



Frequently Asked Questions for HOA Communities

The following list of topics was compiled by the Mesa Police Department Superstition District Advisory Board with input from HOA Community members and the Mesa Police Crime Prevention Officers. The information is provided to assist HOA Boards and community members in responding to issues common to all communities.

The link to the complete Mesa City Codebook is:

http://www.mesaaz.gov/clerk/CodeBook/Table_of_Contents.aspx

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Barking Dogs

Mesa City Animal Control handles calls involving animal issues in Mesa. Their website is:

<http://www.mesaaz.gov/animalcontrol/>. Barking dog complaints fall under the Noise Disturbance Ordinance section 6-12-2 (D) which is referenced under the Noise Disturbance section of this document.

Bicycles:

The section in the Mesa City Code for Bicycles and Motorized Skateboards is in Title 10 Section 1.

10-1-7: TRAFFIC LAWS APPLICABLE TO PERSONS RIDING BICYCLES:

Every person riding a bicycle upon a roadway in the City shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic laws of this City applicable to the driver of a vehicle except as to special regulations herein and except as to those provisions of law which by their nature can have no application. (227,1665)

10-1-8: OBEDIENCE TO TRAFFIC-CONTROL DEVICES:

Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles unless otherwise directed by a Police officer. (227,1665)

10-1-16: LAMPS AND OTHER EQUIPMENT ON BICYCLES:

Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector. (227,1665)

Code Compliance

The Code Compliance Department of the City of Mesa handles many neighborhood issues such as common nuisances and property maintenance. Here is a link to a list of their most common complaints: www.mesaaz.gov/codecomp/Common.aspx. You can reach Code Compliance by telephone at 480.644.4273 or email them at: codecomp.info@mesaaz.gov.

Criminal Activity

If you suspect a resident of your community is engaging in criminal activity please contact the Mesa Police Department. If the crime is in-progress please call 911; otherwise call our non-emergency number at 480.644.2211.

If you have information that may help solve a crime you can also call Silent Witness at 480.948.6377.

Criminal Damage/Vandalism

Please report criminal damage/vandalism to the Mesa Police Department. In addition, an HOA Board may incorporate items into their Rules and Regulations that give them the right to notify the resident (or parent of the resident if it is a child) responsible for the damage and take action against them such as assessing fines. Rules and Regulations for HOA communities are a great tool for controlling resident behavior for violations that do not rise to the level of criminal activity.

Curfew

It is unlawful for a minor under the age of sixteen (16) years to be in, on, or upon a public street, sidewalk, alley, right-of-way, or other public place in the City between the hours of ten (10:00) P.M. and five (5:00) A.M. It is unlawful for a minor between the ages of sixteen (16) years and eighteen (18) years to be in, on, or upon a public street, sidewalk, alley, right-of-way, or other public place in the City between the hours of twelve (12:00) midnight and five (5:00) A.M. (2585,2825) (B) It is unlawful for a parent, guardian, or other person having legal care and custody of a minor to knowingly allow or permit the minor to be in, on, or upon a public street, sidewalk, alley, right-of-way, or other public place in violation of the provisions of this Section, except as expressly provided herein. (2585) (C)

Drug Activity

What do we do if we suspect that a residence is being used for drug dealing or the residents are using drugs?

If you feel that drug use or a drug transaction is in progress please call 911 or the non-emergency number of 480.644.2211. Please also reference the section at the end of this document about submitting anonymous tips.

What about medical marijuana cards?

The new Arizona law regarding medical marijuana cards is located in Arizona Revised Statutes at Title 36, Chapter 28.1. Title 36-2814 specifically states that the new law does not require any establishment to allow a client or guest to use medical marijuana, even if they possess a medical marijuana card, on that property. Therefore it is your decision as to whether you restrict the use in your common areas. Further, federal law still considers marijuana a Schedule 1 substance under the Controlled Substances Act. (U.S.C. § 801 et seq.) and prohibits the use of marijuana. It is best to call the Police Department if you suspect drug use on your property.

Fireworks

The City Code referencing Fireworks use is:

<http://www.mesaaz.gov/clerk/CodeBook/CodeinPDF/T6/T6Ch21.pdf>

Here are some brief points from the Code:

The use, discharge or ignition of permissible consumer fireworks within the City of Mesa corporate limits, is prohibited except as provided for in this section:

(i) The use, discharge or ignition of permissible consumer fireworks is limited to June 28th through July 4th and December 30th through January 1st on private property with the property owner's permission. (5021)

(ii) The use, discharge or ignition of fireworks is prohibited in all public parks, public retention basins and public facilities. (5021)

(B) Nothing in this section shall be construed to prohibit the use, discharge or ignition of novelty items as defined in Section 6-21-1(A)(4) or the occurrence of a supervised public display of fireworks. (5021)

6-21-5: AUTHORITY TO ENFORCE VIOLATIONS; MEANS OF ENFORCEMENT; PENALTY (5021)

(A) The City of Mesa Fire Chief or designee or a City of Mesa police officer may issue complaints to enforce violations of this Chapter. (5021)

(B) Using, discharging or igniting permissible consumer fireworks in violation of this Chapter is a civil offense and is subject to the following penalties: (5021)

(i) A first offense is punishable by a fine of seventy-five dollars (\$75.00). (5021)

(ii) A second offense within 12 months of the first offense is punishable by a fine of one hundred fifty dollars (\$150.00). (5021) (iii) A third offense within 12 months of the second offense is punishable by a fine of five hundred dollars (\$500.00). (5021) (iv) For each offense thereafter occurring within 12 months of the preceding offense is punishable by a fine of seven hundred fifty dollars (\$750.00). (5021)

Garage Sales

No responsible party shall permit the conducting of garage sales from any property in excess of 4 events per calendar year with no more than 3 consecutive days for any given event. (Mesa City Code Title 8-6-3X)

Graffiti

<http://www.mesaaz.gov/transportation/graffiti.aspx>

Graffiti Protective Coatings (GPC) has been contracted by the City to take on the job of removing graffiti from walls, utility boxes, signs and other fixtures. GPC provides timely service and advanced color matching. They also proactively seek to remove or cover graffiti before it is called in by a resident.

To request graffiti on *public* property be painted over, please call the Graffiti Hotline at 480-644-3083 or use the new smart phone app [MyMesa!](#) Graffiti on private property will need owner permission to be painted over. You may use this [online form](#) for your convenience.

Take photos of any graffiti you see in your neighborhood and send them to us! Although it's very important to paint over graffiti as quickly as possible, it is equally important that we know when and where it is occurring. The Mesa Police Department Gang Unit uses this information to track gang activity across the city. You can help the Police Department track gang activity in Mesa by [sending them photos](#) of graffiti in your neighborhood along with the date, time and location.

Littering

Reporting an Arizona Litter Violation

The Arizona Clean and Beautiful Litter Hotline provides motorists with an opportunity to be part of the solution. People who see someone littering can call their observations into the hotline. Here are the numbers:

1-877-3-litter or 602-712-4683

[Online report form](#)

You'll be asked to provide the following:

- Date when the littering occurred
- Location at which littering occurred
- Description of the vehicle, including the license number
- Description of the item littered

A letter will be sent informing the registered owner that someone in their vehicle was observed littering along Arizona roadways, and that littering is against the law. A litter bag for the car is included.

Noise Disturbance

- *A noise disturbance call is a Priority Three call for the Mesa Police Department so there may be a delay in the response if Officers are responding to higher priority calls.*

The City of Mesa Noise Ordinance is as follows:

6-12-2: PROHIBITED NOISES, STANDARD:

(A) The following activities are prohibited if they produce:

1. Any loud, unnecessary, or unusual noise that is excessive, disruptive, and/or annoying; and
2. Are continuous or intermittent for a period of at least fifteen (15) minutes; or
3. Occur after 10:00 p.m. but before 6:00 a.m.; and
4. Are plainly audible beyond the property line of the property on which conducted; and
5. Disturbs the peace and quiet of a neighborhood or a reasonable person of normal sensibilities or special event.

(B) Allowing or causing any noise by using, operating or permitting to be played any electronic music device, television, amplifier, musical instrument, or instrument, machine or device used for the production, reproduction or emission of sound.

(C) Creating or allowing any noise in connection with the loading or unloading of any vehicle.

(D) Owning, possessing, harboring or permitting any animal or bird which frequently or for continuous duration howls, barks, meows, squawks or makes other sounds. **(Dog Barking complaints)**

(E) Allowing or causing any malicious or willful shouting, yelling, screaming, or any other form of raucous vocalization by a person or group of people.

6-12-3: OTHER PROHIBITED NOISES:

(A) Use any automobile, motorcycle or other vehicle, engine or motor of whatever size, stationary or moving, instrument, device or thing, in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(B) Operating any mechanical device operated by gasoline, or otherwise, without having a muffler, in good working order and in constant operation, to prevent excessive or unusual noise and smoke; and no person shall use a muffler cutout, bypass or similar device.

(C) Operating or permitting the operation of any sound amplification system in or on a vehicle in such a manner or with such volume as to annoy or disturb the peace and quiet of any reasonable person of normal sensibilities or neighborhood in the vicinity.

(D) Operating or permitting the operation of any sound amplification system in or on a vehicle in such a manner that the sound is plainly audible at a distance of fifty (50) feet, or in such a manner that it causes a person's normal sensibilities to be aware of vibration accompanying the sound at a distance of fifty (50) feet.

(E) Maintaining or operating an outdoor speaker that is affixed to any structure or placed upon any property where:

1. The speaker is audible for a distance of more than fifty (50) feet from the source; or
2. The speaker is two hundred fifty (250) feet or closer to a location that is zoned or developed for residential use. This restriction shall not apply to intercommunication systems that are utilized from 9:00 a.m. to 6:00 p.m. for the sole purpose of conducting the internal business affairs of the establishment.
3. This provision does not prohibit use of an outdoor speaker where a temporary exemption has been granted by the City Manager or designee.

6-12-4: UNRULY GATHERING:

A gathering of two (2) or more persons on any private or public property, including property used to conduct business, in a manner which disturbs the peace and quiet of a neighborhood or a reasonable person of normal sensibilities and/or creates noise prohibited under 6-12-2.

6-12-5: ABATEMENT OF UNRULY GATHERING:

A peace officer may abate an unruly gathering by reasonable means including, but not limited to, citation and/or order dispersal of the persons attending the gathering.

6-12-9: ENFORCEMENT:

(A) The Police Department and any other City department as designated by the City Manager is authorized to enforce the provisions of this section. A complaining member of the public shall not necessarily be required to appear in court before a violator may be found responsible for a violation of this section.

(B) Officers responding to a complaint under the provisions of this section may:

1. Advise the concerned parties of the violation and seek to gain voluntary compliance; or
2. Issue a civil infraction violation.

Parking Enforcement on Private Streets

The Mesa Police Department does not have jurisdiction to enforce HOA parking rules in communities with private streets. However an HOA must adhere to Mesa City Code regulations.

Recreational Vehicles (including motorized bikes, mopeds, scooters, etc.)

Please refer to the brochure on Recreational Vehicles on the Police Department's webpage:

<http://mesaaz.gov/police/Literature/pdf/RecreationalVehicleBrochure.pdf>

Solicitors

HANDBILLS (COMMERCIAL OR NONCOMMERCIAL): CITY CODE 5-6-6: PROHIBITING DISTRIBUTION WHERE PROPERTY POSTED:

It shall be unlawful for any person to distribute, deposit, place, throw, scatter, or cast any commercial or noncommercial handbill upon any premises if requested by anyone thereon not to do so or if there is placed on said premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertisements," or any similar notice indicating in any manner that the occupants of said premises do not desire to be molested or to have their right of privacy disturbed or to have any such handbills left upon such premises. (Res. 1006)


5-6-5: DISTRIBUTION ON UNINHABITED OR VACANT PRIVATE PREMISES:

It shall be unlawful for any person to distribute, deposit, place, throw, scatter, or cast any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant. (Res. 1006)

5-6-4: PLACING IN VEHICLES:

It shall be unlawful for any person to distribute, deposit, place, throw, scatter, or cast any commercial or noncommercial handbill in or upon any automobile or other vehicle. The provisions of this Section shall not be deemed to prohibit the handing, transmitting, or distributing of any noncommercial handbill to the owner or other occupant of any automobile or other vehicle who is willing to accept the same.

Revenue Collections Operations
Licensing Office
PO Box 1466
Mesa, Arizona 85211-1466



**PEDDLER, SOLICITOR AND
TRANSIENT MERCHANT LICENSE**

This License is granted to the Licensee upon the condition that the Licensee shall comply with and abide by the provisions of Title 5, Chapter 10 of Mesa City Code.

This permit does not constitute an endorsement of any business by the City of Mesa or any of its Departments, Officers, or Employees.

Permit Number _____

Expires: **4/21/2012**

POST THIS LICENSE IN A CONSPICUOUS PLACE

ZONING APPROVAL REQUIRED FOR: Commercial Lots, Private Property (anything other than Right-of-Way Sales) etc.

LICENSEE _____
DBA _____
ADDRESS _____

Timothy M. Meyer
ISSUED BY: Timothy M. Meyer
Business Licensing and Revenue
Collections Administrator

Solicitors must be licensed per Mesa City Code:

5-8-2: LICENSE REQUIRED: It shall be unlawful for any peddler, solicitor, canvasser, transient merchant, itinerant merchant, or itinerant vendor as the same is herein defined to engage in such business within the corporate limits of the City without first obtaining a license therefor in compliance with the provisions of this Chapter; provided, however, that the provisions of this Chapter shall not apply to the producers of agricultural products as defined in A.R.S. §3-561 or to any member of the family or agents or persons in the service of the producer when the agricultural products are sold or disposed of on behalf of and for the benefit of the producer or to persons soliciting for newspaper subscriptions. (1428,1891)

Solicitors must obey "No Soliciting" signs:

5-8-11: UNLAWFUL ACTS: It shall be unlawful for any peddler, solicitor, canvasser, or transient merchant in the course of business to ring the doorbell or knock at any building whereon a sign bearing the words "No Peddlers or Solicitors" or similar wording is exposed to public view. (1043)

Streetlight Maintenance

The City of Mesa's Transportation Department maintains the streetlights; the City does not repair private lights in trailer parks, apartment complexes, private parking lots, private subdivisions, gated communities or on private property. The above mentioned lights are usually the responsibility of the owners of the property or are maintained by Salt River Project. There are some areas that have a City of Mesa mailing address but are not incorporated into the City. The City does not maintain the lights in these areas (examples of these are Dreamland Villa, and Leisure World). These lights are private or are maintained by Salt River Project. There are also some Special Improvement Districts (agreements between Maricopa County and Salt River Project before the areas were annexed into the City) in the City that have their streetlights repaired by Salt River Project. Some examples of these are: Apache Wells, Desert Sands, Arizona Skies, Golden Hills, Fountain of the Sun and Twin Knolls.

City of Mesa streetlights are NOT numbered. The two digit numbers on the light fixture tell the Technician the wattage of the lamp: 10 =100 watts, 15= 150 watts, 40 = 400 watts, etc. This is why we ask you to provide a precise location or address when reporting an outage. If the streetlight does have a five-digit number on the pole, it is maintained by the Salt River Project, 602-236-8465, not the City of Mesa.

For a City of Mesa streetlight, it normally takes our crews up to 4 weeks to repair a streetlight. Some circumstances, such as stolen wire, a loss of power, or vehicle damage, could delay the repair further.

For Salt River Project Outages, call 602-236-8888.

Towing

Mesa City Code 10-9-2 states: CONSENT AND NOTICE TO POLICE AND RELEASE OF VEHICLE: (A) No person shall tow or transport a vehicle from a private parking area without the permission of the owner or operator of the vehicle, unless requested to do so by a law enforcement agency or upon a written towing order signed by the real property owner or his agent specifying the vehicle to be towed. The signed towing request must be in the possession of the person towing or transporting the vehicle. (1862) (C) Any person towing or transporting any vehicle from any private parking area without the express permission of the vehicle owner or operator shall notify the City of Mesa Police Department immediately upon the taking of such action and provide the following information: (1862,2576) 1. Name and address of the owner of the vehicle, if known. (1862,2576) 2. The vehicle license number and description. (1862,2576) 3. Reason the vehicle was moved without the permission of the owner or operator. (1862,2576) 4. Location from which the vehicle was taken. (2576) 5. Location to which the vehicle was taken. (1862,2576) 6. Name, address, and telephone number of the person or company that towed or transported the vehicle. (1862,2576) (D) Penalty. Any person who violates or fails to comply with any of the provisions of Section 10-9-2 of the Mesa City Code shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. (1862,2576)

Trespassing

Should you encounter a trespasser on your property it is best to call the Police instead of confronting the individual. This keeps you out of harm's way and allows the Police to make contact with the trespasser and gather their personal information.

The Trespass Enforcement Program was created specifically for businesses, multi-family properties and HOA communities to help with incidents of trespassing and loitering during non-business hours. Registering your property with the Mesa Police Department allows officers to trespass an individual, who does not have a legitimate reason to be there, from your property when the business is closed without contacting the business owner or property manager first.

Multi-family and HOA communities must have a common area (pool, basketball court, clubhouse, etc.) or retention basin/park that is for use by the residents. Only those areas are covered by the Program; the individual residential units are not covered.

"No Trespassing" signs, with the A.R.S. code printed on them, must be posted in highly visible locations on the property. This is a requirement of the program. You should be able to purchase signs, with the A.R.S. code on them, at any sign shop.

For more information on the Trespass Enforcement Program and the signage please go to:

<http://mesaaz.gov/police/Trespass/CriminalTrespass.aspx>

When do we call our security/courtesy patrol and when do we call the Police?

Your security/courtesy patrol is not authorized to take police reports or enforcement action. If you witness a crime in progress or if you have been a victim of a crime, please call the Mesa Police Department and then notify your security/courtesy patrol or HOA Board. Your patrol may arrive sooner than the Police Officer and can act as a witness and/or source of information for the Police Officers.

Online Reporting

You can file a non-emergency Mesa Police Report online at:

www.mesaaz.gov/police/CitizensReports/default.aspx

only for the following types of calls:

- Hit and Run Accidents (where the value of damage does not exceed \$1000)
- Identity Theft (must also complete a Fraud Packet found at:
www.mesaaz.gov/police/DocumentCrimes/ReportingForms.aspx)
- Shoplifting (if total value of loss is less than \$250)
- Theft (if value of items taken is less than \$1000)
- Lost Property

And, the incident must meet the following criteria:

- Non-emergency
- Not a crime in progress
- Occurred in Mesa city limits (not in County island or on the freeway)
- There are NO identifiable suspects
- No physical evidence was left at the scene
- Crime is non-violent
- Reporting person is 18 years of age or older

Mesa Tri Star Program

The Tri-Star Program is a partnership between the Mesa Police Department, property managers/owners, and landlords and residents, working together in a cooperative effort to foster a safer community in rental properties. The Tri-Star Program is designed to help residents, owners, and managers of rental property keep drugs and other illegal activity off their property. By taking proactive steps to abate crime, you enhance the quality of life for tenants; making a safer and more pleasant environment to live, work and raise families.

Participating in the Tri-Star Program does not imply there is no crime on the property; it means properties are taking steps to deter crime and have consequences when tenants are involved in illegal activity in and around the property.

Costs of Criminal Activity:

When criminals operate out of a rental property, neighborhoods suffer and communities pay the price. That price may include:

- Decline in property value.

- Property damage from neglect or abuse.
- Increase risk of civil liability.
- Added fear of respectable tenants.
- Valued tenants move due to crime.
- Loss of rental income due to eviction or property repair.

Benefits to Landlords/HOA Communities:

- Improved property values.
- A stable tenant base.
- Improved property reputation.
- Lower maintenance costs.
- More secure rental units.
- Safer exterior environment.
- Reduced premise liability.

For more information visit: <http://mesaaz.gov/police/TriStar/Default.aspx>



Submit Tips to the Mesa Police about gang activity, drug activity, or crime information. Find out how at: <http://www.mesaaz.gov/police/CrimeReports/SubmitATip.aspx>

You can text the tip, use the online form, or download an Android or iPhone App. You can remain anonymous using any of the methods.

To submit your anonymous tips:

Option #1: visit the Mesa Police Department website at www.mesaaz.gov/police/ and select submit a tip on the right side which prompts you to complete an online web form

Option #2: text tip to 274637 begin your message with keyword mesapd.

If you do not have access to the internet or the ability to text, you may call the Mesa Police Department non-emergency number at 480-644-2211 for further assistance.

The Crime Reports website also provides an up-to-date map that shows crimes in your area. You can access the website at: www.CrimeReports.com and input your address. You can change the date range and types of crimes that you want to review. The map is updated daily from Mesa Police Department records.

One of the most effective ways to fight crime in your community is to build a strong relationship with the Police Department. Please invite a Crime Prevention Officer or other Police representative to your Board meetings and stay informed on criminal activity in your area. Here is the contact information for the Mesa Police Crime Prevention Officers:

Central District:

Patty Gallagher

480.644.2033

Patty.gallagher@mesaaz.gov

Red Mountain District:

Lindy Marino

480.644.3921

Melinda.marino@mesaaz.gov

Dobson District:

Jerry Quarles

480.644.2539

Jerry.quarles@mesaaz.gov

Superstition District:

Karen Stegenga

480.644.5014

Karen.stegenga@mesaaz.gov

If you have any comments or would like to submit other questions for this document, please contact Crime Prevention Officer Stegenga at 480.644.5014 or karen.stegenga@mesaaz.gov.

EMERGENCY: 9-1-1

NON-EMERGENCY: 480.644.2211