

ORDINANCE NO. (O)13-01

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA
AMENDING ORO VALLEY TOWN CODE, SECTION 16-1-2,
PARK OPERATIONS, AND REPEALING ALL RESOLUTIONS,
ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY
IN CONFLICT THEREWITH**

WHEREAS, on December 18, 1996, the Town Council adopted (R)96-54 that enacted the Parks and Recreation's Park Operations; and

WHEREAS, the Mayor and Council desire to amend the Oro Valley Town Code, Chapter 16, Parks and Recreation, Section 16-1-2 Park Operations in order to establish hours of operations for the new Aquatics Center under subsection 16-1-2 (C); and

WHEREAS, the proposed park hours for the Oro Valley Aquatics Center will be from 5:00 am to 10:00 pm, Monday through Sunday; and

WHEREAS, the Parks and Recreation Director will be given discretion to modify the new hours and for all programs and special events at the Oro Valley Aquatics Center

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona, that certain document known as the "Oro Valley Town Code", Section 16-1-2, Park Operations is hereby amended as follows:

SECTION 1. Section 16-1-2 is amended to read as follows, with additions being shown in ALL CAPS and deletions being shown in ~~Strikethrough text~~:

16-1-2 Park Operations

A. Hours. No person shall trespass upon or be on the grounds, of any municipal park between the hours of 10:00 p.m. and 6:00 a.m. Sunday through Saturday, unless such person has received written permission from the Town. All activities sponsored or co-sponsored by the Town of Oro Valley, are exempt. However, the park in question will close immediately upon completion of the activity. The total number of people admitted for any usage shall not exceed the capacity of the facility involved as determined by an official designated by the ~~Parks and Recreation Administrator~~ **PARKS AND RECREATION DIRECTOR** or the Fire District.

B. Closing of Parks. Any park or portion of a park may be declared closed to the public by the Town or any agent of the Town, including the police department at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or

otherwise), and either entirely or merely to certain users, as the Town shall find reasonably necessary; no person shall enter any closed area of a park if such entry is prohibited; nor shall any person utilize any portion of a park if such utilization is prohibited.

C. ORO VALLEY AQUATICS CENTER HOURS OF OPERATION. THE ORO VALLEY AQUATICS CENTER SHALL BE OPEN TO THE PUBLIC FROM THE HOURS OF 5:00 A.M. TO 10:00 P.M., MONDAY THROUGH SUNDAY. THE ORO VALLEY PARKS AND RECREATION DIRECTOR SHALL HAVE DISCRETION TO MODIFY THESE NORMAL HOURS FOR ALL PROGRAMS AND/OR SPECIAL EVENTS HELD AT THE ORO VALLEY AQUATICS CENTER.

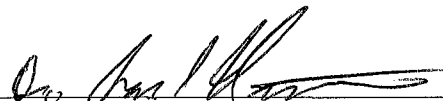
SECTION 2. Pursuant to ARS § 41-1346, the Town shall maintain efficient record management for local public records and it has been determined that this Ordinance is a public record with three copies of said Ordinance to remain on file in the office of the Town Clerk.

SECTION 3. All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions, or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

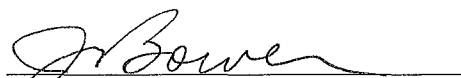
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by Mayor and Town Council, the Town of Oro Valley, Arizona, this 16th day of January, 2013.

TOWN OF ORO VALLEY

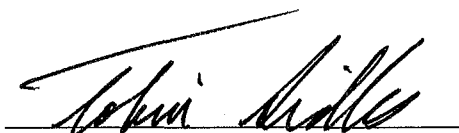

Dr. Satish I. Hiremath, Mayor

ATTEST:


Julie K. Bower, Town Clerk

Date: 1/22/13

APPROVED AS TO FORM:


Tobin Sidles, Interim Town Attorney

Date: 1/16/13