

ORDINANCE NO. 1590

AN ORDINANCE OF THE CITY OF REDLANDS ESTABLISHING RULES AND REGULATIONS GOVERNING THE USE OF PUBLIC PARKS AND PLAYGROUNDS IN THE CITY OF REDLANDS, AMENDING THE REDLANDS ORDINANCE CODE, AND RESCINDING ORDINANCE NO. 918

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title. This ordinance shall be known as the "Park Ordinance of the City of Redlands."

SECTION 2. Definitions. The following words shall have the meaning indicated when used in this ordinance:

(a) "Park" means any park, reservation playground, recreation area or centers, or any other area or structure maintained and operated by the Parks Department.

(b) "Director" means the Parks Director, or any other person authorized by him, pursuant to law, to act in his stead.

(c) "Amplified sound" means music, sound wave, vibration, or speech projected or transmitted by electronic equipment, including amplifiers.

(d) "Permit or reservation" means written authorization for exclusive use of parks or buildings or portions thereof, as provided for and defined in this ordinance.

(e) "Vehicle" means any device by which any person or property may be propelled, moved, or drawn, excepting a device moved by human power.

SECTION 3. Duty to Comply. No person shall enter, be, or remain in any park unless he complies at all times with all of the regulations set forth in this ordinance applicable to such park and with all other applicable laws, ordinances, rules and regulations.

SECTION 4. Rules and Regulations Applicable in City Parks. The following rules and regulations apply in all parks in the city unless expressly stated otherwise elsewhere in this ordinance.

(a) Operations of Vehicles and Bicycles.

(1) Roads for Public Use. The provisions of the California Vehicle Code are applicable in the city parks upon any way or place of whatever nature which is publicly maintained and open to the use of the public for purposes of vehicular travel. All violations of said Vehicle Code shall be enforced and prosecuted in accordance with the provisions thereof.

- (2) Surfaces other than Roads for Public Use. No person shall drive or otherwise operate a vehicle in a city park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a city park, upon surfaces other than those maintained and open to the public for purposes of vehicular travel, except upon temporary parking areas as may be designated from time to time by the Director, and further excepting vehicles in the service of the City.

(b) Solicitation Prohibited. No person shall practice, carry on, conduct or solicit for any occupation, business, or profession in any city park or building, or sell or offer for sale any merchandise, article, or anything whatsoever. This section shall not apply to any person acting pursuant to a contract with the City of Redlands, or under an authorization granted by the Parks Director.

(c) Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in his care, custody, or control to be present in said park except:

- (1) Equine animals being led or ridden under reasonable control upon any bridle paths or trails provided for such purposes;
- (2) Equine or other animals which are hitched or fastened at a place expressly designated for such purpose;
- (3) Dogs or cats when led by a cord or chain not more than six (6) feet long, or when confined within the interior of a vehicle;
- (4) Dogs which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;
- (5) Small pets which are kept on the person of the possessor at all times;
- (6) In connection with activities authorized in writing by the Director;
- (7) Fowls or animals turned loose at the direction of the Director.

(d) Duty to Care for Animals. It shall be the mandatory duty of all persons owning, possessing, in control of, or otherwise responsible for a dog, cat, or an equine animal in a city park to promptly collect, pick up, and remove all fecal matter left behind by said animal in or upon said park; provided, however, that this subsection shall not apply to guide dogs for blind or disabled persons.

(e) Amplified Sound in City Parks.

- (1) Purpose. The Council enacts this legislation for the sole purpose of securing and promoting the public health, comfort, safety, and welfare of its citizenry. While recognizing that certain uses of sound amplifying equipment are protected by constitutional rights of freedom of speech and assembly, the Council nevertheless feels obligated to reasonably regulate the use of sound amplifying equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from the public nuisance of loud and unnecessary sound.
- (2) Permit Required for Amplifiers. It shall be unlawful for any person to install, use, and operate within a park a loudspeaker or any sound amplifying equipment for the purposes of giving instructions, directions, talks, addresses, and lectures, or of transmitting music to any persons or assemblages of persons in said parks, or in the vicinity thereof, except when installed, used, or operated in compliance with one of the following provisions:
  - a. By authorized law enforcement, fire department, or park and recreation personnel;
  - b. Under a reservation or a permit issued by the Director, and when operated in accordance with the terms of said reservation or permit.
- (3) Power Source for Amplifiers. Amplifiers permitted in parks shall be operated only through a power source provided by the Parks Department.
- (4) Regulation of Amplifier Volume. If, at any time, the Police Department determines that the sound produced by an amplifier in a park is unreasonably interfering with other persons using said park or with nearby residents in the comfortable and reasonable enjoyment of their premises, an officer shall request the person in charge of the assembly, or any other person appearing to be involved in the production of the said sound, to immediately reduce the level thereof. If said sound is not reduced within five (5) minutes to a level satisfactory to said officer, he shall immediately contact the Parks Department standby person to curtail the power source.

(f) Prohibition of Firearms, Fireworks, and Toy Weapons. No person shall carry or discharge firearms, firecrackers, rockets, torpedoes, or other types of explosives, or carry or discharge any air gun, or pistol, or any sling shot or similar device, or any bows

and arrows, or carry or use any object calculated to make a noise sufficient to disturb the peace or quiet of the park, or bring into any park any of the above objects or articles, and if said objects or articles are brought into any public park, the person or persons so bringing them in will be subject to having them taken away from his person by the proper authorities.

(g) Damaging Property. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any manner any building, monument, fence, bench, or other structure.

(h) Damaging Land. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer.

(i) Water. No person shall swim, fish in, bathe, wade in, or pollute the water of any fountain, pond, lake, stream, or reservoir except by permission of the Parks Director.

(j) Fires and Camping. No person shall make or kindle a fire except in stoves provided for that purpose, or camp or lodge therein, except by permission of the Parks Director.

(k) Picnicking. No person shall cook, prepare, serve, or eat any lunch, barbecue, or picnic except at the area provided therefor.

(l) Waste Liquids and Refuse. No person shall wash dishes, or empty salt water or other waste liquids, or leave garbage, cans, bottles, papers, or other refuse elsewhere than in the receptacles provided therefor.

(m) Games. No person shall play or engage in any game, excepting at such place as shall be especially set apart for that purpose.

(n) Gambling. No person shall play or bet at or against any game which is played, conducted, dealt, or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other representative of value, or maintain or exhibit any gambling table or other instrument of gambling or gaming.

(o) Noise. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, or disturb in any manner any picnic, meeting, services, concert, exercise, or exhibition.

(p) Advertising Matter. No person shall distribute any hand-bills or circulars, or post, place, or erect any bills, notice, paper, or advertising device or matter of any kind.

(q) Selling. No person shall sell or offer for sale any merchandise, article, or thing, whatsoever, except by permit from the City Council.

(r) Commercial Activity. No person shall practice, carry on, conduct, or solicit for any trade, occupation, business, or profession, or circulate any petition of whatsoever kind or character.

(s) Loitering at Night. No person shall stay, remain, or loiter in any public park between the hours of eleven (11:00) o'clock P.M. and seven (7:00) o'clock A.M. of the following day without permission of the Parks Director.

(t) Meetings. No person shall hold any meeting, service, concert, exercise, parade, or exhibition in any public park without first obtaining a permit from the Parks Director.

(u) Drinking. No person shall drink any spiritous, vinous, malt, or mixed liquors without obtaining a formal written permit from the Parks Director.

#### SECTION 5. Reservation of Park Areas and Structures.

(a) Reservations for Activities in Park Structures. The Director shall be responsible for scheduling and controlling the use of parks, or portions thereof, for the maximum benefit and participation by interested persons or groups, both public and private. All reservable areas shall be subject to reservation from April 1 to September 15. Activities sponsored by the Parks or Recreation Departments shall be given preference in the use of City parks.

(b) Reservations without Formal Permits. Groups of less than fifty (50) persons desiring the use of park areas or structures may request the Director to reserve designated park areas for such use. All picnic areas reserved by groups or persons not residing within the boundaries of the city limits of Redlands are subject to the fee schedules for these reserved areas. Persons or groups from within the city limits are not subject to reservation fees and will have priority over persons or groups from outside the city limits.

If the Director is satisfied from the information presented to him that the desired area may be reserved for the intended use without unreasonably interfering with the use of the park by other persons and without disturbing the peace of the surrounding neighborhood, he may grant said reservation upon such conditions as he deems necessary. The Director will issue reservation forms as necessary to verify the granting of such reservations.

If for any reason the Director is not satisfied as to the reasonableness of the proposed activity in relation to the use of the park by other persons, or as to the effect of such use upon the peace of the neighborhood, or if he finds that he is unable to agree

with the applicant as to conditions to be imposed, he shall ask the applicant to fill out a Request for Formal Permit in accordance with the procedures in the following sub-section.

(c) Reservations by Formal Permit. The following procedures shall be followed by persons desiring to reserve park areas for gatherings or assemblies of fifty (50) or more persons, and by persons requested by the Director to complete a Request for Formal Permit under the provisions as listed above in sub-section (b).

- (1) Applications for formal permits must be submitted in writing upon forms available at the office of the City Parks Department, not less than five (5) working days nor more than ninety (90) calendar days in advance of intended use.
- (2) The Director may impose such reasonable conditions upon the issuance of the formal permit as he deems necessary for the protection of the public health, safety, and welfare, including, without limitations, conditions related to time, place, frequency, duration, fees, consumption of alcoholic beverages, maximum attendance, parking restrictions, and placement of apparatus and equipment.
- (3) The Director may also require the applicant to provide additional water and sanitary facilities and refuse receptacles as he reasonably believes to be necessary for the protection of public health, safety, and welfare in connection with the intended use.
- (4) All fees in support of park areas and structures will be paid prior to the issuance of the formal permit. Waiver of said fees must be requested of the City Council thirty (30) days prior to the intended use. Said fees or deposits may include, without limitations, such amounts as may be determined by the Director or the Chief of Police to be reasonably necessary as security for repair of damage to park property, for cost of cleanup, and for extra personnel to regulate conduct and traffic.
- (5) The Director may require the applicant to provide a designated number of approved security personnel for the purposes set forth by the Chief of Police upon such application.
- (6) The applicant shall agree to reimburse the City for any unusual cleanup and facility repair expenses and for services provided by the Parks or Police Departments incurred as a result of the activity authorized by the permit.

SECTION 6. Consent Required for Transfer. No permit or reservation for the use of a park, or any portion thereof, shall be transferable without the written consent of the Director.

SECTION 7. Appeal. Any person aggrieved by any act or determination of the Parks Director or the Chief of Police in the exercise of the authority herein granted shall have the right to appeal to the City Council. The appeal shall be in writing, stating the decision appealed from and the reasons for the appeal. The appeal shall be filed with the City Clerk within five (5) working days after the occurrence of the act or determination forming the basis for the appeal. The appeal shall be heard by the Council at the first regular Council meeting occurring more than five (5) days after the filing of the appeal.

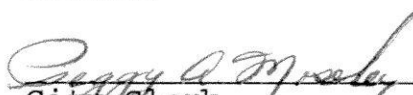
SECTION 8. Insurance. Any person or group imposing admission charges for activities held within City parks must have City Council approval prior to the activity and shall provide evidence of current insurance holding the City harmless from any and all liability for injury to persons or property resulting 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 Parks or Recreation Departments for which a charge is imposed to help defray the cost of the activity.

SECTION 9. Enforcement. The Police Department shall have the primary responsibility for the enforcement of the provisions of this ordinance, including all violations of State law within City parks. In addition thereto, supervisory personnel in the Parks Department and all Parks Department personnel classified as Groundsman-Gardener, Senior Groundsman-Gardener, maintenance personnel, security personnel, or any classified tree personnel shall have the duty to enforce the provisions of Sections 3, 4, 5, 6, 8, and 9, and all such persons shall have the powers and duties of a deputy poundmaster for the purpose of enforcing the City's animal control ordinances (Code Sections 57100, 57301, 57400, 72200, 72201 and 72202) within City parks. For the purposes of such enforcement, said park personnel are authorized to arrest persons and issue citations in accordance with the provisions of California Penal Code Section 597.

SECTION 10. This ordinance shall be in force and take effect as provided by law.

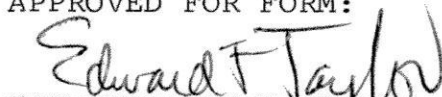
SECTION 11. The City Clerk shall certify to the adoption of this ordinance and cause the same to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in this city.

ATTEST:

  
City Clerk

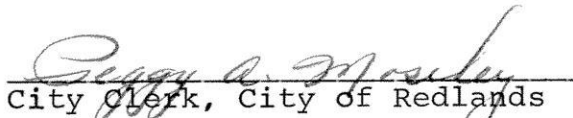
  
Mayor of the City of Redlands

APPROVED FOR FORM:

  
City Attorney

I, Peggy A. Moseley, City Clerk, City of Redlands, hereby certify that the foregoing ordinance was adopted by the City Council at a regular meeting thereof held on the 21st day of September, 1976, by the following vote:

AYES: Councilmembers Knudsen, Miller, Grace, Elliott, Mayor  
DeMirjyn  
NOES: None  
ABSENT: None

  
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City Clerk, City of Redlands