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4/5/94
DATE

28.
AGENDA ITEM #

TO: RICHARD J. RAMIREZ, CITY MANAGER

FROM: STUART T. ROSS, DIRECTOR OF COMMUNITY SERVICES

SUBJECT: RULES AND REGULATIONS FOR THE OPERATION OF CITY PARKS AND RECREATIONAL FACILITIES

DATE: THURSDAY, MARCH 17, 1994

APPROVED () DENIED
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Needs: For the City Council to adopt the Rules and Regulations for the Operation of City Park and Recreational Facilities.

- Facts:
1. The Parks and Recreation Advisory Committee, along with staff has prepared, reviewed, and are recommending certain rules and regulations for City owned park and recreational facilities.
 2. That the rules and regulations are needed for enforcement procedures.
 3. If adopted, the City Attorney may need to draft an implementing Ordinance to enforce some sections of the new Rules and Regulations (e.g. Section 3.2).

Analysis and Conclusion:

The Parks and Recreation Element of the City of Paso Robles General Plan provides for leisure / recreational activities for the purpose of meeting the leisure needs of the residents of the City of Paso Robles. In order to administer those certain facilities and activities, certain rules and regulations are needed. In order for those rules and regulations to have the element of enforcement, they must be adopted by the City Council. The Rules and Regulations have been prepared by the staff of the Department of Community Services and recommended for approval by the Parks and Recreation Advisory Committee.

Policy Reference: None

Fiscal Impact: None

- Options:
1. For the City Council to approve and establish as a City Ordinance the Rules and Regulations for the Operation of City Parks and Recreational Facilities.
 2. For the City Council to not approve the Rules and Regulations with changes.
 3. Amend, modify, or reject the above options.

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CITY OF PASO ROBLES

DEPARTMENT OF COMMUNITY SERVICES

RULES AND REGULATIONS FOR THE OPERATION OF CITY PARKS AND RECREATIONAL FACILITIES

SECTION I: GENERAL POLICY

- 1.1 The primary use of the recreation buildings and facilities is for leisure / recreational activities, as defined in the Parks and Recreation Element of the City of Paso Robles General Plan, which are conducted by the Department of Community Services.
- 1.2 City sponsored activities, groups, and public agencies will have priority use of the facilities. When a conflict occurs facility use permits held by non-sponsored groups may be cancelled by the Director of Community Services or his designated representative. As a rule, two weeks notice will be given groups when a use permit is to be cancelled.
- 1.3 The City of Paso Robles is not liable for accidents, injury or loss of individual property in its buildings or facilities.
- 1.4 Permission to use City facilities is granted by permit only and users are subject to observance of all City regulations. Permits may be revoked for violation of any City regulations.

SECTION 2: DEFINITIONS

- 2.1 CITY COUNCIL is a governing body for the City of Paso Robles.
- 2.2 CITY is the City of Paso Robles, California.
- 2.3 RECREATION FACILITIES are City owned or leased parks, buildings, and pools as designated by the City Council including all land, water, road, improvements, and facilities therein.
- 2.4 EMPLOYEE is a member of the City of Paso Robles staff designated by the City Council or the City Manager to supervise the public use of recreational facilities in compliance with the adopted rules and regulations.
- 2.5 CITY MANAGER is the City Manager for the City of Paso Robles.

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- 2.6 DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES is the Director for the Department of Community Services which includes the Parks Division, Building Maintenance Division, Street Sweeping Division, Municipal Shop and Recreation Division.
- 2.7 PERSON is any firm, person, partnership, association, business trust, corporation, company or organization of any kind.
- 2.8 DESIGNEE is person in charge during the absence of the Director, who can sign on his behalf.
- 2.9 VEHICLE means and includes any wheeled device of conveyance, whether propelled by motor, animal or human power. The term shall include any trailer in tow of any kind, size, or description. Exception is made for vehicles in the service of the City and for baby carriages, strollers, and wheel chairs.
- 2.10 RULES AND REGULATIONS are duly adopted by the City Council, Parks and Recreation Advisory Committee and the City Manager.
- 2.11 LEISURE PROGRAMS are programs organized, sponsored and/or conducted by the Department of Community Services.
- 2.12 PUBLIC AGENCIES are agencies serving the City of Paso Robles such as School Districts, State of California, San Luis Obispo County, etc.
- 2.13 SERVICE CLUBS OR ORGANIZATIONS are those clubs and organizations from Paso Robles that are non-profit groups which restrict no person from membership because of race, religion, social or economic status and that does not have a closed membership with at least a majority of the membership being residents of the City of Paso Robles and have non-exempt status as defined under Federal Tax laws.
- 2.14 PRIVATE RESIDENT GROUPS are youth or adult groups not open to the general public and which are using the recreational facilities for private purposes. In this group are organizations such as lodges, fraternal organizations, political organizations, wedding receptions, parties, associations, which are made up of at least 50% of the residents from the City of Paso Robles.
- 2.15 NON-RESIDENT GROUPS are youth or adult groups that are non-residents of the City of Paso Robles. This may consist of clubs, organizations, wedding receptions, or parties.
- 2.16 COMMERCIAL GROUPS are profit-making organizations associated with a resident or non-resident business or groups of businesses. This group may consist of businesses and training workshops.

- 3.1 AUTHORITY are rules and regulations adopted pursuant to the State law, the Municipal Code, or Administrative Action.
- 3.2 VIOLATIONS of City regulations relating to defacement of City property, the use, possession or discharge of firearms, weapons or fireworks, the creation of fire hazards, being under the influence of intoxicating beverages or dangerous drugs, or remaining on, or re-entering City premises after an authorized City officer or employee has specifically withdrawn consent for a person to utilize City facilities, is a misdemeanor, punishable by imprisonment of not more than six (6) months or a fine not to exceed \$500.00 or both. Violation of any other City of Paso Robles regulation for recreation facilities is an infraction, punishable by a fine not to exceed \$500.00.
- 3.3 APPLICATION AND OTHER LAWS in addition to City regulations, all other applicable Federal, State or County laws, ordinances, rules and regulations, including those relating to public health, sanitation and safety, are binding upon all persons within the recreation facilities.
- 3.4 ENFORCEMENT
- a. The Police Department shall have the primary responsibility for the enforcement of the provisions of this chapter, including all violations of State law.
 - b. In addition, all park personnel working for the Department of Community Services, Parks Division, shall have the duty to administer the provisions of this document.
- 3.5 LIMIT OF CITY LIABILITY All persons entering upon, remaining within, or using the recreation facilities shall do so entirely at their own risk. Neither the City, its City Council, officers, or employees shall be liable for any personal injuries or property damages or losses incurred by anyone entering upon, remaining within, or using City facilities.
- 3.6 LIMITATIONS ON USE The use of City facilities must be compatible with the established purpose of that recreation facility. Use shall not include business or commercial activities, except by special agreement with the City of Paso Robles, Department of Community Services and must be within the time permit allotted. Permit time schedules and charges must include all preparation and set-up time, as well as clean-up time. The setting up of tables, chairs, etc., and storage of same at the conclusion of the activity is the responsibility of the permittee. Control of lights, keys, locks, and locking of doors, gates, etc. will be the responsibility of the Department of Community Services staff employee, if applicable, or the responsibility of the permittee. The employee on duty or his assistant is

authorized to refuse the use of the recreation facilities, in the exercise of any judgment of the employee, would constitute a hazard to the health and safety of that person or others.

SECTION 4. HOURS OF OPERATION

- 4.1 CITY PARKS City recreation areas shall be open sunrise to sunset or as posted. No person shall litter, remain on, or sleep in or upon any City park or park facility at any time between the hours of 11:00 pm to 6:00 am, except as designated at the entrance of that facility, or authorized by the Director of Community Services, or his designee.
- 4.2 CITY PARK AND RECREATION BUILDINGS Hours of operation of buildings and other facilities are established by the Department of Community Services and information is available in the Community Service registration office.
- 4.3 AUTHORITY TO CLOSE Any section or part of a park may be declared closed to the public by the Director 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 uses, as the Director finds reasonably necessary.
- 4.4 CLOSURE The recreation facilities, or portions thereof, shall be open or closed when deemed necessary at the discretion of the Director of Community Services.

The City Council, City Manager, or any employee of the City of Paso Robles designated by them are hereby authorized to close the recreation facilities for and during such times that are necessary for its management, maintenance, repair, protection, or conservation, and for the safety of the public.

SECTION 5. REGULATIONS - CITY PARKS AND RECREATION FACILITIES

- 5.1 INTOXICANTS AND DRUGS Being under the influence of any intoxicating beverages or dangerous drugs, and other substances prohibited by the California Health and Safety Code is prohibited.
- 5.2 CONSUMPTION OF ALCOHOL It shall be unlawful for any person to consume any alcoholic beverage in any park or recreation facility, except by permit only.
- 5.3 FIREWORKS No person or groups shall discharge, or cause to be discharged, any type of fireworks within any City park and/or recreation facility.
- 5.4 FIREARMS No person, other than peace officers in the

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discharge of their duties, shall use any explosives, fire, or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, except in designated areas at times and under conditions designated by the Director for such use.

5.5 FIRE No person shall build, light, kindle, or maintain a fire in any place other than areas or facilities specifically built and designated by the City for such purposes (i.e. fire pit, barbecue pit, etc.). No person shall leave any fire unattended, throw away any lighted tobacco product, any burning or combustible material, or other matter that could cause a fire hazard. Exception: Charcoal cooking fires may be maintained in portable barbeques. To avoid being a fire hazard, coals must be extinguished and cold to touch prior to moving the portable barbeque.

5.6 VEHICLE USE AND PARKING

a. While within the boundaries of any park facility, no person shall drive or operate any automobile, truck, motorcycle, motor scooter, trail bike, dune buggy, or other motorized vehicle on roads or trails, other than City owned and operated equipment, without a permit from the Director of the Dept. of Community Services, or his designee.

b. While within the boundaries of any park facility, no person shall drive any automobile, motorcycle, motor scooter, truck, or other motorized conveyance, except an authorized emergency vehicle, at a rate of speed exceeding fifteen (15) miles per hour, except as may be otherwise posted by the Director of Community Services, or his designee.

c. No person shall park any automobile or other motorized vehicle within any park facility except in areas specifically designated as parking areas. In no case, shall any person park a motorized vehicle in a manner that presents a hazard to the public.

d. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any park facility during the hours the facility is closed without a permit from the Director of Community Services, or his designee.

e. No person shall abandon any motorized vehicle within the boundaries of a park facility.

f. All motorized vehicles within the boundaries of any park facility shall be equipped with a properly installed muffler device which is in constant operation and which prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device.

g. Washing or repairing automobiles or other conveyance

is prohibited, except by special permit to Community Services, or his designee. No person shall wash or repair in any manner any automobile or other conveyance within any area of any City park or facility.

- 5.7 REMOVAL / DEFACEMENT OF PROPERTY To move any trash receptacle or other city property from where it was placed by the City if prohibited. No one shall in any way deface or mutilate any tree, fence, wall, building, railing, playground and/or playground equipment, picnic structure, monument, or any other fixture or improvement. Removing a reserved sign willfully occupying and holding a building or facility which has been reserved and for which a valid permit has been issued, is prohibited. Users or permittees will be personally responsible for all damage to the building, and shall be responsible for reimbursing the City for any loss or damage to City property, caused by such use.
- 5.8 CONTROL OF DOGS, CATS, OR OTHER ANIMALS No dog, cat, or other animal shall be permitted to enter upon land or water owned, managed, controlled or operated as a City park or recreation facility, except at a time, place, and manner as may be designated by the Director of Community Services, or his designee.
- 5.9 ABANDONMENT OF DOGS, CATS, OR OTHER ANIMALS Persons shall not leave or deposit dogs, cats, fish, or fowl, or any other animals or any parts thereof, whether dead or alive, in any park or recreation facility.
- 5.10 PROTECTION OF WILD ANIMALS, BIRDS, ETC. No person shall hunt, molest, harm, kill, or trap or throw missiles of any kind at any animal, reptile, or bird, or remove or have in his possession the young of any wild animal, reptile, or bird, or the eggs or nests of young of any reptile or bird.
- 5.11 CLIMBING OF TREES, CITY FACILITIES, OR OTHER OBJECTS No person shall climb any tree; walk, stand, or sit upon monuments, fountains, railings, fences, buildings, or any other City property not designated or customarily used for such purpose.
- 5.12 GATHERING WOOD Gathering wood from natural or land scrapped vegetation for any purpose, including fires, is prohibited.
- 5.13 CURFEW No one shall violate park curfew hours as established in the parks or recreation facilities, except by a written permit authorized from the Director of Community Services, or his designee.
- 5.14 LEAVING Entering any portion of the recreation area is not permitted after closing, except by prior arrangements with the Director of Community Services. All groups are expected to leave the premises in the same condition in which they were found. The kitchen facilities must be left clean and all kitchen supplies and utensils washed and put

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away.

- 5.15 CLOSED AREAS No one shall enter any posted, restricted, or closed area.
- 5.16 PEACE AND QUIET No one shall disturb the peace and quiet by any loud or unusual noise, or by the sounding of automobile horns or noise-making devices, or by the use of profane, obscene or abusive language or gestures. Operation of musical equipment or instruments and/or electronic sound reproduction equipment, including television, radio, record player, tape deck, CD player, or stereo of any kind, at any unreasonable noise level is prohibited.
- 5.17 ENTERTAINMENT No one shall set up or maintain any exhibition, show performance, concert, place of amusement, lecture, or oration without a permit signed by the Director of Community Services, or his designee.
- 5.18 GAMBLING PROHIBITED No gambling of any kind or description shall be permitted in any park or park and recreation facility, except where permissible by local ordinance and designated by the Director of Community Services.
- 5.19 HORSEBACK RIDING No person, other than one acting under authorization or direction from the Police Department or Director of Community Services, shall ride a horse, pony, mule, or animal of any description unto any City park or park and recreation facility, except on roads or trails and at times so designated for that purpose.
- 5.20 LITTERING No person shall deposit, drop off or scatter any garbage, trash, or rubbish, including but not limited to any glass, paper, cans, ashes, leaves and cuttings, furniture, or concrete in any City park except in a receptacle designated to receive same; nor shall any person import rubbish to a City park to deposit into or use trash receptacles.
- 5.21 PLAYING OR PRACTICING GOLF IS RESTRICTED No person shall drive, putt, or in any other fashion, play or practice golf or use golf balls and golf clubs within any City park or park and recreation facility, except in areas so designated by the Director of Community Services.
- 5.22 MODEL CRAFTS ARE RESTRICTED No person shall fly model airplanes or operate model automobiles, boats, or other craft of any kind or description in any City park or park and recreation facility, except in areas so designated by the Director of Community Services.
- 5.23 SOLICITING, SELLING AND ADVERTISING No one shall vend, offer for sale, or dispose of any goods, wares, or merchandise, or conduct any business unless authorized to do so in writing by the Director of Community Services, or distribute, circulate, give away, or throw or deposit any hand bills, circulars, pamphlets, tracts, or advertisements, or post or affix to any tree, fence, or City structure any

such hand bill, circular, pamphlet, tract or permit, unless authorized to do so in writing by the Director of Community Services, or his designee.

- 5.24 DECORATIONS Use of City facility. users must comply with the Health and Safety Code pertaining to the flame proofing of all decorations. Decorations will be permitted only upon approval in writing of the Director of Community Services. All decorations must be removed on the conclusion of the event. Users or permittees will be personally responsible for all damages to the building or appurtenances thereof and shall be responsible for reimbursing the City for any loss or damage to City property by such use.
- 5.25 WASTE WATER No one shall dump any waste water, including dishwater, any place other than into toilets at designated restroom facilities or as directed by the City employee on duty.
- 5.26 HUMAN WASTE AND/OR TOILETS No person shall deposit or cause to be deposited human waste within the recreation area other than in proper designated sanitary facilities.
- 5.27 INSURANCE REQUIRED AND WHEN Any person or group imposing admission charges for activities held within City parks, park and recreational facilities, shall provide evidence of current insurance holding the City of Paso Robles harmless from any liability for injury to persons or property resulting from the activity. The minimum amount of such insurance shall be determined by the City Clerk. This section shall not apply to activities sponsored by the Department of Community Services, for which a charge is imposed to help defray the cost of the activity.

SECTION 6: PERMIT AND FEES

Required permits for use are to be in possession at all times during the use of City parks and facilities and to be presented to any City employee upon request to see same.

- 6.1 FEES The schedule of fees will be set from time to time by the Paso Robles City Council and available at the registration office at Centennial Park, 600 Nickerson Drive, Paso Robles.
- 6.2 APPLICATION Permits for the use of City park and recreational facilities will be issued no sooner than ninety days, nor later than five days in advance of the request use. Rental charges must be paid at the time of the application or arrangements made with the Facility Coordinator prior to use. Permits will be issued at the time of payment.

All permits shall be issued and valid subject to the following conditions:

- a. Advance cash payment to use of facilities
- b. Non transferrable
- c. Valid for day of issuance only
- d. Revocable, without refund, for violation of any City Regulations or Rules, adopted to these Regulations.

As a recreational facility for public use, no private instruction group or sponsored groups using such facilities shall charge a fee, except by special arrangements with the Department of Community Services. Without a permit, regular religious services will not be permitted on recreational facilities. City of Paso Robles and City School Joint Powers Agreement functions take precedence over all other activities.

- 6.3 REFUND FOR INCLEMENT WEATHER Refund of deposit and/or application fees paid to the City will be made in case of inclement weather conditions only after the deduction of any costs incurred by the City, if any, for the requested use.
- 6.4 CANCELLATION Cancellations for facilities received less than seven days prior to the scheduled use will be charged a cancellation fee of \$10.00. No refunds will be made for cancellations within three days of the scheduled use.
- 6.5 WAIVER Service Clubs or Organizations as defined in this City Ordinance may be granted a waiver of fees upon proof of non-profit status and that the requested use is for a viable charitable cause. The request must be in writing and approved by the Director of Community Services, or his designee.
- 6.6 APPEAL If an application for use of facilities is denied by City staff, the applicant may appeal the denial and be scheduled to appear for the next regular City Council meeting.