

Before the Board of Supervisors County of Placer, State of California

In the matter of: AN ORDINANCE
REPEALING ARTICLE 12.24 PERTAINING
TO COUNTY PARKS AND REPLACING
WITH A NEW ARTICLE 12.24 PERTAINING
TO COUNTY PUBLIC RECREATION AREAS

Ord. No: _____
First Reading: June 16, 2015

The following **ORDINANCE** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____ by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, Article 12.24 of the Placer County Code provides for the prohibition and enforcement of certain behavior in County Parks, and;

WHEREAS, Article 12.24 has not been updated since January 2002, and;

WHEREAS, Article 12.24 does not contain many of the most recently constructed parks or other outdoor recreation areas and;

WHEREAS, the County has recognized the benefits of an integrated approach to managing County-owned or managed Public Recreation Areas, which include parks and the County's trail network, and;

WHEREAS, an updated ordinance will provide greater flexibility to best manage these Public Recreation Areas;

NOW THEREFORE, The Board of Supervisors of the County of Placer, State of California, does hereby ordain as follows:

Section 1: Article 12.24 of the Placer County Code, entitled "County Parks" is hereby repealed in its entirety and replaced with a new Article 12.24, entitled "County Public Recreation Areas", which shall read as follows:

Article 12.24
PUBLIC RECREATION AREAS

SEC. 12.24.010 General

- A. The Placer County Department of Facility Services is authorized to adopt and enforce rules and regulations consistent with this Article. Behavior in conflict with the regulations specified herein is unlawful.
- B. The Enforcement Official shall be the Director of the Placer County Department of Facility Services for County owned or managed Public Recreation Areas (PRA), or the person designated by the governing body of non-County owned PRAs. The Enforcement Official may designate an individual to discharge specific duties herein.
- C. The Board of Supervisors, by Resolution, shall designate PRAs to be subject to the provisions of this Article. This Article shall also apply to Public Recreation Areas owned and/or managed by public agencies other than the County of Placer when requested or supported in writing by that public agency, and as specified by Resolution of the Board of Supervisors.

SEC. 12.24.020 Prohibitions.

A. **Motorized Vehicles.**

- 1. No person shall operate a motorized vehicle of any type outside designated roadways or parking areas in any PRA. Parking, driving or stopping any vehicle on turf areas is prohibited at all times unless approved by the Enforcement Official.
- 2. No person shall park a motor vehicle in areas designated for equestrian parking, except those vehicles transporting horses.

- B. **Littering Prohibited.** No person shall leave or deposit rubbish, litter or trash of any kind, except in receptacles provided for said purposes. Receptacles in public recreation areas are intended solely for the purpose of park generated trash or rubbish. Under no circumstances may any person bring rubbish or trash for the purpose of disposing into PRA receptacles.

C. **Protection of Resources.**

- 1. No person shall damage or remove any artifacts or items; or cultivate, remove or kill vegetation in a PRA without prior written approval of the Enforcement Official.
- 2. No person shall willfully destroy, damage, vandalize, steal, or misuse any improvements or natural features in a PRA.
- 3. No person shall feed, disturb, harm, or kill any wildlife, unless hunting is authorized for a specific PRA by the Enforcement Official. Fishing is permitted pursuant to relevant codes of the California Department of Fish and Wildlife.

D. **Designated Travelways and Access.**

- 1. Visitors or users of any designated PRA may only travel upon areas that are open to the public. No person shall create unauthorized trails, enter trails that have been closed, cut switchbacks, damage vegetation, or cause erosion by traveling on foot, horseback or bicycle in areas outside of established trails in any PRA.
- 2. PRA may only be accessed through designated public entrances, unless specifically permitted by the Enforcement Official.

- E. **Applicability of Laws.** The Vehicle Code and Penal Code of the State of California shall be enforceable in all PRAs.
- F. **Overnight Camping.**
1. Overnight Camping is only allowed in areas specifically designated for such purposes by Resolution of the Board of Supervisors. No overnight camping is allowed in any other PRA, unless prior written authorization is granted by the Enforcement Official.
 2. In any Public Recreation Area where overnight camping is authorized:
 - a. Camping is permitted only in designated areas.
 - b. No person shall occupy a campsite without having paid the required camping fee. The Enforcement Official shall have the authority to forcibly evict any person occupying a campsite who has not paid the required fee.
 - c. There shall be permitted a maximum of eight people per family campsite in County operated campgrounds.
 - d. There shall be permitted a maximum of two vehicles per family campsite in County operated campgrounds. The second vehicle shall require a fee as specified elsewhere in this article.
 - e. The maximum length of stay in any County operated campground shall be a maximum of seven (7) consecutive days and a maximum of fourteen (14) days in any one calendar year.
 - f. There are two group campsites at the Bear River Campground. The maximum number of campers allowed in a group campsite is 50 people. The maximum number of campers allowed in both of the campsites is 100 people. The maximum number of vehicles permitted in either group campsite is 18 vehicles.
- G. **Mining.** No person shall operate motorized mining equipment in a PRA.
- H. **Weapons.** No person shall possess a weapon or shoot, discharge, or fire any bullet, arrow, or other projectile into, over, or on any PRA, unless prior approval has been granted by the Enforcement Official.
- I. **Dogs.**
1. While within the boundaries of any PRA, dogs must be on a leash no longer than six feet at all times, or on a retractable leash secured to a position no longer than six feet when in the presence of other users.
 2. Dog feces must be cleaned up and properly disposed into a trash receptacle.
 3. Dogs (excepting assistance dogs) and all other domestic animals or birds, excepting horses, are not allowed at any time in the Traylor Ranch Bird Sanctuary and Nature Reserve. Cattle, sheep or goats shall only be allowed in the Traylor Ranch Bird Sanctuary and Nature Reserve under the terms of a duly approved grazing lease.
 4. No dogs (excepting assistance dogs) or horses are permitted within the boundaries of PRA in the Lake Tahoe Basin, unless specifically authorized by the Enforcement Official.
 5. At the Bear River Campground dogs are limited to two dogs per family campsite, and four dogs per group campsite.

J. **Horses.**

1. Horses are not allowed on grass, sports fields, or synthetic turf in any PRA.
2. Horse droppings must be picked up and properly disposed of except when on natural surface trails in any PRA.

K. **Fires and Smoking.**

1. Fires are only allowed in County established fire ring/barbeque structures, provided the land around such camp or cooking fire, cooking grill or barbecue device is cleared of all flammable material within a radius of at least ten (10) feet and at any camp or cooking fire, cooking grill or barbecue device. There shall be at least one able-bodied person in actual attendance of such fire at all times.
2. During periods of high fire danger, as determined by the County, open fires, fires in fire rings and barbecues are prohibited. Signs shall be posted advising the public of the high fire danger periods. Cooking food with cook type propane stoves and use of lanterns is allowed during the high fire danger periods.
3. Burning wood pallets or trash is prohibited within any PRA.
4. No smoking, fires or barbecues are allowed at any time in any PRA specifically designated by Resolution.

L. **Sound Amplification & Quiet Hours.**

1. No person shall operate any sound amplification device in such manner that it will be audible at a distance in excess of 100 feet from the sound amplifying equipment, unless an "Amplified Sound Permit" is first obtained from the Enforcement Official.
2. This section shall not apply to persons who have obtained specific authority from the Enforcement Official, to conduct an outdoor concert, festival, or other activity where such noise levels are exceeded.
3. No person, in any instance, shall operate a sound amplification device in such a manner that the volume is unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons or domestic animals within any area of audibility.
4. Bear River Campground observes Quiet Hours between 10:00 PM and 7:00 AM, during which time no amplified sound is permitted.

M. **Observance of Signs Required.**

1. All signs, including closure, warning, regulatory, and road markings, placed by order of the Enforcement Official shall be observed and adhered to by all users of a PRA.
2. Sports fields and other PRA amenities shall not be used when posted closed.

N. **Skateboarding.** Skateboarding is prohibited in any PRA, unless specifically designated for this purpose and clearly posted.

O. **Alcoholic Beverages in Designated Areas Prohibited.** Possessing or consuming an alcoholic beverage or possessing any can, bottle, or other receptacle containing any alcoholic beverage is prohibited at Moondunes Beach and Speedboat Beach.

P. **Storage of Personal Belongings Prohibited.**

1. No person shall store personal property in any PRA, except as otherwise approved in writing by the Enforcement Official.

2. For the purposes of this section, "Storage of Personal Belongings" means accumulating or putting aside belongings in a PRA, or any personal property that is left unattended in any PRA after the posted time of closure, or for more than 24 consecutive hours, whichever occurs first.
3. The Enforcement Official shall establish rules and regulations for the receiving and safekeeping of personal belongings found unattended and coming into his or her possession. Such rules and regulations shall include reasonable provisions for making efforts to identifying the owner; providing an owner with notice of the locations where the personal belongings may be retrieved; a minimum length of time such belongings shall be kept, and; provisions for the disposal of such property in the event it remains unclaimed for longer than the established storage period.

SEC. 12.24.020 Fees.

- A. **Fee Resolution.** The Board of Supervisors, by Resolution, shall adopt a Fee Schedule for Placer County PRAs. Other agencies included in this Article may establish a Fee Schedule independently for those areas within their jurisdiction.
- B. **Cleaning/Damage/Security Deposit in County owned and managed PRAs:**
 1. The Enforcement Official may establish a refundable Cleaning/Damage/Security Deposit for use of County owned and managed PRAs including special events, group BBQ's and events in recreation halls. The amount of the Cleaning /Damage/ Security Deposit may vary depending on the scope of the event.
 2. Deposits may be withheld for direct or indirect costs associated with an event to cover the County costs for administration, supervision, maintenance, utilities and other related costs including but not limited to: leftover trash, damage, repairs, utilities, and security issues. Placer County reserves the right to recover expenses that exceed this Deposit.
- C. **Private Business Activity.** Prior written approval from the Enforcement Official is required in order to practice, carry on, conduct, or solicit for trade, occupation, business, or profession in a PRA. A fee, as determined by the Enforcement Official, shall be charged to cover the costs for administration, supervision, maintenance, utilities and other related costs.
- D. **Reserving PRA for Private Functions.** Approval from the Enforcement Official is required to reserve any PRA or part of a PRA for a wedding, exhibition, show, performance, concert, lecture, oration or place of amusement. Special security patrols may be a condition of use for the above functions. A fee, as determined by the Enforcement Official, shall be charged to cover all costs for the use, administration, supervision, maintenance, utilities and other related costs.

SEC. 12.24.030 Hours of operation.

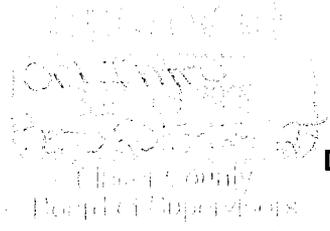
- A. No person shall enter or remain in any PRA when such PRA is closed to the public except:
 1. Peace officers or employees of public agencies when engaged in official business.
 2. Permitted campers and persons lawfully engaged in fishing at the Bear River Campground.

3. Persons who have received prior written authorization of the Enforcement Official.
 4. Persons who necessarily enter or remain because of an emergency, but only so long as the situation requires, as determined by the Enforcement Official.
- B. Except as otherwise posted or specified below, County PRAs are closed to the public from one-half hour after sunset until one-half hour before sunrise.
1. At Ronald L. Feist Park, park hours may be adjusted by the Enforcement Official in order to minimize traffic issues. Signs will be posted at the park showing the hours of operation.
 2. At Foresthill Leroy E. Botts Memorial Park, the lighted ball field hours extend to 11:00 PM for users permitted by Enforcement Official.
 3. At Sheridan Park, Stewart Community Hall hours of operation are from 7:00 AM to 11:00 PM.
 4. At the Green Valley Trail Head vehicles may be parked for a period not to exceed fourteen (14) consecutive days.
 5. Any PRA may be closed to the public at any time, for any duration of time, by order of the Enforcement Official for operational or safety reasons. Signs shall be posted indicating any such closure.
- C. Signs shall be posted at PRAs stating the hours of operation as deemed necessary by the Enforcement Official. Such signs may include exceptions and other information or regulations.

SEC.12.24.040 Violations – Penalty. The commission of any act prohibited or declared to be unlawful in this Article shall be punishable as follows, in addition to any other remedy provided by law:

- A. Violations of this article shall be punishable as misdemeanors, with a maximum penalty of six months in the County Jail and/or a One Thousand and no/100 Dollars (\$1,000.00) fine.
- B. Notwithstanding this section any violation may be enforceable under any other law that exists at the discretion of the enforcing officer.

Section 2: This ordinance shall become effective thirty (30) days after the date of final passage of this ordinance in accordance with Cal. Government Code Section 25123.



**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: Honorable Board of Supervisors

From: Ken Grehm, Facility Services Interim Director
By: John Ramirez, Parks Administrator

Date: June 16, 2015

Subject: Park Ordinance – County Code, Chapter 12, Article 12.24, Sections 12.24.010 – 12.24.040

ACTION REQUESTED:

Introduce an Ordinance, first reading waived, to repeal the County's current Parks Ordinance found at Placer County Code Article 12.24 and replace it with a new Placer County Code Article 12.24 establishing regulations for County Public Recreation Areas (PRA).

Adopt a Resolution to designate the public parks, trails and open space areas where the County PRA Regulations will apply and directing the Director of Facility Services, or designee, to maintain an inventory of the properties and boundary maps subject to the PRA Ordinance, and its effective date.

Adopt a Resolution to establish a fee schedule for County PRA, subject to the effective date of the Ordinance, with no changes to existing fee amounts.

BACKGROUND: The Placer County Park Regulations are currently contained in the Placer County Code (Chapter 12, Article 12.24) (Ordinance). This Ordinance provides legal authority to enforce regulatory issues and maintain proper control of activities on properties designated as units in the County park system. The current Ordinance has not been updated since January 22, 2002, and does not cover recently constructed parks including Hidden Falls Regional Park, Ronald L. Feist Park, Squaw Valley Park, and Dry Creek Community Park.

While preparing this update to the Ordinance, staff recognized the benefit of a consistent approach to County-owned recreational areas, which include parks, open space areas, and the County trail network. The proposed ordinance would provide your Board with the ability to designate specific properties that fall within these new classifications, where law enforcement can regulate conduct including noise, littering, dogs, and camping. To more accurately reflect this comprehensive approach, staff recommends collectively identifying these properties as "Public Recreation Areas", and adopting a new Public Recreation Areas Ordinance (PRA Ordinance).

Some adjustments to the current Ordinance are administrative in nature, clarifying rules and streamlining future amendment processes. Specifically, staff recommends properties subject to the new Ordinance be designated by Resolution of the Board. The attached Resolution Designating Parks, Trails, and Open Spaces includes a number of properties that are not regulated by the current Ordinance. These new areas are identified in the attached Resolution, and by their inclusion the County can consistently manage all PRAs. Similarly, the Fee Schedule will also be established and updated by Resolution. This will facilitate a timelier and more efficient process to update the property inventory and fees in the future. These Resolutions will become effective on the date the new PRA Ordinance becomes effective.

Staff also engaged the North Tahoe Public Utility District (NTPUD) and Tahoe City Public Utility District (TCPUD) to explore consistent management of their public recreation areas at Lake Tahoe. These Districts do not have the ability to create their own park ordinances, and law enforcement is

unable to enforce a variety of rules at their parks and beaches. To improve the public safety and enjoyment of their properties, both the NTPUD and TCPUD Boards requested inclusion of their sites in the PRA Ordinance. These requests are on file with the Director of Facility Services.

This recommended update does not include changing the fees for use of County property. This is reflected in the attached Resolution Establishing Fee Schedule, and any fee adjustments would be authorized by a future Resolution presented to your Board for consideration. The property inventory and boundary maps that identify the subject properties will be maintained by the Director of Facility Services, or designee, and will be available for review at the Department's offices.

ENVIRONMENTAL CLEARANCE: The adoption of these proposed revisions to the Placer County Code does not constitute a project pursuant to California Environmental Quality Act, Section 15378(b)(2) and (5).

FISCAL IMPACT: As the recommended actions make no changes to existing fee amounts, it is anticipated there will be no fiscal impact. PRA Fees will continue to be deposited in the Parks Division Budget or the CSA associated with the specific PRA site.

AVAILABLE FOR REVIEW AT CLERK OF THE BOARD'S OFFICES: PROPERTY BOUNDARY MAPS

ATTACHMENT 1 – PUBLIC RECREATION AREAS ORDINANCE

ATTACHMENT 2 – RESOLUTION DESIGNATING PARKS, TRAILS, AND OPEN SPACES

ATTACHMENT 3 – RESOLUTION ESTABLISHING FEE SCHEDULE

KG/MR/JR/KT

CC: COUNTY EXECUTIVE OFFICE
COUNTY COUNSEL

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