

McCLOUD COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 10

AN ORDINANCE PRESCRIBING REGULATIONS FOR USE BY THE PUBLIC OF THE DISTRICT PARKS

BE IT ORDAINED by the Board of Directors of the McCloud Community Services District as follows:

Section 1

1.01 Purpose and Policy: District parks are designed primarily for use by individuals, families and concentrated gatherings of people during the daylight and evening hours. The intent of this ordinance is to protect those who enjoy and/or use our community parks from safety hazards, public nuisances and malicious mischief and to promote a simultaneously comfortable environment for all and to facilitate compliance with law.

Section 2

2.01 Definitions: Unless otherwise expressly stated, the following shall be defined in this ordinance as follows:

2.01.1 “Parks” are defined as the McCloud Community Services District Hoo Hoo Park and any area set aside for recreational uses, areas conserved for their scenic interests, playgrounds, recreational centers and any other areas owned or operated by the McCloud Community Services District which are intended for active or passive recreational purposes for the appreciation and/or use by the community-at-large. The word “park” includes any buildings, equipment, plants or other facilities located in any parks.

2.01.2 “Playgrounds” are areas of any park in which improvements and/or structures are installed which promote concentrated gathering of park visitors and signage has been installed detailing limitations on area usage. Park benches installed directly adjacent to any playground shall be considered part of the playground.

Section 3

3.01 Hours Closed to the Public: All District parks shall close at midnight. It shall be unlawful for anyone to be in a District park between midnight and daylight or to park any vehicle in a park between these hours without a permit or as allowed during snow removal operations. The District may issue special, overnight camping permits to groups specifying location and rules for this privilege to insure there will be no interference with the primary intended use of the park. See Section 5 for further information about permits.

Section 4

4.01 Use Limitations: It shall be unlawful and a misdemeanor for anyone to do, cause or permit to be done any of the acts hereinafter specified within any park owned or operated by the District:

4.01.1 To possess or discard any glass beverage container in any park. It is noted that paper, plastic and aluminum beverage containers are inexpensive and readily available.

4.01.2 To loiter in any park at any time between midnight and daylight of the following morning unless in possession of a permit.

4.01.3 To trespass in any area, building or facility which is fenced or enclosed and locked.

4.01.4 To connect any mobile home, recreational vehicle, camper or self-contained vehicle to any utility services or outlets provided by any park without a permit.

4.01.5 To clean, wash, polish or make other than emergency repairs on any motor or self driven vehicle in any park.

4.01.6 To erect clothes lines or wash lines in any park.

4.01.7 To dispose of any garbage or debris not generated on the premises in any of the containers provided by the District.

4.01.8 To litter in any park.

4.01.9 To discard lighted or unlighted cigars or cigarettes in any area of any park.

4.01.10 To deface, damage, write upon, move, remove or otherwise injure any District facilities, improvements, playground equipment or surfacing, rest room fixtures, buildings, athletic equipment, field equipment, park maintenance equipment or property.

4.01.11 To cut, break, injure, drive upon, deface or disturb any tree, shrub, grass or other plant material in any park.

4.01.12 To remove any turf, grass, soil, rock, sand or gravel in any park.

4.01.13 To make or kindle a fire except in designated barbecue or pit facilities provided for that purpose.

4.01.14 To allow a dog to run at large in any park, pursuant to the Siskiyou County Leash Law or to leave animal waste in the park.

- 4.01.15** To ride, lead or drive any horse, propel any motorized vehicle except on roadways.
- 4.01.16** To operate a motor vehicle at a speed greater than five (5) miles per hour, park any place in the public parks except where officially designated or violate any provisions of the vehicle code. Other than in designated parking areas, no vehicle of any kind, except authorized maintenance vehicles, are allowed within the developed area of the park unless a permit has been issued to meet individual needs of an authorized special event.
- 4.01.17** To operate gasoline powered go-carts, or midget cars in any park. Gasoline powered model airplanes may only be operated in remote, unpopulated areas of any park.
- 4.01.18** To wound, kill, catch or harass any bird or other animal in any park.
- 4.01.19** Except for law enforcement officers, to bring or carry any firearms, air guns, slingshots, archery equipment or fireworks into any parks without the express written permission of the District.
- 4.01.20** To play or engage in the hitting of golf balls in any park. Plastic golf balls may be used in the remote, unpopulated areas of the park..
- 4.01.21** To move from one location to another any field equipment or park maintenance equipment.
- 4.01.22** To indulge in indecent or riotous conduct in any park.
- 4.01.23** To indulge in any indecent language, body language, abusive gestures or to otherwise make noises in such a manner as to disturb, annoy or harass any other lawful user of the park.
- 4.01.24** To disturb or interfere unnecessarily with spectators or participants in any event conducted in any park or to enter any area provided for or occupied by spectators or participants at any such event for the purpose of doing any such act.
- 4.01.25** To sell or offer for sale any merchandise, article or thing except within a special event approved by the District.
- 4.01.26** To practice, carry on, conduct or solicit for any trade, occupation, business or profession or circulate any petition of any kind or character without a permit issued by the District.
- 4.01.27** To use any park facility or equipment which has been reserved. Use of the community parks or parts of the parks is on a first-come-first-use basis unless a special

events permit has been issued, in which case, a reservation has been guaranteed for sole use by the party obtaining a permit.

4.01.28 The use of the District park/s is declared to be a privilege and the privileges of using parks may be revoked to any person using vulgar or offensive language to anyone at the parks and such privilege of use may be revoked for conduct which annoys or harasses any other lawful user of any park. The comfort of all simultaneous users of the park will be protected.

4.01.29 To possess alcoholic beverages in any District park after dark unless a permit has been issued by the District. Darkness is defined as one-half hour after sunset to one-half hour before sunrise.

4.01.30 Unless otherwise posted, it shall be unlawful to park or leave any motorized vehicle in or upon those streets and ways immediately adjoining Hoo Hoo Park unless said vehicle is parked parallel to the curb line, or if there is no curb line, then in that portion of the street generally used for parking in that the front of the vehicle shall be facing in the general direction of the street itself. This section shall apply specifically to motor vehicles parked on the north side of Colombero Drive immediately adjoining said park.

4.01.31 To smoke or carry lit tobacco products within any playground.

4.01.32 To ride any skateboard, scooter, skates or bicycles within a playground area.

4.01.33 To consume, carry or store alcoholic beverages in the Scout Hall.

4.01.34 To possess alcoholic beverages in any spectator area during youth sports activities.

4.01.35 To consume or carry beverage containers of any kind onto the field during any organized athletic event.

Section 5

5.01 Reservation of Park Facilities: Open land sections of the park and the gazebo area are available for use without reservation on a first-come-first served basis within the scope of use limitations and hours open to the public as appear in this ordinance. All or sections of the park may be reserved and used by private parties. The Scout Hall, Concession Stand and District-owned equipment are available by reservation only.

5.01.1 All reservations are scheduled through the District Office. The Board of Directors reserves the right to restrict use of the park as it deems appropriate.

5.01.2 Fees for park use by reservation appear in Policy 1060, Miscellaneous Fee Schedule of Board Policy. Payment of fee/s and/or the cleaning deposit are required to establish a reservation.

5.01.3 It is the responsibility of the facility renters to maintain sanitary facilities throughout the reserved period and report any lack of function to the District or its On-Call Duty Operator.

5.01.4 Any cleaning or repair required as the result of the renter's use will be deducted from the deposit prior to any refund. Costs in excess of the deposit will be billed to the renter.

5.01.5 Organized athletic and special events as described in this ordinance must be scheduled through the District office.

5.01.6 The District reserves the right to declare, based on information submitted or discovered regarding such reservation, that a special event application be submitted pursuant to Section 6 of this Ordinance.

5.01.7 The District reserves the right to request that reserving parties provide a Certificate of Insurance and Endorsement naming MCSD as an additional insured prior to the scheduled reservation date.

Section 6

6.01 Special Events: It is the policy of the District to preserve the peace and tranquility and the greatest beneficial use by the public of the District's parks. Special Events Permits are available from the District to individuals, firms or organizations who wish to use the park or specific areas of the park for special events and may need consideration of special needs to meet the requirements of an event. As used herein, the term "special event" shall be understood and construed to mean any activity or event which includes, but is not limited to:

6.01.1 Events open to the public and the public is encouraged to attend through advertising.

6.01.2 Athletic activities sponsored by groups or organizations and open to the public.

6.01.3 Events with organized time schedules which extend past midnight or begin before dawn.

6.01.4 Events at which alcohol will be sold.

6.01.5 Events at which attendance is planned or expected to exceed 100 persons.

6.01.6 Events at which alcohol will be served or available past the daylight hour limitation contained herein.

6.01.7 Events at which portable play structures are erected and the public is allowed and/or encouraged to participate in the activities.

6.01.8 Events which include vendor booths.

6.02 Permit Applications: Applications for permits shall be made to the District on the forms supplied by the District. The following information will appear on District forms and must be provided prior to issuance of a Special Events Permit:

6.02.1 The name of the proposed event.

6.02.2 The purpose of the proposed event.

6.02.3 The date(s) and time schedule(s) of the proposed event.

6.02.4 The applicant's name, address and telephone number.

6.02.5 The beneficiary of any funds raised at the proposed event.

6.02.6 Identity of a group expected to be served by the special event.

6.02.7 Whether or not alcoholic beverages will be served.

6.02.8 Whether or not alcoholic beverages will be sold.

6.02.9 Whether or not organized athletic or recreational activities will be conducted during the event.

6.02.10 What District services and facilities are needed for the event.

6.02.11 What cleanup arrangements will be made.

6.02.12 What level of combined public liability and property damage insurance is planned.

6.03 Permit Approval: All permits shall be subject to approval by the District General Manager. The issuance of a permit shall be conditioned upon receipt of a deposit by the applicant of a reasonable cleaning deposit and use fees in amounts, as detailed in Policy 1060, Miscellaneous Fee Schedule of Board Policy. The cleanup deposit will be returned to the

applicant if the facilities used are cleaned to the satisfaction of the District by a specified time on the day following the event. Depending upon the level of liability exposure produced by the event, the applicant may be required to supply the District with a certificate of public liability and property damage insurance, with endorsement naming the District, its officers, agents and employees as additionally insured, with liability limits as established from time to time by the District. A permit may be issued after these requirements have been met.

Section 7

7.01 Enforcement: Any violation of this Ordinance shall be a misdemeanor and shall be punishable by imprisonment in the county jail for a term not exceeding six months, or by a fine not exceeding \$500.00.

This ordinance shall take effect and be in full force from and after the date of its final passage. Before the expiration of 15 days after its final passage, it shall be posted in three public places within the McCloud Community Services District for not less than 30 days.

I HEREBY CERTIFY that the foregoing Ordinance No. 10 (Revised) was introduced and read at a regular meeting of the Board of Directors of the McCloud Community Services District on September 8, 2003 and was duly adopted at the regular meeting of November 10, 2003 by the following vote:

Ayes: Dragseth, Goates, Terry, Toreson, Young

Noes: None

Absent or Abstaining: None

Rich Toreson/President of the Board

Attest: _____
Peter J. Kampa/Secretary of the Board