

CHAPTER 12 PROPERTY AND PARKS

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Sec. 12-1-1 Definitions

In this chapter, unless the context otherwise required:

1. "Spirituous Liquor" includes alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, port, ale, beer any malt liquor, malt beverage, absinthe or compound, mixture of any of them, or of any of them with any other 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 or such other beverage which may be classified as a spirituous liquor under Title 4 of Arizona Revised Statutes
2. "Town" or "Department" means the Town of Superior or its duly authorized department head.
3. "Manager" or "Director" means the Town Manager or other duly authorized agent of the Town.
4. "Permittee" means any person to whom a permit for use of Town facilities has been issued by the Manager.
5. "Parks" means any Town park area owned or controlled by the Town of Superior or other additional property as may be designated by the Mayor and Council by Resolution and so posted.

Sec. 12-1-2 Permit for consumption of spirituous liquor on Town property or parks, cancellation

A. In addition to any other permit required there shall be required, prior to the consumption of spirituous liquor within the boundaries of any Town park or property, a non-transferable permit authorizing such consumption.

B. The Manager may issue said permit upon receipt of a completed application requesting such permit and payment of any applicable

fee. The application shall contain the applicant's name, address, telephone number and age. The Manager may deny said permit for cause.

C. Use of glass containers is prohibited within the boundaries of any Town park.

D. Permit holder must retain the permit in is/her possession at all times while on Town property and make same available for inspection upon request by Town officials.

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E. Permittee must be of legal age and will be responsible insuring that anyone consuming alcohol is of legal age.

F. Permittee will be responsible for any and all property resulting from facility use allowed issuance of a permit.

Sec. 12-1-3 Compliance with Rules and Regulations

Permission to enter, occupy, or otherwise utilize any facility, grounds roadway, trail or waterway on or within the boundaries of any park or

recreation area under control of the Town shall be conditioned upon compliance with all laws, rules, regulations and orders, and any person

violating such laws, rules, regulations or orders, may be cited in a court with proper jurisdiction by a Town law enforcement officer, any

peace officer within his jurisdiction, or any person lawfully authorized by the Town of Superior. Such person may be required to leave the

park or recreation area or any portion thereof.

Sec. 12-1-4 Vandalism

No person shall disturb, deface, injure, destroy, or remove any building, sign, marker, facility, or any other structure, tree, shrub, fruit, wild

flower, or any object of archaeological, geological, or historical significance located on Town property or within any park located within

the Town.

Sec. 12-1-5 Use of Facilities, Payment

No person shall use or occupy facilities of the Town for which a use fee has been lawfully established and posted unless the fee has been

paid to the Town. Permits may be obtained at Superior Town Hall.

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Sec. 12-1-6 Fires

A. No person shall build, ignite, or maintain any outdoor fires of any kind or character or for any purpose whatsoever in or upon any park area, except by the authority of the director or his agent. Such an authorization shall incorporate such terms and conditions which will

reasonably safeguard public safety and property. No authorization will be required for outdoor fires within inhabited premises or designated

park sites where such fires are built in a permanent barbecue, outdoor fireplace, incinerator, or grill. Regardless of permit, however, no

person shall build, ignite, or maintain any outdoor fire in or upon any Town property or park under the following conditions:

1. When any high wind is blowing

2. When there is no person aged seventeen (17) or over present at all times to watch and who is capable of tending such fires.

3. Such times as public announcement is made that there shall be no open burning.

4. No person shall use any permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash, or combustible waste material.

Sec. 12-1-7 Vehicles, Speed Limits and Parking

A. Motorized vehicles, including motorcycles and "off-road" vehicles, shall be operated only on maintained roadways, except as otherwise provided and posted in certain areas, and in all cases the operator shall comply with the Arizona Motor Vehicle code, as provided

under Title 28, A.R.S., while within the boundaries of any park. Only licensed vehicles will be allowed within park boundaries. The Manager/Director may further restrict and post certain areas in the park system to protect life and property.

B. Parking in any non-designated area, or on the roadway is prohibited unless posted for parking. Vehicles parked in any unauthorized

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parking area, or vehicles parked in such a manner as to pose a danger to others, may be removed at the owners expense.

Sec. 12-1-8 Rubbish and Litter

A. All garbage, rubbish, cans, bottles, and other litter shall be disposed of in receptacles designated for such purposes, or carried away

and lawfully disposed of when leaving Town property or park.

B. Draining or dumping wastes or refuse from any trailer, camper or other vehicles is prohibited.

C. Using public park refuse containers to dispose of household or commercial garbage brought as such from private property is prohibited.

Sec. 12-1-9 Pets and other Animals

Dogs, cats and other domestic pets shall be kept under physical restraint or on a leash not longer than six (6) feet in length while in the

confines of the park. In the interest of public health and safety, the manager/Director may designate certain areas as closed to all pets.

Riding horses shall be confined to bridal paths or other areas specifically designated for riding purposes. No animals shall be allowed inside

any building owned by the Town unless required due to handicap of the owner.

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Sec. 12-1-10 Fireworks and Explosives

No person shall possess fireworks or explosives or devices for such use of any kind within the park system except under special permit for

fireworks display issued by the Director/Manager, subject to compliance with all applicable municipal, county, state or federal ordinances,

rules and regulations.

Sec. 12-1-11 Soliciting

No person shall solicit funds, donations, sell or offer for sale any food, goods, wares, merchandise or liquids or distribute circulars in the

park system, except by written concession granted by the town.

Sec. 12-1-12 Noise and Nuisance

A. No person shall cause or permit any loud noise or sound which creates a nuisance. For the purpose of this section, a nuisance by

noise shall be defined as any sound which in volume or character would reasonably tend to disturb the peace of people who are legally

occupying other portions of the park or residence of neighborhoods adjacent to the park or other Town property being utilized.

B. Any complaint by any person, a police officer shall investigate and determine if a noise nuisance exists as defined above. If the officer determines that a noise Nuisance does exist, he shall inform the permittee and order him or her to correct the situation so that the

nuisance is abated. If the permittee fails to abate the nuisance within a reasonable time and or further complaints are received, the police

officer may, in his discretion, immediately cancel the permit and order the permittee and his employees to vacate the premises.

C. No person shall use or cause to be used a loudspeaker system or any other means of amplified sound without a special permit issued

by the manager/director.

Sec. 12-1-13 Special events - Requirements for Holding

A. Sports events, music festivals, pageants, re-enactments, entertainments, public assemblies, demonstrations and the like, characterized as public spectator attractions, are prohibited unless given written permission and scheduled by the Town's agents. Such

permits may be issued only after a finding that the issuance of such permit will not be inconsistent with the purposes for which the property

or park is established and maintained and will cause the minimum possible interference with use of the area by the general public.

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B. Any reservation applied for regarding use of a Town facility that will potentially exceed the posted capacity of the building or park

as it relates to the number of people and parking facilities shall be issued only by the Town Council in a regularly scheduled meeting. Any

applicant desiring to conduct a special event that will exceed posted limitations of capacity for parking or people for a particular facility

must present the following facts and information to the town thirty (30) calendar days prior to the event:

1. The name, age, residence, and mailing address of person making said application, if the application is made by a partnership, the names and addresses of partners must appear. Where the applicant is corporation, the application must be signed by president and secretary thereof and must contain addresses of said corporate officers and a certified copy of the articles of incorporation submitted with application.

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2. An estimate of the number of customers, spectators, participants and other persons intended, calculated, or expected to attend the event for each day it is conducted.

3. A map or sketch of the area to be used showing the location of the facility in relation to surrounding properties, the accesses to the property and the location of any proposed facilities, parking area, staffing, and etc.

Sec. 12-1-14 Contracts – Admission

Prior to obtaining any reservation for use of the fee area whereby the applicant desires to collect fees and charges, the applicant must enter

into a contract with the Town in relation to loss, damage, liability, warranties, and indemnity. This contract must be signed by the applicant

and certified by a notary public. The fee schedule will be in accordance with the fee schedule approved by the town council by resolution

from time to time. It shall be unlawful to use said facilities without the applicable contract.

Sec. 12-1-15 Rules, Regulations and Fees by Resolution

The Manager or Director of parks and recreation shall recommend and enforce other rules and regulations, including fees or charges, as are

approved by resolution of the Council. Such rules, regulations and fees shall be enforceable as if fully contained herein.

Sec. 12-1-16 Penalties

It shall be unlawful and a Class (3) misdemeanor for any person to enter, remain upon or use any park or facilities associated with the Town

in violation of any of the provisions contained in this code or applicable resolution or rule. Punishment for conviction shall be a fine of not

to exceed Five Hundred (\$500.00) Dollars, or imprisonment not to exceed thirty (30) days or both.

Sec. 12-1-17 Miscellaneous

A. Facilities must be vacated by 10:00 p.m. or in accordance with Town curfew unless permission is granted by the Town Council.

B. No apparatus or equipment shall be moved into a Town facility without advance permission from the Manager/Director.

C. Overnight camping shall not be permitted in any Town park or Facility.

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