



**To:** Parks and Recreation Board

**Date:** March 28, 2019

**From:** Inger Erickson, Director

**Subject:** PARKS AND RECREATION DEPARTMENT CODE OF CONDUCT  
UPDATE

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This report provides the Parks and Recreation Board (Board) with an update on the development of the draft Code of Conduct and public input that has been received through a series of public meetings.

## BACKGROUND

The Parks and Recreation Department has been working to develop a code of conduct that will promote conduct and behaviors that allow everyone to enjoy clean, safe and accessible parks, facilities and programs. Although state laws, City ordinances, and existing park rules address certain illegal or prohibited activities, the code of conduct will provide clear expectations of acceptable behavior in the following areas: flatland parks; desert and mountain parks and preserves; and park facilities, including community centers.

In January 2019, the Parks and Recreation Department held a series of five preliminary community meetings at locations across the City. At the community meetings, staff met with residents, listened to their concerns about challenging behaviors experienced in parks and collected their feedback as to proposed solutions.

After these meetings concluded and after receiving feedback from the Parks and Recreation Board and City Council, staff worked with the Law Department to identify options to legally address the behaviors and proposed solutions brought forward by the community, and developed a draft code of conduct, which is being shared with the community for public comment (**Attachment A**).

## DISCUSSION

### Public Comment Period

Throughout the month of March 2019, the Parks and Recreation Department held a public comment period to receive feedback on the draft code of conduct. This included a series of community meetings held at various locations across the City:

- March 4: Devonshire Senior Center
- March 6: Desert West Community Center
- March 11: Sunnyslope Community Center
- March 13: Burton Barr Central Library
- March 14: Washington Activity Center
- March 19: South Mountain Community Center
- March 20: Eastlake Community Center
- March 21: Paradise Valley Community Center

At these community meetings, the community was able to review the draft code of conduct, ask questions and provide comments and suggestions. The community meetings were promoted in the following ways:

- Created a flyer to raise awareness about the draft code of conduct (**Attachment B**).
- Shared the flyer and draft code of conduct with the Mayor and Council for feedback and sharing with the community.
- Emailed notification to community members who attended the first round of community meetings in January 2019.
- Emailed notification to the neighborhood associations, block watches and other community groups registered with the Neighborhood Services Department (approximately 1400 emails); in addition to targeted outreach to groups/associations.
- Provided presentations at neighborhood meetings, as requested; and staffed a table at the “Take Back Your Neighborhood Day” at the Phoenix Police Department Academy, a Council Districts 7 and 8 hosted event.
- Worked with the Office of Youth and Education and sent information to identified school districts in the community.
- Posted information at Parks and Recreation Department facilities and offices across the City, including community and recreation centers and division offices.
- Placed all information on the Parks and Recreation Department’s web site.
- Shared information through the Parks and Recreation Department’s social media channels, including Facebook and Twitter.

In addition to the public meetings, the community was able to direct questions or comments about the code of conduct via email at [receptionist.pks@phoenix.gov](mailto:receptionist.pks@phoenix.gov), by contacting the department by phone at 602-262-6862 or by mailing a letter.

### Feedback on Draft Code of Conduct

As of the time this report was written, the following is a summary of feedback received from the community:

- The ramada policy should be revised to specify that use of one or more ramadas for more than four hours per day, for two consecutive days, is not allowed without proper approval.

- Interest in banning smoking/vaping altogether, instead of prohibiting it within 20 feet of a building entrance, playground or on a public patio/ramada.
- Interest in addressing the use of drones in parks and park facilities.
- Questions about the use of wheeled devices in parks and what can be done to address the improper usage of devices such as wheelchairs, strollers, office furniture, etc.
- Addressing personal belongings and property that are unaccompanied, including shopping carts and other items parked adjacent to parks.
- Prohibiting the use of, or bringing on to park property “structures” such as tarps and tents.
- Interest in rebranding the code of conduct as a “behavior policy.”
- Interest in a ramada reservation policy and/or fee structure, to allow the community to reserve ramadas in advance.

### Next Steps

Staff is revising the draft code of conduct based on the community’s feedback during the public comment period and will present a final draft of the code of conduct to the Parks and Recreation Board for approval.

Following Parks and Recreation Board approval of the code of conduct, a public awareness campaign will be rolled out to educate the public about the new code of conduct. This will include signage, marketing materials, a web presence and social media outreach with the “clean, safe and accessible” branding.

Finally, once the code of conduct is finalized and approved, and has been rolled out to the community through a robust public awareness campaign, the final phase of the code of conduct will provide continuous education and enforcement, as appropriate. Staff understands that members of the community are extremely interested in how the City is going to enforce the code of conduct once it is implemented. A big part of the Parks and Recreation Department’s approach will include leading with education and services as the situation may dictate. There will also be a progressive process where repeated violations of the code of conduct, or more serious violations, will result in a progressive discipline-type process.

Together with other City departments, the Parks and Recreation Department is developing a trespassing policy, which includes an appeals process. Consistency of policies, procedures and forms between departments, and having a common process, is a top priority for staff. Additionally, for the code of conduct to be successful, all consideration will be given to the importance of communication and integration of systems with the City, including our park rangers, our partners in police and other City departments.

### RECOMMENDATION

This report is for information and discussion.

Prepared by: James Orloski, Acting Deputy Director

Approved by: Tracee Crocket, Assistant Parks and Recreation Director

## Attachment A

### Parks and Recreation Department Code of Conduct

*Helping us maintain clean, safe and accessible parks and programs*

**Draft 3/1/19**

#### **Policy Statement:**

Phoenix Parks and Recreation provides residents more than 41,000 acres of desert parks and mountain preserves containing more than 200 miles of trails; 185 spacious city parks; 32 community and recreation centers; classes and sports programs for all ages to learn, stay active and have fun; 8 golf courses; and 29 pools where thousands cool off and learn to swim each summer. The intent of the Code of Conduct is to promote conduct and behaviors that allow all individuals to enjoy clean, safe and accessible parks and programs.

#### **Regulations:**

While the parks are open to all, no one has the right to interfere with another person's use of City parks or facilities. Behavior and conduct, including those activities listed below, is unacceptable when it violates the law, interferes with the rights of others, endangers or injures oneself or others, or when it results in damage to park property, buildings or equipment. Phoenix Parks and Recreation reserves the right to take action against those whose conduct and behavior does not comply with the Code of Conduct established by this policy. The Parks and Recreation Department's Code of Conduct was developed to benefit the public and protect the rights of individuals, and focuses on the actual conduct of a person. Phoenix Parks and Recreation reserves the right to define and identify disruptive behavior and/or actions that interfere with the positive and safe atmosphere in City parks or facilities.

For the purposes of this policy, a *facility* is a City-owned building operated by the City or by an organization authorized to operate the building on the City's behalf.

#### **The following is not permitted in any Parks and Recreation Department mountain preserve, park or facility (collectively "Park or Parks"):**

- Abusing or vandalizing a Park or its amenities in any way
- Using, possessing, or selling illegal drugs
- Possessing or consuming alcohol without obtaining the proper approvals and permits
- Possessing weapons inside any City facility, as posted
- Aggressive intimidation or harassment of patrons or City staff including physical, sexual or verbal abuse
- Obstructing other patrons' use of the Park or its amenities, or maintenance of the Park
- Using amenities outside of their intended or approved purpose
- Bathing, sleeping, storing personal belongings, or doing laundry in restrooms or facilities
- Mobile vending without obtaining proper authorization
- Distribution of commercial goods to the public without obtaining proper permit
- Charging for services including exercise activities, guided hikes, sports and other special interest classes and activities without proper approval
- Assembling groups of 50 people or more without obtaining proper approvals and permits

- Use of a Ramada for more than four hours per day, for two consecutive days, without obtaining proper approval
- Use of amplified sound without obtaining proper approvals and permits
- Use of wheeled devices, as posted
- Smoking/vaping within 20 feet of a building entrance or playground, or on a public patio/ramada
- Animals inside park facilities except for service animals, which are permitted
- Entering facilities without appropriate attire, as posted
- Shooting paintball or air soft guns
- Unlawful conduct and behavior that violates the Arizona Revised Statutes, Phoenix City Code, or posted Park Rules or Code of Conduct
- Activities that may endanger self, others, wildlife, or park property

**In addition to the rules listed above, the following is not permitted in the areas below:**

### **MOUNTAIN DESERT PARKS AND PRESERVES**

- Endangering children or vulnerable adults on difficult trails or in adverse weather conditions
- Endangering dogs on difficult trails or in adverse weather conditions, such as temperatures over 100 degrees
- Playing personal music at a volume loud enough to disturb others on trails, ramadas, parking lots
- Disregarding trail hierarchy; hikers and bicyclists yield to horses, bicyclists yield to hikers
- Disregarding trail etiquette of downhill trail traffic flow yields to uphill trail traffic
- Smoking within the mountain desert parks and preserves, or on trails and summits
- Defacing natural areas with chalk, marker, powder materials or other non-natural products
- Moving rocks or other native material along a trail or altering the tread in such a way as to facilitate or encourage illegal trail use or to cause personal harm
- Riding electric bicycles or other types of motorized vehicles on trails or off established park roads
- Operating a metal detector and removing any found items
- Placing of geocaches in a location within a park or preserve that does not fall within management guidelines for that area – all geocaches must be reviewed and approved by park management or they will be removed
- Unauthorized off-trail activity

### **TRESPASS POLICY**

Individuals who violate the Code of Conduct are subject to being trespassed for periods ranging from one day to one year applicable to the location where the violation(s) took place or to all Phoenix Parks and Recreation parks and facilities.

- First offense may result in a verbal warning and education about the Code of Conduct
- Second offense may result in a minimum 24-hour trespass at the location the violation took place

- Repeat offenses may result in a minimum 30-day trespass from all parks and facilities
- Individuals who previously received a verbal warning, have been previously trespassed and continue to violate the Code of Conduct, will be subject to trespass periods of 60 days and greater from all parks and facilities
- The following offenses are subject to immediate trespass periods of 60-days and greater from all parks and facilities:
  - Harassing patrons or City staff including physical, sexual or verbal abuse
  - Violating any criminal law of the Phoenix City Code or the Arizona Revised Statutes

Individuals who have been trespassed will be provided with a Trespass Notice that includes information on why they are being trespassed, the amount of time they are being trespassed, and the locations of the trespass notification. Additionally, the notice will provide information on how to appeal the trespass.

DRAFT



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City of Phoenix Parks and Recreation Department

## Public Meetings Notice - Draft Code of Conduct

The Phoenix Parks and Recreation Department held a series of public meetings, in January, to obtain community feedback that was used to develop the department's draft Code of Conduct Policy. The department would now like to obtain feedback on the draft policy.

The draft Code of Conduct Policy will be available by March 1<sup>st</sup>, in advance of the public meetings, at [Phoenix.gov/Parks](http://Phoenix.gov/Parks)



**Monday, March 4, 2019 – 6 to 8 p.m.**  
Devonshire Senior Center, 2802 E. Devonshire Ave.



**Thursday, March 14, 2019 – 6 to 8 p.m.**  
Washington Activity Center, 2240 W. Citrus Way



**Wednesday, March 6, 2019 – 6 to 8 p.m.**  
Desert West Community Center, 6501 W. Virginia Ave.



**Tuesday, March 19, 2019 – 6 to 8 p.m.**  
South Mountain Community Center, 212 E. Alta Vista Rd.



**Monday, March 11, 2019 – 6 to 8 p.m.**  
Sunnyslope Community Center, 802 E. Vogel Ave.



**Wednesday, March 20, 2019 – 6 to 8 p.m.**  
Eastlake Park Community Center, 1549 E. Jefferson St.



**Wednesday, March 13, 2019 – 6 to 8 p.m.**  
Burton Barr Central Library, 1221 N. Central Ave.



**Thursday, March 21, 2019 – 6 to 8 p.m.**  
Paradise Valley Community Center, 17402 N. 40<sup>th</sup> St.

PROMOTING CLEAN, SAFE AND ACCESSIBLE PARKS, PROGRAMS AND FACILITIES!







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City of Phoenix Parks and Recreation Department

## Aviso de Reunión Pública - Política del Código de Conducta

El Departamento de Parques y Recreación de Phoenix realizó una serie de reuniones públicas, en enero, para obtener comentarios de la comunidad que se usó para desarrollar el borrador del Código de Conducta del departamento. El departamento ahora desea obtener retroalimentación sobre el proyecto de política.

El borrador de la Política del Código de Conducta estará disponible el 1 de marzo, antes de las reuniones públicas, en [Phoenix.gov/Parks](http://Phoenix.gov/Parks)



Lunes, 4 de marzo de 2019 - 6 a 8 p.m.  
Devonshire Senior Center, 2802 E. Devonshire Ave.



Jueves, 14 de marzo de 2019 - 6 a 8 p.m.  
Washington Activity Center, 2240 W. Citrus Way



Miércoles, 6 de marzo de 2019 - 6 a 8 p.m.  
Desert West Community Center, 6501 W. Virginia Ave.



Martes, 19 de marzo de 2019 - 6 a 8 p.m.  
South Mountain Community Center, 212 E. Alta Vista Rd.



Lunes, 11 de marzo de 2019 - 6 a 8 p.m.  
Sunnyslope Community Center, 802 E. Vogel Ave.



Miércoles, 20 de marzo de 2019 - 6 a 8 p.m.  
Eastlake Park Community Center, 1549 E. Jefferson St.



Miércoles, 13 de marzo de 2019 - 6 a 8 p.m.  
Burton Barr Central Library, 1221 N. Central Ave.



Jueves, 21 de marzo de 2019 - 6 a 8 p.m.  
Paradise Valley Community Center, 17402 N. 40<sup>th</sup> St.

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