

August 3, 2023

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Laura Wilson, Director
Parks, Recreation & Library

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
ORDINANCE 2023-008 - Amendments to City Ordinance
Chapter 94, Section 94.03, Park Hours

RECOMMENDATION:

The Director of Parks, Recreation and Library recommends approval.

The Parks and Recreation Commission recommends approval.

INITIATED BY:

Parks and Recreation Commission

BACKGROUND:

The Parks and Recreation Commission is recommending edits and additions to Chapter 94, Section 94.03, Park Hours. The requested edits recommend designating hours of operation for specific parks and sports facilities.

The Mayor and Council were presented with recommendations during the June 22nd, 2023 Council Meeting as a Public Hearing Item. The Mayor and Council approved the item, and a 30-day public comment period was opened. To date, there have been no public comments received regarding the proposed changes.

BUDGET APPROPRIATION:

Not applicable.

§ 94.03 PARK HOURS.

(A) *Park hours of operation.* It shall be unlawful for any person or organization to schedule activities, participate in activities, congregate, or be present in any municipal park area, except during designated hours of operation, without obtaining written permission from authorized city authorities at least one week prior to the event.

(B) Veterans Memorial Park, Hubert Tompkins Park, and Len Roberts Park shall be closed between the hours of 11:00 p.m. and 5:00 a.m. Individual Fields in Cyr Sports Complex, Veteran's Memorial Sports Complex, and Tacoma Sports Complex, and their adjoining parking lots, shall be closed at Dusk or One hour after the last reservation.

(C) No person shall trespass or otherwise be upon the grounds of any other park, as designated in the Sierra Vista General Plan, without obtaining written permission from the Director of Leisure & Library Services or their designee between the hours of 10:00 p.m. and 5:00 a.m. These Hours also apply to the Pickleball Courts and Tennis Courts.

ORDINANCE 2023-008

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AMENDMENTS TO CHAPTER 94 SECTION 94.03, PARK HOURS, OF THE "CODE OF ORDINANCES OF THE CITY OF SIERRA VISTA," AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

WHEREAS; the City of Sierra Vista periodically enacts laws to help govern the municipality and provide for the orderly operations, maintenance, and development of the City; and

WHEREAS; periodically changes need to be made to clarify an existing ordinance to preserve the rights of the public; and

WHEREAS; the amendments have gone through a 30-day public record period and no public comments have been received.

WHEREAS; it is the policy of the City to ensure free access to public spaces continue to enhance the quality of life of the residents of the Greater Sierra Vista area; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VSITA, ARIZONA AS FOLLOWS:

SECTION 1

The policy of the City of Sierra Vista relating to declaring a public record for purposes of making changes to the City Code of Ordinances, be, and hereby is, reaffirmed.

SECTION 2

That Resolution 2023-050 is hereby reaffirmed and that Chapter 94, Section 94.03, of the Code of Ordinances for the City of Sierra Vista, be, and hereby are amended.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Ordinance.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 10TH DAY OF AUGUST 2023.

CLEA McCAA II
Mayor

APPROVED AS TO FORM:

ATTEST:

NATHAN J. WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:
Laura Wilson, Director
Parks, Recreation & Library