

ORDINANCE NO. 3

AN ORDINANCE OF THE RANCHO SIMI RECREATION AND PARK DISTRICT BOARD OF DIRECTORS ESTABLISHING RULES AND REGULATIONS GOVERNING THE USE OF DISTRICT PARKS AND FACILITIES AND PARTICIPATION IN DISTRICT PROGRAMS

The Rancho Simi Recreation and Park District Board of Directors ordains as follows:

SECTION 1. Findings.

A. It is the policy of the Rancho Simi Recreation and Park District (“District”) that residents receive maximum benefit and enjoyment from District facilities and recreation programs.

B. In furtherance of the District’s policy, this ordinance establishes rules and regulations governing the use of District parks and facilities as well as rules for participation in District programs to ensure that all persons using District parks and facilities and participating in District programs receive maximum benefit and enjoyment.

C. This Ordinance is adopted pursuant to the authority granted by California Public Resources Code section 5786.1.

SECTION 2. Violation of Ordinance.

A. Any violation of the rules and regulations set forth in this ordinance is a misdemeanor unless the park ranger issuing the citation specifies on the citation that the violation is an infraction. The District’s legal counsel may reduce a misdemeanor charge to an infraction. Prosecution of a person pursuant to this section will not preclude prosecution of that person pursuant to the California Penal Code or other provisions of California law or pursuant to the provisions of the Simi Valley Municipal Code.

B. A new and separate offense occurs for each day that a violation of, or failure to comply with, any provision or requirement of this ordinance is committed, continued, or permitted by any person.

C. Any unlawful act or omission in this ordinance includes causing, permitting, aiding, abetting, suffering, or concealing the act or omission.

D. No person may refuse to leave a District park or facility after being ejected. Any person who has been ejected from District property may not return to the same park or facility, or any other District park or facility, during the calendar day in which that person is ejected.

E. Parents are responsible for the actions of minor children. Damage to District property resulting from the actions of minors will be imputed to parents having custody or control of the minor (California Civil Code § 1714.1).

SECTION 3. Enforcement.

A. The District Manager and park rangers of the District and all other law enforcement officers possessing authority to act within the boundaries of the District (collectively, “enforcement officers”) may enforce all of the rules and regulations contained in this ordinance. Enforcement mechanisms include issuing citations, arresting individuals without a warrant whenever there is reasonable cause to believe that the individuals committed a misdemeanor in the enforcement officer’s presence, which constitutes a violation of these provisions, and ejecting or causing to be ejected from District parks and facilities any person acting in violation of this ordinance. Further, the District Manager and park rangers may deny use of District parks and facilities and participation in District programs to individuals and groups who fail to comply with this ordinance. A person ejected from a District park or facility may also be excluded from the park or facility in lieu of being cited for violation of this ordinance, but ejection or exclusion will not preclude the person from being cited or arrested for conduct in violation of this ordinance or other provisions of California law.

B. Park rangers may issue citations for violations of District rules and regulations, Simi Valley Municipal Code, Ventura County Ordinance, and for violations of State and Federal law.

C. Enforcement officers may take into custody any item which is used in violation of this Ordinance or which may cause damage to park property, to any person, or to the property of any person if its use is permitted to continue. Specific items which may be taken into custody by enforcement officers include, but are not limited to air/spring guns, firearms, crossbows, archery equipment, explosive devices, skateboards, skates, bicycles, radios, tape and compact disc players, sound amplification equipment, powered or line attached model crafts, hang gliders, air balloons, barbecues, cooking devices, and combustible fuel or electric operating devices. Such items will be impounded for safekeeping and will be retained by the District for a period not exceeding 30 calendar days. The items impounded will then be returned to the owner, to the person in possession of the item at the time of the violation, or in the case of a minor, to the minor’s parent or legal guardian.

D. The District has the authority to establish and enforce additional rules and regulations that are necessary to implement District’s policies and to meet needs as situations may require.

SECTION 4. Rules and Regulations for Use of District Parks and Facilities and Participation in District Programs. The following rules and regulations, attached as Exhibit “A” and incorporated by reference, apply to the use of all parks and facilities owned, managed, controlled or operated by the District, as well as to participation in District programs. Citations issued for a violation of a rule or regulation must include a notation formatted as follows: 3-4.x. In this example, the “3” refers to District Ordinance No. 3, the “4” refers to the Section of Ordinance No. 3 that

incorporates each and every rule and regulation, and the “x” refers to the actual number of the rule or regulation. Therefore, a citation issued for possession or consumption of alcohol in the park without a permit would read as follows: 3-4.4.

SECTION 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. Effective Date. This ordinance will take effect 30 days after its final passage.

SECTION 7. Publication. The Secretary of the Board of Directors is directed to cause this ordinance to be published in the manner required by law.

PASSED AND ADOPTED this 9th day of October 2014, by the following vote:

AYES: Directors O’Brien, Hostetler, Cavanaugh, Freeman, Johnson

NOES:

ABSENT:

Mark E. Johnson
CHAIR, BOARD OF DIRECTORS

ATTEST:

BY: Larry Peterson
DISTRICT CLERK

EXHIBIT A
RULES & REGULATIONS

Rule No.	Category	Section 4. Rules and Regulations
1.	After Hours	No person may remain in a district park or open space after or before posted park hours without a district approved facility use permit or contract. Park hours are between the hours of 6:00 a.m. and 10:00 p.m. unless otherwise posted. Unescorted minors must observe curfew laws.
2.	Airspace	No person may use hang gliders, air balloons or similar apparatus, or land or take off such apparatus on or from park property without a district approved facility use permit or contract.
3.	Aggressive Panhandling	No person may aggressively panhandle in or on any district facility, park or property. For purposes of this section, "aggressively panhandle" means an immediate request for funds accompanied by verbal or physical threats or coercion, or persisting in requesting funds following a negative response from the individual being solicited.
4.	Alcohol	No person may drink any malt, spirits or vinous liquor containing more than one-half (1/2) of one percent of alcohol by volume, and no person may hold or exercise control over any open container containing such beverage in or upon any district park or facility, or in or around District permitted activities or athletic events unless such actions have been authorized by the district by special permit or other action of the Board of Directors or District Manager. Persons who bring coolers or similar containers must allow cursory inspection of such items upon request of a Park Ranger.
5.	Animals	No person may cause animals (including dogs, ferrets and snakes) owned or controlled by the person to be let loose in district parks and facilities, except at such times and under such conditions as may be expressly permitted by the district.
6.	Animals	No person may bring pets or animals, except guide dogs or other service dogs or in connection with a district approved activity, into a district building without a district approved facility use permit or contract.
7.	Animals	No person may chase, grab, shoot, throw rocks or other objects at or attempt to capture or injure wildlife on district property.
8.	Animals	No person may feed wildlife, including ducks and geese, in violation of rules that are posted at specific District parks and facilities.

9.	Bicycles	No person may ride a bicycle on sidewalks or paths located within district parks. Bicycles may be ridden on designated bicycle trails and within parking areas. Bike riders should travel at a reasonably safe speed and may not exceed 15 mph in speed at any time or location. Children 16 and under must wear a bike helmet.
10.	Buildings	No person may use a district building, equipment, or materials without first obtaining district approval for the use.
11.	Buildings	No person may ride a bicycle, scooter, skateboard, skates, or in-line skates within a district building, and no person may wear skate shoes or shoes with cleats within a district building.
12.	Buildings	District restroom sinks may not be used to wash body parts other than hands and arms unless a medical circumstance requires it.
13.	Buildings	A person or their personal property may be inspected by designated district staff members as a condition to being granted admission or entrance into a district facility, activity or event.
14.	Business	No vendors, including but not limited to ice cream, balloon, hotdog, or candy vendors, may operate on district property without a district approved facility use permit or contract.
15.	Business	No person may conduct or solicit for any trade, occupation, business or profession on district property without a district approved facility use permit or contract.
16.	Business	No person may distribute any commercial circulars, cards, or written advertising matter, and no person may post, paste, or affix any placard, notice or sign on district property without a district approved facility use permit or contract.
17.	Business	No person may sell, offer or solicit for sale any goods, vehicles, food, beverage, merchandise, or services on district property without a district approved facility use permit or contract.
18.	Camping	No person may erect an enclosed tent or similar structure on any district property without a district approved facility use permit or contract.
19.	Camping	No person may sleep in sleeping bags or under blankets in or on district property without a district approved facility use permit or contract. No person may camp or engage in camping activities on any district property except in areas specifically designated for such use, or specifically authorized by a district issued facility use permit or contract. In the absence of a district issued facility use permit or contract, or upon failure to produce the permit or contract when requested, such camping will be declared unlawful and must cease when so ordered by a Park Ranger, Police Officer or other enforcement officer. For purposes of this section, "camping activities" means the laying down of bedding for the purposes of

		sleeping for prolonged or repeated periods of time, the storage of personal belongings such as clothing, foodstuff/beverages, sleeping bags, bedrolls, luggage, backpacks, kitchen utensils, cook ware, and similar materials on district property, the erecting of tents or any structure providing shelter (including but not limited to trees, paper, metal, wood, shrubs or bushes), starting or maintaining a fire, or regularly cooking or preparing meals.
20.	Camping	Otherwise permissible camping is unlawful where it is conducted in such a manner so as to create a nuisance resulting from noise, or inadequate sanitation, or any other activity that otherwise disturbs persons of reasonable sensitivity.
21.	Damage	No person may cut, pick, disturb, damage, mutilate, destroy, injure, graffiti, deface, remove, or disturb any animal, tree, shrub, bush, flower, plant, rock, wall, gate, post, pole, building, fence, bench, table, or other structure, apparatus or property in or on district property.
22.	Damage	No person may alter or modify the natural state of parks, open space and trails, or create dirt ramps, dug-outs, or holes, including for the purpose of creating a bike course or embankment, without district staff approval.
23.	Damage	No person may use a metal detector on any district park or facility without a district issued facility use permit.
24.	Design Use	No person may walk, climb, stand, or sit upon any district property not designated or customarily used for such purposes.
25.	Design Use	No person may play baseball except on designated baseball fields expressly set aside for this activity. No person may play softball except on designated softball fields expressly set aside for this activity.
26.	Design Use	No person may engage in activities which are inconsistent with the intended use or design of a specific area, equipment or apparatus within any park or facility. No person, while in or on district property or facilities, may engage in conduct which is or may be harmful or hazardous to district property, to any person, or to the property of any person.
27.	Dogs	Dogs must remain on a leash no more than six feet long held continuously in the hands of a person able to control the dog on all district property except within district provided off-leash dog parks. The owner or controller of an animal that defecates (except for guide dogs) must pick up and properly dispose of any feces no more than five minutes thereafter.
28.	Dogs	The only type of animals allowed in district provided off-leash dog parks are dogs.

29.	Dogs	No children under the age of 6 are allowed in district provided dog parks, and children between the ages of 6 and 12 are allowed into a district provided dog park only with adult supervision.
30.	Dogs	Dogs entering district provided dog parks must wear a current license issued by the city or county in which the dog's owner resides.
31.	Dogs	No more than 4 dogs at one time may be brought into a district provided dog park by any one person.
32.	Dogs	A person or group using a district facility pursuant to a district issued facility use permit or other contract may exclude dogs from the portion of the facility that is the subject of the district issued permit or contract.
33.	Filming	No person may film, videotape, or photograph in district parks, buildings or open space for commercial or educational purposes without a district approved facility use permit or contract.
34.	Fires	No person may make or kindle an open fire on district property except in picnic stoves or fire circles provided by the district for that purpose, and no person may operate a barbeque or other cooking device in a manner which will damage turf or district property. No person may make or kindle an open fire in a fire circle without first obtaining a district issued facility use permit, which permit will not be issued and may be revoked on red flag days. Ashes in district furnished picnic stoves or fire circles must be left in place. Ashes in private barbeques brought into a park must be removed from the park or deposited into district provided ash cans if available. Ashes may not be deposited into trash cans, or on the ground. Fires of any kind are not allowed in natural parks or open space without a district approved facility use permit or contract.
35.	Fireworks	No person may possess or use fireworks, including firecrackers, rockets or other similar items customarily associated with Independence Day celebrations, without a district approved facility use permit or contract.
36.	Food & Beverage	No person may bring into a district building any food or beverages unless that person has been given specific authorization to do so by district staff, a district approved facility use permit or contract has been issued, or the person is participating in a program or event approved by the district that provides for or allows the use of food and beverages.
37.	Gambling	No person may maintain gambling equipment in or on district property, except equipment that is incidental to the playing of bingo by organizations that have qualified for and obtained a permit for such purposes from the City of Simi Valley or the County of Ventura.

38.	Gatherings	No person may hold or conduct any public assemblage, meeting, gathering, group picnic, athletic activity, celebration, parade, service or exercise of 50 or more persons in or on any district property without first having obtained a district approved facility use permit or contract.
39.	Gatherings	Youth or adult sports groups that come together to play or practice a sport or activity such as, but not limited to, football, soccer, softball, or lacrosse, must use district facilities designed for the sport or activity that they are engaged in.
40.	Gatherings	A person or group using a district facility pursuant to a district issued facility use permit or other contract may exclude persons from entering the portion of the facility that is the subject of their district issued permit or contract if those persons are not invitees of the permit or contract holder.
41.	Golf	No person may play golf or otherwise hit any type of golf balls on district property, with the exception of district owned golf courses, without a district approved facility use permit or contract.
42.	Graffiti	No person may use or possess a graffiti implement including, but not limited to, aerosol paint containers, indelible markers, paint sticks, etching tools or other similar devices, to apply graffiti upon any district property.
43.	Gyms	No person may use any shoes on the gymnasium playing floor except soft-sole basketball or tennis-type shoes. No person may use black sole shoes on the gymnasium floor that may leave marks on the gymnasium playing floor.
44.	Gyms	No person may use the community center gymnasium showers unless that person is a participant in a recreation program at the community center immediately before or after using the shower and that person's use of the showers has been approved by the community center supervisor. Shower room lockers are for day use only. Persons using a locker must provide their own lock and remove it and the contents of the locker before leaving. Any items left in the locker at the time of normal closing hours are subject to seizure by the district.
45.	Gyms	No person may enter or remain in the community center building unless that person is wearing clothing and shoes customarily used for the sport or activity in which that person is participating, which will protect that person, other persons, and district property from injury or damage resulting from that person's participation in the sport or activity. No person may wear shoes with cleats, stubs, or spikes inside the community center building. No person may wear leather sole or leather heel soles on wood floors in the community center building.

46.	Horses	No person may ride a horse or animal of any description onto or over land owned, managed, controlled or operated by the district except upon areas , such as trails, designated by the district for such use and at times designated by the district for such use.
47.	Horses	No person may permit a horse that is owned or controlled by that person to enter turf grass, planters, or other planted areas within district property.
48.	Horses	No person may permit a horse that is owned or controlled by that person to be unattended and unsupervised within district property at any time except in designated areas, tethered or otherwise approved by the district with a facility use permit or contract.
49.	Horses	Horses must be kept at a walking pace when horseback riding is occurring on district trails.
50.	Horses	No person may use a corral used for a turn-out for a continuous period in excess of one hour.
51.	Horses	No person may place a horse port-a-stall or other temporary corral on district property without a written permit from the district.
52.	Horses	No person may wash horses or related equipment on district property without an approved facility use permit.
53.	Inflatables	Inflatable jumpers, slides and movie screens, dunk tanks and other similar types of items may not be placed on district property without a district approved facility use permit or contract. If a use is approved, any generators must be placed on plywood and in a way that reduces the likelihood of damage or injury from heat or moving parts, and electrical cords must be laid to reduce tripping hazards. Refilling gas operated generators must be done without spilling fuel on grass.
54.	Language Conduct	No person may use toward any other person any abusive, insulting or obscene language or gesture, or any language or gesture naturally tending to create a breach of the peace, or to be guilty of conduct tending to provoke a breach of the peace, or to make any loud and offensive noises tending to disturb the peace.
55.	Loiter	No person will loiter inside or outside a district building.
56.	Loiter	Loitering is prohibited under bridges.
57.	Nudity	No person may appear nude in district facilities or on district property. For purposes of these regulations, "nude" means unclothed or in such a state of undress as to expose any part or portion of the pubic or anal region or genitalia of any person, or any portion of the breast at or below the areola thereof of any female person.

58.	Nuisance	Whenever any person creating, causing, committing, or maintaining a public nuisance as defined under State law or other ordinance or regulation, has been given notice by a Park Ranger or other authorized district employee to abate such nuisance or cease and desist from continuing such nuisance or violation of law, and such person who was given notice fails, refuses, or neglects to comply with the notice within the time specified therein, or if such a time is not specified, then within a time reasonably sufficient to enable compliance, the person will be liable to the district for any and all costs and expenses that the district incurs as a result of abating the nuisance and obtaining compliance with or enforcing the law. Costs and expenses may include but are not limited to direct costs and expenses of personnel, operational overhead, fees for experts or consultants, legal costs or expenses, including attorneys' fees, claims against the district arising as a consequence of the nuisance or violation, and procedures associated with collecting moneys due hereunder.
59.	Parking	No person may park, abandon or otherwise allow to remain on district parks or facilities between the hours of 10:00 p.m. and 6:00 a.m. automobiles, trailers, campers, motor homes, recreational vehicles, unless district permission has been expressly granted or parking is required for attendance at a district activity.
60.	Parking	No person may violate the following curb markings within district parks, facilities, and parking areas: Red indicates no stopping, standing or parking, whether the vehicle is attended or unattended. Yellow indicates stopping only for the purpose of loading or unloading passengers or freight for no more than ten minutes. White indicates stopping for the purpose of loading or unloading of passengers for no more than five minutes. Green indicates 30 minute parking. Blue indicates parking limited exclusively to the vehicles of physically handicapped persons as described in the California Vehicle Code.
61.	Parking	No person may park motorcycles or other motorized vehicles (with the exception of wheelchairs or similar devices), whether attended or unattended, on district parks or facilities except at parking lots provided by the district or as otherwise permitted by a district approved facility use permit or contract.

62.	RC	No person may operate powered or line-attached model crafts of any kind or description or motorized or self-propelled vehicles on or over district parks, park waters, or facilities. Remote control gliders and airplanes, but not helicopters, may be operated only in areas set aside for those activities, and only at times those facilities are not being used for their originally designed purpose by other park patrons.
63.	Recycling	The collection of recyclable materials by any person must be completed without impacting the use of district facilities by other park patrons, and all recyclable items collected must be promptly removed from the park.
64.	Restrooms	No person may loiter in or about any toilet facility or restroom.
65.	Restrooms	No person over the age of seven years may enter or use restrooms other than those provided for that person's gender. Personal health care providers or assistants may enter restrooms to provide assistance to their patient after first announcing their intent to enter the restroom and then obtaining permission to enter from those already in the restroom. No person may encourage or invite another person over the age of seven years to enter or use a restroom which is not provided for the gender of the person so encouraged or invited.
66.	Restrooms	No person may urinate or defecate in or on district property except in toilets or urinals located in portable or restroom buildings.
67.	Skateboards	No person may ride a skateboard or similar device within district parks, unless a sign is posted that specifically allows such activity within a defined area.
68.	Smoking	No person may smoke within a district park, building or open space; provided, however, that persons may smoke cigars, cigarettes or other tobacco products on a district golf course or in designated smoke zones.
69.	Sound	No person may use sound-amplifying equipment without a district approved facility use permit. The users of sound equipment must abide by any specific limitations noted upon the use permit, and must abide by the orders and directions of District employees in the operation of the sound-amplifying equipment.
70.	Sound	No person may use their voice or make noise in a district park or facility (which includes but is not limited to buildings, parking lots, sidewalks, walkways, parks) in a loud, unusual, penetrating or boisterous manner that results in discomfort or annoyance to a reasonable person of normal sensitivity where there is no substantial effort to communicate with any such individual or to communicate at a lower volume of sound or in a more reasonable manner. The standards that will be considered in determining whether a violation of this section exists include the following:

		<ol style="list-style-type: none"> 1. The volume of the noise; 2. The intensity of the noise; 3. Whether the noise can be heard from a distance of 50 feet or more from the noise source; or from a distance determined to be reasonable under the circumstances by the officer at the scene; 4. The nature and zoning of the area within which the noise emanates; 5. The time of the day or night the noise occurs; 6. The duration of the noise; 7. The extent to which nearby persons and the activities of such persons are disturbed by the noise; and 8. The extent to which the individual making the noise was requested to cease the disturbance or lower the volume of the noise and such person failed to do so. <p>No person will be cited under this section unless the person engages in conduct prohibited by this section after having been notified by an enforcement officer that the conduct violates this section.</p>
71.	Trash	No person may dump, deposit, or leave any bottles, broken glass, paper boxes, clothes, shoes, chairs, ice chests, cans, dirt, rubbish, waste, garbage, refuse or other trash on district property except that such items which are incidental to the use of the park or facility may be deposited in receptacles provided by the district for disposal of same. If no trash receptacles are provided, all trash must be removed by park visitor.
72.	Trash	No person may leave the shells of seeds or nuts such as sunflower, peanut and pistachio on the ground, on a bleacher, bench or other park amenity as they are considered to be garbage and must be properly disposed of in a trash can or otherwise removed from the district facility.
73.	Vehicles	No person may repair, renovate or paint any vehicle on district property, unless the repairs performed are of an emergency nature, and they are required in order to permit the vehicle to be moved.
74.	Vehicles	No person may drive any vehicle on district property (including parking lots, trails, walkways, park entrances) at a speed greater than the posted speed limit.
75.	Vehicles	No person may drive a vehicle on turf grass without an approved district facility use permit.
76.	Waters	No person may swim, wade, or enter into any park waters which are not designated for public swimming and no parent, legal guardian, or any other person in charge of any minor child may permit the minor child to enter any pond, lake, lagoon, or other water feature on or in district parks that is not designed and operated as a swimming pool or children's splash pad.

77.	Waters	No person may place or operate any boat, canoe, kayak, raft, or other watercraft that may hold one or more person in any park waters.
78.	Weapons	No person may carry or discharge firearms, gas or air-powered weapons, rockets, axes, hatchets, offensive knives, weapon replicas, training weapons, slings or slingshots or throw stones or other missiles on or in district property. Bows and arrows may be used on district property only in district designated areas.