

ORDINANCE NO. 2924

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE CODE OF GILBERT, ARIZONA, CHAPTER 46 PARKS AND RECREATION, BY AMENDING ARTICLE 2 PARK AND RECREATIONAL FACILITY USE, SECTION 46-43 PROHIBITED ACTIVITIES, RELATED TO THE USE OF TOWN-OWNED IMPROVEMENTS IN PARKS INCLUDING RAMADAS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town provides many improvements in its parks and recreational facilities, including picnic areas and shaded ramadas for public use;

WHEREAS, these improvements are available for reservation and/or rental via the permitting process described in Sec. 46-2 of the Code of Gilbert; and

WHEREAS, the Town would like to encourage public use of these improvements by limiting occupancy of each ramada or other Town-maintained improvement to three (3) hours per day unless otherwise reserved in accordance with Sec. 46-2;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

The Code of Gilbert, Arizona, Chapter 46 Parks and Recreation, Article 2 Park and Recreational Facility Use, Section 46-43 Prohibited Activities, is hereby amended to read as follows (additions in ALL CAPS):

Section 46-43. – Prohibited Activities.

Section 46-43. – Prohibited Activities.

Except where such use is conducted by the town or by others pursuant to a town organized program or permit issued by the parks and recreation department, the following activities are prohibited in town recreation facilities and riparian preserves:

(a) *Dangerous act*: No person shall commit or permit any animal under their control or supervision to commit any act so as to endanger the health and safety of themselves or other persons.

(b) *Weapons*: No person shall use archery, firearms, sling shots, rockets, darts, rocks or other projectile producing devices except as provided in section 46-44.

- (c) *Facility water*: No person shall use any water source on town owned property for swimming or bathing, animal swimming or bathing except in areas designated for such activities, washing clothes, cleaning fish or other unsanitary activities.
- (d) *Ice blocking/sliding*: No person shall use ice blocks, waterslides, cardboard or other material to slide or propel themselves down hills on town owned property.
- (e) *Littering*: No person shall dispose of trash, flyers or other unwanted items in any manner other than depositing them in a designated waste container.
- (f) *Posting of handbills*: No person shall place advertising or signs on any tree, building, pole or other structure within a town recreation facility or riparian preserve, except with written permission of the parks and recreation director or approval of the town council.
- (g) *Car washing/maintenance*: No person shall clean, wash, polish, change oil or make other than emergency repairs upon an automobile, motorcycle, or other self-driven vehicle.
- (h) *Solicitation*: No person shall solicit, carry on, conduct or solicit for any trade, occupation, business or profession within a town recreation facility or riparian preserve, except with written permission of the parks and recreation director.
- (i) *Disfiguration or removal of natural resources*: No person shall disfigure, displace, remove, or excavate, as applicable, any soil, rock, stone, sand, tree, shrub, cactus, plant material, or other natural resource of any description.
- (j) *Smoking*: No person under the age of 18 shall smoke or possess tobacco or illegal substances in any area of a town park.
- (k) *Hot air balloons*: Launching or landing a hot air balloon or other aircraft.
- (l) *Fireworks*: See section 42-115.
- (m) *Fires*: No person shall start or sustain a fire, except for the combustion of charcoal in fire pits, grills, or other areas as designated and approved for such use by the parks and recreation director. No person shall set fire to the contents of a trash container, or place or burn garbage in park grills.
- (n) *Urban camping*: No person shall camp, set up living accommodations or store personal belongings except in areas specifically for such use, or specifically authorized by permit.
- (o) *Airborne lanterns*: No person shall light and release airborne lanterns.
- (p) *Posted rules*: No person shall fail to obey any rules posted in town parks or recreational facilities.

(q) *Feeding*: It is unlawful to feed, or place food outdoors for, any animal except:

- (1) It is permissible to feed waterfowl only in accordance with signage posted by the parks and recreation director, and
- (2) The parks and recreation director may authorize specific person(s) to feed only for purposes of wildlife rescue, rehabilitation, or management related to the protection of native wildlife.

(r) UNAUTHORIZED USE OF TOWN-OWNED IMPROVEMENTS: NO PERSON OR GROUP SHALL OCCUPY A RAMADA OR PICNIC AREA FOR MORE THAN THREE (3) HOURS PER DAY UNLESS AUTHORIZED BY A RESERVATION PERMIT IN ACCORDANCE WITH SECTION 46-2.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

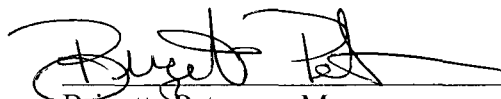
PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 17th day of December, 2024, by the following vote:

AYES: ANDERSON, BONGIOVANNI, KOPROWSKI, PETERSON, TILQUE, TORGESON

NAYS: _____ ABSENT: BUCHLI

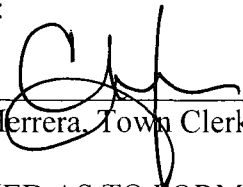
EXCUSED: _____ ABSTAINED: _____

APPROVED this 17th day of December, 2024.




Brigitte Peterson, Mayor

ATTEST:



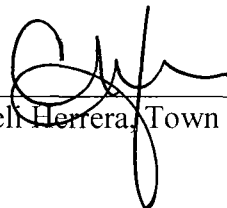
Chaveli Herrera, Town Clerk

APPROVED AS TO FORM:



Christopher W. Payne, Town Attorney

I, CHAVELI HERRERA, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2924 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 17TH DAY OF DECEMBER, 2024, WAS POSTED IN ONE PLACE ON THE 18TH DAY OF DECEMBER, 2024.



Chaveli Herrera, Town Clerk