

Outdoor Violations

Blocking the Sidewalk

You may not obstruct a sidewalk, street, alley, park, or other Public property in Phoenix:

- In a way that is dangerous or offensive; or
- Such that other people cannot use the property.

Penalty: Blocking the sidewalk is a class 1 misdemeanor. People are often arrested for blocking the sidewalk during Otherwise lawful, First Amendment-protected protests. If you are participating in a protest.

Jaywalking

On a road where there are traffic lights, you may only cross at a Crosswalk. On a road where there are no traffic lights, you must cross the street by the shortest route and at a right angle to the curb.

Penalty: A traffic fine of no more than \$250.

Trespassing

You commit the crime of trespassing if you enter another Person's property without their permission, and:

- There is a "No Trespassing" sign, or
- You stay on the property after the owner or his agent tells you to leave, or
- You knowingly enter a building, home or fenced yard without the owner's permission or after being asked to leave the property.

You do not commit trespassing if you enter non-residential private property where there is no fence or "No Trespassing" sign. If you are outdoors on private property with no fence or sign, you are not guilty of trespassing unless the owner or his designated person has told you to leave and you have refused.

Penalty: Trespassing where you enter the building or fenced

yard of a business is a class 2 misdemeanor. Trespassing where you do not enter a fenced yard or building is a class 3 misdemeanor.⁸

Penalties for trespassing are more severe if you enter a house, the yard of a house, or a facility such as a power station.

Loitering

You commit the crime of loitering when you are in a public place and you do one of the following things:

- You ask someone to commit a sex offense.
- You sell goods or services in a transportation facility.
- You gamble without legal authorization.
- You are present in the public place solely in order to beg.
- You are at a school or college campus; are not a student at the school; are not at the school to meet a student or for another specific reason; and remain at the school after being asked to leave.

“Urban Camping” and Sit/Lie Law

The city makes it a crime to sleep in many public places. There are two laws relevant to this.

“Urban Camping”: You may not camp in any park, preserve, building, parking lot or other land that belongs to the City of Phoenix, unless you have a permit from the city Department of Parks and Recreation. The following activities can be Considered “camping”:

- Sleeping
- Making preparations to sleep or laying down bedding
- Storing belongings
- Pitching a tent or parking a vehicle to sleep in
- Making a fire
- Cooking
- Digging or breaking ground.

Sit/Lie Law: You may not sit, lie or sleep on a public street, sidewalk or alley, except because of a physical emergency or to receive medical attention.

Penalty: Breaking either the urban camping law or the sit/lie law is a class 1 misdemeanor.

Disorderly Conduct

You commit the crime of disorderly conduct when you do any of the following things, in a way that “disturbs the peace” or quiet of another person or a neighborhood:

- You fight or engage in disruptive or violent behavior.
- You make unreasonable noise.
- You speak or gesture to a person in a way that is meant to provoke violence.
- You disobey a public safety worker’s order to move away from a fire, hazard or other emergency.
- You disrupt a lawful meeting or gathering.
- You recklessly handle or discharge a deadly weapon.

Penalty: Disorderly conduct with a deadly weapon is a class 6 felony. Other disorderly conduct is a class 1 misdemeanor

Urination in Public

It is illegal to urinate or defecate on a public sidewalk, crosswalk, path, or street, or in a public park. It is also illegal to urinate or defecate in any public place that is easily visible or accessible from the street.¹⁶

Penalty: Class 1 misdemeanor.

Public Transportation

It is illegal to do any of the following things on a bus or light rail train (this is not a complete list):

- Lie down or place your feet on a bus or train seat.
- Possess or drink from an open container of alcohol.

- Smoke or possess any burning or hazardous object.
- Spit, defecate, urinate, or litter on a bus or train, or at a bus or train station.

Penalty: All violations of the laws about conduct on buses and trains are civil offenses. If you break one of these laws, you can be required to pay a fine between \$50 and \$500.³⁹ Also, if you receive a ticket for misconduct on a bus or train, you can be banned from riding the train until you have paid the ticket. If you have already received one ticket and you receive another, you will be banned from riding the train for 90 days.

Littering

You may not dispose of trash, debris, or human or animal waste on public or private property. You may only place trash in trash cans and other places designated by the City of Phoenix for removing trash.²⁶

Penalty: This is a class 1 misdemeanor. Additionally, if the City removes trash which you placed on public or private property, you may have to pay for the cost of the removal.

Alcohol – Open Container Law, Drunk and Disorderly

State law says that you may not possess an open container of alcohol in the street or in any public place without the permission of the owner. You may not possess or consume alcohol in a park in the City of Phoenix, even though it may be legal in some other cities in Arizona.²⁹

It is a class 1 misdemeanor to appear in public in a drunk or disorderly condition, regardless of whether you have a container of alcohol with you.³⁰

Penalty: Possession of an open container of alcohol is a class 2 misdemeanor, except that possession of alcohol in a park is a class 1 misdemeanor. Being drunk in public is a class 1 misdemeanor.

Smoking

State law says that you may not smoke in any enclosed public place, except in a designated smoking area. This includes buses and trains, but does not include bus stops and train stations.

Penalty: Smoking in a place where smoking is prohibited is a petty offense. You can be required to pay a fine of no less than \$50 and no more than \$300.

Public Parks

Entering a Closed Park. You may not enter or remain in a park at a time when the park is closed to the public. Similarly, you may not enter or remain in an area in a park which is blocked by a fence or natural barrier, or which a map or sign says is closed for public use.

Penalty: Being in a park after hours is the crime of loitering, a class 1 misdemeanor. Entering a non-public area of a park is a class 1 misdemeanor. If you are convicted of entering a nonpublic area of a park, the court must fine you at least \$50 and require you to perform at least 8 hours of community service.

Vandalism in a Park

You may not damage any built or natural structure or feature of a park, or collect, remove, or destroy any plant or animal in a park. This is the offense of vandalism in a park.

Penalty: Vandalism in a park is a class 1 misdemeanor. The penalty for vandalism in a park must include a fine of at least \$50 and at least 8 hours of community service. Additionally, if you are convicted of this crime, the court must require you to make restitution (pay an additional fine or do extra community service) to the City of Phoenix for the cost of the damage you caused to the park.

Smoking, Eating or Drinking in a Park

You may not possess a glass bottle or other beverage container in a park, except in Heritage Square, the Encanto Clubhouse, and Shemer Art

Center and Museum. You also may not possess alcohol in a park unless you have an alcohol permit. Finally, if a park has “no smoking”

signs posted, you may not smoke in that park.

Penalty: Possessing glass in a park is a class 1 misdemeanor. Intentionally or carelessly breaking a piece of glass in a park is a class 1 misdemeanor with a minimum fine of \$50 and minimum 8 hours of community service. Smoking or possessing alcohol in a park, where prohibited, is a class 1 misdemeanor.

Panhandling and Solicitation

Panhandling or “solicitation” is asking a person for money or asking them to buy goods or services from you. You can solicit verbally (by asking out loud) or with a sign. In most parts of the City of Phoenix, solicitation is legal. However, “aggressive solicitation” is illegal in all parts of Phoenix. You commit aggressive solicitation if you do one or more of the following things while you are soliciting someone:

- You continue soliciting the other person, from a distance of 10 feet or less, after they verbally ask you to stop.
- You touch the person without their consent.
- You follow the person in a way that intimidates them or makes them fear bodily harm.
- You physically block the person’s path, or make them change their path or the path of their vehicle, in order to avoid running into you.
- You use obscene or abusive language or gestures with the person.

- You solicit the person within 15 feet of an ATM or the entrance or exit of a bank.
- You solicit the person on a bus, on a train, or within 10 feet of a bus or train stop.
- You verbally solicit the person at night.

There is an important exception to the part of the law which bans soliciting at night. You may stand, sit, or perform music in a public place at night with a sign that requests donations. However, you may not verbally request money from people while you are soliciting at night, except if they speak to you first. Additionally, the City of Phoenix has made “soliciting from a vehicle” illegal. This means that you may not stand on or next to a street or highway and solicit employment, business or contributions from occupants of any vehicle.

Penalty: Aggressive solicitation and soliciting from a vehicle are class 1 misdemeanors. If you are convicted of aggressive solicitation or soliciting from a vehicle, the court can also order you to do community service.