

## THE CODE OF SAN TAN VALLEY, ARIZONA

### ARTICLE 11 PARKS, RECREATION AND PUBLIC PROPERTY

#### 11-1 Park, Recreation and Public Property

##### 11-1-1 Definitions

For the purposes of this Article 11 and any duly adopted Town of San Tan Valley Public Park Regulations the following terms, phrases, words and their derivations shall have the meanings respectively ascribed to them below, unless the context clearly indicates a different meaning.

*"Active Play Area"* means any area with active play equipment, including but not limited to playgrounds, splash pads, fitness pods, sand dig zones, sport courts, and skate parks

*"Intoxicating Liquor"* means any alcoholic beverage made by fermentation or distillation, which, when used in sufficient quantities ordinarily or commonly produces entire or partial intoxication. Any liquor intended for use as a beverage or capable of being so used, which contains more than one-half of one percent (0.5%) of alcohol by volume.

*"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.

*"Town Property"* as used in this Article, means that portion of any property, facility, structure, street, alley, path, lane, multiuse trail, sidewalk, facility, park, retention basin, wash, active play area, improvement, or other area as defined in Chapter 15, that is owned, leased, operated, maintained, or managed by the Town, or is otherwise open to the Town for providing town services.

*"Reserved Use Area"* means areas and/or facilities within any Town Property which has been reserved through the Town Parks and Recreation Department pursuant to its policies and/or the Town of Queen Creek Public Park Regulations.

*"Retention Basin"* means an open space with turf and landscaping set aside for retention of runoff from adjacent lands, not located inside the boundary of Parks that are owned by the Town.

*"Wash or Washes"* means any natural watercourse including the immediately adjacent banks of any such Wash.

##### 11-1-2 Authority

The Town Manager or their designee is authorized to:

1. Adopt, amend, and enforce rules and regulations related to the regulation, use and maintenance of all Town Properties;
2. Establish opening and closing hours each Town Property will be open to the public and provide for the posting thereof;
3. Issue passes and permits for use of Properties and establish the requirements, rules, procedures and forms therefore;
4. 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;
5. Establish, adjust, and collect fees for programs, passes, permits, and rentals.
6. 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.

### **11-1-3 Regulations**

Pursuant to the authority granted in Section 11-1-2 above, the Town, through the Town Manager or their designee, reasonable park regulations.

### **11-1-4 Fees**

1. Administration. Pursuant to the authority granted in Section 11-1-2 above, the Town Manager or their designee shall take all actions necessary to administer, set, adjust and collect fees, pursuant to applicable law, including without limitation:
  1. Establish new fees for programs, passes, permits, and rentals consistent with applicable law.
  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, consistent with existing law.
  3. Adjust existing fees as necessary, including to cover costs, maintain sustainability, and ensure equitable access, consistent with applicable law.
  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:
    1. Payment Methods: Acceptable forms of payment (e.g. cash, check, credit card).
    2. Late Fees: Penalties for late or non-payment.
    3. Refund Policies: Guidelines for refunds and cancellations.
2. 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.