

REGULATIONS PERTAINING TO CONDUCT IN PARKS & PLAYGROUNDS

(Ordinance CO43-04-06-10-9H adopted 6/10/04). Chapter 8 - Sections 8.03.001 through 8.03.006

Section 8.03.001 – Miscellaneous

It shall be unlawful for any person in a City park, recreation area or cave preserve to:

1. Walk, bring or allow a pet into a City park without a leash. Pets shall be leashed and secured at all times.
2. Fail to pick up and properly dispose of pet waste deposited by their pet.
3. Damage, cut, carve or remove any tree, plant or wood.
4. Light, build or maintain fires except in designated BBQ grills or fire rings.
5. Wade or swim in areas other than swimming pools or water playscapes unless posted to allow such activities.
6. Enter areas posted: "Closed to the Public".
7. Carry, possess, or discharge a gun, bow and arrow, air or gas weapon, paintball gun or marker, or any instrument with a propelling force, spring, air or gas that is capable of being used for the purpose of hunting, **except the holder of a valid concealed handgun license ("CHL")**.
8. Do any of the following without first obtaining a special permit as set out under Section 8.03.004 of this Article.
 - A. Sell, offer or solicit any goods or merchandise.
 - B. Hold, conduct or address any public assemblage, meeting or gathering, or take part in public debate or discussion.
 - C. Provide entertainment or exhibitions.
 - D. Posses, discharge, or cause to be discharged any fireworks, torpedo, rocket, explosive or other substance capable of explosion.
 - E. Distribute, post or affix any printed or written matter, sample or device.
9. Dump or dispose of trash, garbage, unsightly matter, brush or waste except that which is generated by park visitors and disposed of properly in receptacles provided for park use purposes.
10. Hit a golf ball in, into, upon or over any public park or recreation area owned, leased or managed by the City except in areas designated and posted for that purpose.

Section 8.03.002 – Vehicles

It shall be unlawful for any person in a public park or recreation area to:

1. Drive any motor vehicle on any area except on designated roads or parking areas, or other such areas as may be specifically designated as a temporary road or parking area.
2. Operate or use any type of motorized vehicle, motor assisted scooter or motor assisted skateboard, including, but not limited to motorcycles, motorbikes and minibikes on any trail, sidewalk, cave preserve or park area not designated for such use. Vehicles providing maintenance, police, fire and life-safety services are allowed.
3. Park a motor vehicle anywhere except in a designated parking area.
4. Wash any vehicle.
5. Ride a bicycle on or along a water embankment grassy area or trail if ridden in such a manner as to interfere with other allowed uses or without personal regard for the safety of others.

Section 8.03.003 - Swimming Pools & Water Playscapes

It shall be unlawful for any person inside a fence generally surrounding a swimming pool, near a bathhouse or water playscape to:

1. Posses or consume alcoholic beverages.
2. Posses or use glass containers.
3. Bring any pet, bicycle, skateboard, motorized vehicle, motor assisted scooter or motor assisted skateboard of any kind.

Section 8.03.004 - Permits for Activities Not Permitted

Special permits for activities not permitted in City parks or recreation areas under this Article shall be obtained by making application to the Director of Parks & Recreation and approved by the City Council, in accordance with the following procedures:

1. **Application.** A person seeking issuance of a permit shall file application stating the following:
 - A. The name and address of the applicant.
 - B. The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - C. The day and hours for which the permit is requested.
 - D. The specific location where the permit is requested.
 - E. Other information necessary for permit issuance determination.
 - F. Variances required from park rules and regulations.
2. **Standards for Issuance.** A special permit shall insure that the proposed activity or use:
 - A. Will not unreasonably interfere with or detract from the general public's enjoyment.
 - B. Will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
 - C. Is not anticipated to include violence, crime or disorderly conduct.
 - D. Will not entail extraordinary or burdensome expense or police operation by the City.
 - E. Is not in conflict with another scheduled activity.

Section 8.03.005 - Closing Hours

Parks are open from dawn to 10:00 pm unless otherwise posted. The City Parks & Recreation Advisory Board may designate different hours for swimming pools or other parks hours with programming conflicts. Hours shall be duly posted at or near the pool, park or facility entrance where the operational hours vary. In the event of an emergency, or for good cause, a City official may close any park or recreation facility.

Section 8.03.006 – Cave Preserves

Cave preserves are conservation and park preserve areas set aside to protect certain endangered species or species of concern, pursuant to the Federal Endangered Species Act, Section 10 (A) and an incidental take permit issued by the Federal Department of the Interior. Persons depositing foreign material, committing vandalism or any other acts of mischief, which may harm the Federally Protected Species within cave preserves, may be criminally prosecuted under the penalty provisions of the Endangered Species Act. Punishment of up to one year in prison and fines of up to \$25,000 per offense may be levied against violators.

It shall be unlawful for any person in a cave preserve area to:

1. Violate any regulations under this article.
2. Damage any vegetation within the critical habitat area or within cave preserves.
3. Introduce foreign materials including chemicals, sewage, petroleum products, pesticides, etc. into caves, critical habitat areas or within cave preserves.
4. Dump or dispose of trash, junk, garbage, refuse, unsightly matter, brush or other materials within caves, critical habitat area or cave preserves.
5. Enter caves without authorization.
6. Take, remove, or otherwise harm any species within the caves without a U.S. Fish & Wildlife permit issued for the purpose of scientific investigation.
7. It shall be unlawful to operate or use any type of motorized vehicle, motor assisted scooter or motor assisted skateboard, including, but not limited to, motorcycles, motorbikes and minibikes in cave preserves. Vehicles providing maintenance, police, fire and life-safety services are allowed.