

- (a) The city council may, by resolution, set all fees for the use of the city's parks and recreational facilities and programs. The city council may set different fees for city residents and for nonresidents using or participating in the same parks, facilities and programs.
- (b) Unless such fees have otherwise been set by the city council, the parks and recreation director may set fees for the use by rental or reservation of the city's parks and recreational facilities and class or supervised activity programs. However, except for special events, nothing in this section shall be construed as granting the parks and recreation director the authority to impose a general use or admission fee for the use and enjoyment of city parks by the public. Any such fee shall be approved by the city council. The parks and recreation director may set different fees for city residents and for nonresidents using or participating in the same parks, facilities, or programs.
- (c) No fees paid pursuant to this chapter for the use of any city park, recreational facility or program shall be refunded if:
 - (1) The person requesting a refund uses or participates in the park, facility, or program for which the fee has been paid, even if such use or participation is not as extensive as such person was entitled to; or
 - (2) The person fails to request a refund in a timely manner which may result in the city incurring unnecessary costs or losing replacement revenues as a result of issuing a refund.

(Ord. No. 1944, § 1, 5-27-97)

¹Cross reference(s)—Amusements, Ch. 5; library, Ch. 20; sale, lease, etc., of city property, § 2-166 et seq.; art in public projects, § 2-226 et seq.; parking or driving on recreational trails prohibited, § 24-63; special events, § 30-81 et seq.

Sec. 27-3. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the following meanings, except where the context clearly indicates a different meaning:

Bicycle: Any device propelled by human power upon which any person may ride having two tandem wheels either of which is more than twelve (12) inches in diameter or having three (3) wheels in contact with the ground any of which is more than twelve (12) inches in diameter.

Camp or Camping: The use of a park as a temporary or permanent place of dwelling, lodging, residence, or as a living accommodation. Indications of camping may include, but are not limited to, burning a fire, carrying on cooking activities, storing personal belongings, laying down bedding for sleeping, or using tents or temporary structures for shelter, sleeping, or storing of personal belongings. Such activities constitute camping when it reasonably appears under the circumstances that a person is using the area as a living accommodation, no matter how temporary.

Downtown redevelopment area: The area bounded by Orangewood Avenue on the north, Maryland Avenue on the south, 51st Avenue on the east and 63rd Avenue on the west.

Food: Any article, solid or liquid, sold for human consumption, and the sale of which is not prohibited by any federal, state, or local law, rule or regulation.

In-line skates: Shoes that have attached to their soles a row of wheels which are used for gliding with alternate movement of the legs on a surface other than ice.

Motorized skateboard: A self-propelled device which has a motor, a deck on which a person may ride and at least two (2) tandem wheels in contact with the ground.

Parks and recreation director: The person designated by the city to act as parks and recreation director, or his/her designee, regardless of such person's official title with the city.

Pushcart: Any device that is on wheels, is propelled solely by an individual pushing it while he or she walks and is specifically designed for the sale of inflated balloons or fresh flowers or for storage and preservation of food items for a short time. Any device which may be transported from one (1) place to another by hitching it to a motor vehicle, except for a device using a detachable hitch, shall not be deemed to be a pushcart.

Road or roadway: Any portion of a street improved, designed, or primarily used for vehicular travel, exclusive of the berm or shoulder. If a street includes two (2) or more separate roadways, "roadway" refers to such roadways separately but not to all such roadways collectively.

Roller-skates: Shoes that have attached to their soles two (2) parallel sets of wheels which are used for gliding with alternate movement of the legs on a surface other than ice.

Sidewalk: Any portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property line, intended for the use of pedestrians.

Scooter: A transportation device that has a deck on which a person may stand, at least two (2) tandem wheels in contact with the ground, and a long steering handle.

Skateboard: A human-propelled device which has a deck on which a person may ride and at least two (2) tandem wheels in contact with the ground.

Smoke or Smoking: The act of inhaling, exhaling, burning, vaping, or carrying any lighted, heated, or ignited cigar, cigarette, cigarillo, pipe, hookah, water pipe, smoking device, or any other device that delivers nicotine, tobacco, or cannabis to a person.

Tax and license manager: The person designated by the city to act as tax and license manager, regardless of such person's official title with the city.

Vehicle: A device in, upon or by which any person or property is or may be transported or drawn upon a public roadway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Shopping Cart: As defined by A.R.S. 44-1799.31, as amended.

(Ord. No. 1944, § 1, 5-27-97)

Secs. 27-4—27-15. Reserved.

ARTICLE II. PARKS AND RECREATION COMMISSION²

Sec. 27-16. Parks and Recreation Commission.

- (a) *Mission.* Pursuant to the City Charter of the City of Glendale, Article V, Section 1, the city council does hereby create a parks and recreation commission.
- (b) *Bylaws.* Unless otherwise delineated with this section, the bylaws contained in Chapter 2, Article VIII shall apply.
- (c) *Composition.*
 - (1) The commission shall have nine (9) members. Two (2) of the nine (9) members of the commission shall be students attending high school at the time of their appointment by the city council. The student members of the commission shall be full voting members of the board. The calculation of a quorum of the commission shall be based on the seven (7) non-student members.
 - (2) The student members of the board shall be appointed for one-year terms and may be re-appointed for a second one-year term. The non-student members of the board shall be appointed for a two-year term. All members shall serve without compensation.
- (d) *Powers, duties and responsibilities.* The powers and duties of the commission shall be to advise the city council on the following matters:
 - (1) Establishment of policies, rules and regulations relating to the planning, acquisition, disposition, operation, use, care and maintenance of areas and structures owned, leased or otherwise acquired by the city for use as parks and recreational centers.
 - (2) Development of a continuing plan for the city's park system and its recreation program.

² *Editor's note—* [Ord. No. 022-32](#), § 8, adopted April 26, 2022, amended Art. II in its entirety to read as herein set out. Former Art. II, §§ 27-16—27-21, pertained to similar subject matter, and derived from Code 1963, §§ 21A-7—21A-13; Ord. No. 1505, § 1, 7-28-87; Ord. No. 1627, § 1, 12-5-89; Ord. No. 1644, §§ 1(7), 4, 5-22-90; Ord. No. 1849, § 6, 7-25-95; Ord. No. 1944, § 2, 5-27-97; Ord. No. 2158, § 2, 7-25-00; [Ord. No. 021-02](#), § 1, 1-12-21.

Charter reference— Appointive boards and commissions, Art. V; ex officio members, Art. V, § 2.

Cross reference— Uniform bylaws for boards, commissions and committees, § 2-266 et seq.

(3) Establishing priorities at budget time for those items other than administrative functions relating to park acquisition, development and recreation programs.

(4) Such other matters as the mayor and city council may direct.

(Ord. No. 022-32, § 8, 4-26-22)

Secs. 27-17—27-35. Reserved.

ARTICLE III. PARK RULES³

DIVISION 1. GENERALLY

Sec. 27-36. Adoption of rules and regulations by council and director.

- (a) The city council may adopt rules of conduct for persons using city parks and recreational facilities. Such rules may be established or amended by resolution of the city council.
- (b) The parks and recreation director may adopt such rules and regulations as he or she deems necessary to implement and enforce the provisions of this article and article V of this chapter; provided that such rules and regulations are consistent with this chapter and with all rules and regulations adopted by the city council pursuant to subsection (a). All administrative rules and regulations adopted by the parks and recreation director are subject to the approval of the city manager. All persons using city parks, recreational facilities, or programs shall comply with all administrative rules and regulations so adopted.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-37. Violations; penalties.

- (a) The violation of any provision of this article or of any rule or regulation adopted by the city council pursuant to section 27-36 shall be deemed a misdemeanor. Each day a violation is allowed to exist shall be deemed a separate offense.
- (b) The violation of any provision of this article or of any rule or regulation adopted by the city council pursuant to section 27-36 may be treated as a civil code infraction pursuant to Glendale City Code, chapter 13, article II, provided that the provisions contained in section 13-22(b) shall not apply to any enforcement action under this article.
- (c) In addition to any penalties imposed pursuant to subsections (a) and (b), the parks and recreation director may prohibit any person from future use of city parks and recreational facilities and programs if the parks and recreation director determines, after notice and an opportunity for a hearing before the director, that the person has committed a serious violation, or repeated violations, of any provisions of this article or of

³ *Editor's note— Ord. No. 1944, § 3, adopted May 27, 1997, amended former Art. III, §§ 27-36—27-71, relative to park rules, and enacted a new Art. III to read as herein set out. The provisions of former Art. III derived from Code 1963 §§ 21A-1—21A-6, 21A-14, 21A-15(a)-(2) and Ord. 1753.*

any rule or regulation adopted pursuant to section 27-36. The length of any such prohibition shall not exceed twelve (12) months.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-38. Enforcement.

Any rules and regulations adopted by the city council pursuant to this article and any other ordinances adopted by the city council which are applicable in or to city parks shall be enforced by city police officers, park rangers, city code enforcement inspectors, and police crime prevention specialist, all of whom shall have authority to issue citations or to file civil code infraction complaints for violations of such rules, regulations, and ordinances.

(Ord. No. 1944, § 3, 5-27-97)

Secs. 27-39. Entering park areas closed to public use.

- (a) No person shall knowingly enter or remain in any park, or portion thereof, designated as closed for public use by the director.
- (b) The department shall provide public notice of the designation of areas as open or closed to public use by any of the following:
 - 1. Posting of appropriate signs or maps; or
 - 2. Establishing physical barriers, including, but not limited to, posts, branches, or rocks; or
 - 3. Any other means reasonably calculated to give notice to the public of areas open or closed to public use.
- (c) The prohibitions of this section shall not apply to any person performing any work or activity which is authorized by the director.

27-40. Reserved.

DIVISION 2. GENERAL REGULATIONS

Sec. 27-41. Obstructing city officials.

It shall be unlawful for any person using a city park to knowingly:

- (a) Furnish any false information to any park ranger or other city official performing any official duty in a park; or
- (b) Obstruct or interfere with any park ranger or city official in the performance of such person's official duties in a park.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-42. Order to leave park; unlawful refusal to comply.

A city police officer, park ranger, city code enforcement inspector or police crime prevention specialist may order any person who has violated any park rule or regulation or any other federal, state, or local law to immediately leave the park in which such violation has occurred. No person shall remain in a park or return to such park on the same day after such person has been ordered to leave the park by a city police officer, park ranger, city code enforcement inspector, or police crime prevention specialist.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-43. Hours of operation; modification by director.

- (a) Except as otherwise provided in subsection (b), city parks shall be open to the public each day from 6:00 a.m. to 10:00 p.m. No person shall use any portion of a park, except for public roadways located therein, during the hours in which such park is closed.
- (b) The parks and recreation director may at any time:
 - (1) Modify the regular days and hours during which any city park is open to the public by posting the hours of operation at such park.
 - (2) Temporarily extend the times during which a city park is open for special events.
 - (3) Temporarily close any portion of a park for such time as the parks and recreation director deems necessary.
- (c) Any regular or temporary modification to the days and hours during which a park is open may be made effective as to all uses or only specified uses of the park.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-44. Damaging or changing park property prohibited.

Without the express written consent of the parks and recreation director, no person shall:

- (a) Damage, tamper with, disfigure, improperly use, or remove any city park property, including any vegetation, landscaping, playground equipment, picnic tables, benches, grills, paving, fountains, restrooms, signs, markers, monuments, statues, fences, utilities, lights or any other natural resources or improvements of any kind.
- (b) Plant any seed or vegetation in or perform any landscaping improvements to any city park.
- (c) Construct any sign, gate, fence, trail, structure, or other improvement in a city park.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-45. Vehicles, bicycles, skateboards, etc.

- (a) No person shall operate or use any vehicle, bicycle, motorized/electric bicycle, unicycle, motorized skateboard, skateboard, roller-skates, in-line skates, scooters, or motorized scooters in a city park except on public roadways or at such other locations as are specifically designated for such use. Proper use of motorized wheelchairs or three or four-wheeled scooters, personal mobile cargo-carrying devices, or other motorized equipment designed for the mobility impaired shall only be subject to enforcement of unsafe methods of use. All such equipment for the mobility impaired must be kept at or below the speed of normal

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pedestrian traffic, and/or obey pertinent posted signage. For more information, please refer to <https://www.ada.gov/opdmd.htm>)

- (b) No person operating or using a vehicle, bicycle, motorized/electric bicycle, unicycle, motorized skateboard, skateboard, roller-skates, ~~or~~ in-line skates, scooters or motorized scooters in an area of a city park designated for such use shall operate or use such vehicle or equipment in any unsafe manner. All persons operating or using such vehicle or equipment in a park shall yield the right-of-way to all pedestrians and equestrians.
- (c) No person shall operate or use a vehicle, bicycle, motorized/electric bicycle, unicycle, motorized skateboard, skateboard, roller-skates, in-line skates, scooter, or motorized scooter in a city park at a speed greater than fifteen (15) miles per hour or any other posted speed limit.
- (d) No person shall perform any maintenance of or repairs to any vehicle in a city park, except for emergency repairs required to remove such vehicle from the park.
- (e) No person shall operate, maintain, possess, store, abandon, or leave unattended a shopping cart in a park.

(Ord. No. 1944, § 3, 5-27-97; Ord. No. 2541, § 12, 1-23-07)

Sec. 27-46. Parks; operation of remotely controlled or model aircraft, unmanned aircraft vehicles, and unmanned aircraft systems; violations.

- (a) *Definitions.* The following definitions apply to this section. The singular of the word or phrase includes the plural, and the plural includes the singular.
 - (1) *Hobby or recreational purposes:* A pursuit engaged in for relaxation, and not for business purposes and not for compensation or hire.
 - (2) *Operate or Operation:* To pilot, steer, direct, fly, take off, land, or manage a remotely controlled or model aircraft, or an UAV/UAS. The term Operate includes managing or initiating a computer system that pilots, steers, directs, flies, or manages a remotely controlled aircraft or an UAV/UAS.
 - (3) *Remotely controlled or model aircraft:* An unmanned aircraft capable of sustained flight in the atmosphere; and operated within visual line of sight of the person operating the aircraft; and operated for hobby or recreational purposes; and limited to not more than 55 pounds; and operated consistent with the Federal Aviation Administration (FAA) Modernization and Reform Act of 2012 (P.L. 112-95, Section 336).
 - (4) *Unmanned aircraft vehicle (UAV):* An unmanned aircraft, also known as a drone, that is Operated without the possibility of direct human intervention from within or on the aircraft. This definition excludes remotely controlled or model aircraft. A UAV must be marked, identified, and operated as required by Federal law.
 - (5) *Unmanned aircraft system (UAS):* An unmanned aircraft vehicle and associated elements (including communication links and the components that control the UAV) that are required to Operate safely and efficiently in the national airspace system. This definition excludes remotely controlled or model aircraft. A UAS must be marked, identified, and operated as required by Federal law.
 - (6) *Critical Facility* has the same meaning provided in A.R.S. § 13-3729.
- (b) *Application of this Section.*
 - (1) This Section applies to both of the following:
 - i. The operation of UAV and UAS within the City of Glendale.

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- ii. The operation of remotely controlled or model aircraft within the City of Glendale.
- (2) This Section shall not apply to any of the following:
- i. Operation of UAV/UAS as part of operation, repair, or maintenance of park or preserve facilities or infrastructure, or as permitted through the City of Glendale, or as a part of construction services under City of Glendale agreements.
 - ii. Operation of "public unmanned aircraft," meaning a UAV or UAS Operated by a public agency for a government-related purpose, as this term is defined in A.R.S. § 13-3729.
 - iii. Operation of UAV/UAS by a law enforcement agency for any lawful purpose including, but not limited to, search and rescue operations for persons and property in distress, or during any emergency.
- (c) *Operations.*
- (1) All remotely controlled or model aircraft, UAV, or UAS shall be Operated in compliance with federal, state, and local laws or regulations, including FAA regulations.
 - (2) All remotely controlled or model aircraft, UAV, or UAS shall not, in any way, interfere with law enforcement, firefighter, or emergency services operations.
 - (3) All remotely controlled or model aircraft, UAV, or UAS shall remain, during the entire time of flight, within the Visual line-of-sight (VLOS) of the person(s) manipulating the flight controls. At all times the remotely controlled or model aircraft, UAV, or UAS shall remain close enough to the remote pilot in command to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses.
 - (4) All remotely controlled or model aircraft, UAV, or UAS shall be Operated during daylight. Remotely controlled or model aircraft, UAV, or UAS shall not be Operated at night, but may Operate during "civil twilight" if equipped with the appropriate anti-collision lighting. Civil twilight means 30 minutes before official sunrise to 30 minutes after official sunset, local time.
 - (5) Remotely controlled or model aircraft may only be operated in a park or preserve with a designated Operations Site and only in that portion so designated by the Director, or their designee
 - (6) A remote-controlled or model aircraft, or UAV or UAS shall not be Operated to intentionally photograph or loiter over or near a Critical Facility, or in the furtherance of violation of any City of Glendale code, or any civil or criminal offense.
 - (7) A remote-controlled or model aircraft, UAV or UAS shall not Operate in the air, on the ground or on the water in a careless or reckless manner that endangers the life or property of another. Violation of this code is guilty of a class 1 misdemeanor. Pursuant to A.R.S. § 28-8280, determining whether the operation was careless or reckless, the court shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics.
- (d) *Safety Code.* The City of Glendale recognizes the Academy of Model Aeronautics (AMA) Safety Code as an appropriately safe way to Operate remote controlled or model aircraft in parks or preserves owned or Operated by the City of Glendale, or any Operation site located in a park or preserve. Operations of remote-controlled or model aircraft in parks or preserves owned by the City of Glendale, or any Operations Site, shall be conducted in accordance with the AMA Safety Code, in addition to any other City of Glendale rules and regulations.
- (e) *Operation Sites.* Operation Sites shall always remain unobstructed and a safe distance away from other park users. Operation Sites shall be no less than 400 feet on all sides. For purposes of this section, unobstructed means an open park area that is level and free of trees, structures, sports field lighting, or fences eight feet or higher, and that is fully accessible for the retrieval of launched aircraft.

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- (f) *Operation by minors.* Children 17 years of age, or younger, must be accompanied by an adult when operating remotely controlled or model aircraft in the City.
 - (g) *Additional safety requirements.* Remote-controlled or model aircraft that meet or exceed any of the specifications listed below may only be Operated in City parks or preserves where there is a specifically developed operation site with spectator control fencing, established runways, flight pads or flying circles, and safety barriers.
 - (1) Fueled radio-controlled model airplanes with an engine size of 0.20 cubic inches, a wingspan of 60 inches, or a weight of three pounds.
 - (2) Electric-powered radio-controlled model airplanes with a wingspan of 80 inches or a weight of three pounds.
 - (3) Radio-controlled helicopters with a main blade diameter of 40 inches or a weight of three pounds.
 - (4) Radio-controlled gliders with a wingspan of 80 inches or a weight of three pounds.
 - (5) Control line model airplanes with a single engine size of 0.25 cubic inches.
 - (6) Remotely controlled aircraft which weigh three pounds.
 - (h) *Civil sanctions for prohibited operation.* A person found guilty of violating this code shall pay civil sanctions in an amount not to exceed \$500.00 per day. Each calendar day shall be considered a separate period for purposes of imposing civil sanctions.
 - (i) *Savings clause.* If any section, subsection, sentence, clause, phrase, or portion of this code is, for any reason, held invalid or unconstitutional by the decision of any court of competent jurisdiction, the court's decision shall not affect the validity of the remaining portions of the ordinance and such portions shall remain in full force and effect.
 - (j) *Conflict in law.* This section shall be construed and enforced in accordance with Federal and State law. If a conflict or ambiguity exists between this section and Federal or State law related to the operation of a remotely controlled or model aircraft or an UAV/UAS within a City of Glendale Park or preserve, the laws in the following order shall prevail and control: (1) Federal; (2) State; (3) City of Glendale.

Sec. 27-47. Prohibited weapons; exceptions. Discharge of firearms in parks; exception; classification.

- (a) No person shall bring into any city park any weapon , including any knives with blades longer than three and one-half (3-1/2) inches, explosives, fireworks, slingshots or bows and arrows, unless otherwise authorized herein or by written permission of the parks and recreation director.
- b. A knife longer than three and one-half (3 1/2) inches may be possessed in a city park provided the knife is used solely in connection with serving or preparing food.
- (c) Except as provided in subsection (d) below, no person shall discharge a firearm in a park.
- (d) This section shall not apply to a person who discharges a firearm:
 - 1. As allowed pursuant to A.R.S. Title 13, Chapter 4
 - 2. In an area approved as a hunting area by the Arizona Game and Fish Department; provided, however, that any such area may be closed when deemed unsafe by the Director of the Arizona Game and Fish Department.
 - 3. To control nuisance wildlife by permit from the Arizona Game and Fish Department or the United States Fish and Wildlife Service.

4. By special permit of the Chief of the Police Department.

5. As required by an Animal Control Officer in performing duties specified in A.R.S § 9-499.04, A.R.S. Tit. 11, Ch. 7, Art. 6, and Chapter 6, Glendale City Code.

6. In self-defense or in defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances.

(e) A violation of this section is a Class 2 misdemeanor.

(Ord. No. 1944, § 3, 5-27-97; Ord. No. 2155, § 2, 7-25-00)

Sec. 27-48. Animals; hunting, harassing, and fishing prohibited.

(a) No person shall hunt, harm, harass, or threaten any animals in a city park.

(b) No person shall angle for, catch, or take any fish from any body of water in a city park except in such areas as are specifically designated for such use.

(c) No person shall remove any animal from a city park except for the removal of dogs, cats, horses, donkeys, and mules by their owners or for removals expressly authorized by the parks and recreation director.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-49. Animals; control; abandonment prohibited.

(a) No person shall bring any animal into a city park except for dogs or cats restrained by a leash no more than six (6) feet in length, or for horses, donkeys or mules using trails pursuant to section 27-50. Dogs within designated dog parks shall not require a dog leash. Any person bringing a dog or cat into a park shall always maintain actual physical control of such animal and shall immediately remove any fecal matter of such animal from the park property for proper disposal.

(b) No person shall introduce any animal into or abandon any animal in a city park without the express consent of the parks and recreation director.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-50. Horses, donkeys, and mules.

(a) No person shall bring any horse, donkey, or mule into a city park, or ride such animal in any location in a park, except on designated bridle or multi-use trails. No person shall bring or ride any horse, donkey, or mule on a bridle or multi-use trail unless such animal is thoroughly broken, restrained, and ridden with due care.

(b) No person shall hitch his or her horse, donkey, or mule to any rock, vegetation, fence, or other improvement in a city park, except for such improvements as are intended to be used for such purpose.

(c) No person shall permit his or her horse, donkey, or mule to be unattended or to graze in a city park.

(d) Persons riding horses, donkeys, or mules on a bridle or multi-use trail in a city park shall have the right-of-way over any pedestrians or persons using vehicles, bicycles, motorized bicycles, motorized skateboards, skateboards, roller skates, scooters, motorized scooters, or in-line skates on such trail.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-51. Swimming; boating; washing clothing; polluting waters.

- (a) No person shall swim, wade, or bathe in any source of water in a city park, except in such areas as are specifically designated for such use. Any person swimming, wading, or bathing in any city park shall comply with all rules which are posted regulating such activities.
- (b) No person shall operate any boat, raft, or other watercraft of any kind upon any body of water in a city park, except in such areas as are specifically designated for such use. Any person operating a boat, raft or other watercraft in a city park shall comply with all rules which are posted regulating such activities.
- (c) No person shall wash clothes in any sink, fixture, or any source of water in a city park, or discard or discharge any substance or object which may pollute water near or into any source of water in a city park.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-52. Prohibition of miscellaneous recreational activities.

Except in such areas as are specifically designated for such use, no person shall engage in any of the following activities in a city park:

- (a) Golfing.
- (b) Climbing trees.
- (c) Hiking in areas not designated for such use if designated hiking trails are provided.
- (d) Bringing into a park, using, or operating any radio-controlled model airplanes, boats, cars or similar objects.
- (e) Bringing into a park or launching any model rockets or similar objects.
- (f) Bringing into a park, using or operating any airplane, helicopter, glider, hot air balloon, parachute or other devices used to navigate or travel by wind or air.
- (g) Camping.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-53. Littering, glass containers, and fires prohibited; exceptions.

- (a) No person shall dump, deposit, throw, discharge or otherwise place any paper, ashes, dirt, bottles, broken glass, cans, trash, litter, animal carcass, rubbish, debris or any substance, matter or thing, either liquid or solid, in the waters of any fountain, pond, lake, stream, or other sources of water in or adjacent to any park or on the grounds of said park except in the proper receptacles where these are provided.
- (b) No person may dump, deposit, or leave any bottles, cans, ashes, paper, boxes, food, garbage, or other waste in a city park, except for the disposal of such materials in proper receptacles provided by the city for such materials which originated from any lawful activity in such area(s). If no receptacles are provided, or if the receptacles are full, all such materials shall be removed from the park by the person who provided them.
- (c) No person in a city park shall have in his or her possession any glass container unless such person is expressly authorized by the parks and recreation director to use such containers in designated areas or facilities.

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- (d) No person shall kindle, build, maintain, or use a fire except in barbecue grills for cooking purposes only. Propane tanks are allowed up to a maximum of 20 lbs. Any fire shall be continuously under the care and supervision of a competent person over the age of 18, from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper, or other flammable material within or against any park structure, building, vehicle, or under any tree, landscaping or in underbrush in any park except in designated receptacles. The city manager or their designee, has the authority to declare a Fire Emergency and may prohibit all fires and/or smoking of tobacco products in one or more park and recreation areas, at their discretion.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-54. Disturbing others, advertising and vending prohibited; exceptions.

- (a) No person shall unreasonably disturb or interfere with other persons using a city park or participating in a city recreational program.
- (b) No person shall sell or advertise for sale any goods or services, to be furnished or performed immediately or in the future, in any city park, except for such vendors as are licensed pursuant to article V of this chapter.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-55. Smoking in facilities prohibited.

Smoking in any enclosed facility in a city park is prohibited.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-56. Noise.

The provisions of chapter 25, article V of this Code shall not apply to persons participating in city-sponsored, special events in a city park, but such participants shall comply with all noise restrictions imposed by the parks and recreation director for such events.

(Ord. No. 1944, § 3, 5-27-97)

Secs. 27-57. Promotion, use, and distribution of illegal drugs in a city park.

- (a) It is unlawful to promote the use or conduct transactions of illegal drugs of any kind in a city park. Individuals discovered in possession of illegal drug(s) to buy, sell, or consume, or in possession of drug paraphernalia as defined by ARS 13-3145, used to consume illegal drugs in a city park will be subject to a citation in addition to any existing Arizona Revised Statutes violation.
- (b) Violators of this city code may be subject to a ban from all city-owned parks.

Sec. 27-58-27-70. Reserved

DIVISION 3. LIQUOR REGULATIONS AND BEER PERMITS

(Supp. No. 98)

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Sec. 27-71. Alcoholic beverages prohibited; exceptions.

- (a) It shall be unlawful for any person to sell, furnish, possess, or consume any alcoholic beverage in Murphy Park. The parks and recreation director shall not issue any permit authorizing the selling, furnishing, possession or consumption of alcoholic beverages in Murphy Park.
- (b) It shall be unlawful for any person to sell, furnish, possess, or consume any alcoholic beverage in any other city park except for:
 - (1) A person who possesses or consumes beer pursuant to a permit issued by the parks and recreation director.
 - (2) The sale and consumption of alcoholic beverages pursuant to a liquor license issued by the Arizona Department of Liquor Licenses and Control.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-72. Beer permits; application; issuance.

- (a) Any person wishing to obtain a beer permit for a city park shall apply to the parks and recreation director for such permit. The application shall include all information which the parks and recreation director deems necessary.
- (b) The parks and recreation director may issue a beer permit on such terms and conditions as he or she deems necessary. Each beer permit shall be valid only for the date and times specified, the park (or portion thereof) specified, and the persons, group or entity specified in the permit. Each beer permit shall specify at least one (1) person who shall be responsible for ensuring compliance with the terms and conditions of the beer permit and all liquor laws, rules and regulations. The parks and recreation director may deny any application for a beer permit on any reasonable grounds, including prior violations of any park rules and regulations or any false information on the application for a permit.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-73. Revocation.

The parks and recreation director may revoke any beer permit at any time if the permittee violates any of the city's park rules and regulations or any law, rule, or regulation concerning alcoholic beverages. Disregarding park policies and regulations may result in revocation of current reservation(s) by supervision staff, and/or of the permit holder's future ability to utilize park amenities. (Ref. Sec. 27-83)

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-74. Non-transferability.

No beer permit shall be transferable between persons or locations.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-75. Beer containers to be clearly marked.

All cups or containers used for the consumption of beer in a city park shall be clearly identified as beer containers.

(Supp. No. 98)

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(Ord. No. 1944, § 3, 5-27-97)

Secs. 27-76—27-80. Reserved.

DIVISION 4. SPECIAL PERMITS FOR GROUP ACTIVITIES

Sec. 27-81. Reservation of facilities; permits; applications; issuance; fees.

- (a) Any person wishing to reserve any portion of a city park or recreational facilities for group activities shall apply to the parks and recreation director for such reservation. The application shall include all information which the parks and recreation director deems necessary. "Group" under this section shall mean an activity at which the applicant anticipates less than five hundred (500) attendees as invited by the applicant, or those activities open to the general public shall require a permit by the department. Group activities involving five hundred (500) or more attendees shall be governed by Glendale City Code, Chapter 29.2, Special Events.
- (b) The parks and recreation director may issue a permit for the reserved use of a city park or recreational facility on such terms and conditions as he or she deems necessary. Each group permit shall be valid only for the dates and times specified, the park or facility (or portion thereof) specified, the persons, groups or entities specified, and the types of activities specified in the permit. Each group permit shall specify at least one (1) adult person who shall be responsible for any cleanup of or damage to the park or facility, and such person shall be always present during the time in which the park or facility is being used pursuant to the permit. Each group permit shall also specify the maximum number of persons who are authorized to use the reserved park area or facility at any time. The parks and recreation director may deny any application for a group permit on any reasonable grounds, including any prior violation of the city's park rules and regulations or any false information on the application for a permit.
- (c) A group permit may authorize the repeated reserved use of a city park or recreational facility, but no group permit shall be granted for a period of more than six (6) months.

(Ord. No. 1944, § 3, 5-27-97; Ord. No. 2591, § 1, 10-9-07)

Sec. 27-82. Bond; insurance; security.

As a condition of issuing a group permit, the parks and recreation director may require the permittee to:

- (a) Post a cash or performance bond in such amount as is necessary to ensure the permittee's compliance with all terms and conditions of the permit and all provisions of this chapter.
- (b) Maintain insurance, in such amounts and of such types as are necessary to protect the city's interests.
- (c) Hire, at the permittee's own cost, such control or security personnel as the parks and recreation director deems necessary.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-83. Supervision of activities; reimbursement of expenses.

The parks and recreation director may require city employees to supervise the activities authorized by a group permit, and the costs of such employee supervision may be added to any other fees required for the use of the park or facility.

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(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-84. Clean up and repairs to facilities.

- (a) The permittee shall be responsible for any clean-up of the reserved area or facility. The activities in the reserved area or facility shall be scheduled so that the permittee has adequate time to properly clean up the reserved area or facility and to vacate the same by the time stated in the permit. If the permittee fails to perform any required clean-up work in a timely manner, the city may arrange for such clean-up itself, in which case the permittee shall be responsible for all of the city's costs of cleaning up the reserved area or facility.
- (b) The permittee shall be responsible for the costs of any repairs to the reserved area or facility which result from the permittee's reserved use of the same. The permittee shall immediately report to the parks and recreation director any damage to the reserved area or facility arising out of the permittee's use of the same.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-85. Indemnification.

The permittee shall indemnify and hold harmless the city and any of its elected or appointed officials, agents, employees, boards or commissions from any claims for personal injury to or death of any person or any loss of or damage to private property arising out of the permittee's use of the reserved area or facilities.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-86. Use of special equipment.

The permittee shall not allow any special equipment or furniture to be brought into the reserved area or facility unless such equipment or furniture is expressly authorized by the permit. Any special equipment or furniture used pursuant to the permit shall be removed from the reserved area or facility by the time stated in the permit.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-87. Attaching materials to facilities prohibited.

The permittee shall not allow any materials, signs, or other objects to be attached to any reserved area or facility without the express approval of the parks and recreation director.

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-88. Revocation.

The parks and recreation director may revoke any group permit at any time if the permittee violates any of the city's park rules and regulations or any terms and conditions of the group permit. Disregard for park policies and regulations may result in revocation of current reservation(s) by supervision staff, and/or of the permit holder's future ability to utilize park amenities. (Ref. Sec. 27-83)

(Ord. No. 1944, § 3, 5-27-97)

Sec. 27-89. Non-transferability.

No group permit shall be transferable between persons and locations.

(Ord. No. 1944, § 3, 5-27-97)

Secs. 27-90—27-100. Reserved.

ARTICLE IV. PRIVATE USAGE OF CITY FACILITIES AND CABLE EQUIPMENT

Sec. 27-101. Usage and regulations.

Usage of city buildings and facilities for private, profit or nonprofit, seminars, workshops, meetings, and other group functions may be permitted in the discretion of the city manager or his or her designee and pursuant to any rules and regulations adopted by the city council by resolution.

(Ord. No. 1478, § 1, 1-27-87; Ord. No. 1944, § 4, 5-27-97)

Sec. 27-102. Fees.

The fees for private usage of city buildings and facilities pursuant to section 27-101 shall be adopted by resolution of the city council.

(Ord. No. 1478, § 1, 1-27-87)

Sec. 27-103. Rental of city's mobile production equipment.

- (a) The city manager, or his/or her designee, may, in his or her discretion, enter into agreements for the rental to third parties of the city's mobile production equipment.
- (b) The fee for the rental of the mobile production equipment shall be established by resolution of the city council.

(Ord. No. 1518, § 1, 11-10-87; Ord. No. 1944, § 4, 5-27-97)

Secs. 27-104—27-110. Reserved.

ARTICLE V. VENDING OPERATIONS WITHIN CITY PARKS AND DOWNTOWN REDEVELOPMENT AREA⁴

⁴Editor's note(s)—Ord. No. 1546, § 1, adopted June 14, 1988, added provisions designated as Ch. 27, Art. IV, §§ 27-101—27-113; said provisions have been redesignated as Art. V., §§ 27-111—27-123, to avoid duplication of article and section designations with existing material, at the editor's discretion.

In addition, Ord. No. 1944, § 5, adopted May 27, 1997, amended former Art. V, §§ 27-111—27-123 (except § 27-113) relative to vending operations, and enacted a new Art. V to read herein as set out. The provisions of former Art. V derived from Ord. No. 1546.

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Sec. 27-111. Vending permit and peddler's license required; waiver for special events.

- (a) It shall be unlawful for any person to engage in any vending operation within any city park or from any city property within the downtown redevelopment area without having first obtained a peddler's license and a peddler's identification card pursuant to chapter 21, article I of this Code and a vending permit pursuant to this article. The vending permit may be included as a part of the peddler's license or identification card and shall specify all city parks in which the permittee is authorized to conduct vending operations.
- (b) The city manager or his or her designee may waive any of the requirements of this article for vending operations being conducted in connection with special events sponsored or approved by the city.

(Ord. No. 1944, § 5, 5-27-97)

Cross reference(s)—Licenses generally, Ch. 21.

Sec. 27-112. Issuance standards; restrictions on number and location of park vendors.

- (a) No person shall be issued a vending permit if such person:
 - (1) Knowingly makes any false or misleading statement while applying for or renewing a vending permit.
 - (2) Is not also qualified for and the holder of a peddler's license.
 - (3) Intends to use any pushcart which has not been approved by the city.
 - (4) Has been denied a vending permit based on the applicant's personal qualifications, or had such permit revoked for cause, for a period of six (6) months following the final denial or revocation decision.
- (b) The parks and recreation director may, in his or her discretion, limit the number of vending permits issued at any given time for any park, the number of parks in which any particular vendor may operate, the locations in parks within which vendors may operate, and the hours during which park vendors may operate.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-113. General regulations for vendors.

The following restrictions shall apply to all vendors operating in a city park or from city property located within the downtown redevelopment area:

- (a) No vendor shall conduct any vending operations other than the sale of food items for immediate consumption, fresh-cut flowers, or inflated balloons.
- (b) No vendor shall conduct any vending operations from any device or vehicle other than a pushcart. All pushcarts must comply with a design review, and the city may, in its discretion, prohibit the use of any pushcart on any reasonable grounds, including aesthetic or safety reasons.
- (c) Pushcarts used by vendors shall not:
 - (1) Be left unattended at any time.
 - (2) Be parked or placed within fifteen (15) feet of any intersection.
 - (3) Be parked or placed within one hundred fifty (150) feet of any other vendor.
 - (4) Be parked or placed within twenty-five (25) feet of the entrance or exit to any park.
 - (5) Be permitted a permanent or proprietary location on city property.

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- (6) Be permitted to operate in any area where the pushcart might impede or inconvenience the public.
 - (7) Be permitted at any location within a city park other than the sidewalk or other area designated by the parks and recreation director.
 - (8) Be parked or placed within twenty-five (25) feet of the entrance or exit to any building.
 - (d) No sales of food items in glass containers shall be permitted.
 - (e) Reserved.
 - (f) No vendor shall ring bells, play chimes, play an amplified musical system, or make any other noise to attract attention to its business while operating upon city property.
 - (g) Each vendor shall provide the city with a certificate of insurance, in a form and amount approved by the city's risk manager, which shows in force general liability and products liability coverage and names the City of Glendale as an additional insured. Such insurance shall not be cancellable except on thirty (30) days' notice to the city. In addition, each vendor shall agree to indemnify the city for any loss caused by any act or omission of the vendor.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-114. Application; change of address.

- (a) An application for a vending permit shall be made on forms furnished by the tax and license manager. The applicant must apply for a peddler's license with the application for a vending permit if such applicant has not already applied for or been issued a peddler's license. The application for a vending permit shall include the following information:
 - (1) If the applicant is or will be employed or directed by a peddler business, the name, address, and telephone number of such business.
 - (2) A brief description of the nature of the business and the items to be sold.
 - (3) The applicant's peddler's license number.
 - (4) The applicant's transaction privilege license number.
 - (5) If the applicant will be using any pushcart on city property, photographs of such pushcart showing all its sides. If such pushcart will be used but does not yet exist, the applicant shall submit an isometric drawing showing all sides of the proposed pushcart and of any logos, printing or signs which will be incorporated in the design.
 - (6) Any additional information necessary for the city to clearly visualize the design and appearance of any pushcart to be used.
- (b) An applicant for or a holder of a vending permit shall notify the tax and license division of any change of address from that which is listed on the application within forty-eight (48) hours of such change of address.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-115. Issuance; expiration; renewal.

Any vending permit shall be valid only for the calendar year in which it is issued. Each vending permit expires on December 31 of each year and must be renewed by January 31 of the following year by filing an application for renewal. No vending permit shall be renewed unless the permittee follows all provisions of this article and all

regulations concerning peddlers at the time of renewal. The issuance of a vending permit shall not entitle the permittee to any automatic renewal of such permit for any subsequent year. All renewals shall be subject to the provisions of sections 27-112 and 27-116.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-116. Cancellation or suspension of permits without cause.

- (a) Upon seven (7) days' notice, the city may, without cause, suspend or cancel all vending permits which have been issued for any park. Such notice shall be personally served on the permittees or mailed to the permittees' last known addresses. Service of the notice shall be deemed complete upon mailing. The city shall not be liable to any permittee for any damages or lost income resulting from such cancellation. The suspension shall automatically terminate the permits on the date specified in the notice.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-117. Non-transferability.

No vending permit shall be transferable between persons or locations.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-118. Display of license, permit and identification card.

At all times that a vendor is operating on city property, such vendor shall carry on his or her person, or attached to his or her pushcart in a conspicuous place, his or her peddler's license, vending permit and peddler's identification card. Such vendor shall display such license, permit and identification card upon request to any person considering doing business with the vendor or to any police officer, law enforcement official, park ranger or city official whose duties are related to licensing.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-119. Revocation or suspension of permit.

- (a) The tax and license manager may suspend any vending permit for a specified period not to exceed sixty (60) days, or revoke such permit, for any of the following reasons:
- (1) When the permittee has knowingly made any false or misleading statements in any document required to be made or kept by the permittee.
 - (2) When the permittee's peddler's license is suspended or revoked.
 - (3) When the permittee violates any park rules and regulations in conducting vending operations in a park.
 - (4) When the permittee conducts vending operations in a park for which the permittee is not authorized to conduct such operations.
- (b) The notice of revocation or suspension shall be in writing setting forth specifically the grounds for such revocation or suspension and shall be delivered to the permittee either in person or by mail to the permittee's last known address. Service of the notice shall be deemed complete upon mailing.
- (c) The permittee may request an informal hearing on such revocation or suspension by submitting a written request to the tax and license manager within ten (10) days after the notice of revocation or suspension is

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given. An information hearing before the tax and license manager shall be held within fifteen (15) days after the request for the same is received by the city. If the permittee does not request a hearing within said 10-day period, the revocation or suspension shall take effect on the eleventh day after the service of the notice of revocation or suspension. If a hearing is requested, the revocation or suspension shall not take effect until after the informal hearing and the service of a new notice from the tax and license manager setting forth the tax and license manager's final decision. Such notice shall be personally served on the permittee or mailed to the permittee's last known address. Service of the notice shall be deemed complete upon mailing.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-120. Appeal from denial, revocation or suspension.

- (a) An applicant who has been denied a vending permit based on personal qualifications, or a permittee whose permit has been revoked or suspended for cause after an informal hearing with the tax and license manager, may appeal such decision to a hearing officer. The appeal shall be requested within ten (10) days from the date on which such person is given notice of the determination from which the appeal is taken. The request shall be in writing, shall be filed with the city manager and shall set forth specifically the grounds for the appeal.
- (b) The city manager shall appoint a hearing officer to conduct a hearing in accordance with this section. The hearing officer shall not be a member of the tax and license division or of the parks and recreation department. The hearing officer may, in his or her discretion, stay any revocation or suspension pending final determination of the appeal.
- (c) The burden of proof at the hearing shall be on the applicant or permittee to establish, by a preponderance of the evidence, that he or she meets all the requirements for holding a vending permit. The hearing officer shall hear such testimony and consider such evidence as is relevant to the determination of such issue. The hearing officer shall not be bound by technical rules of evidence or procedure in conducting the hearing.
- (d) The hearing officer shall render a written decision within thirty (30) days after the hearing is concluded based on the evidence presented by the city and the applicant or licensee. The decision of the hearing officer shall be final.

(Ord. No. 1944, § 5, 5-27-97)

Sec. 27-121. Penalty for violation of article.

- (a) The violation of any provision of this article shall be deemed a misdemeanor. Each day a violation is allowed to exist shall be a separate offense.
- (b) The violation of any provision of this article may be treated as a civil code infraction pursuant to Glendale City Code, chapter 13, article II, provided that the provisions contained in section 13-22(b) shall not apply to any enforcement action under this article.

(Ord. No. 1944, § 5, 5-27-97)