

AGENDA

TUSAYAN TOWN COUNCIL MUNICIPAL CODE WORKSHOP

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, November 6, 2013 at 5:30pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a Meeting and Municipal Code workshop open to the public on Wednesday, November 6, 2013 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

TOWN COUNCIL MUNICIPAL CODE WORKSHOP

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

**MAYOR GREG BRYAN
VICE MAYOR AL MONTOYA**

**COUNCILMEMBER BILL FITZGERALD
COUNCILMEMBER JOHN RUETER
COUNCILMEMBER CRAIG SANDERSON**

** One or two Councilmembers may attend by telephone*

3. DISCUSSION OF DRAFT LANGUAGE FOR THE TUSAYAN MUNICIPAL CODE

Chapter 13 – Parks and Recreation

4. DISCUSSION OF PARK RULES

5. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 31st day of October, 2013, at _____ pm in accordance with the statement filed by the Tusayan Town Council

Signature of person posting the agenda

CHAPTER 13
PARKS AND RECREATION

ARTICLE 13-1

PARKS AND RECREATION CODE

- 13-1-1 General Provisions
- 13-1-2 Fees
- 13-1-3 Rules and Regulations
- 13-1-4 Interpretation of Rules
- 13-1-5 Penalty

SECTION 13-1-1 GENERAL PROVISIONS

A. Exclusions

The developing trails system for the town is excluded from this article.

B. Hours of operation.

1. All parks, playgrounds, recreational areas or facilities owned or managed by the Town shall be open for the use of the general public during the hours posted.
2. Use or occupancy of any public park outside of its posted hours of operation may be considered criminal trespass.

C. Authority to Close Parks, Playgrounds.

1. The Town Manager or designated representative(s) are hereby authorized to close any park, playground, recreational area or facility owned or managed by the Town, to all persons not properly authorized to be there, when an emergency exists that demands such closure for the protection of the public peace, health, safety, welfare, morals, or at the direction of the Council.
2. In the event the town manager or designated representative(s) directs the closure of any park, playground, recreational area or facility owned or managed by the Town, the date and time of such emergency closure shall be posted upon the property affected.
3. It is unlawful for any person, not properly authorized, to enter or fail to vacate any park, playground, recreational area, or facility when notice of emergency closure has been given.

SECTION 13-1-2 FEES

The Council shall establish and set by resolution, the amount of charges for activities sponsored by the parks and recreation department or for the use of any park property or facilities owned or managed by the Town. Fees are determined by Council Resolution on an annual basis. The Town Manager may require an additional clean-up deposit be provided for larger events, to be determined on a case-by-case basis.

SECTION 13-1-3 RULES AND REGULATIONS

The Council may adopt rules and regulations for use of Town owned or managed parks, recreation areas, and facilities by resolution.

SECTION 13-1-4 INTERPRETATION OF RULES

- A. The Town Manager shall interpret these rules and regulations and may act in any case not specifically covered herein.
- B. Any request not contemplated by the provisions of this article or any refusal of a permit request may be appealed in writing to the Town Manager, which may at his discretion decide such appeal or refer it to the Council.

SECTION 13-1-5 PENALTY

Violations of this article shall be a class 3 misdemeanor.

DRAFT - Town

RESOLUTION NO. 2013-11

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF TUSAYAN, COCONINO COUNTY, ARIZONA ESTABLISHING RULES AND REGULATIONS CONCERNING TOWN OF TUSAYAN PARKS

WHEREAS, the Town of Tusayan has a community park within the Town and may have future parks that are maintained by the Town; and

WHEREAS, to enjoy the quiet, orderly and suitable use of the parks in a safe, healthy and comfortable environment for all those who share in that use, certain rules and regulations are needed; and

WHEREAS, Chapter 13 of the Tusayan Municipal Code requires that the Town Council, by resolution, adopt, and from time to time amend, rules and regulations governing public parks; and

WHEREAS, a comprehensive view of the rules regarding parks has been undertaken.

NOW THEREFORE, IT IS RESOLVED, that the Town Council establishes the following rules governing parks in Tusayan shall apply and are hereby adopted:

PARK RULES

1. Open from 6 a.m. to 10:30 p.m. and no use after hours when closed.
2. The Town of Tusayan, its officers, employees, and agents shall be immune from liability to recreational and educational users of the Park pursuant to A.R.S. Section 33-1551.
3. Please report any rule violations to the Coconino Sheriff's Department at 928-226-5012 or to the Town Hall at 928-638-9909.
4. It is unlawful to obstruct town officials in the performance of their official duties.
5. Motorized vehicles (including ATVs, skateboards) are restricted to parking areas.
6. No overnight parking or camping.
7. All animals must be on a leash and are not allowed in fenced areas at any time. All animal waste must be removed.
8. No fires, except in grills designated for such use.
9. No drugs or alcoholic beverages allowed in the park or parking lot.
10. No possession of glass containers in park or parking lot.
11. No damage, change or removal of park property.
12. No discarding of litter or trash, except in trash receptacles.
13. No hitting golf balls, shooting arrows, slingshots or paintballs. No explosives or firearms are permitted in the park.
14. No loud music, profanity, offensive, or disruptive behavior.
15. No hunting, feeding, or harassing animals.

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16. No smoking in fenced areas or restrooms.
17. No advertising or soliciting goods or services without a permit.
18. No unauthorized signs allowed.
19. The Town of Tusayan reserves the right to deny any activity or event proposed to be conducted in the park.
20. Children are to be supervised at all times. Parents are responsible for the actions of their children.

PASSED AND ADOPTED BY the Mayor and Council of the Town of Tusayan, Arizona this ____th day of September, 2013.

Greg Bryan, Mayor

ATTEST:

Melissa A. Malone, Town Clerk

APPROVED AS TO FORM:

William Sims, Town Attorney

DRAFT - SCHOOL

RESOLUTION NO. 2013-11

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF TUSAYAN, COCONINO COUNTY, ARIZONA ESTABLISHING RULES AND REGULATIONS CONCERNING TOWN OF TUSAYAN PARKS

WHEREAS, the Town of Tusayan has a community park within the Town and may have future parks that are maintained by the Town; and

WHEREAS, to enjoy the quiet, orderly and suitable use of the parks in a safe, healthy and comfortable environment for all those who share in that use, certain rules and regulations are needed; and

WHEREAS, *once a school has been built onsite, rules and regulations concerning smoking tobacco will be reevaluated by the school board.*

WHEREAS, Chapter 13 of the Tusayan Municipal Code requires that the Town Council, by resolution *with support from the Grand Canyon Unified School District #4 School District*, adopt, and from time to time amend, rules and regulations governing public parks; and

WHEREAS, a comprehensive view of the rules regarding parks has been undertaken.

NOW THEREFORE, IT IS RESOLVED, that the Town Council establishes the following rules governing parks in Tusayan shall apply and are hereby adopted:

PARK RULES

1. Open from 6 a.m. to 10:30 p.m. and no use after hours when closed.
2. The Town of Tusayan, *Grand Canyon Unified School District*, its officers, employees, and agents shall be immune from liability to recreational and educational users of the Park pursuant to A.R.S. Section 33-1551.
3. Please report any rule violations to the Coconino Sheriff's Department at 928-226-5012 or to the Town Hall at 928-638-9909.
4. It is unlawful to obstruct town *or school district* officials in the performance of their official duties.
5. Motorized vehicles (including ATVs, skateboards) are restricted to parking areas.
6. No overnight parking or camping.
7. All animals must be on a leash and are not allowed in fenced areas at any time. All animal waste must be removed.
8. No fires, except in grills designated for such use.
9. No drugs or alcoholic beverages allowed in the park or parking lot.
10. *Smoking tobacco products only allowed in designated areas.*
11. No possession of glass containers in park or parking lot.

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12. No damage, change or removal of park property.
13. No discarding of litter or trash, except in trash receptacles.
14. No hitting golf balls, shooting arrows, slingshots or paintballs *unless part of a school sanctioned activity*. No explosives or firearms are permitted in the park.
15. No loud music, profanity, offensive, or disruptive behavior.
16. No hunting, feeding, or harassing animals.
- ~~17. No smoking in fenced areas or restrooms.~~
18. No advertising or soliciting goods or services without a permit.
19. No unauthorized signs allowed.
20. The Town of Tusayan reserves the right to deny any activity or event proposed to be conducted in the park.
21. Children are to be supervised at all times. Parents are responsible for the actions of their children.

PASSED AND ADOPTED BY the Mayor and Council of the Town of Tusayan, Arizona this ____th day of November, 2013.

Greg Bryan, Mayor

ATTEST:

Melissa (Malone) Drake, Town Clerk

APPROVED AS TO FORM:

William Sims, Town Attorney