



Serving with
Respect,
Compassion,
and Trust

Revised Town Code

Chapter 4 – Police Department & Chapter 9 – Offenses

Queen Creek Council Meeting
August 18, 2021

QCPD



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Unique Opportunity:

- To create a entire new Police Department
- With sufficient time, planning and funding
- Using very experienced professionals- inside and out
- Familiar with the community and its needs
- Knowledgeable of state laws and neighboring communities' practices
- That work well, and those which do not



Activities to Date

- Created lists of needs and goals
- Established a working group – internal and external
- Reviewed the existing Town Codes –Police, Offenses, Court, Traffic, Parks, Animal Control, etc.
- Reviewed neighboring codes
- Reviewed applicable ARS sections
- Reorganized, incorporated, deleted, created, and simplified



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The Team

- Chief Randy Brice - QCPD
- Lt. Mark Newman - QCPD
- Lt. Noah Johnson - QCPD
- Bill Amato – QCPD Advisor
- Kris Beecher
- Scott Holcomb
- Other Town Departments



Provided 4 “Ws”: What Works Why and “Whoops”



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Goals

- Give the QCPD the tools that they need
- Put everything that the QCPD would enforce in one place
- Separate offenses/enforcement from procedures and policies
- Have codes which are legally and practically enforceable
- Provide appropriate penalties specific to the offense
- Eliminate inconsistencies and duplication
- Not repeat what is already in the ARS
- Not over-regulate
- Provide flexibility where needed
- Preserve what works and is already decided



Focus Areas



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Chapter 4	Police Department
Chapter 5	Municipal Court
Chapter 9	Offenses
Chapter 11	Traffic
Chapter 15	Parks and Recreation

Current Article 4 – Police Department

ARTICLE 4-1 POLICE DEPARTMENT

- 4-1-1 **Composition**
- 4-1-2 **Appointment of Officers**
- 4-1-3 **Compensation of Officers**
- 4-1-4 **Departmental Rules and Regulations**
- 4-1-5 **Duties of Police Department**
- 4-1-6 **Answering Calls Outside the Town**

ARTICLE 4-2 CONTRACT FOR POLICE PROTECTION



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ARTICLE 4-1 DEFINITIONS

ARTICLE 4-2 AUTHORITY AND DUTIES

- 4-2-1 Authority to Preserve the Public Peace**
- 4-2-2 Duties of Police Department**
- 4-2-3 Answering Calls Outside the Town**

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ARTICLE 4-3 COMPOSITION

- 4-3-1 Chief of Police**
- 4-3-2 Police Officers**
- 4-3-3 Reserve Police Officers**
- 4-3-4 Police Aides**
- 4-3-5 Civilian Traffic Investigators**
- 4-3-6 Arson Investigators**
- 4-3-7 Compensation of Officers**
- 4-3-8 Purchase of Service Firearms and Badges**

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ARTICLE 4-4 ABANDONED OR UNCLAIMED PROPERTY

- 4-4-1 Definitions**
- 4-4-2 General**
- 4-4-3 Disposal of Property**
- 4-4-4 Notice; Disposition of Property**
- 4-4-5 Disposition of Property if Ownership is Disputed**
- 4-4-6 Weapons; Petition for Return**

Example – “Police Aide”



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Police Aide means a volunteer or paid employee of the Police Department of the Town, including but not limited to Park Rangers, Civil Traffic Investigator, professional staff, and private contractors, and those empowered to enforce certain ordinances of the Town pursuant to [A.R.S. § 28-627\(E\)](#) with specific duties assigned by the Chief of Police.



Current Chapter 9



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ARTICLE 9-1 OFFENSES (16)

ARTICLE 9-11 GRAFFITI

ARTICLE 9-3 STORAGE AND DISPLAY OF TOBACCO PRODUCTS

ARTICLE 9-4 PENALTIES

ARTICLE 9-5 AGGRESSIVE SOLICITATION

Current Chapter 9 “Offenses”

- 9-1-1 Dangerous Constructions
- 9-1-2 Excavations to be Covered
- 9-1-3 Fireworks and Explosives²
- 9-1-4 Littering
- 9-1-5 Curfew Hours for Minor
- 9-1-6 Noise
- 9-1-7 Noise Regulations During Construction
- 9-1-8 Obstruction of View
- 9-1-9 Offensive Business
- 9-1-10 Offensive Premises
- 9-1-11 Prostitution
- 9-1-12 Searchlights
- 9-1-13 Signs and Banners
- 9-1-14 Spitting
- 9-1-15 Water – Flow Upon Streets Prohibited
- 9-1-16 Weapons



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Revised Chapter 9



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- ARTICLE 9-1 AUTHORITY AND INTERFERENCE**
- ARTICLE 9-2 BUSINESS**
- ARTICLE 9-3 CONSTRUCTION**
- ARTICLE 9-4 FIRE PREVENTION, FIREWORKS AND EXPLOSIVES**
- ARTICLE 9-5 HEALTH AND SANITATION**
- ARTICLE 9-6 NOISE**
- ARTICLE 9-7 PARKING**
- ARTICLE 9-8 PARKS AND RECREATION**
- ARTICLE 9-9 PROPERTY**
- ARTICLE 9-10 TRAFFIC**
- ARTICLE 9-11 WEAPONS**
- [ARTICLES 9-12 through 9-19 Reserved for Future]*
- ARTICLE 9-20 MISCELLANEOUS OFFENSES**
- ARTICLE 9-21 PENALTIES**



Revised Chapter 9 “Example”



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- ARTICLE 9-11** **TRAFFIC** *[Currently under Chapter 11]*
- 9-11-1** **Obstructing, Interfering with Use of Public Ways**
 - 9-11-2** **Pedestrians in Roadways or Medians**
 - 9-11-3** **Traffic Control Devices**
 - 9-11-4** **Turn Restrictions**
 - 9-11-5** **Drivers to Obey Signs**
 - 9-11-6** **Processions**
 - 9-11-7** **Driving on Private Property**
 - 9-11-8** **Flaggers**
 - 9-11-9** **Responsible Parties**



Consistency, Practicality, & Proportionality



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Current ARTICLE 1-8 PENALTY

A. Any person found guilty of **violating any provisions of this code**, except as otherwise provided in this code, **shall be guilty of a Class one misdemeanor**. Each day that a violation continues shall be a separate offense punishable as hereinabove described.



Consistency, Practicality, & Proportionality



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Replace with:

Section 9-13-2 Civil Offenses

Except as otherwise specifically provided in this chapter, any person who fails to comply with requirements of this chapter, or violates any of its provisions is **guilty of a civil offense**. Except as otherwise specifically provided, civil offenses shall be punished by imposition of a civil penalty in the amount of \$250.00 for the first offense; \$500.00 for a second offense in a 12-month period, and \$2,000.00 for a third offense in said 12-month period. For purposes of calculating the 12-month period, such period shall be measured backwards from the offense.





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Avoiding Duplication

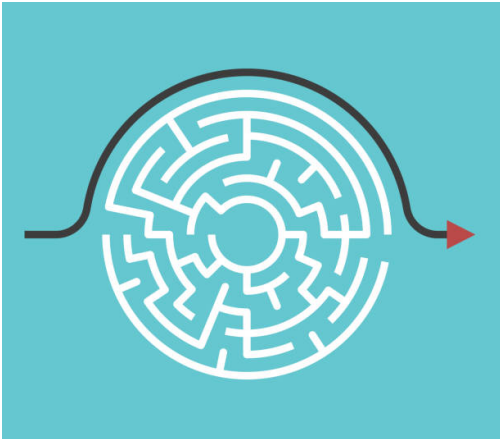
- QCPD has authority to enforce State laws
- Thus, Town Code does not need to repeat Criminal Provisions:
 - Burglary
 - Assaults
 - Murder
 - Drugs
 - Already regulated Traffic
 - Felonies
 - Etc.
- Only Additional Civil Offenses and Misdemeanors





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Simplifying Other Town Code Sections



- Move all offenses possible to one Code Chapter
- Provide uniformity in procedures in a separate Code Chapter
- Existing Code Chapters can focus on permitting, regulation and substance
- Simplifies for QCPD, other department and the public

Schedule



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March	Started Review of Current Code and Collection of Possible Additions
March – August	Meetings, Drafting, Research and Revision
August	Presentation to Council for Discussion
September	Final Presentation to Council for Adoption
October	QCPD Training





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QUESTIONS