

WHEN RECORDED RETURN TO:

City of Buckeye
ATTN: City Clerk, Lucinda J. Aja
530 East Monroe Avenue
Buckeye, Arizona 85326

ORDINANCE NO. 16-16

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, ADOPTING THAT CERTAIN DOCUMENT ENTITLED “COMMUNITY SERVICES REGULATIONS” BY REFERENCE; AMENDING THE CITY OF BUCKEYE CODE, CHAPTER 11 COMMUNITY SERVICES, BY REPEALING CHAPTER 11 COMMUNITY SERVICES IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 11 COMMUNITY SERVICES REGULATIONS, RELATED TO ADOPTING REGULATIONS FOR THE USE OF COMMUNITY FACILITIES AND PARKS WITHIN THE CITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Mayor and City Council of the City of Buckeye desire to amend the City Code Chapter 11 Community Services; and

WHEREAS, the City Council has determined that it is in the best interest of the City and of the health, safety and welfare of its citizens to provide reasonable regulations for use of the City’s Community Services.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. That certain document entitled “City of Buckeye, Arizona, Community Services Regulations” three copies of which are on file in the office of the City Clerk, is hereby declared a public record and said copies are hereby ordered to remain on file with the City Clerk.

Section 2. The City Code of the City of Buckeye, Arizona (the “City Code”), Chapter 11, Community Services, is hereby deleted in its entirety and replaced by Community Services Regulations, which shall be inserted into the City Code as a new Chapter 11, Community Services Regulations.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Community Services Regulations adopted herein by reference is for any reason to be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. In the event of any inconsistency, conflict or ambiguity among any section, subsection, sentence, clause, phrase or portion of the Community Services Regulations adopted herein by reference, the City Code, or this Ordinance, the documents shall govern in the order listed herein.

Section 5. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

Section 6. A violation of any provision of this Ordinance shall be a civil offense and subject to civil penalties in an amount not less than one hundred fifty dollars (\$150.00) and not exceeding two thousand five hundred dollars (\$2,500.00) for a first offense, not less than three hundred dollars (\$300.00) and not exceeding two thousand five hundred dollars (\$2,500.00) for a second offense, and not less than five hundred dollars (\$500.00) and not exceeding two thousand five hundred dollars (\$2,500.00) for a third and subsequent offense. Each day that a violation continues shall constitute a separate civil offense as herein described.

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 6th day of September, 2016.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

APPROVED AS TO FORM:

City Attorney

CITY OF BUCKEYE, ARIZONA, COMMUNITY SERVICES REGULATIONS

Chapter 11 – Community Services Regulations

Article 11-1 - GENERAL PROVISIONS

Article 11-1 General Provisions

- 11-1-1 Creation, Purpose; Definitions
- 11-1-2 Adoption of Rules, Regulations and Fees
- 11-1-3 Damaging or Tampering with Facilities
- 11-1-4 Trees, Shrubby, Lawns and Landscape
- 11-1-5 Littering, Polluting and Glass Containers
- 11-1-6 Bicycles, Skateboards and Vehicles
- 11-1-7 Picnic, Camping Areas, Sports Fields and Courts; Urban Camping Prohibited
- 11-1-8 Shade Canopies and Inflatables
- 11-1-9 Animals and Wildlife
- 11-1-10 Prohibition of Miscellaneous Activities
- 11-1-11 Disturbing Others
- 11-1-12 Vending and Peddling
- 11-1-13 Advertising, Commercial Use, Free Speech Areas
- 11-1-14 Sound Amplification
- 11-1-15 Trails

Section 11-1-1 - Creation; Purpose; Definitions

- A. There shall be a community services department for the City of Buckeye that oversees the development, administration, and operation of city parks, community services facilities and programs that provide social and physical benefits to the community.
- B. The community services department shall have a designated director responsible to the city manager or designee for the management and direction of the department and is authorized to exercise the powers and perform the duties set forth in this chapter. the community services director shall serve as liaison to community services related boards and commissions approved by the city council or city manager, coordinate with other city departments, including but not limited to public safety, human resources, and public works on community services related issues and perform other functions related to the provision of community services that the city manager may, from time to time, authorize or direct.
- C. The community services department shall have as many staff deemed necessary by the city manager. The community services director may authorize staff as their designee to perform functions relating to the development, administration and operation of City parks and community services facilities and their activities and programs.

D. In this chapter unless the context requires otherwise:

1. “Animal” means cats, dogs, horses, any fowl or birds and any non-human living creatures within the boundaries of a City park.

“Beer” means any beverage obtained from alcohol fermentation, infusion or decoction of barley malt, hops or other ingredients not drinkable, or any combination of them.
3. “Campsite” means a defined space within an area designated for overnight use in a City park.
4. “City park” means a park, parkway, trail, reservation, playground, recreational area, multi-use trail, open space or any other area in the city, owned, used, established, maintained or administered by the city and devoted to active or passive recreation.
5. “City staff” means any person under the employment of the City of Buckeye.
6. “Community services facility” means the building and grounds of a recreation center, community center, library, museum, aquatic facility, cemetery, senior center, recreation facility, or any other area in the city, owned, used, established, maintained or administered by the Community Services Department.
7. “Fireworks” means any combustible or explosive composition, substance or combination of substances, or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation.
8. “Permit” means any written license issued by or under authority of the City of Buckeye permitting a special event or activity on City parks or community services facilities.
9. “Person” means any natural person, group, team, league, corporation, company, association, joint stock association, firm or co-partnership.
10. “Sound amplification” means any device, instrument, or system, whether electrical, mechanical or otherwise used for one of its purposes to amplify sound or to produce or reproduce sound. Sound amplification systems include, but are not limited to radios, stereos, computer reproduced sound, musical instruments, receivers, sound or musical recorders, compact discs, audio discs, video disc players and I-pods.
11. “Spirituuous liquor” means alcohol, brandy, whiskey, rum, tequila, mescal, gin, vodka, wine, porter, ale, beer, any malt liquor, malt beverage, absinthe or compound or mixture of any of them, or of any of them with any vegetable or other substance, alcohol bitters, bitters containing alcohol, and 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 percent of alcohol by volume.

12. "Vehicle" means any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled. The term shall include any trailer in tow of any size, kind or description, motor vehicles, campers, scooters, motorized or not, or pushcarts. A "pushcart" means any device which is on wheels, is propelled solely by human power and is specifically designed for the sale of or for storage and preservation of food or goods for a short time. A "vehicle" also includes any horse or horse-drawn conveyance. This definition does not include baby carriages and vehicles in the service of City parks.

Section 11-1-2 – Adoption of Rules, Regulations and Fees

- A. The community services director and designee may adopt rules, regulations and policies that implement and enforce ordinances contained in Chapter 11, provided that such rules, regulations and policies are consistent with this chapter and with all ordinances adopted by city council.
- B. The city council may, by resolution, set and amend fees and charges for the community services department, including but not limited to fees for programs, services, applications, permits, and rentals.
- C. Unless such fees have otherwise been set by city council, the community services director or designee may temporarily set fees for use of city parks and community services facilities, programs and services until such time as they are brought before city council for review and approval.

Section 11-1-3 - Damaging or Tampering with Facilities

- A. No person shall damage or improperly use any building, structure, toilets, or water and sewer facilities in any community services facility or City park, or cause the lighting facilities or electrical appliances to be turned on without the written permission of the director or designee.
- B. No person shall remove any equipment or apparatus from the boundaries of any community services facility or City park or move any item from its original location without authorization from the director or designee.

Section 11-1-4 - Trees, Shrubbery, Lawns and Landscape

- A. No person shall climb, damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds of any tree or plant, nor shall any person attach any rope, wire or other contrivance to any tree or plant without the express written permission of the director or authorized designee.

- B. No person shall dig or remove any sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency without the express written permission of the director or authorized designee.

Section 11-1-5 - Littering, Polluting and Glass Containers

- A. No person shall dump, deposit or litter garbage or waste in a city park or community services facility. Garbage and waste must be properly disposed in receptacles provided. If no such receptacles are provided, all materials shall be removed from the City park or community services facility by the person responsible for their presence.
- B. No person shall willfully pollute in any manner the water of any community services facility or City park with any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- C. It is unlawful for any person to have glass containers in their possession in any City park.
- D. It is unlawful for any person to throw, toss or otherwise propel or either willfully, maliciously, carelessly or negligently break any glass object in a community services facility or City park.

Section 11-1-6 - Bicycles, Skateboards and Vehicles

- A. No person shall leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.
- B. Skating, rollerblading, and skateboarding are prohibited in ramadas, on structures and fixtures, including tables, benches, playground equipment and buildings, and where posted.
- C. No person shall drive, ride, operate or park at any time any automobile, truck, motorcycle, motor scooter, horse or other motor vehicle or animal upon the grounds of any community services facility or City park, except in areas designed for the use of such vehicles and except in public streets running through such premises or within designated parking areas, without the express written permission of the director or authorized designee.
- D. No person shall park a vehicle in an area not established for such use or leave a vehicle parked overnight in a City park or community services facility unless a permit has been granted for overnight camping by the director or designee.
- E. No person shall use a community services facility or City park for the purpose of demonstrating any vehicles, or for the purpose of instructing another to drive or operate any vehicle without the consent of the director or authorized designee.

- F. No person shall engage in any repair or maintenance of any kind to any motor vehicle, except to the extent those emergency repairs are necessary to allow immediate removal of the vehicle from the parking area.
- G. No person shall engage in the washing, waxing, detailing or cleaning of any motor vehicle in a community services facility or City park.
- H. All persons operating or using a vehicle at a community services facility or City park shall yield the right-of-way to all pedestrians. No vehicle shall go at a speed greater than fifteen (15) miles per hour unless posted.

Section 11-1-7 - Picnic, Camping Areas, Sports Fields and Courts; Urban Camping Prohibited

- A. No person shall picnic, lunch, camp, or stay overnight in a place other than those designated for that purpose unless permission has been granted by the director or designee. City staff shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- B. The use of sports fields and courts, individual ramadas, campsites, barbeque grills and fireplaces together with tables and benches shall follow generally the rule of “first come, first served” unless reserved by permit.
- C. No person shall fail to vacate any sports field or court, ramada or campsite upon request of City staff where such area has been reserved for use by another person.
- D. No person shall leave a picnic area or campsite before the fire is completely extinguished.

Section 11-1-8 - Shade Canopies and Inflatables

- A. Shade canopies may only be erected and used for spectator viewing in areas immediately surrounding sports fields or courts for the purpose of providing temporary shade when such areas have been reserved for use through the community services department or for city-sponsored events. Shade canopies cannot be staked and must be weighted with sand bags or similar effective means so they cannot be moved or overturned by wind. Shade canopies shall not block entrances or exits, aisles, sidewalks, or parking areas and shall comply with city of buckeye tent requirements. No person shall refuse to move or remove a shade canopy upon request by city staff.
- B. Inflatables and bounce houses are not permitted in city parks unless a permit is issued in conjunction with a ramada reservation or city-sponsored event. Permittee must comply with all guidelines and regulations included in the permit.

Section 11-1-9 - Animals and Wildlife

- A. No person shall tie or hitch any animal to any tree or plant in a community services facility or City park.
- B. No person shall walk a dog without a leash (except in a designated area). The owner or person in possession of a domestic animal shall be responsible for removal of any animal solid waste from the community services facility or City park.
- C. No person shall bring into or ride a horse in a community services facility or City park (except on trails and areas designated for equestrian use). No person shall permit his or her horse, donkey or other animal to be unattended or to graze at a community services facility or City park.
- D. No person shall bring an animal into a community services facility; unless such animal is a service animal or approval has been granted by the director or designee.
- E. No person shall feed, threaten, harass, disturb, or collect and/or remove wildlife in a City park.
- F. No person shall release, abandon, place, bury or otherwise dispose of any animal or carcass in a City park.

Section 11-1-10 - Prohibition of Miscellaneous Activities

- A. No person shall use, operate or launch rockets, fireworks, engage in archery or drive golf balls in a community services facility or City park without the written consent of the director or authorized designee.
- B. Except as provided by state law, discharging a firearm, bb gun, air gun, spring gun, shooting with a bow and arrow, or setting traps is prohibited except in locations provided for the purpose and as permitted by Arizona Game and Fish Department.
- C. No person shall kindle, build, maintain or use a fire except in barbecue grills, fireplaces, or other containers and places provided for such use. Fires may be temporarily banned during dry weather conditions in the sole discretion of the director or designee.

Section 11-1-11 - Disturbing Others

- A. No person shall engage in threatening, abusive, insulting or indecent language or behavior likely to breach or interfere with the public peace, safety, or orderly administration of a community services facility or City park or likely to provoke immediate retaliation by any person present or to engage in any unwanted physical contact or disorderly conduct. This prohibition shall include any acts of intimidation that are intended to hinder, prevent, or attempt to hinder or prevent any person from using the community services facility or City park.
- B. No person shall obstruct, impede, or create a hazard for vehicles or pedestrians that are using roads, parking areas, sidewalks, or other driving or walking areas, including access to and from parking lots and buildings in a City park or community services facility.

Section 11-1-12 - Vending and Peddling

- A. No person shall expose or offer for sale any food, drink article, service, activity, or thing, nor shall they station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing in a community services facility or City park unless authorized by the director or designee. An exception may be made for vendors selling items for special events that are co-sponsored by the city and have been issued a permit.
- B. Concession stands operated by not-for-profit organizations in connection with various sporting activities sponsored by said not-for-profit organizations and conducted at designated recreation areas shall be permitted with authorization of the director or designee.

Section 11-1-13 - Advertising, Commercial Use, Free Speech Areas

- A. No person shall announce, advertise or call the public attention in any way to any article or service for sale or hire, nor shall any person paste, glue, tack or otherwise post any sign, placard, advertisement or inscription, or erect or cause to be erected any sign, including the placement of printed materials on vehicles parked in a community services facility or City park, whether for profit or not-for-profit, without authorization from the director or designee.
- B. No person shall use any city park or community services facility for commercial purposes, which shall include the conduct of organized activities and classes, such as sports leagues, including practices, games or clinics, fitness programs or art classes, as a sole proprietor or as a representative of a private organization without a permit or written approval by the director or designee.
- C. A person may set up a temporary table in a free speech area designated by the director or designee for the purposes of engaging in free speech expressive activities, such as gathering signatures, distributing informational leaflets, or proselytizing.

- D. The director or designee may designate other areas of city parks and community services facilities as non-public forum areas where free speech activities shall not occur to ensure the safety of patrons. Such non-public forum areas may include ramadas, playgrounds, sports fields and courts, aquatic centers, and skate parks where free speech activities may cause injury to resources, unreasonably impair the atmosphere of peace and tranquility, unreasonably interfere with program or administrative activities of the city, substantially impair the operation, or present a clear and present danger to the public health and safety in a City park or community services facility.

Section 11-1-14 - Sound Amplification

- A. Except with the prior written consent of the director or authorized designee, no person shall operate or permit the operation of any sound amplification system in any City park between the hours of 10:00 p.m. and 6:00 a.m. Monday through Sunday, and that:
 - 1. Can be heard more than fifty (50) feet from the original source; or
Disturbs the peace or quiet of a neighborhood, family or person.
- B. The following sound amplification system uses are exempt from this section:
 - 1. Use by law enforcement agencies and emergency medical and fire service agencies.
Use by a public service corporation, telecommunications provider or political subdivision of this state, or the United States or this state in performance of their duties.
 - 3. City co-sponsored events or programs.

Section 11-1-15 - Trails

- A. Trail users, including hikers, mountain bikers, and equestrians must access trails at designated entry points only and must stay on designated and posted trail routes.
- B. Trail users must comply with all rules and regulations posted on kiosks, markers, and signs at trailheads and elsewhere in the city park.

Article 11-2 Community Services Facility and City Park Operating Policy

- 11-2-1 City Park and Community Services Facility Hours
- 11-2-2 Closed Areas
- 11-2-3 Permits

Section 11-2-1 - City Park and Community Services Facility Hours

- A. The community services director shall establish hours for each City park, which shall be posted. Unless otherwise established by the community services director, city parks shall be open from dawn until ten o'clock p.m. Opening and closing hours may be temporarily modified by the director or designee.
- B. Except for unusual and unforeseen emergencies, a community services facility shall be open in accordance with hours posted at each facility. Opening and closing hours may be temporarily modified by the director or designee.
- C. It is unlawful for any person, with the exception of city staff performing work duties, to enter upon or remain within a City park or community services facility when not open to the public unless a permit or approval has been granted by the director or designee

Section 11-2-2 - Closed Areas

Any City park or community services facility or any portion thereof may be declared closed by City of Buckeye public safety officials or the director or designee at any time and for any interval of time, either temporarily or at regular and stated intervals, daily or otherwise and either entirely or merely to certain uses. It is unlawful for any person not properly authorized to enter into or fail to vacate a City park or community services facility when notice of closure has been given.

Section 11-2-3 - Permits

- A. A permit shall be obtained from the director or designee whenever any person desires to reserve any portion (e.g. sports field, meeting room, etc.) of a community services facility or City park. The director or designee may issue a permit hereunder when they find:
 - 1. That the proposed activity or use of the community services facility and City park will not unreasonably interfere with or detract from the general public's enjoyment of the community services facility and City park.

That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.

3. That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
 4. That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city unless permission has been granted by city public safety staff.
 5. That the facilities desired have not been reserved for other use at the day and hour required in the application.
- B. A person obtaining a permit shall be bound by all rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
 - C. The person to whom a permit is used shall be liable for any loss, damage or injury sustained by any person by reason of the negligence of the person to whom such permit was issued.
 - D. The director or designee shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.
 - E. No person shall sublease a community services facility or City park or any other city facility without the written consent of the director or authorized designee.
 - F. Permits shall not be transferable between persons and/or locations.

Article 11-3 Spirituous Liquor and Beer in Community Services Facilities and City Parks

Section 11-3-1 - Spirituous Liquor and Beer in Community Services Facilities and City Parks

- A. Except as specifically set forth in Subsection 11-3-1(B) below, it shall be unlawful for any person to consume or have in their possession any spirituous liquor in any City park or community service facility located within the City. A violation of this section shall constitute a class one misdemeanor, punishable by a fine of not more than two thousand five hundred dollars (\$2,500.00) or by imprisonment for not more than six (6) months in jail.
- B. Consuming or possessing spirituous liquor in City parks shall be permissible only in the following circumstances:
 1. The possession and consumption of beer shall be permitted at park ramadas and designated campsites with an approved beer permit. The permit must be purchased in person by, and beer possessed and consumed only by, persons at least twenty-one (21) years of age. A beer permit will only be granted in conjunction with a park ramada or campsite reservation and will be limited in duration to the timeframe of the reservation.

Beer must be consumed under the reserved ramada or designated campsite location. Participants in any City-sponsored sports program or activity shall not consume beer prior to, or during games, practices, or clinics. No glass containers, bottles, or kegs are permitted.

2. Spirituous liquor served in connection with a special event liquor license pursuant to Section 8-11-8 of the City Code.

Article 11-4 – Dog Parks

Section 11-4-1 - Dog Parks

- A. Hours of use are dawn—10:00 p.m.
- B. Dogs must be licensed and vaccinated, wear licensed tags and be older than four (4) months.
- C. Dogs may run "off leash" in the designated area only.
- D. Dogs must be leashed during entrance and exit.
- E. Dog park facilities were created for dogs and their owners/handlers. Dog park facilities shall not be used as a playground or facility for children.
- F. Children under 12 must be accompanied by an adult, supervised and must not run after or chase dogs in a dog park.
- G. Handlers must be 16 years and older and have their dogs under voice control and must be within the enclosure at all times.
- H. Aggressive dog behavior is not permitted. Dogs must be leashed and removed at the first sign of aggression.
- I. No more than 3 dogs per owner/handler shall be allowed in a dog park.
- J. Female dogs in heat or dogs with communicable diseases are not permitted within a dog park.
- K. Dog owners/handlers must pick up their dog's waste and dispose of it in receptacles.
- L. Dog owners/handlers must repair damage from digging by their dogs and must remove/dispose of hair after grooming.
- M. Food and smoking is not allowed in the dog park.
- N. No dog 20 pounds or over shall be allowed in a dog park facility designated for smaller dogs. No dog less than 20 pounds shall be allowed in a dog park facility designated for larger dogs.

Article 11-5 - PUBLIC LIBRARY

Section 11-5-1 - Public Library

- A. No person shall mar, deface, mutilate or in any way injure any book, periodical, newspaper, audiovisual, furniture, fixtures or any other property of or contained in the library or any branch or bookmobile operated in connection therewith.
- B. No person shall retain any book, periodical, newspaper, audiovisual, or any other property belonging in, to, or on deposit with the library or any branch or bookmobile operated in connection therewith, for a period exceeding fourteen (14) days after the due date at which time notification to return same by first class mail to the borrower's address on file with the library. A second notice will be sent after twenty-eight (28) days past the item's due date in the form of a replacement notice for the cost of the item if materials are not returned.
- C. No person shall make use of a library card belonging to another by false representation, impersonation or pretense or by any false token or writing or by any device, trick or concealment to take from the city library or any branch or bookmobile operated in connection therewith, any property belonging therein or thereto.
- D. The director or designee may impose and collect fines for overdue materials.
- E. The director or designee may suspend or revoke privileges by limiting the borrowing of any book, other material, or computer use by a cardholder who has failed or refused to pay any fine or to return any book or other material by the due date.

Article 11-6 - Enforcement

Section 11-6-1 - Enforcement

- A. The city police department and any director or designee shall have authority to remove from the community services facility or City park any person acting in violation of this chapter and to seize and confiscate any property, thing or device in the community services facility or City park, used in violation of this chapter.
- B. Penalty. Except as otherwise provided in this chapter, a violation of any provision of this chapter shall be a civil offense and subject to civil penalties. A person found to be responsible for a violation of any provision of this chapter shall be subject to civil penalties in an amount not less than one hundred fifty dollars (\$150.00) and not exceeding two thousand five hundred dollars (\$2,500.00) for a first offense, not less than three hundred dollars (\$300.00) and not exceeding two thousand five hundred dollars (\$2,500.00) for a second offense, and not less than five hundred dollars (\$500.00) and not exceeding two thousand five hundred dollars (\$2,500.00) for a third and subsequent offense. Each day that a violation continues shall constitute a separate civil offense.

C. Temporary Suspension From Use.

1. In addition to any penalties imposed pursuant to this chapter, the public safety official, community services director or designee may prohibit and trespass any person from future use of City parks and Community Service Facilities and programs if the public safety official, community services director or designee determines that the person has committed a serious violation, or repeated violations, of any provisions of this chapter or of any rule or regulation adopted pursuant to this chapter. The length of any such trespass shall not exceed twelve (12) months. Upon being issued, the person shall sign the form acknowledging receipt of the notice of trespass.

Appeal.

- (a) A written appeal of a notice of trespass may be filed to the Community Services director or designee within five (5) calendar days from receipt of the notice.
- (b) The hearing will be held by the director or designee within one month of receipt of the written appeal. The hearing may be held in person or by telephone following notice of the hearing date and time. Within ten (10) days after the hearing, the director or designee will render a written decision, which may be to keep the trespass in effect, shorten the length of trespass, or repeal the notice of trespass altogether. The decision will be sent to the person. Such decision will be a final administrative decision.