

**BEAR MOUNTAIN RECREATION  
AND PARK DISTRICT  
Meeting of the Board of Directors  
STAFF REPORT**

TO: Board of Directors

FROM: Lorena Cervantes, District Manager  
Nathan M. Hodges, District Attorney

SUBJECT: ADOPTION OF ORDINANCE GOVERNING USE OF PARKS,  
RECREATION AREAS, AND FACILITIES and CORRELATING FINE  
SCHEDULE

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**Summary:**

The Board will review and consider approving Ordinance 001-2024 the Regulations Governing Use of Parks, Recreation Areas and Facilities and correlating fine schedule.

**Description of Item:**

For the past several years, the District has had trouble with the use of parks, recreation areas and facilities by member of the community. As such, Staff and Legal Counsel collaborated to draft Regulations Governing Use of Parks, Recreation Areas and Facilities. During this process, staff focused on administrative regulations and how to best allow the community to utilize the parks, recreation areas and facilities, while also protecting the District from improper use. Staff also evaluated the correlating bail schedule which documents the amount of the fine and the severity level of the violation from infraction to misdemeanor. Proposed in the fine schedule are sixteen violations that can only be charged as misdemeanors due to the nature of the violation. Today Staff is presenting for adoption the revised Ordinance 001-02 and correlating fine schedule.

**Financial Impact:**

None.

**Staff Recommendation:**

1. Open Public Hearing and receive public testimony
2. Motion to waive the reading of Ordinance text in its entirety, read by Title only and Introduce Ordinance No. 001-2024 ORDINANCE NO. 001-2024 REGULATIONS GOVERNING USE OF PARKS, RECREATION AREAS, AND FACILITIES
3. Schedule Second Reading and Potential Adoption for the next regularly scheduled Board Meeting

**Attachment:**

1. Ordinance No 001-2024

**BEAR MOUNTAIN RECREATION AND PARK DISTRICT**

**ORDINANCE NO. 001-2024  
REGULATIONS GOVERNING USE OF PARKS, RECREATION AREAS, AND  
FACILITIES**

**WHEREAS**, the Bear Mountain Recreation and Park District (District) was created to provide services to the greatest number of people commensurate with the resources of the District; and

**WHEREAS**, the District’s recreation and park programs and facilities have been established for the benefit of the people, who should have access to the programs and facilities without legally prohibited discrimination; and

**WHEREAS**, these Regulations are adopted pursuant to the authority provided by California Public Resources Code Section 5786.1 and other applicable provisions of law in order to provide for the administration, operation, use and maintenance of the District’s facilities, programs and services,

**WHEREAS**, violation of the Regulations is punishable as either a misdemeanor or infraction as provided by Public Resources Code Section 5786.17 and the fine for any such violations shall be as established under these Regulations as allowed under the Penal Code and Government Code.

**NOW, THEREFORE** the Board of Directors of the Bear Mountain Recreation and Park District ordains as follows:

**SECTION 1. REPEAL OF PRIOR ORDINANCES.**

Bear Mountain Recreation and Park District’s “Ordinance Governing Use of Bear Mountain Recreation and Park District Public Places,” adopted January 15, 2009, is repealed as of the effective date of this ordinance.

**SECTION 2. EFFECTIVE DATE.**

This Ordinance No. 001-2024 shall take effect thirty (30) days after the date of its final passage. Until that time, the District’s “Ordinance Governing Use of Bear Mountain Recreation and Park District Public Places,” adopted January 15, 2009, shall remain in full effect.

**SECTION 3. APPLICABILITY AND DEFINITIONS.**

- (a) **Applicability.** The Regulations stated herein apply to District Property and all persons, defined herein as natural persons, business, government, social and/or non-profit entities of all types, and/or any combination thereof, and the officers, employees, agents, contractors, and volunteers thereof entering District Property. Notwithstanding the foregoing, these Regulations shall not apply to law enforcement officers, nor to the officers, employees or volunteers of the District while acting in the scope of their official duties.

(b) Definitions. As used herein, the following terms shall be defined as follows:

1. "Alcoholic beverage" shall have the meaning given in Section 23004 of the Business and Professions Code of the State of California.
2. "Applicant" shall mean any person, group or organization applying for use of a District Facility under these ordinances or on whose behalf an application for such use is made.
3. "Commercial user" shall mean an individual, association or company which does not qualify for nonprofit status under the Internal Revenue Codes or corresponding state codes and whose planned use of a building will involve public relations activities and/or selling or marketing a product or service.
4. "Community purposes" shall mean any recreational, athletic, or educational activity or other service that benefits the community, which is open to all persons on an equal basis, and no part of the earnings from which inure to the benefit of any private person or for a political purpose which would cause an exempt organization to lose its exemption from taxation under federal or state laws. The determination whether an applicant's proposed activity or service in a District Facility serves "community purposes" shall be made by the District Manager.
5. "District" means the Bear Mountain Recreation and Park District or BMRPD.
6. "District Facility" means any park, recreation area, picnic area, facility, building, structure or parking lot owned, controlled or operated by the District and open to use by persons or groups.
7. "District Manager" shall include the manager or his/her authorized representative.
8. "District Property" means any District Facility, open space, trail, body of water, or other undeveloped areas owned, controlled, or operated by the District.
9. "Equipment" shall include any furniture and furnishings, decorations, utensils, electrical or electronic equipment, hardware, tools or cleaning equipment owned or controlled by the District, and which is attached to, kept, stored or used in a District Facility.
10. "Gross receipts" as used in this section, shall mean all revenue received by applicant with respect to the applicant's use of district property.
11. "Nonprofit user" shall mean any governmental entity, or a club, association, corporation, or group, which is exempt from income taxation pursuant to Section 501 of the Internal Revenue Code of 1986, as amended or corresponding provisions of the California Revenue and Taxation Code.
12. "Private User" shall mean an individual, association, or company which does not qualify for nonprofit status under the Internal Revenue Codes or corresponding state codes and whose planned use of a building will be a private social event.
13. "Regulations" means these Regulations Governing Use of Parks, Recreation Areas, and Facilities, as they may be amended from time to time.
14. "Senior Citizens' Organization" shall mean an organization of senior adults, whose purpose is to facilitate or provide cultural, educational, and recreational activities and supportive services, including a nutrition program, for senior adults.
15. "User" shall mean any person, group or organization which applies for or on whose behalf an application is made for use of a building, or which uses a

building pursuant to completing an application.

**SECTION 4. ABIDING BY REGULATIONS AND LAWS.**

- (a) Persons entering District Property may remain as long as they abide by District rules and regulations, federal, state and local laws and regulations, all posted rules, terms and conditions of a Rental Contract and lawful instructions of law enforcement officers and District employees. Individuals who do not abide by lawfully given instructions of law enforcement officers, District employees, posted rules, and/or Federal, State, and local laws or regulations are in violation of these Regulations and are subject to citation.
- (b) Individuals who fail to leave District Property when requested to do so by a law enforcement officer or District employee shall be in violation of these Regulations and are subject to citation.
- (c) Individuals who violate these Regulations and fail to provide identification or identifying information or who provide false information when detained by local law enforcement officers are in violation of these Regulations and are subject to citation.

**SECTION 5. AUTHORIZED ENFORCEMENT.**

District Employees have the full authority pursuant to California Public Resources Code §5786.17 and Section 853.5 of Title 3 of Part 2 of the Penal Code and have the primary responsibility to enforce these Regulations and other District rules as assisted by local law enforcement officers.

**SECTION 6. PENALTY FOR VIOLATIONS.**

Violation of these Regulations is deemed a misdemeanor under Public Resources Code Section 5786.17(a), punishable pursuant to Penal Code Section 19. Any citation issued for violation of these Regulations may be prosecuted as a misdemeanor or infraction punishable by a fine under Penal Code Sections 19 or 19.8, respectively, and as set forth in the District's fine schedule. District Employees and local law enforcement officers are authorized to issue citations for violations of these Regulations.

**SECTION 7. PARK HOURS AND TRESPASSING.**

- (a) District Property is open from local sunrise to local sunset; except (i) courts and fields when lighted, up to 10:00 p.m. and when used for District-approved purposes, (ii) District permitted or sponsored events at District facilities, or (iii) hours of operation are otherwise posted. It is a trespass violation to enter on or remain in any District Property later than local sunset or prior to local sunrise without prior written consent, except as provided herein.
- (b) No person shall enter any area or facility that is cordoned/fenced off either permanently or temporarily, closed to the public, designated for employees only, or during or after the hours of operation.
- (c) No person shall enter or remain at any District Facility for which a fee is required

and the fee has not been paid.

- (d) The District reserves the right at any time, and from time to time, to close any District Facility or any portion of District Property and to cancel or reschedule any previously permitted/scheduled use(s) of any such facility or property. Park patrons, permittees and licensees acknowledge the District's right and irrevocably waives any claim each may have now or ever have based upon or related to any cost, loss, damage, or liability that results from the District's closure of any District Facility or District Property or the cancellation or rescheduling of any previously planned, permitted or scheduled (prepaid or not) use thereof.

#### **SECTION 8. USE OF PERMITS.**

- (a) No person shall use, occupy or remain in an area for which a permit is required unless a valid permit has been issued by the District, the permittee is present and in possession of the permit and that person is a member of the group subject to the permit. No person shall disrupt or interfere with the use or enjoyment of any District Facility by a holder of a valid permit for that facility. No use of any District Property for musical, theatrical, or other entertainment purpose, special event, or pre-advertised assembly may be made without the issuance of a valid permit issued by the District. All permit applications must be made in the form and manner determined by the District and must be signed or co-signed by an adult 18 years or older, which adult shall agree to be responsible for said use.
- (b) No person shall use any areas designated by the District for a specific purpose in a manner contrary to or inconsistent with that specific purpose.
- (c) No permit holder shall use athletic fields during wet or rainy conditions with the reasonable potential of damage to the playability of the field. Any permit holder causing or allowing damage to a playing field will be held financially responsible for its repair. A permit holder may be required to post a deposit for the use of athletic fields with the cost of any damage to the field or other facilities deducted from the deposit.
- (d) No person shall plug/attach any item into an electrical outlet, water spigot or any other type of outlet on District Property without written permission of the District.
- (e) Generators are not allowed to be operated on District Property except as permitted by Section 9(e) of these Regulations or when in possession of a District issued permit specifically for the use of the generator approved by the District.

#### **SECTION 9. ACTIVE SPORTS PROHIBITED.**

- (a) No person shall engage in sports such as golf, including chipping, self-propelled model aircraft flying, swimming, boating, self-propelled model crafts usage, drones, go-carting, rope swinging, slack lining, or similar sports involving the potential endangerment of the safety, well-being or property of any person, except in areas designated by the District for such sports. Where no facility exists within the District

for any such activity, the activity is prohibited unless an exception is made by prior written approval of the District.

- (b) No person shall engage in skateboarding, soccer, inline skating and the like in areas such as tennis courts and basketball courts that are designed for specific use, or parking lots unless an exception is made by prior written approval of the District. Use of skateboards, roller skates, bicycles or any like equipment is prohibited on any padded play area, table, bench, railing, playground equipment, wall or any other structure within the District.
- (c) No person shall engage in sports such as skateboarding, football, baseball, softball, volleyball, soccer, and the like in areas that would potentially endanger the safety, well-being of any person or property.
- (d) No person shall engage in kite flying or any similar activity at Bear Mountain Park Weedpatch Park, or any other park so designated by the District due to utility line requirements.
- (e) Inflatable bounces, jumpers or the like are not permitted on District property except by persons in possession of a valid District Permit. Permit holders must comply with all rules of use as outlined on the permit. Generators used for the purpose of these bounces, jumpers or the like, and approved under Section 8(e), above, may not be used for any additional purpose other than to inflate the object specified in the permit. Failure to comply with the rules outlined on the Permit shall constitute a violation of these Regulations.

#### **SECTION 10. RIDING ANIMALS.**

- (a) No person shall ride, drive, lead or keep any saddle or pack animal in or on District Property or Facilities. No person shall ride, drive, lead, or keep any saddle or pack animal in a reckless or negligent manner so as to potentially endanger the safety, well-being or property of any person or animal. No person shall allow his or her saddle or pack animal to stand unattended or be insecurely tied.

#### **SECTION 11. GRAZING PROHIBITED.**

- (a) No person shall permit cattle, sheep, goats, horses or any other animals to graze on District Property without prior written approval of the District.

#### **SECTION 12. RESTROOM USE.**

- (a) No person shall use restrooms or washrooms designated for the opposite sex, except children age six (6) and under or those who are disabled when accompanied by an adult or attendant. No person shall damage any restroom or facility therein, nor cause it to be unsanitary or unhealthy for other users.
- (b) Restroom stalls are to be used by one person at a time, except for the assistance of children age six (6) and under or disabled persons as described in subsection (a), above.

- (c) Loitering or lingering around restrooms or washrooms for the purpose of engaging in or soliciting any lewd, lascivious or illegal activity is prohibited.

**SECTION 13. AUTOMOBILES AND OTHER CONVEYANCES.**

- (a) No person shall operate or drive a motorized vehicle, automobile, bicycle, motorcycle, truck, trailer, wagon, motor scooter, all-terrain vehicle or other conveyance on other than roads, paths or trails designated by the District for that purpose. Vehicle operators and operators of driverless vehicles must abide by all posted signage regulating driving and direction and flow of traffic. Bicycles, skateboards, roller skates, roller blades, electronic scooters, self-propelled scooters and other like vehicles and conveyances shall not be operated in a negligent, unsafe or reckless manner or in a way that potentially endangers the safety, well-being or property of any person, nor at excessive speeds, especially when passing other trail users. Bicycles are permitted on designated paths and trails only.
- (b) No person shall wash, service or repair any motor vehicle on any District Property.
- (c) Motor vehicles or other motorized conveyances shall only park in a District established or designated parking areas. The following are the District's parking violations:
  - 1. Posted No Parking
  - 2. Red Curb Zone
  - 3. Not within Designated Space
  - 4. Unattended Vehicle Parked After Hours
  - 5. Parked in a Roadway/ Crosswalk
  - 6. Parked on a Sidewalk
  - 7. Double Parked
  - 8. Parked More than 18 Inches from a Curb
  - 9. Parked in Front of or within 15 feet of a Fire Hydrant
  - 10. Parked in a Fire Lane
  - 11. Parked in a No-Parking area, unless a Permit has been Issued by the District
  - 12. Parked When Driver Not Present on District Property
  - 13. Parked in an area designated for District Property patrons or District staff only
- (d) No motor vehicle or other motorized conveyance shall be parked in a Handicapped/Disabled space without a posted permit or disabled license plates.
  - 1. Blue Curb, Handicapped Zone
  - 2. Posted Handicapped Stall
- (e) Patrons may not set up picnics, tailgate parties, or other activities in parking lots that may potentially block traffic or restrict the normal use of the parking lot. Patrons may not block off or save one or more parking stall. Parking lot use is on a first come first serve basis.

- (f) Additional rules, regulations, and definitions concerning District parking requirements, as updated from time to time, are on file at the District administrative offices.
- (g) No person shall use a shopping cart, basket that is mounted on wheels or similar device that is primarily used for the purpose of transporting goods of any kind on District Property, except items related to the uses of District Property allowed under these Regulations.
- (h) Individuals seventeen (17) years and under using bicycles, skateboards, roller skates, roller blades, electronic or self-propelled scooters and other like vehicles and conveyances in or through District Property must wear a helmet that meets federal safety standards.

**SECTION 14. CARE OF PROPERTY.**

- (a) While on District property, no person shall cut, break, injure, damage, tamper with, deface, remove or disturb any tree, shrub, plant, rock, building, wall, fence, bench, sign, structure, apparatus, historic artifact or resource, or other property, nor climb any tree, fence or wall, nor stand or sit upon any monument, vase, fountain, railing, train track, fence, or any other property not designated by the District for such purposes, nor hitch a horse or other animal to any tree or structure not designated by the District for such purpose. The purpose of this section is to prevent any potential damage or wear, both seen and unseen, to District property and to ensure the safety and well-being of park patrons.
- (b) No person shall wear footwear that will damage, injure or create the need for other than usual maintenance on any field, court, deck, floor, turf or specialized surface prepared for particular games or activities.
- (c) No person shall construct or erect any building, structure, modify or alter District Property or utility of any kind on, under or over any District Property without a valid permit issued by the District or otherwise authorized in writing by the District.
- (d) Patrons using playground equipment shall adhere to stated manufacturer and/or District designated accessibility and age limitations for such equipment.

**SECTION 15. CARE OF WILDLIFE.**

- (a) No person shall hunt, catch, injure, damage, destroy or interfere with wildlife, including reptiles, amphibians, birds, mammals, and marine life nor disturb in any way the habitat of same, including dens, eggs, nests and native plants.

**SECTION 16. HEALTH AND SAFETY.**

- (a) No person shall sell, serve, cause to be served, consume or possess alcoholic beverages or products containing alcohol of any kind on District Property without a prior written permit issued by the District.



- (b) Smoking, ingesting, vaping or disposal of any narcotic, cigarette, cigar, tobacco product, cannabis, marijuana including edibles products and/or for medicinal use, on any District Property, including, but not limited to, park entrances, driveways, parking lots, natural areas, play areas, athletic fields and within buildings, is prohibited. The use of any device of any type for smoking or that simulates smoking, such as electronic (e)-cigarettes, or provides a smoking-like experience is likewise prohibited. Smoking is also prohibited in any vehicle owned, leased, or operated by the District.
- (c) Possession and/or disposal of needles for illegal narcotic use is prohibited.
- (d) Public urination and defecation are prohibited.

**SECTION 17. SELLING AND ADVERTISING PROHIBITED.**

- (a) No person shall sell, advertise, offer for sale or give away for the purpose of charity work or promotion or sale any merchandise, article, service or thing whatsoever on District Property without prior written permit issued by the District.
- (b) No person shall leave or deposit on District Property any handbills, circulars, pamphlets, papers or advertisements, or post or affix the same to any tree, vehicle, fence or structure on District Property.
- (c) No person shall carry on or conduct any trade, occupation, business or profession on District Property without a prior written permit from the District. Leagues and organizations that operate snack bars or other operations for fundraising must likewise obtain a permit to conduct business and may not sublet this privilege out to other organizations or individuals. Permit holders are responsible for obtaining, possessing and being in compliance with all other required governmental approvals and/or permits for their operations. Each person or organization must be in possession of their own written permit from the District.

**SECTION 18. FIRES.**

- (a) No person shall make or kindle a fire for any purpose on District Property, except in places designated by the District therefore. Fires started in designated places shall not be left unattended.
- (b) Before leaving District Property, a person starting a fire on District Property shall ensure that the fire is thoroughly extinguished. Any person who fails to comply with this requirement will be responsible for any injuries and/or damages resulting therefrom and for costs incurred by the District in fighting the fire and replacing any damaged or destroyed structures and foliage.
- (c) No person shall gather leaves, grass or other combustible materials, or cut any District tree, shrub or plant, or damage or disassemble any District Property or part of District Property or gather any other combustible materials from the ground or from District trash receptacles for the purpose of making, kindling or maintaining a

fire.

**SECTION 19. PETS AND OTHER ANIMALS.**

- (a) All pets shall be restrained at all times on a leash or a device no more than 6 feet in length and under the complete control of the pets' owner or person in possession of the pet, except when in District designated off-leash areas. All animal waste must be picked up and discarded in garbage receptacles.
- (b) No person shall abandon, leave or deposit on District Property, dogs, cats, fowl, fish, reptiles or other animals, whether dead or alive. Feeding feral or wild animals or depositing feed for feral or wild animals is prohibited.
- (c) No dogs and/or other animals are allowed in buildings, in playgrounds, or any park athletic fields or courts except for service dogs or animals as recognized under the Americans with Disabilities Act (ADA). Additional District Property locations may be designated as "No Dogs Allowed" as deemed necessary and when posted with appropriated signage to designate this status.
- (d) No person shall bring onto or permit any dangerous animal to enter or remain on District Property. For purposes of this subsection, a dangerous animal is defined as any animal, which is declared a dangerous animal by a county or city, is unusually aggressive, or is a wild animal.

**SECTION 20. PUBLIC CONDUCT.**

- (a) No person shall engage in unusually loud, threatening, or obscene language or language or action intended to incite or provoke violence or other lawlessness on District Property, or engage in any disorderly conduct or behavior, or unreasonably or unnecessarily interfere with or obstruct the lawful use and enjoyment of District Property by other persons, or impair the ability of any District employee, contractor, agent or concessionaire to perform his or her authorized duties and activities. No person shall chase any vehicle or climb on or get off any moving vehicle/machine on District Property.
- (b) No person shall appear unclothed on District Property or in such attire, costume, or clothing as to be indecently exposed to public view, except in the normal and customary use of authorized dressing rooms, restrooms, or locker room areas.
- (c) No person shall engage in or solicit another person to engage in lewd or dissolute conduct on District Property.
- (d) Use of cameras, camera telephones and similar equipment used to photograph images is prohibited in District restrooms, showers, dressing rooms and locker room areas.

**SECTION 21. DUPLICATING KEYS AND USE OF DISTRICT ISSUED PROPERTY.**

- (a) No person shall duplicate keys used by the District for District padlocks, door locks,

or locks of any type.

- (b) Any person provided District issued property, shall return this property when requested by an employee or authorized agent of the District. For the purpose of this Section, property shall include but not be limited to tools, play equipment, keys, uniforms, uniform parts, cell phones, radios, gas cards, laptops, tools, and other like items.

**SECTION 22. LITTERING PROHIBITED.**

- (a) No person shall dump, drop or deposit or cause to be dumped, dropped or deposited refuse, trash or litter on District Property except in receptacles provided by the District therefor, nor place nor cause to be placed in said receptacles any refuse, trash or litter brought from other than District Property.
- (b) No person shall dump, drop or deposit or cause to be dropped or deposited household items, electronic items, hazardous materials, dirt, rocks, branches, leaves, lawn cuttings or any other green waste on District Property.
- (c) In addition to any District or court set fines, the additional cost for collection and disposal of identified litter may be charged by the District to persons violating the provisions herein.
- (d) The District shall not be responsible for any items of personal property left, abandoned, stolen or damaged on District Property. Reports of stolen or damaged personal property may be made to District Employees or local law enforcement officers.

**SECTION 23. EXCESSIVE NOISE PROHIBITED.**

- (a) It is unlawful for any person to make or continue, or cause to be made or continued, through the use of amplified equipment, or otherwise, any unusually loud, unnecessary or unusual noise which disturbs the peace or quiet within District Property or which causes discomfort or annoyance to any reasonable person of normal sensitivity on or near District Property. The determination of what noise is unusually loud, unnecessary, or unusual shall be that of the District employee, or of a law enforcement officer, and any instructions of a District employee, or of a law enforcement officer concerning such unusually loud, unnecessary or unusual noise shall be obeyed immediately. Amplified music or speech may be allowed at permitted events, subject to conditions specified by the District, or at District-sponsored events.

**SECTION 24. CAMPING AND LODGING PROHIBITED.**

- (a) No person shall use District Property as a temporary or permanent place of dwelling, lodging or residence. Camping equipment, such as enclosed tents, cots and sleeping bags used for dwelling, lodging or residential purposes are prohibited on District Property, except at District sponsored programs or at District permitted activities or events.

**SECTION 25. FIREARMS AND WEAPONS PROHIBITED.**

- (a) No person other than a law enforcement officer in the scope of duty shall use, carry, possess or discharge a firearm on District property. No person shall use, carry or possess explosives or dangerous weapons on District Property, including but not limited to hatchets, axes, machetes, bows, crossbows, spears, air or gas weapons, or any other weapon potentially dangerous to human or wildlife safety and well-being. No person shall cause a bullet or other dangerous projectile to pass through or enter into District Property.

**SECTION 26. FIREWORKS.**

- (a) No person shall possess, sell, display or discharge any fireworks of any type on District Property without first obtaining a Permit from the District. Failure to comply with the rules outlined on the Permit shall constitute a violation of these Regulations.

**SECTION 27. USE OF PARKS.**

- (a) Selected parks have reserved picnic areas, as marked, that are open to the general public for picnicking when not reserved. The remainder of the District Properties are available for appropriate use by the general public on a first come, first served basis.

**SECTION 28. ADMISSION CHARGE, GAMBLING PROHIBITED.**

- (a) The taking of an admission charge or a collection of any kind by other than District employees is prohibited unless prior written permission has been granted by the District.
- (b) Any form of gambling where money or other consideration is being exchanged is prohibited on District Property without prior written permission of the District.

**SECTION 29. WAIVER.**

Upon receipt of a written request to the Board of Directors, the Board may grant in advance a written waiver of one or more of the foregoing Regulations when, in the opinion of the Board, such waiver would contribute to the education, entertainment or physical, mental, cultural or moral development of an individual or group attending, observing or participating in activities on District Property, without detriment to other users of District Property or to the residents near District Property.

**SECTION 30. AMENDMENT OR REPEAL.**

Should any Regulation herein be amended or repealed, violations of said Regulation occurring prior to such amendment or repeal may be prosecuted as though such Regulation had not been so amended or repealed.

**SECTION 31. SEVERABILITY**

If any part, section, sentence, or clause of these Regulations is held invalid, unenforceable, or unconstitutional for any reason, such shall not affect the validity, enforceability or constitutionality of the remaining portions of these Regulations. The Board of Directors declares

that each remaining part, section, sentence, and clause of these Regulations would have been adopted irrespective of the fact that a part, section, sentence or clause thereof may be declared invalid or unconstitutional.

**SECTION 32. FINE SCHEDULE**

The violation of these Regulations shall be punishable as either a misdemeanor or an infraction as authorized under Public Resources Code Section 5786.17 and as set forth in the Fine Schedule, which sets forth the fine amount for the first, second and third and subsequent violations of each of the Regulations. The Fine Schedule is attached hereto. The Fine Schedule may be revised from time to time as appropriate by Resolution of the Board. Any such revised Fine Schedule shall supersede the provisions revised thereby.

### Ordinance 001-2024 Violation Fine Schedule

Section	Violation Description	1st Offense	2nd Offense	3rd Offense	Offense Level*
4a	Failure to Comply with Lawful Instruction OR Posted Regulation	\$100	\$200	\$400	I
4b	Failure to Leave District Property Upon Proper Instruction to Do So	\$150	\$300	\$600	M
4c	Failure to Provide Identification When Requested	\$75	\$150	\$300	I
7a	In Park After Hours of Operation	\$75	\$150	\$300	I
7b	No Person Shall Enter Any Area Closed to the Public	\$150	\$300	600	M
7c	Failure to Pay Entrance Fee	\$100	\$200	\$400	I
8a	Use of Area Without Proper Permit	\$75	\$150	\$300	I
8b	Improper Use of Facility	\$75	\$150	\$300	I
8c	Prohibited Use of Facility During Wet Weather	\$75	\$150	\$300	I
8d	Prohibited Use of District Utilities	\$75	\$150	\$300	I
8e	Prohibited Use of Generator	\$75	\$150	\$300	I
9a	Prohibited Sports Activity	\$75	\$150	\$300	I
9b	Engaging in Non-Designated Activity in Area	\$75	\$150	\$300	I
9c	Sports Actively Potentially Endangering Others Prohibited	\$75	\$150	\$300	I
9d	Kite Flying Prohibited	\$75	\$150	\$300	I
9e	Jumper/Bounce House Prohibited	\$75	\$150	\$300	I
10a	Prohibited Riding of Animal, in Non-Designated Area	\$75	\$150	\$300	I
11a	Grazing Prohibited	\$100	\$200	\$400	M
12a	No Opposite Sex in Non-Designated Restrooms	\$100	\$200	\$400	I
12b	One Person in Restroom Stall at a Time	\$100	\$200	\$400	I
12c	Loitering at Restroom for Non-Authorized Use	\$100	\$200	\$400	I
13a	Unsafe Use of Vehicle, bicycle or wheeled motorized or unmotorized device	\$100	\$200	\$400	I
13b	Vehicle Care on District Property Prohibited	\$100	\$200	\$400	I
13c1	Posted No Parking	\$100	\$200	\$400	
13c2	Red Curb Zone	\$100	\$200	\$400	
13c3	Not within a Designated Space	\$75	\$150	\$300	
13c4	Unattended Vehicle Parked After Hours	\$100	\$200	\$400	
13c5	Parked in a Roadway/Crosswalk	\$100	\$200	\$400	
13c6	Parked On a Sidewalk	\$100	\$200	\$400	
13c7	Double Parked	\$75	\$150	\$300	
13c8	Parked More Than 18 Inches From a Curb	\$75	\$150	\$300	
13c9	Parked in Front of a Fire Hydrant	\$100	\$200	\$400	
13c10	Parked in a Fire Lane	\$75	\$150	\$300	
13c11	Parked in a Non-Parking Area	\$75	\$150	\$300	

13c12	Vehicle parked When Driver not Present on District Property	\$75	\$150	\$300	
13c13	Parked in a "District Staff Parking only" Area	\$75	\$150	\$300	
13d (1&2)	Posted Disabled Stall- No Placard/Plates	\$350	\$700	\$1000	
13e	Prohibited Parking Lot Use	\$75	\$150	\$300	I
13g	Prohibited Use of Shopping Cart	\$75	\$150	\$300	I
13h	Proper Use of Helmet	\$75	\$150	\$300	I
14a	Care of Property- Vandalism/Damage	\$200	\$400	\$800	M
14b	Prohibited Footwear	\$75	\$150	\$300	I
14c	No Person Shall Construct any Building on District Property	\$200	\$400	\$800	M
14d	Failure to Comply with Age Limitations on Playground Equipment	\$75	\$150	\$300	I
15a	Prohibited Catching/Hunting of Wildlife	\$200	\$400	\$800	M
16a	Alcohol Prohibited Without Proper Permit	\$100	\$200	\$400	I
16b	Smoking Prohibited	\$100	\$200	\$400	I
16c	Prohibited Possession of Needles	\$150	\$300	\$600	M
16d	Public Urination/Defecation Prohibited	\$100	\$200	\$400	I
17a	Selling/Advertising Prohibited	\$75	\$150	\$300	I
17b	Prohibited Distribution of Advertisement Material,	\$75	\$150	\$300	I
17c	Conducting Business without a Permit	\$75	\$150	\$300	I
18a	Prohibited Fire Making in Non- Designated Areas	\$75	\$150	\$300	I
18b	Failure to Extinguish Fire	\$100	\$200	\$400	I
18c	Gathering Fire Materials Prohibited	\$75	\$150	\$300	I
19a	All Pets Shall Be Restrained At All Times	\$75	\$150	\$300	I
19b	Prohibited to Abandon Animals on District Property/Feed Feral Animals	\$75	\$150	\$300	I
19c	Dogs Prohibited	\$75	\$150	\$300	I
19d	Dangerous Animals Prohibited	\$250	\$500	\$1000	M
19e	Non-Compliance with Designated Dog Leash Area	\$75	\$150	\$300	I
20a	Disorderly Conduct	\$100	\$200	\$400	I
20b	Indecent Exposure/Nudity	\$300	\$600	\$1000	M
20c	Engage in Sex or Lewd Activity	\$100	\$200	\$400	I
20d	Prohibited Use of Camera in Locker Room/Restroom	\$500	\$750	\$1000	M
21a	Prohibited Duplication of Keys	\$75	\$150	\$300	I
21b	Failure to Return District Property	\$75	\$150	\$300	I
22a	Prohibited Littering and/or Dumping	\$100	\$200	\$400	I
22b	Prohibited Depositing of Outside Materials	\$300	\$600	\$1000	M
22d	Prohibited Storage and/or Abandoned Personal Property on District Property	\$100	\$200	\$400	I
23a	Excessive Noise Prohibited	\$100	\$200	\$400	I
24a	Camping/Lodging Prohibited	\$100	\$200	\$400	I
25a	Weapons/Firearms Prohibited	\$1000	\$1000	\$1000	M

26a	Fireworks Prohibited	\$500	\$750	\$1000	M
27a	Use of Park or Area Other Than For Designated Purpose	\$75	\$150	\$300	I
28a	Prohibited Admission Charge/Collection of Fee	\$75	\$150	\$300	I
28b	Gambling Prohibited	\$500	\$750	\$1000	M
*Offence Level "I" indicated Infraction and "M" indicates Misdemeanor					



