

**1993 PARKS AND RECREATION CODE OF  
THE CITY OF COTTONWOOD, ARIZONA**

TITLE 12 — STREETS, SIDEWALKS, AND PUBLIC PLACES

CHAPTER 12.12 - PARKS AND RECREATION CODE

SECTION 12.12.010:     ADOPTION

SECTION 12.12.020:     USE OF PUBLIC PARKS AND RECREATION  
FACILITIES.

SECTION 12.12.030:     RESERVATIONS AND PERMITS FOR PARKS  
AND RECREATION FACILITIES.

SECTION 12.12.040:     RECREATION FEES.

SECTION 12.12.050:     ESTABLISHMENT AND AUTHORIZATION OF  
RULES AND REGULATIONS.

SECTION 12.12.010     ADOPTION

THAT, the certain document known as the "1993 Parks and Recreation Code of the City of Cottonwood, Arizona", three copies of which are on file in the office of the City Clerk of the City of Cottonwood, Arizona, which document was made public record by Resolution Number XXXX of the City of Cottonwood, Arizona, is hereby referred to, adopted, and made a part hereof as if fully set out in this Ordinance, the provisions thereof to become effective the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

SECTION 12.12.020     USE OF PUBLIC PARKS AND RECREATION  
FACILITIES.

A. Motorized Vehicles in Parks and Recreation Facilities Areas

No person shall, at any time, drive or ride any automobile, motorcycle, motor scooter, all-terrain vehicle, or other motor vehicle upon the premises of any park or recreational facility, except in public streets running through such premises or within designated parking areas located upon the premises, without the express written permission of the Parks and Recreation Director. A maximum speed of fifteen (15) m.p.h. shall be in effect at all times in the parking lots and streets running through such premises.

B. Camping in Parks and Recreation Facilities

Overnight camping or parking is prohibited at all parks and recreation facilities, including all adjacent parking areas. Overnight camping or parking is defined as camping or parking after 10 p.m., unless otherwise posted.

C. Damaging Property, Tampering with Parks or Facilities

No person shall damage, or wastefully or destructively use restrooms and drinking fountains, or destroy, deface or willfully break or damage an object, or the grounds or any vegetation thereon at any park or recreational facility. No person shall cause lighting or electrical appliances to be turned on or used without permission of the Parks and Recreation Director.

D. Glass Containers in Parks and Recreation Facilities

1. It shall be unlawful for any person to have a glass container in their possession in any park unless specifically authorized by the Parks and Recreation Director.
2. It shall be unlawful for any person to willfully, maliciously, negligently or carelessly throw, toss or otherwise propel, or break any glass container in a City park.

E. Littering

It shall be unlawful to litter at a park or recreational facility.

F. Dumping or Depositing of Household or Commercial Trash

Dumping and depositing household or commercial trash on or at a park or recreational facility, or in dumpsters or trash receptacles provided there is prohibited.

G. Domestic Animals

Domestic animals shall be kept on a leash at all times at parks and recreation facilities except when participating in an obedience class authorized by the Parks and Recreation Director. Owners are responsible for cleaning up and disposing of their animals' excrement in dumpsters or trash receptacles located at the parks and recreation facilities.

H. Prohibited Substances

No person shall consume or possess an open container of spirituous liquors at parks and recreation facilities. No person shall consume, distribute or possess any substance in violation of Title 13, Chapter 34, Drug Offenses of the Arizona Revised Statutes, at parks and recreation facilities.

I. Firearms and Other Explosive Devices Prohibited

Firearms and other explosive devices, including compressed-air weapons, are prohibited in all parks or recreational facilities. (Fourth of July fireworks program authorized through the City Manager's office and at the discretion of the City Fire Chief, are exempt from this ordinance.)

J. Fire in Designated Locations

Open fires in designated grills or fireboxes are authorized for the express purpose of cooking or grilling of foods. Fires for any other purpose or in areas not authorized by the Parks and Recreation Director are prohibited. Any combustible materials placed on top of grilling or barbecue devices are prohibited for fire safety reasons. All combustible materials used within any fire apparatus shall utilize commercial charcoal briquets only. If, due to high fire season status as determined by the City Fire Chief, certain parks or park areas are considered high risk, their grill facilities can be restricted or prohibited for public use.

#### K. Hours of Use

1. Unless otherwise posted, parks shall be open daily to the public from 6 a.m. to 10 p.m. Functions in the parks extend beyond these time period by permit issued through the Parks and Recreation Director upon written request made seven (7) days in advance of the function. Recreation facilities shall only be open to the public at the days and times posted. It shall be unlawful for any person (other than City personnel conducting City business or programs/special events) to use or be present in said parks and facilities during any hours in which they are not open to the public.
2. Residing in park areas is prohibited except pursuant to a special use permit issued by the Parks and Recreation Director as set forth in 2.c. below.
  - a) "Residing," for the purpose of this section, is defined as occupying any City park for more than six consecutive days with a duration of more than six hours on each of those days. This shall be inclusive of all park areas, excluding City personnel conducting City business or programs.
  - b) If an individual or group has used a park facility for the allowed maximum occupation period under this section, a period of 48 hours must pass before a recurrent use by that individual or group is allowed.
  - c) The Parks & Recreation Director may issue a special use permit authorizing the use of a City park which exceeds the limitations set forth in this section based upon a determination that public health and safety, environmental or scenic values, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities will not be adversely impacted.

#### L. Distribution or Sale of Food, Beverages or Other Items

Commercial distribution or sales of food, beverages or any other item is prohibited at parks or recreational facilities, unless authorized by permit or written agreement with the City.

#### M. Parks or Facilities Closure

The Parks and Recreation Director, in conjunction with the City Manager, may close a park or recreational facility or portion thereof if they conclude that imminent and substantial harm will occur to the park or recreational facility or to members of the public if it were to remain open.

#### N. Signs, Decorations or Other Objects

No signs, decorations or objects of any kind shall be placed on, attached to or painted on any part of a park or recreational facility, or located on City property without first obtaining a permit from the Parks and Recreation Director.

#### O. Operating Non-Motorized Vehicles, Roller Skates, Skate Boards

No person shall operate or use skate boards, roller skates or bicycles, or any similar vehicles or rolling devices at parks and recreation facilities where such activity is specifically prohibited by appropriate posting.

P. Horses and Other Riding Animals

Horses and other riding, draft and burden animals, and any vehicles drawn by such animals, are allowed only on specific, designated city equestrian areas and bridle paths, except as may otherwise be permitted by the Parks and Recreation Director pursuant to written request.

Q. Golfing at Parks and Recreation Facilities

No person shall use any portion of any park or recreational facility for golfing purposes, or make use of any golf club or golf ball in any park or recreational facility except at areas specifically designated by the Parks and Recreation Director.

R. Penalty Clause

Any person found guilty of violating provisions under items A through Q shall be guilty of a Class III misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$500 or by imprisonment for a period not to exceed 30 days, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as above described.

SECTION 12.12.030: RESERVATIONS AND PERMITS FOR PARKS AND RECREATION FACILITIES.

A. Reserving Exclusive Use

A reservation permit shall be obtained from the City Parks and Recreation Director whenever any person or group desires exclusive use of any portion of any city park or recreational facility. The Director is hereby authorized to provide park/recreation facility reservation request forms and issue reservation permits in accordance with this ordinance.

B. Reservations Permit Procedures

1. All reservation permits must be obtained in person, at least two weeks prior to anticipated use, at the Office of the City of Cottonwood Parks and Recreation Department during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Reservation permits may be obtained up to six (6) months in advance. On a first-come, first-served basis, individuals may request reservation of facilities within the two-week period identified should scheduling not be compromised and at the discretion of the Director.
2. A reservation permit is not complete until any required fee or deposit is paid, and a reservation request is approved by the Parks and Recreation Director, and, if required, a City Special Use Permit, County Health Department Permit, and City Business License is obtained.
3. Reservation request forms and reservation permits shall be issued only to persons twenty-one (21) years of age and older. Reservation permits are not transferable and shall be in the possession of the permittee at the time of park or recreation facility use.
4. Group activities, events or organized functions shall be confined to the specific park or recreational facility reserved to the permittee, and the areas immediately adjoining thereto.

5. The Parks and Recreation Director may determine, in conjunction with Chief of Police, that a group activity, event or organized function may warrant security in addition to the City's standard police patrolling. This determination will be made based upon the estimated number of participants, whether the activity will create a need for traffic control, whether alcoholic beverages may be consumed, the location of the event, and the nature of the physical facilities provided. If, after a consideration of these factors, it is determined that additional security is warranted, the permittee will be required to pay for the costs associated with providing the additional security. This requirement does not apply to permits obtained for the purpose of exercising First Amendment rights.
6. The Parks and Recreation Director may require a permittee to arrange and pay for additional portable restrooms and trash containers involving large group activities or events.
7. The permittee and all individuals, and the group, club, organization or association occupying or using the park or recreational facility, or any portion thereof, pursuant to the permit, as an express condition of such occupation or use, shall hold harmless from and indemnify the City and all City employees and officials against all damage to the park or facility or the death of or any injury to any person whatsoever arising out of or resulting in any way from such occupation or use.
8. All permits shall be immediately revokable by the Director upon determination that a violation of any rule, city, county, state, or federal ordinance has occurred. Any person or persons or organizations guilty of violation of any of the above may be cited under any applicable City Ordinance or State criminal statutes and may be prohibited from future use of said facilities or equipment.
9. All admission fees charged are subject to the approval of the Parks and Recreation Department.
10. Removal of tables and chairs from any park or building facility shall only be allowed at the discretion of the Parks and Recreation Director.
11. City sponsored activities will have priority use of the facilities over other applications for facility space.
12. Permits may NOT be obtained for overnight use of any park area without the expressed approval of the City Council.

C. Reservation Permit Fees and Deposits

1. Fees and deposits in accordance with Park C (3) below, shall be paid in advance. If inclement weather causes a cancellation, a reservation permit may be reissued for another available date and time, or fees and deposits may be refunded. Any required clean-up and damage deposit will be returned within two (2) weeks of the reservation if the City premises and equipment are left in the same or better condition than that in which they were found. Charges which may be taken from the deposit include, but are not limited to:
  - Cleaning of City Premises or Equipment - per hour cost based on City employees' hourly rate of compensation.

- Loss of Keys - cost of replacing locks and keys.
- Damage to City Premises or Equipment - Actual cost of replacement, renovation or repair.

2. Definitions of Fee and Deposit Categories

- CATEGORY I., "City Sponsored or Affiliated" shall include:
  - a) Activities, meetings or programs conducted by City employees for City purposes.
  - b) Co-sponsored events conducted in cooperation with outside individuals, organizations, or public or private agencies.
  - c) Activities and programs conducted through agreements between the City and outside individuals, organizations, or public or private agencies.
  - d) Activities, meetings or programs conducted by any elected or appointed City official for City purposes.

- CATEGORY II., "Non-Profit/Public Service" shall include:
  - a) All registered non-profit organizations, not specified in Category I, conducting non-commercial activities.
  - b) All government agencies, not specified in Category I.

- CATEGORY III., "Private," shall include:

Any private group, club, agency, organization or individual using a City park or recreational facility where no profit will be realized. For example: receptions and organizational meetings. An admission donation or charge may be made to cover costs only.

- CATEGORY IV., "Commercial/Profit-Making" shall include:

Any group, club, agency, organization or individual, except as defined in Categories I, II, and III, using a City park or recreational facility in an attempt to realize a profit from its use or activity, and where an admission charge is made or other proceeds are received.

3. Reservation Permit Fee and Deposit Schedule

	CATEGORY I	CATEGORY II	CATEGORY III	CATEGORY IV
<b>I. BALLFIELDS</b>				
a. Soft/Baseball (per field)	No charge or by agreement	No charge or by agreement	\$75. Dep. No hourly rate. \$15 prep.	\$7.50/Hr. or \$60.00/day (\$150 dep. unless ASA or USSSA sponsored)
b. Lights (per field)	No charge or by agreement	\$10/Hr.	\$10/Hr.	\$15/Hr.
<b>II. Soccer</b>	No charge or by agreement	No charge	\$100 Dep. \$7.50/Hr.	\$100 Dep. \$15/Hr.
a. Youth Leagues	No charge or by agreement	No charge	No charge	\$100 Dep. \$15/Hr.
<b>III. PICNIC RAMADAS</b>	No charge or by agreement	No charge	1 Ramada=\$5/hr 2 Ramadas:\$15hr 3 Ramadas:\$30hr	Not Applicable
a. All 5 Ramadas BBQ, Horseshoe and Volleyball	No charge or by agreement	No charge	\$150 Dep. \$50/Hr.	Not Applicable
<b>IV. CONCESSION STANDS</b>	By Contract	By Contract Or \$75 Dep. \$5/Hr.	By Contract Or \$150 Dep. \$10/Hr.	By Contract
<b>V. SWIMMING POOL</b>	No charge or by Agreement	\$75 Dep. \$30/Hr.	\$100 Dep. \$30/Hr.	\$200 Dep. \$45/Hr.
a. With Toddler Pool	No charge or by Agreement	Add \$10 Dep. \$10 per/hr.	Add \$25 Dep. \$10 per/hr.	Add \$50 Dep. \$45 per/hr.
b. With Jacuzzi	No charge or by agreement	Add \$10 Dep. \$10/Hr.	Add \$25 Dep. \$10/Hr.	Add \$50 Dep. \$45 per/hr.
<b>VI. OLD JAIL BUILDING</b>	No charge or by agreement	\$100 Dep. \$5/Hr. \$50/Day	\$100 Dep. \$5/Hr. \$50/Day	\$175 Dep. \$15/Hr. \$150/Day
<b>VII. CIVIC CENTER</b>	No charge or by agreement	\$100 Dep. \$10/Hr. \$100/Day	\$100 Dep. \$10/Hr. \$100/Day	\$250 Dep. \$25/Hr. \$250/Day
a. Civic Center With Kitchen	No charge or by agreement	\$125 Dep. \$15/Hr. \$150/Day	\$125 Dep. \$15/Hr. \$150/Day	\$275 Dep. \$35/Hr. \$350/Day
b. Civic Center With P.A.	No charge or by agreement	\$200 Dep. \$15/Hr. \$150/Day	\$200 Dep. \$15/Hr. \$150/Day	\$350 Dep. \$35/Hr. \$350/Day
c. Civic Center With P.A. & Kitchen	No charge or by agreement	\$200 Dep. \$17/Hr. \$175/Day	\$200 Dep. \$17/Hr. \$175/Day	\$350 Dep. \$40/Hr. \$400/Day
<b>VIII. TENNIS CENTER/ 5 COURTS</b>	No charge or by agreement	No charge or by agreement	\$ 75 Dep. \$5/per 90 min. per court	\$150 Dep. (Waived if USTA affiliated) \$8/per 90 min. per court

\*Daily constitutes use from 8 a.m. to 6 p.m. or an approved ten (10) hour period.

SECTION 12.12.040: RECREATION FEES (to begin January 1, 1998)

A.	<u>Weightroom Training Center</u>	<u>Adult</u>	<u>Youth</u>	<u>Family</u>
	Weekly	12.00	6.00	-
	One Month	25.00	15.00	-
	Three Months	50.00	25.00	\$75 (Not to exceed 4)
	Annual	175.00	88.50	\$300 (Not to exceed 4)

B.	<u>Swimming</u>	<u>Family</u>	<u>Adult</u>	<u>Youth</u>	<u>Swim Team</u>	<u>Daily</u>
	Season Pass	\$120.00	\$75.00	\$45.00 (17 & under \$40 ea. add. child)	0	\$1.50/\$2.50
	10 Visit Pass	-----	\$20.00	\$12.50		

Family Night Charge - Same as above

C. Subsidized Recreation

Subsidized recreation for low-income families and individuals is available with the approval of the Parks and Recreation Director. All information is strictly confidential. Subsidized recreation fees are available for City of Cottonwood residents only and will be provided at a maximum of 50 percent reduction of normal rates.

D. Special Recreation Programs

Fees charged for Special Recreation Programs (Summer Youth Program, year-round adult and youth recreation classes) shall be sufficient to cover 90 percent of the cost of the program for adult classes and sufficient to cover 50 percent of the cost of the program of youth activities.

SECTION 12.12.050: ESTABLISHMENT AND AUTHORIZATION OF RULES AND REGULATIONS.

The Director of Parks and Recreation is hereby authorized to oversee and initiate rules and regulations at specific city facilities for the express purpose of providing for health, safety, systematic and reasonable use of such facilities by the public. Such rules and regulations shall encompass the administration of special events, programs, safety, and all other recreation functions, whereby guidelines are essential for organized operations.

ORDINANCE NUMBER 348

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THAT CERTAIN DOCUMENT KNOWN AS THE "1993 PARKS & RECREATION CODE OF THE CITY OF COTTONWOOD, ARIZONA", SECTION 12.12.030 RESERVATIONS & PERMITS FOR PARKS & RECREATION FACILITIES; SECTION 12.12.040 RECREATION FEES, A. WEIGHTROOM TRAINING CENTER, AND B. SWIMMING.

WHEREAS, the current Parks and Recreation Code was declared a public record by Resolution Number 1377 and adopted by Ordinance Number 303 in 1993; and

WHEREAS, the Parks and Recreation Commission has recommended to the City Council and the City manager certain fees concerning the operation and use of Parks and Recreation facilities owned, leased or otherwise acquired by, or under the supervision of the city be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That Section 12.12.030 C Reservation Permit Fees and Deposits, 3.Reservation Permit Fee and Deposit Schedule be amended as follows:

3. Reservation Permit Fee and Deposit Schedule

	<u>CATEGORY</u> <u>I</u>	<u>CATEGORY</u> <u>II</u>	<u>CATEGORY</u> <u>III</u>	<u>CATEGORY</u> <u>IV</u>
<u>BALLFIELDS</u>				
Soft/Baseball (per field)	*	*	*	\$7.50/hr. Or \$60 per day
Lights (per field)	*	*	\$10/Hr.	\$10./Hr.
<u>PICNIC RAMADAS</u>				
Individual	*	*	1Ram \$ 5/Hr.* 2 Ram. \$15/Hr. 3 Ram. \$30/Hr.	

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	<u>CATEGORY I</u>	<u>CATEGORY II</u>	<u>CATEGORY III</u>	<u>CATEGORY IV</u>
<u>CONCESSION STANDS</u>				
Soft/Baseball Fields	*	\$75 Dep. \$5/Hr.	\$150 Dep. \$10/Hr.	*
<u>SWIMMING POOL</u>				
With Jacuzzi	*	\$30/Hr.	\$30/Hr.	*
With Toddler Pool	*	\$10/Hr.	*	\$45/Hr.
	*	\$10 Dep. \$10/Hr.	\$25 Dep. \$10/Hr.	\$50 Dep. \$45/Hr.
<u>TENNIS CENTER</u>				
	*	*	\$75 Dep. \$5 per court per 90 minutes	\$150 Dep. \$8 per court per 90 minutes

\*Indicates no change is being made under this category.

Section 2: That Section 12.12.040 Recreation Fees A. Weightroom Training Center, and B. Swimming, be amended as follows:

A. <u>Weightroom Training Center</u>	<u>Adult</u>	<u>Youth</u>	<u>Family</u>
One Month	\$25.00	\$15.00	-
Three Months	\$50.00	\$25.00	\$75.00 (max. 4)
Annually	\$175.00	\$88.50	\$300.00 (max. 4)
Weekly	\$15.00	\$7.50	-
B. <u>Swimming</u>	<u>Adult</u>	<u>Youth</u>	<u>Family</u>
Season Pass	\$75.00	\$45.00 (\$40. each additional child)	\$120.00
10 Visit Pass	\$20.00	\$12.50	*

\*Indicates no change is being made under this category.

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Section 3: That, 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 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.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 15TH DAY OF APRIL, 1997.

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Joseph D. Jones, Mayor

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ATTEST:

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Marianne Jiménez, City Clerk

APPROVED AS TO FORM:

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Mangum, Wall, Stoops & Warden  
City Attorneys

ORDINANCE NUMBER 560

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 12.12.020, USE OF PUBLIC PARKS AND RECREATION, SUBSECTION G. DOMESTIC ANIMALS, OF THE COTTONWOOD PARKS AND RECREATION CODE 1993, BY DELETING SUBSECTION G. DOMESTIC ANIMALS, IN ITS ENTIRETY AND ADDING A NEW SUBSECTION G. DOMESTIC ANIMALS AND DOG PARK RULES AND REGULATIONS.

WHEREAS, on February 2, 1993, the City Council adopted the "City of Cottonwood Parks and Recreation Code 1993"; and

WHEREAS, upon recommendation by the Community Services General Manager the City Council finds that it is appropriate and in the public interest to amend Section 12.12.020, USE OF PUBLIC PARKS AND RECREATION, Subsection G. DOMESTIC ANIMALS.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AS FOLLOWS:

Section 1: That Section 12.12.010, USE OF PUBLIC PARKS AND RECREATION, Subsection G. DOMESTIC ANIMALS, is hereby amended by deleting Subsection G. DOMESTIC ANIMALS in its entirety and adding a new Subsection G. DOMESTIC ANIMALS AND DOG PARK RULES AND REGULATIONS as follows:

G. Domestic Animals and Dog Park Rules and Regulations

Domestic animals shall be kept on a leash at all times at parks and recreation facilities except at Dog Parks established by the City and when participating in obedience classes authorized by the Community Services Manager or designee. Owners are responsible for cleaning up and disposing of their animals' excrement in dumpsters or trash receptacles provided at each park and recreation facility. The following are Dog Park Rules and Regulations that will be enforceable by the City of Cottonwood.

- 1) Dog handlers must be 16 years of age or older. Youth under the age of 12 are not allowed in the Dog Park area. Youth 12 to 15 must be accompanied by an

- adult. (This rule is primary in the protection of children from unpredictable dog behavior).
- 2) Dogs must be accompanied by their owners/custodians while in the Dog Park.
  - 3) All dogs must be currently licensed and vaccinated (tags and collars visible) and be at least 4 months of age. No sick dogs are permitted in the park area.
  - 4) No choke, pronged or spike collars permitted in the park area.
  - 5) No more than two (2) dogs allowed per person in the off leash area.
  - 6) Bag and dispose of your pet's waste using receptacles provided. Owners/custodians must clean up after their dog(s) to decrease the spread of disease at the Dog Park.
  - 7) City leash law in effect outside the compound of the Dog Park area.
  - 8) Holes dug by dogs must be filled by the dog owner or custodian.
  - 9) Aggressive dog behavior is not permitted and removal of all dogs at the first sign of aggressive behavior is required.
  - 10) Pit Bull breeds are not allowed at Dog Park facilities.
  - 11) All dog attacks shall be immediately reported to the Cottonwood Police Department at (928) 634-4246.

Section 2: If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 16TH DAY OF FEBRUARY 2010.

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Diane Joens, Mayor

APPROVED AS TO FORM:

ATTEST:

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Steven B. Horton, Esq.  
City Attorney

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Marianne Jiménez, City Clerk

ORDINANCE NUMBER 561

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 12.12.010, USE OF PUBLIC PARKS AND RECREATION, SUBSECTION I. FIREARMS AND OTHER EXPLOSIVE DEVICES, OF THE COTTONWOOD PARKS AND RECREATION CODE 1993 (AS AMENDED), BY DELETING SUBSECTION I. FIREARMS AND OTHER EXPLOSIVE DEVICES, IN ITS ENTIRETY AND ADDING A NEW SUBSECTION I. FIREARMS AND OTHER EXPLOSIVE DEVICES.

WHEREAS, on February 2, 1993, the City Council adopted the "City of Cottonwood Parks and Recreation Code 1993"; and

WHEREAS, the City of Cottonwood Parks and Recreation Code 1993 was amended in 1997 to provide for (adjusted fee rate; and

WHEREAS, upon recommendation by the Community Services General Manager the City Council finds that it is appropriate and in the public interest to amend Section 12.12.010 USE OF PUBLIC PARKS AND RECREATION, I. Firearms and Other Explosive Devices.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AS FOLLOWS:

Section 1: That Section 12.12.010, USE OF PUBLIC PARKS AND RECREATION, Subsection I. Firearms and Other Explosive Devices, is hereby amended by deleting Subsection I. Firearms and Other Explosive Devices in its entirety and adding a new Subsection I. Firearms and Other Explosive Devices as follows:

I. Firearms and Other Explosive Devices

Firearms are banned at all City parks of one square mile or less, and in improved or developed areas of any parks larger than one square mile, except as authorized by A.R.S. § 13-3108(C)(5). All other explosive devices, including compressed-air weapons, are prohibited in all parks or recreation facilities. The Fourth of July fireworks program authorized through the City Manager's office and at the discretion of the City Fire Chief is exempt from this ordinance.

Section 2: If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 16TH DAY OF FEBRUARY 2010.

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Diane Joens, Mayor

ATTEST:

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Marianne Jiménez, City Clerk

APPROVED AS TO FORM:

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Steven B. Horton, Esq.  
City Attorney