

TOWN OF QUEEN CREEK PUBLIC PARK REGULATIONSⁱ

SECTION 1 DEFINITIONS

For the purposes of this Chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein:

Active Play Area: 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: 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: 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.

Retention Basin: An open space with landscaping set aside for retention of runoff from adjacent lands, not located inside the boundary of parks that are owned by the Town of Queen Creek.

Town: Town Manager or designee

Town Property or Town Properties: Includes all active play areas, parks, retention basins, and washes.

Wash: Any natural watercourse including the immediately adjacent banks of any such wash.

SECTION 2 SANITATION

(A)**Pollution of Waters.** No person in a Town Property shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park, retention basin, wash or any stream, storm, sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

(B)**Refuse and Trash.** No person in a Town Property shall bring in or shall dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any Town Property or left anywhere on the grounds thereof but shall be placed in the proper

receptacles where these are provided; where receptacles are not so provided all such rubbish or waste shall be carried away from Town Property by the person responsible for its presence and properly disposed of elsewhere.

(C)**Sanitary Facilities.** It shall be unlawful for any person in a Town Property to urinate or defecate outside any sanitary facility provided in a Town Property.

SECTION 3 RECREATIONAL ACTIVITIES

(A)**Bathing and Swimming.** No person in a Town Property shall swim, bathe, or wade in any waters or waterways in or adjacent to any Town Property except in such waters and at such places as are provided therefor and in compliance with such regulations as are herein set forth or may be hereafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing or congregate thereat when such activity is prohibited by the Town upon a finding that such use of the water would be dangerous or otherwise inadvisable.

(B)**Boating.** No person in a Town Property shall bring into or operate any boat, raft, or other watercraft, whether motor powered or not, upon any waters, except at places designated for boating by the Town. The Town is authorized to designate places for boats, rafts, or watercraft which are not motor powered separately from such craft that are motor powered. Such activity shall be in accordance with applicable regulations as are now or may hereafter be adopted.

(C)**Golfing.** No person in a Town Property shall use any portion of a town property for golfing purposes or make use of any golf club or golf ball in any Town Property, except in places designated for golfing by the Town.

(D)**Motor Vehicles.** No person in a Town Property shall bring into or operate any internal combustion or electrified motor bicycles, stand-up scooters or vehicles of any type, including but not limited to, any automobile, motorcycle or motorbike except for the purpose of ingress and egress to Town Properties on roadways designated for such use. Any person operating a motor vehicle or bicycle in a park shall obey all traffic control signs or devices posted or placed in Town Properties.

(E)**Horseback Riding.** Horseback riding shall be permitted in Town Property, except where such use is posted as prohibited. Where permitted, horses shall be thoroughly broken and properly restrained and ridden with due care and shall not be allowed to graze or go unattended. Horses shall be hitched to hitching posts only.

(F)**Animals.** Animals shall be allowed in all areas of Town Property, except where specifically posted as prohibited. All animals shall be restrained at all times. No dog shall be permitted at large and must be leashed. Leash shall not be greater than six feet (6') in length and directly under the owner's control, except within the fenced area of a designated dog park. No owner or custodian of any animal shall cause or allow such animal to defecate on any portion of a Town

Property, unless such owner or custodian immediately removes and disposes of all feces deposited by such animal by the following methods:

1. Collection of the feces by appropriate implement and placement in a paper or plastic bag or other container; and
2. Removal of such bag or container to the proper receptacle and disposition thereafter in a manner as otherwise may be permitted by law.

(G)Fishing. No person may fish in any body of water within a Town Property without a valid State Fishing License or Community 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 Town Property by any means other than a pole or line is prohibited. Fishing is permitted only in bodies of water approved for fishing by the Town and in accordance with rules promulgated by the Town.

(H)Model Toys and Unmanned Aircraft Systems. No person in a Town Property shall bring into or use any remote controlled or self-propelled model, including but not limited to model airplanes, model rockets, model boats, model cars or other models.

(I)Drones ([Recreational or Hobbyist use](#)). Use of remote controlled or self-propelled drones which interfere with a reserved use or active play area is prohibited. For purposes of this section, the term 'interfere' includes but is not limited to operating any of these devices within 50 feet (50') from the reserved use area boundary or an active play area.

Drones that are flown solely for recreation or hobby purposes while in the visual sight of the operator in the park shall:

1. Pass the FAA's aeronautical knowledge and safety test (TRUST) and provide proof of test passage. Visit the [FFA Site*](#) for instructions.
2. Have a current [registration](#), mark (PDF) your drones on the outside with the registration number, and carry proof of registration with you.
3. Follow the safety guidelines of an FAA-recognized community based organization (CBO).
4. Keep your drone within the visual line of sight or use a visual observer who is co-located (physically next to) and in direct communication with you.
5. Give way to and do not interfere with manned aircraft.
6. Fly at or below 400 feet (400') in controlled airspace (Class B, C, D, and E) only with prior authorization by using [LAANC](#) or [DRONEZONE](#). Fly at or below 400 feet (400') in class G (uncontrolled) airspace.
 - i. Note: Flying drones in certain airspace is not allowed. Classes of airspace and flying restrictions can be found on our B4UFLY APP or the UAS facility maps webpage.
7. Do not operate your drone in a dangerous manner. For example:
 - i. Stay away from surrounding obstacles.

- ii. Do not fly near other aircraft, especially near airports.
- iii. Do not interfere with emergency response or law enforcement activities.
- iv. Never fly under the influence of drugs or alcohol.

https://www.faa.gov/uas/recreational_fliers/knowledge_test_updates/

(J)**Drones** ([Commercial Use](#)). A permit is required for a person or organization to use any remote controlled or self-propelled drone for commercial purposes in any portion of a town property, unless the commercial use falls under an existing special event or rental permit, and the user has written permission from the permit holder.

All [FAA Part 107 Regulations](#) pertaining to drones must be followed in order to operate.

SECTION 4 INTOXICATING LIQUOR; PROHIBITIONS; PERMITS; DEPOSIT

(A)No person in a Town Property shall consume or have in his possession or custody, any open container of intoxicating liquor except under the conditions set forth in Paragraph (B) below.

(B)Paragraph (A) shall not apply to those premises within a Town Property where the sale of intoxicating liquor is being governed by a special event license or other intoxicating liquor license or permit issued by the State Liquor Department. During those events or activities on Town Property premises that are governed by a State liquor license or permit, the sale and consumption of liquor on those premises at those times shall be subject to all terms and conditions of State law, the State liquor license or permit, and all applicable contracts involving the sale of liquor on those premises; at all other times, consumption of intoxicating liquor on Town Property is prohibited unless authorized under a Town permit as follows. Paragraph (A) shall also not apply to persons who possess or consume beer in accordance with all terms and conditions of a permit from the Town.

(C)The Town is authorized to issue permits allowing the consumption and possession of beer in all Town Properties and to adopt fees, rules and regulations for the issuance of such permits. Such beer permits are available only for persons of legal drinking age who are attending a State picnic, family reunion, company picnic, special event, or similar gathering. Permits shall identify the name of the group; the name and signature of the responsible party for that group; and the date and specific park location for the authorized event or activity. Any permit granted under this section shall be valid only for those areas listed on the face thereof. The Town permit shall state that the authority it confers to possess or consume beer is contingent on compliance with all terms of the permit, park rules, Town ordinances, and State law. If the Town permit is not complied within any respect, the permit is null and void and the prohibition described in Paragraph (A) is reinstated. Requests for beer permits under this subsection shall be made no three (3) business days in advance of the event for which the permit is required. Unless authorized under a State liquor license or a Town permit, it is unlawful to possess or consume any intoxicating liquor beverage in a Town Property.

(D)A beer permit shall only be issued upon the applicant meeting the terms set forth above and upon applicant's payment of a refundable damage deposit to the Town in an amount to be determined by the Town of Queen Creek Parks and Recreation Advisory Committee.

SECTION 5 TOWN PROPERTY

Except as specifically authorized by the Town, no person in a Town Property shall:

(A)**Glass containers.** Have in his possession or custody a glass container of any kind or description.

(B)**Disfiguration or Removal of Town Property Improvements.** Deface, disfigure, injure, tamper with, displace, or remove any turfgrass, 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 park equipment, facility, property, structure, or improvement of any kind whatsoever.

(C)**Disfiguration or Removal of Town Property Natural 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.

(D)**Animals.** Hunt, harm, or remove from or release into the park any animals, fish, birds or reptiles without approval of the Town.

(E)**Fires.** Start or sustain a fire, except in fire pits, grills, or other areas, as designated and approved for such use by the Town.

(F)**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.

(G)**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.

(H)**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.

SECTION 6 PARK OPERATIONS

(A)**Hours.** Except for unusual and unforeseen emergencies, Town Properties shall be open to the public every day of the year during designated hours. The opening and closing hours for each Town Property shall be posted therein. It shall be unlawful for a person to remain in a

Town Property or to enter a Town Property except during designated hours, unless a permit is obtained pursuant to Paragraph (C) of this Section.

(B)Closed Areas. Any section or part of any Town Property may be declared closed to the Public by the Town at any time and for any interval of time, either entirely or merely to certain uses, as the Town shall find reasonably necessary. No person shall enter any closed area of a Town Property if such entry is prohibited, nor shall any person utilize any portion of a Town Property if such utilization is prohibited.

(C)Permit. A permit shall be obtained from the Town whenever any person, group, league, organized team, school, business, or service:

1. Uses all or a portion of any Town Property for a team practice or game, even if not all members attend the team practice or game. Each organized team shall obtain its own permit, even if sharing use of the same facility.
2. Uses all or a portion of any Town Property for school groups, physical education, field trips, field days, class picnics, or recreation-based classes.
3. Uses a Town Property as a location for the delivery of a program, service as part of a commercial business, or contest of any nature. This includes, but is not limited to, any person or entity providing exercise or fitness training, group, or private lessons (ex. Tennis, karate, etc.), any type of dog training or competitions, or photography and catering services.
4. Brings in any equipment or sets up inflatable structures, dunk tanks, tents, generators, climbing walls, amplified music equipment, or structures in any Town Properties.
5. Wants to reserve or obtain exclusive use of all or any portion of a Town Property for a scheduled time period.
6. Wants to enter into or remain in a Town Property other than during designated open hours.

In some cases, a refundable damage deposit is required.

(D)Process. Permits must be completed online or at the parks & recreation customer service desk a minimum of three (3) business days in advance of the rental, program, or event.

Failure to comply with park regulations and policies may result in the permit being denied or revoked as determined by the Town.

SECTION 7 GENERAL RULES FOR USE

All persons using Town Properties shall comply with all federal, state, county and town laws, rules and regulations.