

Attachment A

ORDINANCE G-

AN ORDINANCE AMENDING PHOENIX CITY CODE
CHAPTER 24 PARKS AND RECREATION TO
ALIGN WITH THE PARKS CODE OF CONDUCT
AND IMPROVE CONSISTENCY IN ENFORCEMENT

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as
follows:

SECTION 1. Phoenix City Code, Chapter 24, is amended as follows:

Sec. 24-32. PENALTIES.

- A. WHEN A CRIMINAL VIOLATION OCCURS IN A PARK OR MOUNTAIN PRESERVE PARK OR MOUNTAIN PRESERVE AREA, A PARK RANGER OR POLICE OFFICER MAY ISSUE A TRESPASS NOTICE FOR UP TO ONE YEAR, IN ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE PARKS AND RECREATION DIRECTOR.
- B. CONSISTENT WITH SECTION 13-717, ARIZONA REVISED STATUTES, IN ADDITION TO OR IN LIEU OF ANY SENTENCE IMPOSED PURSUANT TO THIS SECTION, THE COURT MAY SENTENCE A PERSON TO PERFORM COMMUNITY RESITUTION OR ORDER A TERM OF EDUCATION OR TREATMENT.

SECTION 2. Phoenix City Code, Chapter 24, Division II, Section 24-36 is amended as follows:

Sec. 24-36. Entering park areas closed to public use.

- A. No person shall knowingly enter or remain unlawfully in any park except in those areas designated as open to public use AND DURING POSTED HOURS OF OPERATION. ~~by the Board.~~
- B. The Director shall provide public notice of the designation of areas as open or closed to public use by publishing a map which shall be available for public review and inspection at the City Clerk's Office and the Department's administrative offices and 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 or the Director's designees.
- D. A person who is convicted of a violation of this section is guilty of a Class 1 misdemeanor and shall be sentenced to pay a fine of not less than fifty dollars and to perform not less than eight hours of community service under the supervision of the Department. The Court shall not suspend any part or all of the imposition or execution of any sentence required by this subsection.

SECTION 3. Phoenix City Code, Chapter 24, Division II, Section 24-38 is amended as follows:

Sec. 24-38. Spiritous liquor in parks.

A. For the purposes of this section:

- 1. *Beer* means any beverage obtained by the alcoholic fermentation, infusion or decoction of barley malt, hops, or other ingredients not drinkable, or any combination of them.
- 2. *Park* means any park as defined in Section 24-31

3. *Spiritous liquor* means alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, porter, ale, beer, any malt liquor or malt beverage, absinthe, a compound or mixture of any of them or of any of them with any vegetable or other substance, alcohol bitters, bitters containing alcohol, any liquid mixture or preparation, whether patented or otherwise, which produces intoxication, fruits preserved in ardent spirits, and beverages containing more than one-half of one per cent of alcohol by volume.

B. It shall be unlawful for any person to consume or have in his possession any spirituous liquor in a park except as provided in Subsection C of this section.

C. The Director is empowered to issue permits authorizing the consumption and possession of beer in a park and to adopt rules and procedures for the issuance of such permits.

D. A person who has obtained a permit pursuant to Subsection C of this Section shall display the permit upon request. The permit holder and all persons covered by the permit shall abide by the stipulations of use set forth in the permit. The permit may be revoked for failure to comply with the requirements of this Subsection.

E. This Section shall not apply to premises for which a license has been issued pursuant to Title 4, Arizona Revised Statutes.

F. VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

SECTION 4. Phoenix City Code, Chapter 24, Division II, Section 24-42 is amended as follows:

Sec. 24-42. Restrictions on smoking and fires in parks and mountain preserve areas.

A. No person shall smoke or start a fire in ANY a park or mountain preserve area where one or more signs are posted prohibiting such activity.

B. The Director of the Parks and Recreation Department is authorized to post signs prohibiting smoking and fires in parks and mountain preserve areas AT ANY TIME OR when there is a risk of fire becoming uncontrolled due to dry vegetation or climatic conditions.

C. "SMOKE" OR "SMOKING" MEANS INHALING, EXHALING, BURNING, OR CARRYING ANY LIGHTED OR HEATED CIGAR, CIGARETTE, PIPE, HOOKAH, OR ANY OTHER LIGHTED OR HEATED TOBACCO OR PLANT PRODUCT INTENDED FOR INHALATION, WHETHER NATURAL OR SYNTHETIC, INCLUDING MARIJUANA/CANNABIS, IN ANY MANNER OR IN ANY FORM. "SMOKING" INCLUDES THE USE OF AN ELECTRONIC SMOKING DEVICE WHICH CREATES AN AEROSOL OR VAPOR, IN ANY MANNER OR IN ANY FORM, OR THE USE OF ANY ORAL SMOKING DEVICE.

SECTION 5. Phoenix City Code, Chapter 24, Division II, Section 24-48 is

amended as follows:

Sec. 24-48. Water activities: bathing, swimming or wading; boating; ice or water sliding; fishing.

A. No person may swim, bathe or wade in any body of water in a park or preserve, except in a swimming pool that is open to the public or rented. NO PERSON MAY BATHE IN ANY FOUNTAIN, OR AT ANY HYDRANT, DRINKING FOUNTAIN, SINK, OR WATER AMENITY NOT INTENDED FOR SUCH USE AT ANY PARK OR PRESERVE.

B. No person may operate any boat, raft or other watercraft, including remote-controlled watercraft, on any body of water in any park or preserve except in accordance with rules promulgated by the Director.

C. No person may use a block of ice, water, or other object to slide within any park except in accordance with rules promulgated by the Director.

D. No person may fish in any body of water within a park without a valid state fishing license or urban fishing license issued by the Arizona Game and Fish Department. No person may exceed the legal bag limit as determined by the fishing regulations of the Arizona Game and Fish Department. The taking of any fish for any purpose from any body of water within a park by any means other than a fishing rod is prohibited. Fishing is permitted only in bodies of water approved for fishing by the Director and in accordance with rules promulgated by the Director.

E. VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

SECTION 6. Phoenix City Code, Chapter 24, Division II, Section 24-54 is

amended as follows:

Sec. 24-54. COMPLIANCE WITH LAW; Order to leave park; unlawful failure to comply.

A. ANY PERSON MAY USE PARKS AND MOUNTAIN PRESERVE AREAS FOR ANY LAWFUL PURPOSE; PROVIDED HOWEVER, THE USE SHALL BE SUBJECT TO COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THIS CODE, RULES AND REGULATIONS ESTABLISHED BY THE PARKS AND RECREATION BOARD AND THE CITY, AND STATE AND FEDERAL LAW.

B. The Director or designee may order any person who has violated any park rule, regulation or stipulation of usage or any other Federal, State or Local Law to immediately leave the park in which the violation occurred. No person may remain in a park or return to such park on the same day after such person has been ordered to leave the park.

C. A PERSON WHO VIOLATES THIS SECTION OR CHAPTER IS SUBJECT TO A TRESPASS NOTICE IN ACCORDANCE WITH THIS CODE OR THE RULES AND REGULATIONS ESTABLISHED BY THE PARKS AND RECREATION BOARD OR THE DIRECTOR.

D. THIS CHAPTER IS DECLARED TO BE AN EXERCISE OF THE POLICE POWER OF THE CITY, AND ITS PROVISIONS SHALL BE LIBERALLY CONSTRUED FOR THE PRESERVATION AND PROTECTION OF THE NATURAL ENVIRONMENT, PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.

SECTION 2. Phoenix City Code, Chapter 24, Division II, Section 24-55 is amended as follows:

SEC. 24-55. OBSTRUCTING PARK GUESTS OR AMENITIES

- A. IT SHALL BE UNLAWFUL FOR A PERSON TO OBSTRUCT OR CAUSE AN OBSTRUCTION, OR IMPEDE OR INTERFERE, WITH OTHER PARK GUESTS' USE OF A PARK OR USE OF PARK AMENITIES, OR MAINTENANCE OF PARK AND PARK AMENITIES BY CITY STAFF. THIS INCLUDES ENTRY AND EXIT POINTS OF A PARK AND THE ADJACENT PUBLIC RIGHT OF WAY AREAS OF A PARK.
- B. IT SHALL BE UNLAWFUL FOR A PERSON TO USE PARK AMENITIES, INCLUDING PICNIC TABLES, AND PLAYGROUNDS, OUTSIDE OF THEIR INTENDED OR APPROVED PURPOSE.

VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

PASSED by the City Council of the City of Phoenix this 17th day of
December 2025.

MAYOR

Date

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Ed Zuercher, City Manager

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