

ORDINANCE 2014.03.12.03
ORDINANCE OF THE STRAWBERRY RECREATION DISTRICT
ADOPTING RULES AND REGULATIONS FOR THE USE OF THE RECREATION FACILITIES,
PROGRAMS AND SERVICES LOCATED AT STRAWBERRY RECREATION DISTRICT COMMUNITY
CENTER OUTDOOR PARKS AND FIELDS LOCATED AT 118 E. STRAWBERRY DRIVE

The Board of Directors of the Strawberry Recreation District (“District”) does hereby ordain as follows:

SECTION I: Findings And Purpose.

Pursuant to Public Resources Code Section 5786.1, subsection j, it is the intent of the Board of Directors that this ordinance shall set forth the rules and regulations for the use of the recreation facilities, programs and services within the District’s jurisdiction located at Strawberry Recreation District Community Center outdoor parks and fields located at 118 E. Strawberry Drive. Further, it is the intent of the Board of Directors that this ordinance shall set for the enforcement mechanism forth this ordinance as permitted by Public Resources Code Section 5786.17.

SECTION II: General.

- A. **Definitions.** The following terms when used in this Ordinance shall have the meanings ascribed to them in this section:
1. “Board” means the Board of Directors of the Strawberry Recreation District.
 2. “District” means the Strawberry Recreation District.
 3. “Parks” means the Strawberry Recreation District Community Center parks and fields located at 118 E. Strawberry Drive.
 4. “Permission” as referred to in this Ordinance means written permission granted by an authorized representative of the Strawberry Recreation District.
 5. “Person” as referred to in this Ordinance means any natural person, firm, corporation, club, municipality, district or public agency, and all associations or combinations of persons whenever acting for themselves or any agent, servant or employee.
- B. **Enforcement.** Any authorized agency employee or designee or any peace officer shall have the authority to eject any person acting in violation of these Ordinances from lands or facilities managed by the agency or otherwise revoke their permission to use such lands or facilities. Further, any peace officer shall have the authority to enforce these Ordinances as set forth by law.
- C. **Park Hours.** Parks are open to the public for use on Sundays from 8:30 a.m. to sunset and Monday through Saturday from 8:00 a.m. to sunset, or as otherwise designated by posted signs, in accordance with these regulations. A permit from the District is required for any after hour events. Overnight camping is prohibited.

- D. **Misdemeanors and Infractions.** Violation of the following regulations is a misdemeanor:
1. Section III, Paragraph B – remaining on or reentering parks after consent has been withdrawn;
 2. Section III, Paragraph C – damaging park property;
 3. Section III, Paragraph E – misconduct of minors;
 4. Section III, Paragraph F – participating in prohibited miscellaneous activities;
 5. Section III, Paragraph G – use, possession or discharge of firearms and other weapons;
 6. Section III, Paragraph H – noise disturbance;
 7. Section III, Paragraph K – dumping of garbage, refuse and trash;
 8. Section III, Paragraph L – structures, encroachments or signs;
 9. Section III, Paragraph M – abandoned or unattended property;
 10. Section III, Paragraph N – commercial activities;
 11. Section III, Paragraph O – disorderly conduct;
 12. Section III, Paragraph P – alcoholic beverages;
 13. Section IV, Paragraph A – overnight parking;
 14. Section VI, Paragraph A and B– creation of fire hazards;
 15. Continuing to use park lands in an illegal manner once a park employee, designee or law enforcement official has directed that such an activity be stopped.

Violation of any park regulation not mentioned in this section is an infraction.

- E. **Severability.** If any provision, section, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, inoperative or invalid, such holding shall not affect the remainder of this Ordinance.

SECTION III: Visitor Conduct Regulations.

- A. **Compliance With Laws, Regulations And Signs.** All persons entering upon parks shall comply with all applicable federal, state, local laws, regulations and posted signs.
- B. **Use Restrictions.** No person shall enter any park that are closed to the public, nor use any area of a park for an unauthorized purpose. No person shall remain on or reenter a park after an authorized District employee, designee or law enforcement officer has specifically withdrawn consent to use such park.
- C. **Care Of Property And Facilities.** No person shall damage, deface, paint, tamper with or remove any park property or park facilities, including buildings, signs, gates, fences, equipment, trash receptacles, paving material, utilities or water lines.
- D. **Group Use.** No group, school, club or similar organization, whether formally organized or not, shall hold or conduct any activity within parks with twenty or more participants without prior written approval from the District. Group use of parks is subject to prior reservations, conditions and charges.

- E. **Responsibility For Conduct Of Minors.** Parents and guardians shall be responsible for the conduct of their minor children and shall not permit such minor children to do any act within parks prohibited by this Ordinance.
- F. **Miscellaneous Activities.** No person using parks shall engage in activities that endanger property, public safety or environmental resources. Nonpermitted activities include, but are not limited to:
1. Hitting golf balls, and
 2. Jumpie or bounce houses.
- G. **Weapons Prohibited.** No person shall possess, use, carry, discharge or cause to be discharged any gun, firearm or weapon within parks, including any air or gas weapon, spring gun, spear, bow and arrow, crossbow, sling shot, animal trap, knife with blade over five inches long, explosive, or any other form of weapon potentially dangerous to wildlife or human safety. Discharging any weapon into park areas from beyond park boundaries is prohibited.
- H. **Noise Restrictions.** No person using parks shall make or cause to be made any loud, unnecessary or unusual noise that causes discomfort or annoyance to any reasonable person of normal sensitivity. Except for radios and similar devices operated at levels that do not disturb others using parks, no person shall operate or possess any public address system, amplified musical instrument or other noise producing or transmitting device without written permission from the District.
- I. **Sanitation.** No person using parks shall do any of the following:
1. Urinate or defecate other than at restrooms provided;
 2. Fail to cooperate in maintaining restrooms in a neat and sanitary condition;
 3. Fail to clean up feces deposited by their pet; or
 4. Use restrooms set apart for the opposite sex, except when doing so for the purpose of assisting persons with a disability who requests such assistance.
- J. **Littering.** No person shall throw, drop, place or deposit any object, including, but not limited to, paper, food scraps, bottles, bottle caps, or cans onto lands within parks, except in trash receptacles. Where trash receptacles are not provided or are full, all such matter shall be carried away by the person responsible for its presence and properly disposed of elsewhere.
- K. **Dumping Prohibited.** No person shall bring garbage, refuse, trash or yard clippings onto parks, nor dump or deposit such garbage, refuse, trash or yard clippings within parks.
- L. **Unauthorized Structures Prohibited.** No person shall erect any temporary or permanent obstruction, structure, monument, facility, physical improvement, encroachment or sign within parks without express permission by the District. Any such item may be impounded and/or demolished by the District.
- M. **Abandoned And Unattended Property.** No person shall abandon or leave unattended any personal property or device within parks for a period longer than twelve hours

without express permission by the District. Any property or device so abandoned or unattended may be impounded and/or disposed of in accordance with law.

- N. **Commercial Activities.** No person shall do any of the following within parks:
1. Sell, hawk or otherwise peddle any goods, merchandize or services;
 2. Station or place any stand, cart or vehicle for display of goods, merchandise or services;
 3. Distribute, circulate or post any handbill, pamphlet or other advertisement regarding sale of goods, merchandise or services;
 4. Conduct any commercial filming or photography or activity related to commercial filming or photography except by written permission by the District;
 5. Conduct any activity of a commercial nature except by written permission of the District.
- O. **Prohibited Conduct.** No person shall do any of the following within parks:
1. Harass or otherwise disturb others;
 2. Accost another person for the purpose of begging or soliciting;
 3. Be under the influence of intoxicating liquor or dangerous drugs in such a condition that the individual is unable to exercise care for his or her own safety or the safety of others;
 4. Engage in loud or disturbing conduct or any act tending to a breach of the peace; or
 5. Appear in a state of dress or undress in which in which the pubic hair, genitals, buttocks or any portion of the female breast below the top of the areola are exposed. In addition, no person shall do anything defined as "disorderly conduct" as outlined in Penal Code Section 647.
- P. **Alcohol Prohibited.** No person shall bring or consume any alcohol in park.
- Q. **Baseball Restrictions.**
1. No person shall engage in live batting practice outside of designated batting cages.
 2. Pitching machines are only permitted in designated batting cages.
 3. The size of the Major Field requires restriction in the use of play on the field. Due to public safety concerns, including, but not limited to, the walkways, parking lots and surrounding homes, the Major Field Baseball and Softball League Play is restricted to persons under 13 years of age.
 4. The size of the Minor Field requires restriction in the use of play on the field. Due to public safety concerns, including, but not limited to, the walkways, parking lots and surrounding homes, the Minor Field Baseball and Softball Legal Play is restricted to persons under 11 years of age
- R. **Standards Of Behavior.** For the enjoyment and safety of everyone, the District expects all persons to treat the people and facilities connected to the District with respect and abide by all rules and direction from the District staff. The District reserves the right to refuse service or passes to anyone for the failure to abide by these standards. Privileges, including passes, may be revoked at any time by authorized personnel.

SECTION IV: Vehicles and Traffic Regulations.

- A. **Overnight Parking Prohibited.** No person shall park any vehicle overnight in any park area, including park designed parking lots.

SECTION V: Animals Regulations.

- A. **Dogs.** Other than service animals that assist persons with disabilities, dogs are prohibited from being in the parks.

SECTION VI: Fire Regulations.

- A. **Fires And Barbecues.** No person shall build, light or maintain a fire of any nature within parks except in permanent fixed barbecues established by the District. The use of portable barbecues and camp stoves is prohibited in parks.
- B. **Smoking.** Smoking is prohibited in all park areas.

SECTION VII: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once at least one week before the expiration of said thirty (30) days in the *Marin Independent Journal*, a newspaper of general circulation published in the jurisdiction of the agency.

SECTION VIII: VOTE

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Strawberry recreation District held on this 12th day of March 2014 by the following vote:

AYES:

NOES:

PRESIDENT, BOARD OF DIRECTORS

ATTEST:

SECRETARY