

ORDINANCE 890-26

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN CODE CHAPTER 9, OFFENSES, ARTICLE 9-7, PARKING AND OBSTRUCTIONS; AMENDING ARTICLE 9-8, TOWN PROPERTY, PARKS, AND RECREATION; AMENDING ARTICLE 9-10, TRAFFIC; AMENDING ARTICLE 9-11 OPERATION OF BICYCLES AND OTHER POWER-DRIVEN MOBILITY DEVICES; AMENDING CHAPTER 11, TRAFFIC, ARTICLE 11, GENERAL; AMENDING CHAPTER 11, TRAFFIC, ARTICLE 11-1, GENERAL; AMENDING ARTICLE 11-2, PERMANENT TRAFFIC CONTROL; AMENDING ARTICLE 11-5, OPERATION OF BICYCLES AND OTHER POWER-DRIVEN MOBILITY DEVICES; ADDING ARTICLE 11-14, REMOVAL, SEIZURE, IMPOUND, AND RELEASE; AND AMENDING CHAPTER 15, PARKS AND RECREATION, BY ADDING ARTICLE 15-5, TOWN PROPERTY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

WHEREAS, Arizona Revised Statutes, including A.R.S. § 9-240 and Title 28, allows the Town to regulate traffic, parking, streets, sidewalks and operation of vehicles and conveyances within the Town; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town, and important to the health, welfare, and safety of the Town and its residents, to update and amend Chapter 9, Offenses, Chapter 11, Traffic, and Chapter 15, Parks and Recreation to address the changes in technology and use of other power-driven mobility devices and conveyances, 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;

NOW THEREFORE 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 9, Offenses, including Article 9-7, Parking and Obstructions; Article 9-8, Town Property, Parks, and Recreation; Article 9-10, Traffic; Article 9-11 Operation of Bicycles and Other Power-Driven Mobility Devices are amended as set forth in Exhibit A hereto.
- Section 3. The Queen Creek Town Code, Chapter 11, including Article 11-1, General; Article 11-2, Permanent Traffic Control; Article 11-5, Operation of Bicycles and Other Power-Driven Mobility Devices; Article 11-14, Removal, Seizure, Impound, and Release are amended as set forth in Exhibit A hereto.

Section 4. The Queen Creek Town Code, Chapter 15, Parks and Recreation, including Article 15-5, Town Property are amended as set forth in Exhibit A hereto.

Section 5. The amendments to the Queen Creek Town Code include the following penalties in the referenced sections, with additions shown in **bolded**, **ALL CAPS** and deletions depicted by ~~strikethrough~~:

9-8-5 Town Property

A.10. **VIOLATION OF THIS SUBSECTION IS A CIVIL OFFENSE.**

B.1.a **VIOLATION OF THE SUBSECTION IS A CLASS 1 MISDEMEANOR.**

B.2.a **VIOLATION OF THE SUBSECTION IS A CLASS 1 MISDEMEANOR.**

B.3.a **VIOLATION OF THE SUBSECTION IS A CLASS 1 MISDEMEANOR.**

B.4.c **A VIOLATION OF THIS SUBSECTION IS A CLASS 3 MISDEMEANOR.**

D. **VIOLATION OF SUBSECTION 9-8-5(C) MAY RESULT IN THE DEVICE OR CONVEYANCE INVOLVED IN THE VIOLATION TO BE REMOVED, SEIZED, AND IMPOUNDED AT THE OWNER'S EXPENSE.**

9-10-3 Traffic Control Devices

C. **VIOLATION OF THIS SECTION IS A CIVIL TRAFFIC OFFENSE.**

9-10-20 RESPONSIBILITY OF PARENTS, GUARDIANS, AND CUSTODIANS

B. **VIOLATION OF THIS SECTION BY PARENT, GUARDIAN, OR CUSTODIAN OF A CHILD OR WARD IS A CIVIL OFFENSE. ANY VIOLATION OF THIS CODE COMMITTED BY THE CHILD OR WARD WILL BE ADDRESSED AS A SEPARATE OFFENSE.**

11-14-1 REMOVAL, SEIZURE, AND IMPOUNDMENT

A. **AN OTHER POWER-DRIVEN MOBILITY DEVICE (OPDMD), A MOPED, A MOTOR-DRIVEN CYCLE, A MOTORCYCLE, A MOTOR VEHICLE, OR A MOTORIZED QUADRICYCLE MAY BE SUBJECT TO REMOVAL, SEIZURE, AND IMPOUNDMENT UNDER ANY OF THE FOLLOWING CONDITIONS:**

1. **THE OPERATOR HAS COMMITTED ANY VIOLATION OF STATE LAW OR TOWN CODE THAT CREATED AN IMMEDIATE OR SUBSTANTIAL RISK TO PUBLIC SAFETY, INCLUDING BUT NOT LIMITED TO:**

a. **RECKLESS DRIVING OR RACING.**

b. **DISREGARD FOR TRAFFIC CONTROL DEVICES, SIGNS, OR SIGNALS.**

c. **OBSTRUCTING TRAFFIC OR INTERFERING WITH THE SAFE MOVEMENT OF VEHICLES OR PEDESTRIANS.**

2. **THE PERSON IS OPERATING IN A MANNER THAT LEADS TO A VIOLATION OF ANY OF THE FOLLOWING:**

a. **PUBLIC NUISANCE (A.R.S. § 13-2917)**

b. **CRIMINAL NUISANCE (A.R.S. § 13-2908)**

c. **DISORDERLY CONDUCT (A.R.S. § 13-2904)**

d. **LEAVING THE SCENE OF AN ACCIDENT (A.R.S. §§ 28-661 & 28-662)**

- e. FAILURE TO RENDER AID OR PROVIDE INFORMATION (A.R.S. § 28-663)
 - f. FAILURE TO STOP (A.R.S. § 28-1595)
 - g. UNLAWFUL FLIGHT FROM A PURSUING OFFICER (A.R.S. § 28-622.01)
 - h. INTERFERING WITH A POLICE OFFICER (9-1-2)
 - i. FAILURE TO COMPLY WITH POLICE OFFICER (A.R.S. § 28-622)
3. THE PERSON IS OPERATING IN A PROHIBITED AREA WHEN PEDESTRIANS OR EQUINE ARE PRESENT.

11-14-2 CONDITIONS OF RELEASE

B. AS STATED IN ARTICLE 4-4-7(C), PROPERTY THAT IS NOT RECLAIMED FROM THE TOWN WITHIN 60 DAYS AFTER THE DATE OF THE NOTICE OF VIOLATION SHALL BE CONSIDERED ABANDONED AND MAY BE SOLD OR OTHERWISE DISPOSED OF BY THE TOWN IN ACCORDANCE WITH TOWN CODE, CHAPTER 4, ARTICLE 4-4.

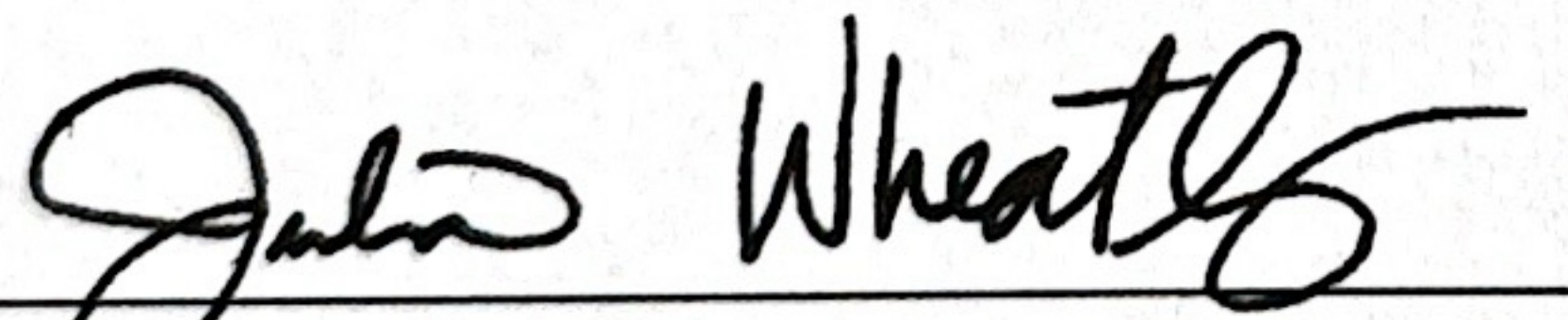
Section 6. If any section, subsection, clause, phrase, or portion of this Ordinance or any part of these amendments to the Town Code is for any reason held invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 7. At least one paper copy and one electronic copy of this ordinance and exhibits are to be filed in the office of the Town Clerk.

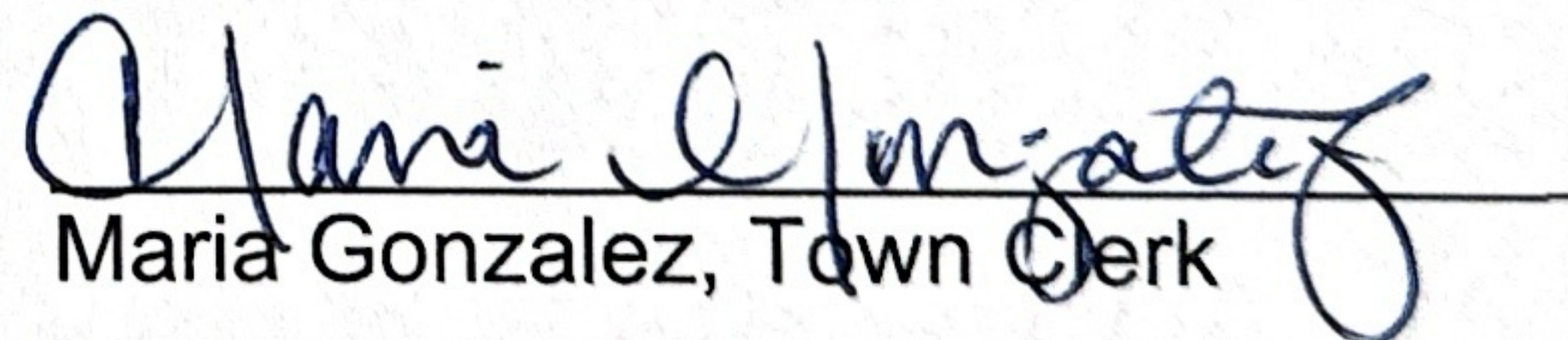
Section 8. Whereas, it is necessary for the immediate preservation of the peace, health and safety of Queen Creek, Arizona, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

PASSED AND ADOPTED BY the Common Council of the Town of Queen Creek, Arizona, this 20th day of May 2026.

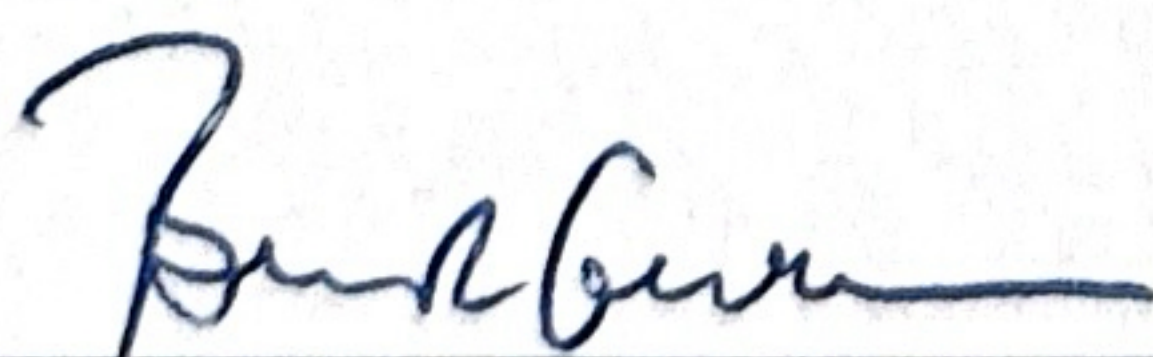
FOR THE TOWN OF QUEEN CREEK:


Julia Wheatley Mayor

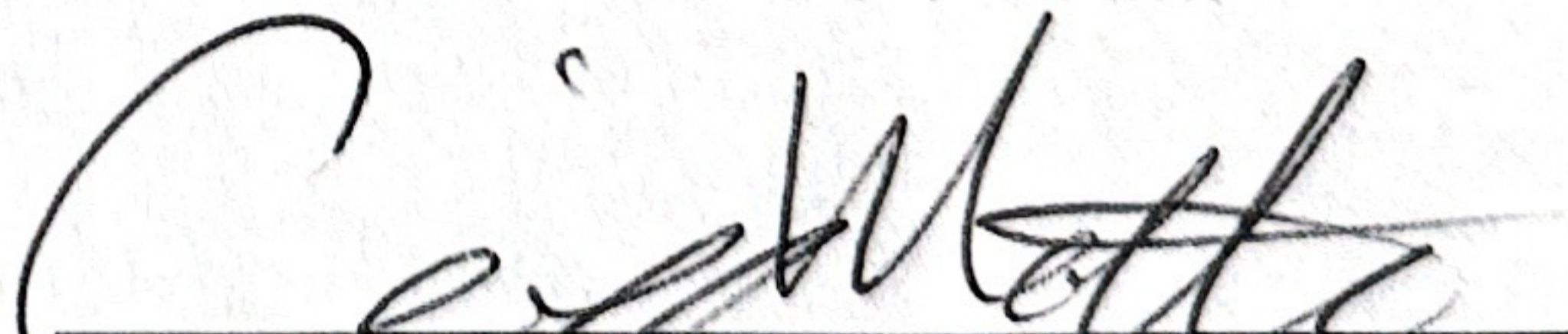
ATTESTED TO:


Maria Gonzalez, Town Clerk

REVIEWED BY:


Bruce Gardner, Town Manager

APPROVED AS TO FORM:


Clifford Matice, Town Attorney

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

ORDINANCE 890-26

Exhibit A

Deletions are shown in ~~Double-Strikethrough~~
Additions are shown in **Bolded ALL CAPITALS**

Queen Creek Town Code Chapter 9, Offenses, Article 9-7, Parking and obstructions

9-7-15 Towing

B. The town may remove any conveyance that is:

6. SUBJECT TO THE PROVISIONS OF ARTICLE 11-14-1

Queen Creek Town Code Chapter 9, Offenses, Article 9-8, Town Property, Parks, and Recreation

9-8-1 Definitions

In this Article, the terms, phrases, words and their derivations shall have the meanings respectively ascribed to them in ~~Chapter~~ **CHAPTERS 11, TRAFFIC, AND 15**, Parks and Recreation, of the Town Code unless the context clearly indicates a different meaning.

C. "PARK" MEANS A PLAYGROUND, RECREATION CENTER, PUBLIC OPEN SPACE, OR ANY OTHER AREA IN THE TOWN OWNED OR USED BY THE TOWN AND DEVOTED TO ACTIVE OR PASSIVE RECREATION, INCLUDING ALL INTERNAL ROADWAYS, INTERNAL AND ADJACENT PARKING LOTS, AND INTERNAL AND ADJACENT SIDEWALKS OR PATHWAYS WHICH ARE ESTABLISHED OR MAINTAINED BY THE TOWN, INCLUDING RETENTION BASIN AREAS AND WASHES WITHIN THE BOUNDARY OF THE PARK, BUT EXCLUDING ALL DRAINAGE RETENTION BASINS NOT IDENTIFIED BY THE TOWN AS PARKS THROUGH ON-SITE SIGNAGE.

9-8-5 Town Property

- A. Except as specifically authorized by the Town, **TOWN CODE, OR STATUTE**, it is unlawful for any person or organization in a Town Property to:
1. ~~Glass containers.~~ Have in their possession or custody a glass container of any kind or description.
 2. ~~Disfiguration or Removal of Town Property Improvements. Deface, disfigure, injure, tamper with, displace, or remove any turf grass, landscape material, playground equipment, picnic table, bench, fire pit, grill, paving, water fountain, public utility line or part or appurtenance thereof, sign, monument, marker, fencing, restroom fixtures, or any other equipment, facility, property, structure, or improvement of any kind whatsoever in Town Properties.~~
 3. ~~Disfiguration or Removal of Town Property Resources. Disfigure, displace, remove, or excavate, as applicable, any soil, rock, stone, sand, street, shrubs, cactus, plant material, or other natural resource of any description.~~

~~4. Animals.~~

- ~~a. Remove from or release into any Town Property any animals, fish, birds, reptiles or other wildlife except as authorized by subsection 9-8-3(G) or with prior authorization from the Town.~~
- ~~b. Feed, touch, hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw objects at any animals, fish, birds, reptiles, or other wildlife (including eggs or nests) except as authorized by subsection 9-8-3(G) or with prior authorization from the Town.~~

2. REMOVE FROM OR RELEASE INTO ANY TOWN PROPERTY ANY ANIMALS, FISH, BIRDS, REPTILES OR OTHER WILDLIFE EXCEPT AS AUTHORIZED BY SUBSECTION 9-8-3(G) OR WITH PRIOR AUTHORIZATION FROM THE TOWN.

3. FEED OR TOUCH ANY ANIMALS, FISH, BIRDS, REPTILES, OR OTHER WILDLIFE (INCLUDING EGGS OR NESTS) EXCEPT AS AUTHORIZED BY SUBSECTION 9-8-3(G) OR WITH PRIOR AUTHORIZATION FROM THE TOWN.

4. ~~5. Fires.~~ Start or sustain a fire, except in fire pits, grills, or other areas, as designated and approved for such use by the Town. THIS DOES NOT INCLUDE ANY ACT OF ARSON AS DEFINED IN A.R.S. TITLE 13, CHAPTER 17.

~~6. Interference with Persons or Activities. Unreasonably disturb or interfere with any person or party occupying any area or participating in any activity organized or authorized by the Town.~~

5. ~~7. Vending, Advertising and Signage.~~ Expose or offer for sale or hire any service or article, including food, beverages and confectionary articles; announce, advertise or call the public attention to any service or article for sale or hire; or paste, glue, track or otherwise post any sign, placard or advertisement.

6. ~~8. Vehicle Repair.~~ Undertake mechanical repair or maintenance of any vehicle, including but not limited to, automobile oil changes or engine tune-ups, except in the case of any emergency where the vehicle is not operable.

7. ~~9. Parking.~~ Park any vehicle CONVEYANCE in any area not specifically designated for parking or in violation of Article 9-7 of the Town Code.

8. ~~10. Regulations.~~ Violate the Town of Queen Creek Public Park Regulations adopted pursuant to Article 15-2 of the Town Code.

9. ~~11. Camping.~~ Camp on town property except where specifically authorized by the Town.

- ~~a. Nothing in this subsection shall be interpreted to prohibit camping or overnight parking sponsored or approved by the Town.~~
- ~~b. This subsection does not apply to temporary structures set up by a governmental agency or relief workers during a disaster or emergency.~~
- ~~c. A violation of this subsection (9-8-5(K)) is a class 3 misdemeanor.~~
- ~~d. The Police Department is authorized and empowered to remove any such campsite, including camping paraphernalia, personal property, litter, debris, garbage, trash, or other associated materials and dispose of the items in accordance with Article 4-4.~~
- ~~e. If persons are occupying the campsite at the time, then before removing the campsite, the Police Department shall warn the person or persons occupying the campsite that they are in violation of this Chapter and shall give them a reasonable opportunity to remove the campsite including any camping~~

~~paraphernalia, personal property, litter, debris, garbage, trash, or other associated materials.~~

~~f. If any property or materials used for camping are left unattended, unclaimed, or abandoned on town property, the Town may remove and dispose of the items in accordance with Article 4-4.~~

~~g. The court may impose restitution for any economic losses or expenses incurred to remove all litter, debris, garbage, trash, and any other material from the campsite.~~

10. VIOLATION OF THIS SUBSECTION IS A CIVIL OFFENSE.

B. EXCEPT AS SPECIFICALLY AUTHORIZED BY THE TOWN, TOWN CODE, OR STATUTE, IT IS UNLAWFUL FOR ANY PERSON OR ORGANIZATION IN A TOWN PROPERTY TO:

1. DEFACE, DISFIGURE, INJURE, TAMPER WITH, DISPLACE, OR REMOVE ANY TURF GRASS, LANDSCAPE MATERIAL, PLAYGROUND EQUIPMENT, PICNIC TABLE, BENCH, FIRE PIT, GRILL, PAVING, WATER FOUNTAIN, PUBLIC UTILITY LINE OR PART OR APPURTENANCE THEREOF, SIGN, MONUMENT, MARKER, FENCING, RESTROOM FIXTURES, OR ANY OTHER EQUIPMENT, FACILITY, PROPERTY, STRUCTURE, OR IMPROVEMENT OF ANY KIND WHATSOEVER IN TOWN PROPERTIES.

a. VIOLATION OF THE SUBSECTION IS A CLASS 1 MISDEMEANOR.

2. DISFIGURATION OR REMOVAL OF TOWN PROPERTY RESOURCES. DISFIGURE, DISPLACE, REMOVE, OR EXCAVATE, AS APPLICABLE, ANY SOIL, ROCK, STONE, SAND, STREET, SHRUBS, CACTUS, PLANT MATERIAL, OR OTHER NATURAL RESOURCE OF ANY DESCRIPTION.

a. VIOLATION OF THE SUBSECTION IS A CLASS 1 MISDEMEANOR.

3. HUNT, MOLEST, HARM, FRIGHTEN, KILL, TRAP, PURSUE, CHASE, TEASE, SHOOT OR THROW OBJECTS AT ANY ANIMALS, FISH, BIRDS, REPTILES, OR OTHER WILDLIFE (INCLUDING EGGS OR NESTS) EXCEPT AS AUTHORIZED BY SUBSECTION 9-8-3(G) OR WITH PRIOR AUTHORIZATION FROM THE TOWN.

a. VIOLATION OF THE SUBSECTION IS A CLASS 1 MISDEMEANOR.

4. CAMP ON TOWN PROPERTY EXCEPT WHERE SPECIFICALLY AUTHORIZED BY THE TOWN.

a. NOTHING IN THIS SUBSECTION SHALL BE INTERPRETED TO PROHIBIT CAMPING OR OVERNIGHT PARKING SPONSORED OR APPROVED BY THE TOWN.

b. THIS SUBSECTION DOES NOT APPLY TO TEMPORARY STRUCTURES SET UP BY A GOVERNMENTAL AGENCY OR RELIEF WORKERS DURING A DISASTER OR EMERGENCY.

c. A VIOLATION OF THIS SUBSECTION IS A CLASS 3 MISDEMEANOR.

d. THE POLICE DEPARTMENT IS AUTHORIZED AND EMPOWERED TO REMOVE ANY SUCH CAMPSITE, INCLUDING CAMPING PARAPHERNALIA, PERSONAL PROPERTY, LITTER, DEBRIS, GARBAGE, TRASH, OR OTHER ASSOCIATED MATERIALS AND DISPOSE OF THE ITEMS IN ACCORDANCE WITH ARTICLE 4-4.

e. IF PERSONS ARE OCCUPYING THE CAMPSITE AT THE TIME, THEN BEFORE REMOVING THE CAMPSITE, THE POLICE

DEPARTMENT SHALL WARN THE PERSON OR PERSONS OCCUPYING THE CAMPSITE THAT THEY ARE IN VIOLATION OF THIS CHAPTER AND SHALL GIVE THEM A REASONABLE OPPORTUNITY TO REMOVE THE CAMPSITE INCLUDING ANY CAMPING PARAPHERNALIA, PERSONAL PROPERTY, LITTER, DEBRIS, GARBAGE, TRASH, OR OTHER ASSOCIATED MATERIALS.

f. IF ANY PROPERTY OR MATERIALS USED FOR CAMPING ARE LEFT UNATTENDED, UNCLAIMED, OR ABANDONED ON TOWN PROPERTY, THE TOWN MAY REMOVE AND DISPOSE OF THE ITEMS IN ACCORDANCE WITH ARTICLE 4-4.

g. THE COURT MAY IMPOSE RESTITUTION FOR ANY ECONOMIC LOSSES OR EXPENSES INCURRED TO REMOVE ALL LITTER, DEBRIS, GARBAGE, TRASH, AND ANY OTHER MATERIAL FROM THE CAMPSITE.

C. EXCEPT AS SPECIFICALLY AUTHORIZED BY THE TOWN, TOWN CODE, OR STATUTE, IT IS UNLAWFUL FOR ANY PERSON OR ORGANIZATION TO OPERATE ANY CONVEYANCE IN A TOWN PARK, INCLUDING BUT NOT LIMITED TO:

1. OTHER POWER-DRIVEN MOBILITY DEVICES

2. A MOPED, MOTOR-DRIVEN CYCLE, OR MOTORCYCLE

3. A MOTOR VEHICLE

4. A MOTORIZED QUADRICYCLE

D. VIOLATION OF SUBSECTION 9-8-5(C) MAY RESULT IN THE DEVICE OR CONVEYANCE INVOLVED IN THE VIOLATION TO BE REMOVED, SEIZED, AND IMPOUNDED AT THE OWNER'S EXPENSE.

E. ~~B.~~ Violation

1. Any violation of this Section (~~90805-9-8-5~~) authorizes the Town or authorized enforcement agent to order the person to leave the property. Refusal to leave the property or a return to the property in which the violation occurred the same day subsequent to an oral or written order under this Section (9-8-5) is a class 3 misdemeanor.

~~2. Violation of subsection B, C, and D(2) is a class 1 misdemeanor.~~

Queen Creek Town Code Chapter 9, Offenses, Article 9-10, Traffic

9-10-3 Traffic Control Devices

A. It is unlawful for any person to install or maintain in any area of private property used by the public, or intended for traffic using a public street, any sign, signal, marking, or other device intended to regulate, warn, or guide traffic, or which gives the appearance to a reasonable observer of being intended to regulate, warn, or guide traffic. ~~Violation of this Section is a Civil Traffic Offense.~~

~~Civil Traffic Offense.~~

B. IT IS UNLAWFUL FOR ANY DRIVER OR OPERATOR TO FAIL TO OBEY THE INSTRUCTIONS OF OFFICIAL TRAFFIC-CONTROL SIGNALS OR DEVICES UNLESS OTHERWISE DIRECTED BY A POLICE OFFICER.

C. VIOLATION OF THIS SECTION IS A CIVIL TRAFFIC OFFENSE.

9-10-5 Drivers to Obey Signs

It is unlawful for any driver **OR OPERATOR**, whenever traffic signs are erected as provided in Chapter 11 of the Town Code, to:

9-10-10 **SPEED LIMIT**

- A. **NO PERSON SHALL OPERATE A BICYCLE, OTHER POWER-DRIVEN MOBILITY DEVICE, OR ELECTRIC MINIATURE SCOOTER IN A PUBLIC BICYCLE LANE AT A SPEED GREATER THAN THE LIMIT ESTABLISHED BY THIS CODE OR AT A SPEED GREATER THAN IS REASONABLE AND PRUDENT UNDER THE EXISTING CIRCUMSTANCES.**

9-10-20 **RESPONSIBILITY OF PARENTS, GUARDIANS, AND CUSTODIANS**

- A. **A PARENT, GUARDIAN, OR CUSTODIAN OF A CHILD OR WARD SHALL NOT AUTHORIZE OR KNOWINGLY PERMIT THE CHILD OR WARD TO VIOLATE ANY PROVISIONS OF THIS ARTICLE.**
- B. **VIOLATION OF THIS SECTION BY PARENT, GUARDIAN, OR CUSTODIAN OF A CHILD OR WARD IS A CIVIL OFFENSE. ANY VIOLATION OF THIS CODE COMMITTED BY THE CHILD OR WARD WILL BE ADDRESSED AS A SEPARATE OFFENSE.**

Queen Creek Town Code Chapter 9, Offenses, Article 9-11, Operation of bicycles and other power-driven mobility devices

9-11-1 Operation of bicycles or other power-driven mobility devices

- C. **IT IS UNLAWFUL TO OPERATE A CLASS 1 AND 2 ELECTRIC BICYCLE OR A MOTORIZED GAS-POWERED BICYCLE IN THE FOLLOWING LOCATIONS:**
 - 1. **WITHIN ANY AREA WHERE SIGNAGE PROHIBITS SUCH OPERATION.**
 - 2. **IN A TOWN PARK (AS DEFINED IN ARTICLE 15-1 AND OUTLINED IN ARTICLE 9-8)**
- D. ~~C.~~ **It is unlawful to operate a class 3 electric bicycle or a motorized electric-powered bicycle in the following locations:**
 - 4. **IN A TOWN PARK (AS DEFINED IN ARTICLE 15-1 AND OUTLINED IN ARTICLE 9-8)**
- E. **IT IS UNLAWFUL TO OPERATE AN ELECTRIC MINIATURE SCOOTER IN THE FOLLOWING LOCATIONS:**
 - 1. **WITHIN ANY AREA WHERE SIGNAGE PROHIBITS SUCH OPERATION.**
 - 2. **IN A TOWN PARK (AS DEFINED IN ARTICLE 15-1 AND OUTLINED IN ARTICLE 9-8).**
- F. ~~D.~~ **It is unlawful to operate a moped in the following locations:**

5. IN A TOWN PARK (AS DEFINED IN ARTICLE 15-1 AND OUTLINED IN ARTICLE 9-8)

G. ~~It~~ It is unlawful to operate a micromobility device in the following locations:

3. IN A TOWN PARK (AS DEFINED IN ARTICLE 15-1 AND OUTLINED IN ARTICLE 9-8)

G. ~~It~~ It is unlawful to operate a motorized skateboard or motorized play vehicle in the following locations:

3. IN A TOWN PARK (AS DEFINED IN ARTICLE 15-1 AND OUTLINED IN ARTICLE 9-8)

H. ~~Rules~~ Rules of operation

4. No person shall operate a bicycle or other power-driven mobility device at a speed greater than the posted speed limit, **ANY SPEED LIMIT ESTABLISHED BY THIS CODE, INCLUDING THE PRIMA FACIE SPEED LIMIT ESTABLISHED FOR PUBLIC SIDEWALKS, BICYCLE LANES, PARKING LOTS, AND MULTI-USE PATHS**, or at a speed greater than is reasonable and prudent under existing circumstances.

14. It is unlawful to operate a ~~conveyance~~ **BICYCLE OR OTHER POWER-DRIVEN MOBILITY DEVICE** in violation of article 11-5 of the Town code.

15. UNLESS PARKED OR STOPPED, NO PERSON SHALL OPERATE A BICYCLE OR OTHER POWER-DRIVEN MOBILITY DEVICE WHILE PHYSICALLY HOLDING OR SUPPORTING PORTABLE WIRELESS COMMUNICATIONS DEVICE UNLESS THE PORTABLE WIRELESS COMMUNICATIONS DEVICE IS SPECIFICALLY DESIGNED, CONFIGURED, OR CONNECTED TO A PERIPHERAL DEVICE THAT ALLOWS VOICE-OPERATED AND HANDS-FREE OPERATION.

Queen Creek Town Code Chapter 11, Traffic, Article 11-1, General

11-1-1 Definitions

“Conveyance,” for the purposes of chapters 9 and 11 of this code, shall be construed to embrace any means of hauling or transportation including, but not limited to, bicycles, electric bicycles, **ELECTRIC MINIATURE SCOOTERS**, ~~motorized electric-powered bicycles~~, motorized gas-powered bicycles, micromobility devices, mopeds, motor-driven cycles, motorcycles, motor vehicles, motorized play vehicles, motorized skateboards, motorized quadricycles, trailers (of any kind), recreational vehicles, loaders, backhoes, skidders, excavators, tractors, motor homes, wagons, carts, or other vehicles.

"DRIVER" MEANS A PERSON WHO DRIVES OR IS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE.

“Micromobility device” means an electric personal assistive mobility device, electric skates, an electric scooter, or an electric standup scooter. It does not include bicycles, electric bicycles, **ELECTRIC MINIATURE SCOOTERS**, ~~motorized electric-powered bicycles~~, motorized gas-powered bicycles, mopeds, motor-driven cycles, motorcycles, motor vehicles, motorized play vehicles, motorized skateboards, motorized quadricycles, and personal delivery devices. The town manager or designee shall have the authority to designate additional types of devices as micromobility devices consistent with the law, so long as such designation is posted on the town's website.

“Motorized Play Vehicle” means a device that is self-propelled by a motor or engine and that is not otherwise defined in Arizona R.S., Title 28, or Town Code, as an electric bicycle, ~~motorized electric-powered bicycle~~, **ELECTRIC MINIATURE SCOOTERS**, motorized gas-powered bicycle, moped, motor-driven cycle, motorcycle, motor vehicle, motorized skateboard, motorized quadricycle, motorized wheelchair, electric personal assistive mobility device, or other micromobility device. This does not include battery-operated toy carts designed for children under the age of eight years to ride in or on.

“Other Power-Driven Mobility Device” or “OPDMD” means any electric bicycles, **ELECTRIC MINIATURE SCOOTERS**, ~~motorized electric-powered bicycles~~, motorized gas-powered bicycles, motorized play vehicles, motorized skateboards, and micromobility devices. OPDMDs does not include human-powered devices, motor vehicles, or a device used to aid a disabled person, including but not limited to a motorized wheelchair.

~~**“Motorized electric-powered bicycle”** means a bicycle or tricycle that is equipped with fully operable pedals, an electric motor of more than 750 watts, and is capable of traveling more than 30 miles per hour. It does not include an electric bicycle, a motorized electric-powered bicycle, or a moped. Except as otherwise provided in this chapter or state law, a motorized electric-powered bicycle is subject to the same provisions of this article as a bicycle.~~

"OPERATOR" MEANS A PERSON WHO DRIVES OR OPERATES A CONVEYANCE, WHO IS IN ACTUAL PHYSICAL CONTROL OF A CONVEYANCE OR WHO IS EXERCISING CONTROL OVER OR STEERING A CONVEYANCE BEING TOWED OR PUSHED BY ANOTHER CONVEYANCE.

“Shared Other Power-Driven Mobility Device” or “Shared OPDMD” means any electric bicycles, **ELECTRIC MINIATURE SCOOTERS**, ~~motorized electric-powered bicycles~~, motorized gas-powered bicycles, motorized play vehicles, motorized skateboards, micromobility device used in a shared mobility system. Shared OPDMDs does not include human-powered devices, motor vehicles, or a device used to aid a disabled person, including but not limited to a motorized wheelchair.

Queen Creek Town Code Chapter 11, Traffic, Article 11-2, Permanent Traffic Control

11-2-3 Speed Limits

D. ALL PUBLIC SIDEWALKS, PARKING LOTS, AND MULTI-USE PATHS SHALL HAVE A PRIMA FACIE SPEED LIMIT OF 15 MPH WHETHER OR NOT THE

SPEED LIMIT IS POSTED BY A PHYSICAL SIGN. A LOWER SPEED LIMIT MAY BE ESTABLISHED BY POSTED SIGN OR OTHER LAWFUL REGULATION.

- E. ALL PUBLIC BICYCLE LANES SHALL HAVE A PRIMA FACIE SPEED LIMIT OF 15 MILES PER HOUR REGARDLESS OF THE POSTED SPEED LIMIT APPLICABLE TO MOTOR VEHICLES ON THE ADJACENT ROADWAY. A LOWER SPEED LIMIT MAY BE ESTABLISHED BY POSTED SIGN OR OTHER LAWFUL REGULATION.**

Queen Creek Town Code Chapter 11, Traffic, Article 11-5, Operation of bicycles and other power-driven mobility devices

11-5-4 Operation of bicycles

- C. Subject to the restrictions in this chapter and article 9-11, a person may operate a class 3 electric bicycle ~~or a motorized electric-powered bicycle~~ in the following locations unless prohibited by signage:

Queen Creek Town Code Chapter 11, Traffic, **ARTICLE 11-14 REMOVAL, SEIZURE, IMPOUND, AND RELEASE**

11-14-1 REMOVAL, SEIZURE, AND IMPOUNDMENT

- B. AN OTHER POWER-DRIVEN MOBILITY DEVICE (OPDMD), A MOPED, A MOTOR-DRIVEN CYCLE, A MOTORCYCLE, A MOTOR VEHICLE, OR A MOTORIZED QUADRICYCLE MAY BE SUBJECT TO REMOVAL, SEIZURE, AND IMPOUNDMENT UNDER ANY OF THE FOLLOWING CONDITIONS:**
- 1. THE OPERATOR HAS COMMITTED ANY VIOLATION OF STATE LAW OR TOWN CODE THAT CREATED AN IMMEDIATE OR SUBSTANTIAL RISK TO PUBLIC SAFETY, INCLUDING BUT NOT LIMITED TO:**
 - a. RECKLESS DRIVING OR RACING.**
 - b. DISREGARD FOR TRAFFIC CONTROL DEVICES, SIGNS, OR SIGNALS.**
 - c. OBSTRUCTING TRAFFIC OR INTERFERING WITH THE SAFE MOVEMENT OF VEHICLES OR PEDESTRIANS.**
 - 2. THE PERSON IS OPERATING IN A MANNER THAT LEADS TO A VIOLATION OF ANY OF THE FOLLOWING:**
 - a. PUBLIC NUISANCE (A.R.S. § 13-2917)**
 - b. CRIMINAL NUISANCE (A.R.S. § 13-2908)**
 - c. DISORDERLY CONDUCT (A.R.S. § 13-2904)**
 - d. LEAVING THE SCENE OF AN ACCIDENT (A.R.S. §§ 28-661 & 28-662)**
 - e. FAILURE TO RENDER AID OR PROVIDE INFORMATION (A.R.S. § 28-663)**
 - f. FAILURE TO STOP (A.R.S. § 28-1595)**

- g. UNLAWFUL FLIGHT FROM A PURSUING OFFICER (A.R.S. § 28-622.01)
- h. INTERFERING WITH A POLICE OFFICER (9-1-2)
- i. FAILURE TO COMPLY WITH POLICE OFFICER (A.R.S. § 28-622)
- 3. THE PERSON IS OPERATING IN A PROHIBITED AREA WHEN PEDESTRIANS OR EQUINE ARE PRESENT.
- C. WRITTEN NOTICE OF THE SEIZURE AND INSTRUCTIONS FOR RELEASE SHALL BE PROVIDED TO THE OPERATOR. IF THE OPERATOR IS UNDER 18 YEARS OF AGE, A PARENT OR GUARDIAN MUST ALSO BE NOTIFIED.

11-14-2 CONDITIONS OF RELEASE

- A. THE OTHER POWER-DRIVEN MOBILITY DEVICE (OPDMD), MOPED, MOTOR-DRIVEN CYCLE, MOTORCYCLE, MOTOR VEHICLE, OR MOTORIZED QUADRICYCLE MAY BE RELEASED TO THE LAWFUL OWNER IF ALL OF THE FOLLOWING CONDITIONS ARE MET:
 - 1. THE OTHER POWER-DRIVEN MOBILITY DEVICE (OPDMD), MOPED, MOTOR-DRIVEN CYCLE, MOTORCYCLE, MOTOR VEHICLE, OR MOTORIZED QUADRICYCLE HAS BEEN HELD FOR AT LEAST 72 HOURS.
 - 2. THE OPERATOR HAS COMPLETED AN APPROVED SAFETY PROGRAM. IF THE OPERATOR IS UNDER 18 YEARS OF AGE, A PARENT OR GUARDIAN MUST ALSO COMPLETE THE SAFETY PROGRAM WITH THE OPERATOR.
 - 3. THE PRESENCE OF A PARENT OR GUARDIAN AT THE TIME OF THE RELEASE IF THE OPERATOR IS UNDER 18 YEARS OF AGE.
 - 4. ALL CONDITIONS OUTLINED IN ARTICLE 4-4-7(B) ARE SATISFIED.
- B. AS STATED IN ARTICLE 4-4-7(C), PROPERTY THAT IS NOT RECLAIMED FROM THE TOWN WITHIN 60 DAYS AFTER THE DATE OF THE NOTICE OF VIOLATION SHALL BE CONSIDERED ABANDONED AND MAY BE SOLD OR OTHERWISE DISPOSED OF BY THE TOWN IN ACCORDANCE WITH TOWN CODE, CHAPTER 4, ARTICLE 4-4.

Queen Creek Town Code Chapter 15, Parks and Recreation, ARTICLE 15-5, TOWN PROPERTY

15-5-1 OPERATION OF DEVICES AND CONVEYANCES IN TOWN PARKS

- A. OPERATORS OF OTHER POWER-DRIVEN MOBILITY DEVICES, MOPEDS, MOTOR-DRIVEN CYCLES, MOTORCYCLES, MOTOR VEHICLES, OR MOTORIZED QUADRICYCLES AS LISTED IN ARTICLE 9-8-5, SECTION B, MAY USE ROADWAYS AND PARKING LOTS (UNLESS PROHIBITED BY TOWN CODE OR STATE LAW) WHEN NECESSARY FOR DIRECT INGRESS TO OR EGRESS FROM THE PARK. SUCH OPERATION SHALL BE LIMITED TO DIRECT, CONTINUOUS TRAVEL TO OR FROM AN AUTHORIZED PARKING AREA OR DEVICE CORRAL AND SHALL NOT INCLUDE GENERAL

OPERATION, CIRCULATION, STAGING, RACING, STUNT RIDING, OR OTHER RECREATIONAL USE.

- 1. ANY PARKING OR STORAGE OF A DEVICE SHALL COMPLY WITH ARTICLE 9-7, PARKING AND OBSTRUCTIONS, AND SHALL NOT OBSTRUCT, RESTRICT, OR INTERFERE WITH PEDESTRIAN ACCESS, EMERGENCY ACCESS, ADA ACCESS, PARK OPERATIONS, OR THE SAFE USE OF PUBLIC FACILITIES.**
- B. OPERATORS OF THE FOLLOWING DEVICES MAY OPERATE IN A MULTI-USE PATH AND USE MULTI-USE PATHS TO ACCESS PARKS (THIS PROVISION DOES NOT AUTHORIZE OPERATION OF THE DEVICE WITHIN THE PARK EXCEPT AS OUTLINED IN 9-8-5(C)):**
 - 1. CLASS 1 AND 2 ELECTRIC BICYCLES**
 - 2. A MOTORIZED GAS-POWERED BICYCLE**
 - 3. A MICROMOBILITY DEVICE**
 - 4. A MOTORIZED SKATEBOARD**
 - 5. A MOTORIZED PLAY VEHICLE**
- C. NOTHING IN THIS ARTICLE, OR SECTION 9-8-5, PROHIBITS AN OPERATOR FROM WALKING OR CARRYING THEIR DEVICES FROM A ROADWAY, MULTI-USE PATH, OR PARKING LOT TO AN AREA OF THE PARK WHERE THE OPERATOR INTENDS TO USE PARK FACILITIES OR AMENITIES.**
 - 1. ANY PARKING, STAGING, OR STORAGE OF A DEVICE SHALL COMPLY WITH ARTICLE 9-7, PARKING AND OBSTRUCTIONS, AND SHALL NOT OBSTRUCT, RESTRICT, OR INTERFERE WITH PEDESTRIAN ACCESS, EMERGENCY ACCESS, ADA ACCESS, PARK OPERATIONS, OR THE SAFE USE OF PUBLIC FACILITIES.**
 - 2. THIS PROVISION DOES NOT APPLY TO MOPEDS, MOTOR-DRIVEN CYCLES, MOTORCYCLES, MOTOR VEHICLES, OR MOTORIZED QUADRICYCLES.**
 - 3. THIS PROVISION DOES NOT AUTHORIZE AN OPERATOR TO UTILIZE A DEVICE OR CONVEYANCE IN A ROADWAY, MULTI-USE PATH, OR PARKING LOT IF PROHIBITED BY TOWN CODE OR STATE LAW.**