

ORDINANCE NO. 851-24

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN CODE CHAPTER 15, PARKS AND RECREATION, BY AMENDING ARTICLE 15-2, PUBLIC PARK REGULATIONS AND FEES.

WHEREAS, the Common Council has determined that it is in the best interest of the Town, to update and amend Chapter 15 Parks and Recreation, and provide necessary updates in the Town Code and the enforcement thereof; and

WHEREAS, A.R.S. § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full, but exhibits to the ordinance need not be published in full so long as certain requirements are fulfilled.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:

Section 1: The attached Exhibit A is declared to be a public record and is adopted and incorporated herein by this reference.

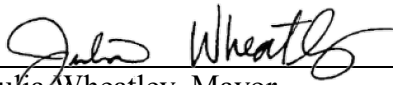
Section 2: The Queen Creek Town Code, Chapter 15, Parks and Recreation, including Article 15-2, Public Park Regulations and Fees; is amended as set forth in Exhibit A hereto.

Section 3: If any section, subsection, clause, phrase or portion of this Ordinance or any part of these amendments to the Town Code is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4: At least one paper copy and one electronic copy of this Ordinance and Exhibit(s) are to be filed with and will be located at the office of the Town Clerk.

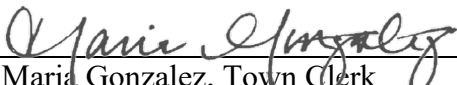
PASSED AND ADOPTED by the Common Council of the Town of Queen Creek, Arizona, this 6th day of November, 2024.

FOR THE TOWN OF QUEEN CREEK:



Julia Wheatley, Mayor

ATTESTED TO:



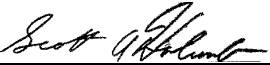
Maria Gonzalez, Town Clerk

REVIEWED BY:



Bruce R Gardner (Nov 7, 2024 15:00 MST)
Bruce Gardner, Town Manager

APPROVED AS TO FORM:



Dickinson Wright, PLLC
Town Attorneys

EXHIBITS ON FILE AND LOCATED AT THE TOWN CLERK'S OFFICE

ARTICLE 15-2 PUBLIC PARK REGULATIONS AND FEES

15-2-1 Authority

15-2-2 Regulations

15-2-3 Fees

15-2-4 Enforcement

15-2-1 Authority

The Town Manager or their designee is authorized to:

- A. Adopt, amend, and enforce rules and regulations related to the regulation, use and maintenance of all Town Properties;
- B. Establish opening and closing hours each Town Property will be open to the public and provide for the posting thereof;
- C. Issue **PASSES AND** permits for use of ~~Park~~ Properties and establish the requirements, rules, procedures and forms therefore;
- D. Declare any section or part of any Town Property be closed to the public at any time and for any interval of time, either entirely or merely to certain uses, as they shall find reasonably necessary;
- E. **ESTABLISH, ADJUST, AND COLLECT FEES FOR PROGRAMS, PASSES, PERMITS, AND RENTALS AS SET FORTH IN SECTION 15-2-3**
- F. Take all such further actions they deem necessary to protect Town Property and the health, safety and welfare of the public, users of Town Property, and Town staff and representatives.

15-2-2 Regulations

Pursuant to the authority granted in Section 15-2-1 above, the Town has adopted the “Town of Queen Creek Public Park Regulations,” ~~three~~ copies of which are on file in the Town Clerk’s Office, which shall be enforced as set forth therein and in Article 9-8 of the Town Code.

[Existing 15-2-3 Enforcement moved without change to 15-2-4]

15-2-3 FEES

- A. ADMINISTRATION. PURSUANT TO THE AUTHORITY GRANTED IN SECTION 15-2-1 ABOVE, THE TOWN MANAGER OR THEIR DESIGNEE SHALL TAKE ALL ACTIONS NECESSARY TO ADMINISTER, SET, ADJUST AND COLLECT FEES, INCLUDING WITHOUT LIMITATION:
 - 1. ESTABLISH NEW FEES FOR PROGRAMS, PASSES, PERMITS, AND RENTALS.
 - 2. IMPLEMENT PROMOTIONAL RATES, DISCOUNTED FEES, AND TEMPORARY FEE REDUCTIONS FOR THE PURPOSE OF INCREASING COMMUNITY ENGAGEMENT, PROMOTING SPECIFIC PROGRAMS, OR FACILITATING ACCESS TO PARKS AND RECREATION SERVICES.

3. ADJUST EXISTING FEES AS NECESSARY, INCLUDING TO COVER COSTS, MAINTAIN SUSTAINABILITY, AND ENSURE EQUITABLE ACCESS.
4. COLLECT FEES FROM PROGRAM PARTICIPANTS, PASS HOLDERS, PERMIT HOLDERS, AND RENTAL USERS.
5. ESTABLISH PROCEDURES FOR FEE COLLECTION AND ENFORCEMENT WHICH MAY INCLUDE, WITHOUT LIMITATION:
 - a. PAYMENT METHODS: ACCEPTABLE FORMS OF PAYMENT (E.G., CASH, CHECK, CREDIT CARD).
 - b. LATE FEES: PENALTIES FOR LATE OR NON-PAYMENT.
 - c. REFUND POLICIES: GUIDELINES FOR REFUNDS AND CANCELLATIONS.

B. FEE CONSIDERATIONS. IN ESTABLISHING OR ADJUSTING FEES, THE TOWN MANAGER OR THEIR DESIGNEE SHALL FOLLOW THE FEE POLICIES ADOPTED BY THE TOWN COUNCIL AND CONSIDER THE FOLLOWING FACTORS AS THEY RELATE TO THE ADOPTED FEE STRUCTURE AND AS PRESCRIBED BY LAW:

1. COST OF SERVICE: THE ACTUAL COSTS ASSOCIATED WITH PROVIDING THE PROGRAM, PERMIT, OR RENTAL.
2. COMMUNITY NEEDS: THE DEMAND FOR THE SERVICE AND THE AFFORDABILITY FOR VARIOUS INCOME LEVELS.
3. COMPARABLE RATES: FEES CHARGED BY SIMILAR ORGANIZATIONS OR JURISDICTIONS.
4. ECONOMIC CONDITIONS: THE OVERALL ECONOMIC HEALTH OF THE COMMUNITY.

C. REPORTING. AN ANNUAL FEE REPORT SHALL BE PRESENTED TO THE PARKS AND RECREATION ADVISORY COMMITTEE AND TO TOWN COUNCIL.

15-2-4 Enforcement

The provisions of this Chapter shall be enforced as set forth in Chapter 9.

Item 8K_Ordinance_851-24

Final Audit Report

2024-11-07

Created:	2024-11-07
By:	Victoria Roedig (victoria.roedig@queencreek.org)
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"Item 8K_Ordinance_851-24" History

-  Document created by Victoria Roedig (victoria.roedig@queencreek.org)
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-  Signer Bruce Gardner (bruce.gardner@queencreekaz.gov) entered name at signing as Bruce R Gardner
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-  Document e-signed by Bruce R Gardner (bruce.gardner@queencreekaz.gov)
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-  Agreement completed.
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