

ORDINANCE G-XXXX

AN ORDINANCE AMENDING PHOENIX CITY CODE
CHAPTER 24 PARKS AND RECREATION TO ADD NEW
SECTION RELATING TO CERTAIN SERVICES IN PARKS

WHEREAS, individuals and organizations have historically provided services, including the distribution of food and medical care, at no cost or low cost to individuals in need. Such activities align with the city's overall aspiration to provide supportive care to vulnerable populations that frequently take place in parks.

WHEREAS, in addition to providing services needed to vulnerable populations, these activities can also strain the parks and city resources, frequently creating large crowds, increased noise, obstruction of public spaces, litter, and the accumulation of trash, debris, and food waste. These activities can damage public property and limit others' ability to access, share, and enjoy the parks.

WHEREAS, the intent of this Ordinance is to establish a framework for safer, orderly, and fair use and management of the parks, making every effort to ensure welcoming and positive access to them.

WHEREAS, the purpose of this Ordinance is to establish reasonable time, place, and manner restrictions on certain service events occurring at parks and thereby protect public health, safety, and welfare by requiring individuals and organizations that conduct certain service events at parks to first obtain permits and comply with applicable regulations.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. Phoenix City Code, Chapter 24, is amended as follows:

SEC. 24-45 CERTAIN SERVICES IN PARKS

- A. THIS SECTION APPLIES TO PARKS AS DEFINED IN PHOENIX CITY CODE CHAPTER 24.
- B. DEFINITIONS. THE FOLLOWING WORDS, TERMS, AND PHRASES HAVE THE MEANING ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:

1. "CAREGIVER" MEANS A PERSON WHO ACCOMPANIES TO AND FROM THE PARK AND CARES FOR SOMEONE WHO IS SICK OR DISABLED OR AN ADULT WHO ACCOMPANIES TO AND FROM THE PARK AND CARES FOR AN INFANT OR CHILD AND INCLUDES A FAMILY MEMBER, LEGAL GUARDIAN, BABYSITTER, NANNY, FRIEND, TEACHER, NURSE, OR MEDICAL PRACTITIONER OF THE PERSON BEING CARED FOR.
2. "DEPARTMENT" MEANS THE CITY OF PHOENIX PARKS AND RECREATION DEPARTMENT.
3. "DIRECTOR" MEANS THE DIRECTOR OF THE CITY OF PHOENIX PARKS AND RECREATION DEPARTMENT.
4. "FAMILY MEMBER" MEANS A PERSON WHO IS BY BLOOD, ADOPTION, OR MARRIAGE A PARENT, GRANDPARENT, GREAT-GRANDPARENT, SIBLING OF THE WHOLE OR HALF BLOOD, STEPBROTHER, STEPSISTER, AUNT, UNCLE, GREAT-AUNT, GREAT-UNCLE, OR FIRST COUSIN.
5. "FOOD" MEANS ANY PRODUCT, OTHER THAN WATER OR ELECTROLYTE BEVERAGES, DISTRIBUTED OR SOLD FOR HUMAN CONSUMPTION, THE SALE OR DISTRIBUTION OF WHICH IS NOT PROHIBITED BY LAW.
6. "FOOD DISTRIBUTION EVENT" MEANS A GATHERING CONDUCTED BY A PRIVATE INDIVIDUAL OR ORGANIZATION, FOR CHARITABLE OR SIMILAR HUMANITARIAN PURPOSES, AT A PARK, THAT IS PLANNED, ORGANIZED, OR CONDUCTED TO DISTRIBUTE FOOD TO ANY MEMBER OF THE GENERAL PUBLIC AT NO COST OR FOR A NOMINAL CHARGE.
 - i. PRIVATE EVENTS, NOT OPEN TO THE GENERAL PUBLIC, WHERE FOOD IS SERVED SUCH AS FAMILY GATHERINGS, PICNICS, SOCIAL ORGANIZATION EVENTS, OR SPORTING EVENTS WHERE FOOD IS SERVED ONLY FOR PARTICIPANTS OF THOSE EVENTS ARE NOT FOOD DISTRIBUTION EVENTS.
7. "MEDICAL TREATMENT" MEANS ANY ACT THAT INVOLVES THE USE OF NEEDLES, SYRINGES, OTHER MEDICAL SHARPS, OR PRODUCES MEDICAL WASTE AS DEFINED BY A.R.S. § 49-701(32), INCLUDING BUT NOT LIMITED TO BANDAGES AND DRESSINGS.

C. MEDICAL TREATMENT IN PARKS. IT IS PROHIBITED:

1. FOR ANY PERSON, GROUP, OR ORGANIZATION TO POSSESS A NEEDLE, SYRINGE, OR OTHER MEDICAL SHARP CAPABLE OF POSING A STICK OR PUNCTURE HAZARD, UNLESS: (A) SUCH PERSON ALSO POSSESSES THE MEDICATION TO BE ADMINISTERED BY SUCH NEEDLE, SYRINGE, OR OTHER MEDICAL SHARP AND (B) SUCH MEDICATION IS CURRENTLY AND VALIDLY PRESCRIBED TO THAT PERSON OR TO A PERSON ACCOMPANYING THEM AND FOR WHOM THEY ARE A PARENT OR OTHER CAREGIVER.
2. FOR ANY PERSON, GROUP, OR ORGANIZATION TO CONDUCT THE SALE, DISTRIBUTION, OR EXCHANGE OF SYRINGES OR NEEDLES OR CONDUCT A NEEDLE EXCHANGE OR A NEEDLE EXCHANGE PROGRAM.
3. FOR ANY PERSON, GROUP, OR ORGANIZATION TO PROVIDE MEDICAL TREATMENT TO ANY PERSON OTHER THAN (A) A FAMILY MEMBER OR (B) A PERSON TO WHOM THEY ARE A CAREGIVER WITHOUT OBTAINING A PERMIT FROM THE DIRECTOR AUTHORIZING THE PROVISION OF SUCH MEDICAL TREATMENT.
4. FOR ANY PERSON, GROUP, OR ORGANIZATION TO PROVIDE PERMITTED OR OTHERWISE AUTHORIZED MEDICAL TREATMENT IN A PARK WITHOUT REMOVING FROM THE PARK, AFTER SAID TREATMENT IS COMPLETED, ALL NEEDLES, SYRINGES, OTHER MEDICAL SHARPS, OR MEDICAL WASTE AS DEFINED BY A.R.S. § 49-701(32), INCLUDING BUT NOT LIMITED TO BANDAGES AND DRESSINGS, THAT WERE USED IN SUCH TREATMENT.

D. FOOD DISTRIBUTION IN PARKS. IT IS PROHIBITED:
FOR ANY PERSON, GROUP, OR ORGANIZATION TO CONDUCT A FOOD DISTRIBUTION EVENT AT A PARK WITHOUT OBTAINING A PERMIT FROM THE DIRECTOR PRIOR TO THE EVENT.

E. SERVICES PERMITS. THE DIRECTOR:

1. IS AUTHORIZED TO ISSUE PERMITS AUTHORIZING THE FOLLOWING SERVICES:
 - i. MEDICAL TREATMENT IN A PARK; AND/OR

- ii. A FOOD DISTRIBUTION EVENT IN A PARK.
2. IS AUTHORIZED TO ADOPT RULES AND PROCEDURES FOR THE ISSUANCE OF PERMITS FOR SUCH SERVICES, INCLUDING, BUT NOT LIMITED TO, RULES AND PROCEDURES TO MINIMIZE DISRUPTION TO OTHER PARK USES, ENSURE THE SAFETY OF PARK GUESTS, AND MAINTAIN PARKS IN A CLEAN AND SANITARY CONDITION.
 3. SHALL ENSURE THAT THE RULES AND PROCEDURES FOR ISSUING PERMITS FOR SUCH SERVICES:
 - i. REQUIRE THAT THE DIRECTOR NOT ISSUE MORE THAN TWO (2) PERMITS FOR SUCH SERVICES FOR THE SAME PARK IN ANY CALENDAR MONTH;
 - ii. REQUIRE THAT MEDICAL TREATMENT ACTIVITIES BE CONDUCTED ONLY:
 1. ON A PARK'S PARKING LOTS OR OTHER HARDSCAPE AREAS, BUT NOT INCLUDING SPORTS COURTS, DESIGNATED PICNIC AREAS, OR SIMILAR DEDICATED PARK AMENITY SPACES AND
 2. IN AN ENCLOSURE SUFFICIENT TO ENSURE PATIENT PRIVACY AND THE CONTAINMENT OF ANY WASTE. SUCH ENCLOSURES MIGHT INCLUDE, BUT ARE NOT LIMITED TO:
 - a. MEDICAL TENTS OR OTHER SIMILAR TENTS WITH A ROOF, ALL OPAQUE SIDES AND A TARP OR OTHER IMPERMEABLE FLOOR, AND
 - b. VEHICLES, SUCH AS AMBULANCES OR RVs, THAT ARE EQUIPPED AND INTENDED FOR MOBILE MEDICAL TREATMENT WITHIN THE ENCLOSED SPACE OF THE VEHICLE;
 - iii. REQUIRE THAT PERMITTEES AGREE TO PROVIDE ADEQUATE INDEMNIFICATION AND INSURANCE;
 - iv. REQUIRE THAT PERMITTEES AFFIRM THAT MEDICAL CARE AT MEDICAL TREATMENT EVENTS WILL BE PROVIDED ONLY BY PROPERLY LICENSED

PROFESSIONALS ACTING WITHIN THE SCOPE OF THEIR LICENSURE; AND

- v. REQUIRE THAT PERMITS ARE ISSUED ONLY FOR NEIGHBORHOOD PARKS WITH PARKING LOTS, COMMUNITY PARKS, OR REGIONAL PARKS (EXCLUDING SPORTS COMPLEXES).

F. A PERSON, GROUP, OR ORGANIZATION THAT HAS OBTAINED A PERMIT PURSUANT TO SUBSECTION E OF THIS SECTION SHALL DISPLAY THE PERMIT UPON REQUEST. THE PERMIT HOLDER AND ALL PERSONS COVERED BY THE PERMIT SHALL ABIDE BY ANY STIPULATIONS OF USE SET FORTH IN THE PERMIT. THE PERMIT MAY BE REVOKED FOR FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

G. EXCEPTIONS.

1. SUBSECTION C OF THIS SECTION DOES NOT APPLY TO:

- i. FIRST RESPONDERS, INCLUDING FIREFIGHTERS, LAW ENFORCEMENT OFFICERS, PARAMEDICS, EMERGENCY MEDICAL TECHNICIANS, OR OTHER INDIVIDUALS (INCLUDING AN EMPLOYEE OF A LEGALLY ORGANIZED AND RECOGNIZED VOLUNTEER ORGANIZATION, WHETHER COMPENSATED OR NOT), WHO, IN THE COURSE OF THEIR PROFESSIONAL DUTIES, RESPOND TO LAW ENFORCEMENT, FIRE, MEDICAL, HAZARDOUS MATERIAL, OR OTHER SIMILAR EMERGENCIES.
- ii. ANY PERSON RENDERING AID TO ANOTHER PERSON EXPERIENCING A SUDDEN INJURY OR EMERGENCY.
- iii. LICENSED PROFESSIONALS ACTING WITHIN THE SCOPE OF THEIR LICENSES AND AT AN OTHERWISE CITY-PERMITTED EVENT (FOR EXAMPLE, A SPORTING COMPETITION, TOURNAMENT, FUN RUN, OR SPECIAL ACTIVITY).
- iv. THE DISTRIBUTION OF INTRA-NASAL NALOXONE IN NON-EMERGENCY OR EMERGENCY SITUATIONS.

2. SUBSECTION C(1) OF THIS SECTION DOES NOT APPLY TO AN EMPLOYEE, VOLUNTEER, OR PARTICIPANT OF A PROGRAM ESTABLISHED PURSUANT TO A.R.S. § 36-798.51 WHO POSSESSES A NEEDLE OR SYRINGE AND WHO PROVIDES VERIFICATION THAT THE

NEEDLE OR SYRINGE WAS OBTAINED FROM AN OVERDOSE AND DISEASE PREVENTION PROGRAM ESTABLISHED PURSUANT TO A.R.S. § 36-798.51.

3. FOR AVOIDANCE OF DOUBT, SUBSECTION D OF THIS SECTION DOES NOT APPLY TO ANY EVENT THAT WAS NOT PLANNED OR INTENDED TO SERVE OR DISTRIBUTE FOOD TO THE GENERAL PUBLIC. THIS INCLUDES BUT IS NOT LIMITED TO:
 - i. FAMILY EVENTS SUCH AS CELEBRATIONS, WEDDINGS, MEALS, OR REUNIONS OR INFORMAL GATHERINGS OF FAMILY OR FAMILY FRIENDS; AND
 - ii. EVENTS THAT ARE NOT OPEN TO THE GENERAL PUBLIC OR EVENTS TO WHICH THE GENERAL PUBLIC IS NOT INVITED.

H. VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

PASSED by the City Council of the City of Phoenix this ___th day of _____,
2026.

MAYOR

Date

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Ed Zuercher, City Manager