

Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie General Manager

PREPARED BY: Patricia Lord, Assistant General Manager

DATE: June 9, 2020

SUBJECT: Amendments to Ordinance No. 8 Park Hours of Operation

COMMITTEE: Recommended by Facilities Committee on May 7, 2020

RECOMMENDATION: That the Board of Directors introduce amended Ordinance No. 8 – Rules & Regulations Governing Conduct on Use of Parks and Other District Facilities on Chapter 300-Access: §301(a) Section 301 – Hours of Operation

BACKGROUND: The District’s Rules and Regulations (Ordinance No. 8) was adopted in April of 2008 and subsequently amended in February 2009, January 2012, September 2016, and March 2018. Periodic amendments are required to reflect:

1. Changes in Federal, State and County laws.
2. The need to clarify or correct existing rules and regulations.
3. Changes within the community such as, technology, behaviors, interests, etc.
4. New District facilities, programs, technology or services.

The approval process for amending Ordinance No. 8 is as follows:

- Ordinance No. 8 is introduced at Board Meeting on June 9, 2020, after being recommended by Facilities Committee on May 7, 2020 (See Attachment A – Notice of Hearing Published May 28, 2020).
- Board will consider approving amendments to Ordinance No. 8 and determine if there is any revision or alteration to amended Ordinance (See Attachment B – Revisions to Ordinance No. 8 on Chapter 300-Access: §301(a) Section 301 – Hours of Operation).
- Staff to post a Notice of Hearing indicating that amendments to Ordinance No. 8 will be considered by the Board at its next meeting date on June 24, 2020.
 - Notice of Hearing to be published at least five days prior to the June 24, 2020 Board meeting and text of the proposed amendments is made available to the public.
- Public Hearing conducted at the June 24, 2020 Board meeting, during which the Board will consider approving amendments to Ordinance No. 8.

- If Board adopts amendments by Resolution, then staff to post a legal notice within 15 days, summarizing the amended Ordinance and indicating who voted for and against the amendments.
- Public Review copy of certified copy of full text of amended Ordinance available at LARPD District office and online. The amended Ordinance becomes effective 30 days from the date on which the amendments were approved.

The proposed amendments concern hours of operations. The current hours of operation has raised concerns about safety, vandalism, and unwanted activities with park use after dark and inconsistent practices throughout the Parks system. The legal definition of dark is one half (1/2) hour after sunset. Best practices with other public park agencies hours of operation are sunrise to one half (1/2) hour after sunset.

Ordinance No. 8 Rules and Regulations, Section 301- Hours of Operation, Section 301(a) states:

It shall be unlawful to enter or remain in or on any District Facility, Parkland or Trail, after said Facility, Parkland or Trail is closed for public use, without a Permit. All District Facilities, Parklands and Trails shall be closed for public use during the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, except as may be otherwise posted.

The proposed park hours of operation and amendment to Ordinance No. 8:

It shall be unlawful to enter or remain in or on any District Facility, Parkland or Trail, after said Facility, Parkland or Trail is closed for public use, without a Permit. All District Facilities, Parklands and Trails hours of operation shall be Sunrise to one half (1/2) hour after Sunset, except for lighted sports facilities that are permitted for use up until 10:30 PM.

FISCAL IMPACT: The estimated cost for publishing two legal notices and cost for printing is \$1,000. Additional costs for updating the existing high-pressure laminate park rules signage in parks is estimated at \$10,000.

ATTACHMENTS:

A = Notice of Hearing Published May 28, 2020

B = Revisions to Ordinance No. 8 on Chapter 300-Access: §301(a) Section 301 – Hours of Operation



Proposed Amendments to Ordinance No. 8 Rules and Regulations Governing Conduct and Use of Parks and Other District Facilities

NOTICE OF HEARING

Livermore Area Recreation and Park District Ordinance No. 8 - Rules and Regulations Governing Conduct and Use of Parks and Other District Facilities was adopted by the Board of Directors of the Livermore Area Recreation and Park District on April 9, 2008. Ordinance No. 8 was subsequently amended by the Board of Directors on Feb. 25, 2009, Jan. 25, 2012, Sept. 14, 2016, and Jan. 31, 2018.

It has become necessary to further amend the ordinance regarding Park Hours. The amended ordinance will be considered for adoption by resolution at a Special Meeting of the LARPD Board of Directors on June 9, 2020 at 3:30 PM, via Zoom. Details for the Zoom meeting will be available to the public 72 hours prior to the meeting.

A certified copy of the full text of the proposed amended ordinance follows this notice. Revisions are shown in red color text. A certified copy of the full text of the proposed ordinance is also available for use and examination by the public at the LARPD District Office, located at the Robert Livermore Community Center, 4444 East Ave., Livermore, CA 94550, by appointment between the hours of 8 AM and 2 PM, Monday -Friday.

All comments or questions must be directed in writing to plord@larpd.org or via U.S. mail to LARPD, Attn: Patricia Lord, Assistant General Manager at the above address. For additional information, call (925) 373-5700.

This Notice of Hearing to remain posted through June 9, 2020



Ordinance No. 8
Rules & Regulations

Revision – Hours of Operation

- 301(a)** *It shall be unlawful to enter or remain in or on any District Facility, Parkland or Trail, after said Facility, Parkland or Trail is closed for public use, without a Permit. All District Facilities, Parklands and Trails hours of operation shall be Sunrise to one half (1/2) hour after Sunset, except for lighted sports facilities that are permitted for use up until 10:30 PM.*