

# Livermore Area Recreation and Park District

## Staff Report

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TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie General Manager

PREPARED BY: Patricia Lord, Assistant General Manager

DATE: June 24, 2020

SUBJECT: Amendments to Ordinance No. 8 District Rules and Regulations

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**RECOMMENDATION:** That the Board of Directors conduct the Public Hearing and consider amended Ordinance No. 8 – Rules and Regulations Governing Conduct on Use of Parks and Other District Facilities; waive the 2<sup>nd</sup> reading; adopt amended Ordinance No. 8 by approval of Resolution No.\_\_\_\_\_.

**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 January 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 that require new or changes to existing rules or regulations.

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. Recommended revisions are incorporated into Ordinance No. 8 Rules and Regulations, Section 301- Hours of Operation, Section 301(a) (See Attachment A)

At its June 9, 2020 meeting, the Board of Directors introduced amended Ordinance No. 8, waived the first reading and directed staff to post a Notice of Hearing indicating that amendments to the ordinance will be considered by the Board at a future meeting.

**DISCUSSION:** The remainder of the approval process for amending Ordinance No. 8 is as follows:

- A Notice of Hearing, including a summary of the proposed amended Ordinance, was published in the June 18, 2020 edition of The Independent newspaper. A Notice of

Hearing was also posted at the LARPD District Office, 4444 East Avenue, Livermore, California from June 18 through June 24, 2020. Both published and posted Notices indicated that a certified copy of the entire text of the proposed amended Ordinance was available for use and examination by the public at the LARPD District office. In addition, the Notice of Hearing and a certified copy of the entire text of the proposed amended Ordinance were posted on the LARPD website from June 18 through June 24, 2020. These actions meet the requirements that the Notice of Hearing be posted at least five days prior to the Public Hearing and that the text of the proposed amendments be made available to the public. A Certificate of the Clerk of the Board of Directors, attesting to the above, is attached (Attachment B).

- A public hearing is being conducted at the June 24, 2020 Board meeting, during which the Board will consider approving amendments to Ordinance No. 8.
- Assuming that the amendments are approved on June 24, 2020, staff will publish and post a legal notice within 15 days, summarizing the amended Ordinance and indicating who voted for and against the amendments.
- The amended ordinance becomes effective thirty (30) days from the date on which the amendments were approved. Assuming that the amendments are approved on June 24, 2020, the amended rules and regulations become effective on July 26, 2020.

FISCAL IMPACT: The estimated cost for publishing two legal notices and cost for printing of the Ordinance No. 8 Rules and Regulations booklet is \$1,800. Additional costs for updating the existing high-pressure laminate park rules signage in parks is estimated at \$10,000.

ATTACHMENTS:

Attachment A - Ordinance No. 8 on Chapter 300-Access: §301(a) Section 301 – Hours of Operation –amendments indicated

Attachment B – Certificate of the Clerk of the Board of Directors



# **LIVERMORE AREA RECREATION AND PARK DISTRICT**

## **ORDINANCE NO. 8**

# **RULES & REGULATIONS**

Adopted April 9, 2008  
Effective May 12, 2008  
Revised February 25, 2009  
Revisions Effective March 27, 2009  
Second Revision January 25, 2012  
Second Revision Effective February 24, 2012  
Third Revision September 14, 2016  
Third Revision Effective October 14, 2016  
Fourth Revision January 31, 2018  
Fourth Revision Effective March 2, 2018

## Ordinance No. 8 Chapter Summary

Chapter 100 – General Provisions

Chapter 200 – Definitions

Chapter 300 – Access

Chapter 400 – Permits

Chapter 500 – Dangerous or Prohibited Activities

Chapter 600 – General Operations

Chapter 700 – General Nuisance

Chapter 800 – Vehicles

Chapter 900 – Trail Uses

Chapter 1000 – Domestic Animals

Chapter 1100 – Natural & Cultural Resource Protection

**Livermore Area Recreation and Park District  
Rules and Regulations - Ordinance 8**

In order that residents of the Livermore Area Recreation and Park District (LARPD or District) may use and receive maximum benefit from District facilities, parklands and programs, the Board of Directors of the Livermore Area Recreation and Park District hereby establishes the following rules and regulations concerning use of District facilities and parklands.

**Chapter 100 – General Provisions**

**Section 101 - Authority**

**§101(a)** Authority: All sections of this Ordinance are adopted pursuant to Section 5780, *et seq.*, of the Public Resources Code of the State of California and apply to all District facilities and parklands. A title, where used, does not limit the language of a section.

**Section 102 - Exceptions**

**§102(a)** The following regulations shall apply to all persons except:

(1) They shall not apply to employees of the District, District volunteers, or to its concessionaires or their employees engaged in and acting within the scope of their authorized duties and concession activities. However, District employees, District volunteers and District concessionaires and their employees shall abide by the laws of the State of California and all applicable county and/or municipal ordinances.

(2) They shall not apply to persons possessing a special use permit or contract, granted by the District, when such permits or contracts specifically suspend a section or sections of the regulations, providing said permittees are in compliance with all conditions of the permit or contract and all other regulations.

(3) They shall not apply to lease holders where such use is expressly provided for in the terms and conditions of their leases and where they are in compliance with all other regulations.

(4) They shall not apply to public safety employees of Federal, State, County, or Municipal governments acting within the scope of their authorized duties and with the knowledge of the District.

**Section 103 - Application**

**§103(a)** Special regulations enacted for an area or a subject do not preclude the application of general regulations unless expressly so indicated.

**§103(b)** Any judge or commissioner of a judicial District lying wholly or in part within the District, shall have jurisdiction over all prosecutions under this article for violations adopted by the Board of Directors.

- §103(c)** All persons entering upon District facilities or parklands shall abide by the rules and regulations of the District, the laws of the State of California and all applicable County and/or municipal laws or ordinances that pertain. In District facilities and parklands, District rules and regulations will supersede all other local ordinances when they are in conflict, as per section 5786.1(j) of the Public Resources Code.
- §103(d)** Parents or guardians shall be held responsible for the acts of minor children in their custody or control. Damage to property of the District shall be the financial responsibility of the minor child(ren)'s parents or guardians as set forth in the Civil Code 1714.1.
- §103(e)** The District or its authorized representatives shall diligently enforce the provisions of these regulations and may withdraw or revoke the privilege of access to District parklands or the use of any District facility for reasons of safety, security or resource protection, or from any person or group violating any provision of these regulations or any other law or ordinance.
- §103(f)** Uniformed District Rangers are empowered to enforce all District rules and regulations and all laws of the State of California and all applicable county and/or municipal laws or ordinances when the violation is committed within a District owned or managed Facility or Parkland.
- §103(g)** Unless otherwise specified, a violation of these rules is an infraction punishable by a fine not to exceed \$250 (two hundred fifty) dollars for each such violation.
- §103(h)** If a person has previously been issued 2 (two) or more infraction citations for the same offense described in these regulations during the 12 (twelve) month period immediately preceding the date of commission of the violation to be charged, the previous convictions shall also be charged in the accusatory pleading and, if found to be true by the court upon a court trial or if admitted by the person, said violation shall be deemed a misdemeanor punishable by a fine not to exceed \$1,000.00 dollars or by imprisonment in the County jail for a period not to exceed one month, or by both such fine and imprisonment.
- §103(i)** Where specified, a violation of these rules will not be considered an infraction but a misdemeanor. Any violation considered a misdemeanor will be punishable by a fine not to exceed \$1,000.00 dollars or by imprisonment in the County jail for a period not to exceed one month, or by both such fine and imprisonment.

- §103(j)** The following sections shall be considered misdemeanors:
- §303(b), failure to obey an evacuation order
  - §501(d), dumping into/near water body
  - §501(e), depositing commercial quantities of waste
  - §514(a), reckless behavior
  - §517(a), possession/use of firearm
  - §518(c), failure to obey an evacuation order due to fire hazard
  - §520(a), possession/use of fireworks
  - §521(a), vandalism
  - §704(a), failure to obey authorized personnel/disturbing the peace
  - §705(a), failure to obey ejection order
  - §802(l), reckless operation of motor vehicle
  - §1003(j), domestic animal abandonment
  - §1003(n), vicious animal
  - §1003(o), training animal for attack
  - §1101(a), harming wildlife
  - §1101(f), releasing wildlife
  - §1102(a), harming/collecting flora
  - §1103(a), harming/collecting geological features
  - §1104(a), harming/collecting cultural artifact
- §103(k)** Section 801(b) shall be subject to civil penalties as noted in the California Vehicle Code §40200(a).
- §103(l)** Headings, divisions and references to specific code sections are for convenience only and shall not be considered in the interpretation or application of this ordinance and shall not in any way affect the conduct or activities covered in other sections of this ordinance. Some rules may be duplicated in multiple sections.
- §103(m)** If any chapter, section, subsection, subparagraph, sentence, or clause of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance; and the Board of Directors declares that this paragraph, sentence, and clause thereof would have been adopted irrespective of such possible finding of invalidity or unconstitutionality and, to that end, the provisions of this ordinance are hereby declared to be severable.
- §103(n)** Where a section herein or rule or regulation adopted pursuant thereto is amended or repealed, acts and commissions occurring prior thereto may be prosecuted as though such section, rule or regulation had not been so amended or repealed.
- §103(o)** The failure to enforce any provision of this Ordinance shall not constitute a waiver of any right to enforce that provision or any other provision of this Ordinance.

**§103(p)**

These Rules and Regulations shall take effect and be in force upon their adoption by the District's Board of Directors.



## Chapter 200 – Definitions

*Unless the context otherwise requires, the definitions hereinafter set forth shall govern the construction of this ordinance.*

Adult	Any Person aged 18 (eighteen) or older, or a legally emancipated minor.
Aircraft	Any machine or device, with or without an engine, supported for flight in the air by buoyancy or by the dynamic action of air on its surfaces. Includes but is not limited to airplanes, helicopters, gliders, dirigibles and blimps.
Airsoft	An activity in which participants attempt to shoot each other with spherical non-metallic pellets launched via replica firearms.
Alcoholic Beverage	Includes any liquid or solid material intended to be ingested by a person which contains ethanol, also known as ethyl alcohol, drinking alcohol, or alcohol, including but not limited to, alcoholic beverages as defined in Section 23004 of the Business and Professions Code, intoxicating liquor, malt beverage, beer, wine, champagne, spirits, liqueur, whiskey, rum, vodka, cordials, gin, scotch, brandy, any other distilled alcoholic beverage and any mixture containing one or more alcoholic beverages.
Ambling Gait (Horse)	See “Horse Gaits”
Artifact	Objects used or modified by humans, including but not limited to, arrow points, projectile points, dart points, stone, bone, wood or shell implements, utensils, tools, pottery, cloth, agricultural implements or any other prehistoric or historic objects.
All Terrain Scooter	See “Off-Road Scooter”
All Terrain Skateboard	See “Off-Road Skateboard”
All Terrain Vehicle (ATV)	See “Motor Vehicle”
Authorized Personnel / Representative	The General Manager of the District, any peace officer, or persons and/or employees of the District acting under the authority of the General Manager.
Bicycle (Bike)	A device upon which a person may ride, propelled exclusively by human power through a belt, chain or gears and having one or more wheels.

Bicycle Dirt Jump Course/Park	A dirt riding area with jumps designed to propel riders into the air. Differs from a BMX course in that jumps are designed to propel riders higher into the air than those of BMX courses and riders do not ride for fastest time but to perform the best tricks with the best style.
Bicycle Pump Track/Park	A closed-loop dirt course consisting of berms, rollers (smooth dirt mounds) and jumps allowing for a continuous ride without pedaling.
Bicycle Skills Course/Park	A riding area with obstacles intended to mimic those encountered in the natural environment.
Bicycle Strider Track/Park	A facility similar in design to a BMX or bicycle pump track, but smaller in scale and designed for young riders on bicycles without pedals that rely on scooting or “striding” to get around.
Bicycle Stunt Course/Park	A concrete or wooden “half pipe” area consisting of two quarter pipes (a ramp with a vertical face) set facing each other. Riders go up each jump and perform tricks in the air before landing to go back up the other ramp. Riders may also perform tricks on the lip of the ramp.
Bicycle Trials Course/Park	A riding area where a rider attempts to pass through obstacles without setting foot on the ground. Obstacles can be both natural and man-made
BMX Bicycle Course/Park	A dirt track composed of jumps and berms designed for races with a clear start hill and finish line.
Board	The Board of Directors of the Livermore Area Recreation and Park District.
Canter (Horse)	See “Horse Gaits”

Commercial Photography	<p>A photographer will be considered commercial when one or more of the following apply:</p> <ul style="list-style-type: none"> <li>a) The photographer is known to take any video, film, photography or other capture of image, whether moving or still, taken with the objective of sale, profit or barter, including but not limited to documentaries, commercials, television series, television movie, motion picture, advertising, public service announcements, editorial, stock, portfolio, calendar, greeting card, fine art and portraiture. The commercial definition will apply to any photographer known to operate a photographic or film business for any session in any District facility or parkland.</li> <li>b) A photographer utilizes any equipment beyond a camera and tripod, whether selling for profit or not. This equipment includes, but is not limited to non-camera mounted external lighting (strobe or flash), light reflectors (disc, panel or other), breeze shields, soft boxes and umbrellas.</li> <li>c) A photographer is conducting more than 1 (one) photographic portrait session in a 90 (ninety) day period in any District facility or parkland, regardless of whether or not that photographer operates a business or is taking photographs for friends or family.</li> </ul>
Concessionaire	Any person who, through contract, lease or other written agreement with the District, is authorized to operate recreational facilities or programs or sell a product in District facilities or parklands.
Cultural Feature	Any item that is linked in some way to human history. This includes but is not limited to: buildings (entire or partial), foundation remnants, walls, mortar rocks, caves, hieroglyphics, art work, carvings, signs, letters and plantings, such as trees and landscaping.
Dirt Board	See “Off-Road Skateboard”
Dirt Scooter	See “Off-Road Scooter”
Disc Golf	An activity with the objective of throwing a flying disc at targets while traversing an established course.
District	The Livermore Area Recreation and Park District (LARPD), an independent special District. References to the District includes all lands, waters and facilities owned, controlled, operated or managed by LARPD, and are referred to in this Ordinance as Facilities or Parklands.

Dog Control	<p>Dogs are presumed to NOT be under control when one or more of the following apply:</p> <ol style="list-style-type: none"> <li>1. They run at large in leash-required areas or enter dog-prohibited areas.</li> <li>2. They threaten, harass or harm other animals or wildlife.</li> <li>3. They display threatening behavior. This includes but is not limited to growling, barking, chasing, lunging or jumping.</li> <li>4. They physically harm people or property directly or indirectly by their actions.</li> <li>5. They touch or jump on other park users who have not invited or engaged in interaction with the dog.</li> <li>6. They are not under voice control (as defined below) while in an approved Dog Run/Park/Off Leash Area.</li> <li>7. They are out of sight of the owner or handler.</li> <li>8. They are not handled by a person that is physically capable of restraining the dog.</li> </ol>
Dog Run/Park	<p>Any area specifically designed for dogs to run without a leash. These areas are fully enclosed by fencing or other barriers. The area can be an entire park or facility or a portion thereof as designated by the District.</p>
Extreme Fire Hazard	<p>A combination of factors that leads to an increased risk of fire, including but not limited to: fuel conditions, air temperature, dew point, fuel moisture and wind speed.</p>
Electric Bicycle	<p>See “Motorized Bicycle”</p>
Electrically Motorized Board	<p>Any wheeled device that has a floorboard designed to be stood upon when riding that is not greater than 60 (sixty) inches deep and 18 (eighteen) inches wide, is designed to transport only one person and has an electric propulsion system averaging less than 1,000 (one thousand) watts, the maximum speed of which , when powered solely by a propulsion system on a paved level surface, is no more than 20 (twenty) miles per hour. The device may be designed to also be powered by human propulsion.</p>
Electronic Cigarette	<p>A vaporizer which simulates tobacco smoking by producing an aerosol that resembles smoke. These devices often, but not always, use a heating element (atomizer) that vaporizes a liquid solution that may or may not contain nicotine.</p>
Electronic Nicotine Delivery System (ENDS)	<p>See “Electronic Cigarette”</p>

Encroachment	Means and includes entering upon, over, under or using any District facility or parkland in such a manner as to prevent, obstruct, interfere or encumber normal use. This includes but is not limited to: excavating, erecting or maintaining any structure, any construction of any kind, accessing private property through parkland, impacting park infrastructure or impacting, in any way, use by the public.
Exotic Animal	Any animal not commonly and legally kept as a pet.
Facility	Any building, structure, parking area, picnic area, pool or campground owned, controlled or managed by the District for the benefit of the general public or necessary for its operational needs.
Fauna	See “Wildlife”
Fee Area	An entire facility, park or part thereof, where access is limited to persons who have paid a fee established by the District for the use of such area.
Feral Animal	Any domestic species that has reverted to a wild state.
Fire Trail/Road	A path that is used by emergency personnel in the event of fire, medical or other emergency. May be used as a trail by the public unless signed and posted as prohibited for public use.
Flora	All vegetation, including trees, dead or downed wood, shrubs, vines, wildflowers, seeds, acorns, grass, sedge, fern, moss, lichen, fungus or any other member of the plant, fungi or algae families or any parts thereof.
Frisbee Golf	See “Disc Golf”
Frolf	See “Disc Golf”
Gallop (Horse)	See “Horse Gaits”
Geocaching	An activity involving hiding and finding objects or locating specific landmarks or other points using a Global Positioning System (GPS) receiver and data to log the location of a geocache and share this data with other players.
Geocache	Container or marker deposited as an end goal for a person geocaching.

Graffiti (or Other Inscribed Material)	Any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, carved, drawn or painted on real or personal property.
Gravity Propelled Activities	Any activity that uses the power of gravity for acceleration or movement. This includes but is not limited to cardboard skiing/sliding, grass skiing, ice blocking and off-road skateboarding.
Grinding (Bicycles)	The sliding of a bicycle along a surface (such as a curb, bench, rail, coping, etc.) on any part of the bicycle including but not limited to pegs (front or back), pedals, cranks, chain or bike frame.
Grinding (Skates)	To ride or slide along an edge (such as a curb, bench, rail, coping, etc.) using any surface of the skate that is not a wheel.
Grinding (Skateboards and Scooters)	To ride along an edge (such as a curb, bench, rail, coping, etc.) using the axle(s) (trucks) of a skateboard instead of the wheels or deck.
Hazardous Conditions	Any factor or combination of factors that would contribute to or cause an unsafe environment. This includes but is not limited to flooding, fire, fire danger, falling or damaged trees, compromised trails, inimical wildlife, construction area or any other situation that presents a danger to public welfare.

## Horse Gaits

Gaits are categorized into two groups: “natural” gaits and “ambling” gaits. Natural gaits are those that occur in nature across almost all horse breeds.

1. Walk – a four-beat gait that averages about 4 (four) mph. At the walk, the horse will always have one foot raised and the other three feet on the ground, save for a brief moment when weight is being transferred from one foot to another.
2. Trot – a two-beat gait that has a wide variation in possible speeds, but averages about 8 (eight) mph, or, very roughly, about the same speed as a healthy adult human can run. In this gait, the horse moves its legs in unison in diagonal pairs. Two feet are always off the ground.
3. Ambling - a collection of several smooth footfall patterns that may occur naturally in some individuals but which usually occur only in certain breeds and often require special training. Many are specific to particular horse breeds. They include, but are not limited to pace, fox trot, paso gaits, rack (racking), running walk, slow gait and tölt.
4. Canter (Lope) - a controlled, three-beat gait that usually is a bit faster than the average trot, but slower than the gallop. The average speed of a canter is 10–17 (ten to seventeen) mph, depending on the length of the stride of the horse. Listening to a horse canter, one can usually hear the three beats as though a drum had been struck three times in succession. Then there is a rest, and immediately afterwards the three-beat occurs again. The horse will have 3 (three) legs in the air and one leg on the ground. The faster the horse is moving, the longer the suspension time between the three beats.
5. Gallop (Run) - very much like the canter, except that it is faster, more ground-covering, and changes to a 4 (four) beat gait. All four legs will be off the ground for a brief moment during this gait. It is the fastest gait of the horse, averaging 25-30 (twenty five to thirty) miles per hour.

## In-line Skate

A roller skate whose wheels are arranged in a straight line.

## Juvenile

Any non-emancipated person under the age of 18 (eighteen) years.

## Kick Scooter

Any device consisting of a long footboard between 1 (one) or more wheels on each end, controlled by an upright steering handle and designed to be stood or sat upon by the operator and powered exclusively by human propulsion.

## Knife

An instrument for cutting, consisting of a sharp-edged (smooth or toothed) blade fitted with a handle.

Laser Tag	A team or individual activity where players attempt to secure points by “tagging” (shooting) targets which are typically worn by another player (though targets can be incorporated into terrain or an arena depending on game setting), typically with a hand-held infrared emitting targeting device.
Leash (Animal)	A device used to physically restrain, control or lead a dog or other animal. Must be capable of restraining the animal without breaking when the animal is pulling with all its strength. Does not include electronic collars and training devices.
Litter(ing)	The discarding, dropping or scattering of small quantities of rubbish, including but not limited to, beverage containers and closures, wrappers, wastepaper, facial tissue, toilet tissue, newspapers or magazines, charcoal, lighted or non-lighted cigarettes, cigars, matches or any flaming or glowing material or any garbage, trash, refuse, paper, containers or packaging, anywhere other than a place or container for the proper disposal thereof. This includes any matter which escapes or is allowed to escape from a container, receptacle, package, vehicle or clothing pocket.
Livestock	Domestic or useful animals normally kept or reared on a farm or ranch for work, breeding, fattening or other purposes including but not limited to horses, bovine, sheep, swine, and goats.
Lope (Horse)	See “Horse Gaits”
Major Impact	Shall apply when the nature of the activity, the use or proposed use is found to: <ol style="list-style-type: none"> <li>1. Limit the use of the facility or parkland.</li> <li>2. Cause damage to the facility or parkland.</li> <li>3. Cause a nuisance to the facility or parkland neighbors.</li> <li>4. Cause a nuisance to other facility or parkland users.</li> <li>5. Require parking beyond the capacity of the facility or parkland.</li> <li>6. Proposed attendance will exceed the capacity of the facility or parkland.</li> <li>7. Any use that is deemed extraordinary.</li> </ol>
Motor Vehicle	A device by which any person or property may be propelled, moved or drawn, which is powered by an internal combustion engine or electric motor.
Motorcycle	A two or three-wheeled vehicle propelled by an internal combustion/electric engine including but not limited to, motor bike, mini bikes, pocket bikes or trail bikes.



Motorized Bicycle	<p>A bicycle equipped with fully operable pedals and an electric motor of less than 750 (seven hundred fifty) watts. Must be equipped so that the motor disengages when a switch or other mechanism is activated and/or when the brakes are applied. There are three classes of motorized bicycle:</p> <ol style="list-style-type: none"> <li>1. Class 1 (one): also known as a low-speed pedal-assisted motorized bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 (twenty) miles per hour.</li> <li>2. Class 2 (two): also known as a low-speed throttle-assisted motorized bicycle is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.</li> <li>3. Class 3 (three): also known as speed pedal-assisted motorized bicycle is a bicycle equipped with a motor that provides assistance when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 (twenty eight) miles per hour, and is equipped with a speedometer.</li> </ol>
Motorized Scooter	<p>Any device consisting of a footboard between 1 or more wheels on each end, controlled by an upright steering handle and designed to be stood or sat upon by the operator and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion.</p>
Mountain Board	<p>See “Off-Road Skateboard”</p>
Off-Leash Area	<p>Any area, other than a dog run, that the District has designated as a place that dogs may be without a leash. The area may or may not be for the exclusive use of dogs and may or may not be enclosed by fencing. In any event, the boundaries will be indicated by either fencing, signs or a combination of both, with the rules and regulations of the area clearly posted. All dogs in such an area must be under voice control.</p>
Off-Road Scooter	<p>A kick scooter with pneumatic tires designed to be ridden on unpaved surfaces such as dirt or grass. Can be referred to by many names including but not limited to all-terrain scooter or dirt scooter.</p>
Off-Road Skateboard	<p>A deck with two or more wheels attached with pneumatic tires designed to be ridden on unpaved surfaces such as dirt or grass.</p>

Open Space	<p>Can be referred to by many names including but not limited to dirtboard, all-terrain skateboard or mountainboard.</p> <p>Shall mean all lands under the ownership, management or control of the Livermore Area Recreation and Park District that are left in a natural vegetative state with management emphasis on wildlife and habitat protection and having controlled public use and access.</p>
Organized Gathering	<p>Any assemblage of individuals that are gathered together for a specific purpose or activity including, but not limited to, sports, picnics, barbeques, celebrations, meetings, demonstrations or performances.</p>
Paintball	<p>An activity in which players compete in teams or individually to “tag” (shoot) other players or targets with paint pellets launched via replica weapons. Mimicked weapons may include but are not limited to firearms, grenades (balloons or other containers filled with paint), flamethrower (generally a water cannon filled with paint) and knives (paint markers). Includes a variety of game styles both indoor and outdoor.</p>
Parkland	<p>Any lands or waters, including but not limited to neighborhood parks, open space, preserves, sports parks, sports fields, trails, streams, creeks, wetlands or ponds which are owned, controlled or managed by the District for the benefit of the general public or necessary for its operational needs.</p>
Permission	<p>Unless otherwise expressly provided, means written authorization granted by the General Manager of the District or the General Manager's authorized designee.</p>
Permit	<p>A document issued by the District and approved by an authorized District representative, allowing the use of District facilities or parklands.</p>
Person	<p>Any natural person, partnership, firm, corporation, club, organization, municipality, District or public agency, and all associations or combinations of person whenever acting for themselves or by any agent, servant or employee.</p>
Personal Vaporizer (PV)	<p>See “Electronic Cigarette”</p>
Playground	<p>Any park or recreational area specifically designed to be used by children that has play equipment installed.</p>
Power-Driven Mobility	<p>Any of a large range of devices powered by batteries, fuel or</p>

Device	other engines/motors – whether or not solely for use by individuals with mobility impairments – that are used by individuals with mobility impairments for the purpose of locomotion.
Preserve	Any land, water or structure owned, managed or controlled by the District, whose use is limited or strictly controlled, in order to protect and preserve unique wildlife, flora, natural, historical, geological or archaeological resources of significant and/or special value.
Prohibited Animal	<p>Any of the following:</p> <ol style="list-style-type: none"> <li>1. Any animal, bird, fish, insect, reptile or amphibian which is toxic to human beings, whether the toxin is transmitted by bite, sting, touch or other means.</li> <li>2. Any reptile or amphibian whether egg, larvae, juvenile or adult.</li> <li>3. All livestock other than equine.</li> <li>4. Any animal that, because of its size, disposition or other characteristic, would constitute, or could be perceived to constitute, a danger to persons, property, domestic animals or wildlife.</li> </ol>
Retractable Leash (Animal)	A device used to physically restrain, control or lead a dog or other animal that allows the animal to go as far as 30 feet from the handler. Lead line retracts into a housing generally made of plastic or another stronger composite. Generally equipped with a locking mechanism allowing the handler to determine length of lead allowed out of housing. Must be capable of restraining the animal without breaking when the animal is pulling with all its strength.
Rock Board	See “Off-Road Skateboard”
Roller Skates	One or more wheels, attached to a framework, shoe, boot or other form of footwear, which can roll freely.
Run (Horse)	See “Horse Gaits”
Scooter	See “Kick Scooter”
Service Animal	An animal that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. This does not include animals that are used purely for emotional support. The ADA definition recognizes the domestic dog as the only species that qualifies as a service animal (miniature horses may be recognized, with specific limitations). Regardless of species, the animal must be “on duty” to qualify for service animal exemptions in any District facility or parkland.
Skateboard	A board having two or more wheels that is ridden in a standing or crouching position.

Skate Park

A purpose-built recreational environment made for one or more types of vehicle use including but not limited to skateboard, bicycle, kick scooter, wheelchair, roller skate and in-line skate use.

Sliding (Skateboards and Scooters)	To ride along an edge (such as a curb, bench, rail, coping, etc.) using the deck of a skateboard instead of the wheels or axle(s) (trucks).
Smoking	The igniting or heating of substances for the intended purpose of inhaling the smoke, steam or vapor.
Sound Amplifying Equipment	Any machine or device for the amplification of the human voice, instruments, music or any other sound. This shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the radio is installed or small personal/portable devices for playing music, compact discs or other digital music or radio e.g. "boombox."
Strikeball	See Airsoft
Sunrise and Sunset	Specific times published in the tide table predictions of the National Aeronautical and Oceanographic Commission and adjusted according to pacific daylight savings time.
Synthetic Sports Field	Any field used for athletic activities that consists of an artificial surfacing material.
Tot Lot	See "Playground"
Tobacco Product	Any item, in any form, that contains nicotine, tobacco or tobacco-like ingredients. This includes but is not limited to cigarettes, chewing tobacco, marijuana, pipes, cigars and electronic cigarettes (e-cigarettes).
Tobacco-like Product	Includes any natural plant product, other than tobacco, including leaves, stems, roots or fruiting body or derivatives, whether natural or synthetic.
Trail	All designated walking, hiking, biking, and equestrian paths, lanes, staging areas and related trail system facilities.
Trot (Horse)	See "Horse Gaits"
Unattended Pet	A pet that is unaccompanied or not under immediate control of an owner or other responsible person.

Unmanned Aerial Vehicle	Any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. Includes but is not limited to airplanes, helicopters, drones or gliders of any kind or description. Model Aircraft are those under 55 (fifty five) pounds flown strictly for hobby or recreation use. Any model aircraft between .55 (fifty five one hundredths) and 55 (fifty five) pounds must be marked with an FAA registration number. Any aircraft over 55 (fifty five) pounds or used for business purposes are considered commercial.
Vandalism	Any action that: <ol style="list-style-type: none"> <li>1. Defaces with graffiti or other inscribed material.</li> <li>2. Damages or destroys any real or personal property.</li> </ol>
Vehicle	A device by which any person or property may be propelled, moved or drawn.
Vicious Animal	Any animal that demonstrates any of the following behaviors is presumed vicious: <ol style="list-style-type: none"> <li>1. Any unprovoked attack which requires a defensive action by a person to prevent bodily injury or property damage when such person is conducting himself or herself peacefully and lawfully.</li> <li>2. Any unprovoked attack which results in property damage or in an injury to a person when such person is conducting himself or herself peacefully and lawfully.</li> <li>3. Any unprovoked threat of attack on another animal.</li> <li>4. Any unprovoked attack on another animal.</li> <li>5. Any aggressive behavior which constitutes a threat of bodily harm to a person when such person is conducting himself or herself peacefully and lawfully. This includes but is not limited to growling, barking, chasing, lunging, or jumping.</li> </ol>

Voice Control (Dogs)	<p>A dog is considered to be under voice control when all of the following are met:</p> <ol style="list-style-type: none"> <li>1. The person in charge of the dog has the dog in sight at all times.</li> <li>2. The dog responds to verbal commands at all times, regardless of distractions to the dog including but not limited to, wildlife, traffic, other animals, food, other people or noise.</li> <li>3. The dog responds to verbal commands quickly and accurately. When called, the dog must return to and stay by the person charged with its control and allow itself to be handled and leashed immediately.</li> <li>4. The dog does not jump on, act aggressively toward, or advance on people or other animals. The dog may not engage in uninvited contact with a person or display any threatening behavior, including but not limited to, repetitive barking, raised hackles, growling, ears laid back or curled lips.</li> </ol>
Volunteer	<p>An unpaid citizen performing duties in support of, or on behalf of, the District, supervised by a District employee.</p>
Waste Matter	<p>Discarded, used, or leftover substance, including but not limited to, construction material, lawn or garden clippings, landscaping waste, tree/bush trimming or chip, dirt, rocks, sand, household appliance, carcass of a dead animal, excrement of any animal or human, or any nauseous or offensive matter of any kind.</p>
Water Areas	<p>Includes, but is not limited to, natural and artificial swimming pools, reservoirs, ponds, lakes, creeks, streams, and flood control channels.</p>
Walk (Horse)	<p>See “Horse Gaits”</p>
Weapon Sport	<p>Any activity that utilizes devices meant to mimic weapons. This includes but is not limited to paintball, airsoft, laser tag or other activities that mimic firearms, knife or sword use.</p>
Wheelchair	<p>A manually-operated or power-driven device, designed solely for use by an individual with a mobility impairment, for the primary purpose of locomotion.</p>
Wheeled Sports and Recreation Devices	<p>Include but are not limited to skateboards, non-motorized scooters, roller skates, in-line skates, bicycles and non-motorized wheelchairs.</p>

Wheeled Sports and  
Recreation Parks/  
Courses/Tracks

Any area built by the District for use by Wheeled Sports and Recreation Devices. Facilities may include but are not limited to skate parks, BMX bicycle courses/parks, bicycle stunt courses/parks, bicycle skills courses/parks, bicycle strider tracks/parks, bicycle trials courses/parks, bicycle pump tracks/parks and bicycle dirt jump courses/parks. Designated park/course/track areas will be clearly marked with one or more of the following: signage, fencing, curbing, paint, material or surface change or other method.

Wildlife

Any non-domesticated species of animal, bird, amphibian, reptile, fish, shellfish, aquatic life, invertebrate, mammal or insect, in any life stage, including but not limited to, egg, larva, pupa and adult.



## Chapter 300 – Access

### Section 301 – 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 ~~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~~ 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.

### Section 302 – Trespass

- §302(a) It shall be unlawful to enter into or exit from any District Facility or Parkland except at points designated by the District.
- §302(b) It shall be unlawful for any Person to enter into any District Facility or Parkland or area therein that is ordinarily closed to the public.

### Section 303 – Area Closed

- §303(a) It shall be unlawful to enter any area in the District that has been closed due to Hazardous Conditions.
- §303(b) It shall be unlawful to fail to obey, in a prompt manner, an evacuation order, given by a District Ranger or other District staff, after any District Facility or Parkland or part thereof has been declared closed due to Hazardous Conditions. (Misdemeanor)
- §303(c) It shall be unlawful to enter on to any road, Bicycle, equestrian or hiking Trail that has been closed.
- §303(d) It shall be unlawful to enter, use or travel through areas of any District Facility or Parkland that have been closed.
- §303(e) It shall be unlawful for any Person to enter into an area after it has been declared prohibited or limited and all Persons within such area at the time it is so declared shall leave the same without any appreciable delay, and in so doing shall obey and abide by all instructions of any Authorized District employees.

### Section 304 – Gates and Fences

- §304(a) If gates are locked or secured it shall be unlawful to climb over, under or through the gate or fence to enter or exit any District Facility or Parkland.
- §304(b) It shall be unlawful for any Person to cut any chain or lock from, or add a lock to, any District gate or fence.
- §304(c) It shall be unlawful for any Person to cut any fence within, or marking the boundary of, any District Facility or Parkland.

**§304(d)** It shall be unlawful for any Person to cut any fence that is surrounding a restricted or protected area.

**§304(e)** It shall be unlawful for any Person who opens a gate to fail to close and secure the same after passing through it.

**Section 305 – Access and Keys**

**§305(a)** It shall be unlawful for any Person other than one acting under written authorization, direction or Permission of the District, to duplicate keys used by the District for padlocks, door locks or any other lock of any type or description.

**§305(b)** It shall be unlawful for any Person issued a temporary gate card, entry pass, Permit or key for the purposes of conducting contracted services, special events or sporting events in any District Facility or Parkland to use those items to gain access for purposes other than conducting the contracted work or event.

**§305(c)** It shall be unlawful for any Person to use, or permit the use of, any gate card, entry pass, Permit or key issued to another Person for entry and use of District Facilities or Parklands.

**§305(d)** It shall be unlawful to fail to present and/or surrender a gate card, entry pass, Permit or keys when requested by Authorized Personnel.

**§305(e)** It shall be unlawful for any Person to display or present an expired, revoked or otherwise invalid gate card, entry pass or Permit as current and valid.

**§305(f)** If any person, group, commercial entity or agency, whether public or private, uses any key, gate card, entry pass or permit in a manner that does not adhere to District policy and causes a need for the District to re-key, re-configure or change any lock, padlock, gate or other entry or lock, that party shall be liable for any and all reasonable costs incurred by the District.

**Chapter 400 – Permits**

**Section 401 – Facility Use Permit**

**§401(a)** It shall be unlawful for any Person, group, commercial entity, or agency, whether public or private, to use any District Facility, Parkland or part therein for any event or activity for which the District requires a Permit without having first obtained said Permit.

**§401(b)** It shall be unlawful for any Person or group, other than one with a Permit, to use, occupy, or otherwise remain in any District Facility or Parkland for which a fee is charged and/or a Permit required unless that Person has paid the required fee and/or possesses a valid Permit.

**§401(c)** No Person, group, commercial entity, or agency, whether public or private shall hold, conduct, organize, take part in or address, any meeting, Organized Gathering, celebration, parade, service, exercise, organized sporting event or any other group activity in or on District Facilities or Parklands without a Permit when the activity or event will have one or more of the following apply:

1. Is attended by 15 (fifteen) or more people affiliated in any way.
2. Is advertised or noticed in any newspaper or other publication, electronic posting or message, or poster or flyer.
3. Fees are collected, required or admission charged for participation.
4. Is an activity that is commercial or for profit.
5. Will utilize a Facility, Parkland or area therein that has been designated by the District as an area that requires a Permit.
6. Will involve an activity or use that is normally prohibited for the requested Facility, Parkland or area therein.
7. Is an ongoing/regularly occurring activity, whether drop-in or organized.

**§401(d)** It shall be unlawful for any sales to occur in or on District Facilities or Parklands without a Permit. Events shall not be authorized for the purpose of private financial gain without a Permit.

**§401(e)** It shall be unlawful for any Person, group, commercial entity, or agency, whether public or private, to use any District Facility, Parkland or part therein to sell, or raise funds for any purpose without a Permit.

**§401(f)** All Persons to whom a Permit has been granted shall abide by all conditions set forth in the Permit as well as all District rules and regulations. Failure to do so will void the Permit with use privileges revoked, and may result in citation.

**§401(g)** Any person to whom a Permit has been granted shall have in their possession said Permit (or a legible copy) during the permitted event/activity. The Permit must be presented to any District employee or law enforcement officer upon request. If permittee does not have a Permit in their possession, the event or activity may be terminated at the discretion of the District.

**§401(h)** No Permit issued by the District shall be transferrable.

#### **Section 402 – Sales Permit**

**§402(a)** It shall be unlawful for any Person, group, commercial entity, or agency, whether public or private to provide services or products of any kind or description, utilizing any District Facility or Parkland, without a Permit.

**§402(b)** It shall be unlawful for any Person, group, commercial entity or agency, whether public or private, to use District Facilities or Parklands to sell, or raise funds for any purpose without a Permit. In no event may the Permittee group or member thereof solicit sales to a non-attending member of the general public.

**§402(c)** It shall be unlawful for any Person, group, commercial entity or agency, whether public or private, to solicit, sell, hawk or otherwise peddle or rent any goods, wares, merchandise, services, liquids or edibles for human consumption, or give any lessons, classes or instruction, whether for profit or otherwise, on any District Facility or Parkland without a Permit.

**Section 403 – Encroachment Permit**

**§403(a)** It shall be unlawful for any person, group, commercial entity, company, corporation, business or agency, whether public or private, to make or cause to be made any encroachment within, upon, over or under any District Facility or Parkland without a Permit.

**§403(b)** Permits required by section 403(a) shall be secured at least 15 (fifteen) working days before the work is commenced, except in case of emergency. If any cut, opening or excavation is made on an emergency basis, application for a Permit shall be made on the next working day.

**Chapter 500 – Dangerous or Prohibited Activities**

**Section 501 – Littering and Waste Matter**

**§501(a)** It shall be unlawful for any Person to Litter directly or indirectly any substance in or upon any District Facility or Parkland.

**§501(b)** It shall be unlawful for any Person to dump or cause to be dumped any Waste Matter in or upon any District Facility or Parkland.

**§501(c)** It shall be unlawful for any Person, firm, or business to dispose of household or industrial garbage, trash or Waste Matter in any trash can, dumpster or receptacle in any District Facility or Parkland.

**§501(d)** It shall be unlawful for any Person to discharge, dump, release, place, drop, pour, or deposit, or to cause to be discharged, dumped, released, placed, dropped, poured or deposited, any substance into any bay, lagoon, channel, river, creek, slough, canal, lake, reservoir or other stream or body of water or upon a bank, beach or shore within 200 (two-hundred) feet of the high water mark of any stream or body of water in any District Facility or Parkland. **(Misdemeanor)**

**§501(e)** It shall be unlawful to deposit in commercial quantities any substance in any District Facility or Parkland. Commercial quantities means an amount of Waste Matter generated in the course of a trade, business, profession or occupation; or an amount equal to or in excess of one cubic yard; or any amount of material greater than what would normally be considered acceptable as household waste volume, whichever is least. **(Misdemeanor)**

**Section 502 - Camping**

§502(a) It shall be unlawful for any Person or Persons to camp or otherwise stay overnight in any District Facility or Parkland without a Permit.

**Section 503 – Golfing**

§503(a) It shall be unlawful for any Person to drive, chip, putt or in any fashion play or practice golf on District Facilities or Parklands except in areas set aside for those specific activities.

**Section 504 – General Sports**

§504(a) It shall be unlawful to play any sport including, but not limited to, baseball, football or soccer in any District Open Space park or Preserve or other Facility or Parkland or area therein not intended for that use.

§504(b) It shall be unlawful to participate in any Weapon Sport including but not limited to Laser Tag, Airsoft or Paintball in any District Facility or Parkland.

**Section 505 – Geocaching**

§505(a) It shall be unlawful to place or maintain any Geocache of any style or description in any District Facility or Parkland without a Permit.

**Section 506 – Model Crafts/Remote Control Vehicles**

§506(a) It shall be unlawful to operate model crafts of any kind or description, whether powered or unpowered, that utilize an autonomous control system (onboard computer), a remote control guidance system or attached line operating system, on or over any District Facility or Parkland. This includes but is not limited to Unmanned Aerial Vehicles, drones, boats and automobiles.

§506(b) It shall be unlawful to operate any glider with a wingspan greater than 10 inches in any District Facility or Parkland. Regardless of wingspan these devices may not be used at Ravenswood Historic Site or in any District Open Space or Preserve.

§506(c) It shall be unlawful to operate any commercial Unmanned Aerial Vehicle of any kind or description, whether powered or unpowered, that utilizes an autonomous control system (onboard computer), a remote control guidance system or attached line operating system, on or over any District Facility or Parkland or to use any District Facility or Parkland as a launch, landing or tethering point.

**Section 507 – Rockets**

§507(a) It shall be unlawful to operate missiles, rockets, or similar projectiles powered by chemical motors including, but not limited to, black powder or composite propellants (i.e. ammonium perchlorate, potassium nitrate, aluminum powder and associated binders) in any District Facility or Parkland without a Permit.

**Section 508 – Kites**

**§508(a)** It shall be unlawful to operate or use kites with a string length of more than 400 (four-hundred) feet, in areas where they may become lodged in trees, towers, outdoor lights, power or any other utility towers or lines, or in parking areas or roadways. Kite flying or use is specifically prohibited at Ravenswood Historic Site, Murrieta Meadows Park, in any District Open Space or Preserve or at any District sports field with overhead lighting.

**Section 509 – Skate Board/In-line Skate/Roller Skate/Scooter Use**

**§509(a)** It shall be unlawful for any Person under 18 (eighteen) years of age to operate any wheeled device, including but not limited to Roller Skates, In-Line Skates, Skateboards or Scooters in any District Facility or Parkland without a properly fitted and fastened helmet. If any Person is operating a Wheeled Sports and Recreation Device in any District Wheeled Sports and Recreation Park/Course/Track, that Person shall also be required to wear elbow pads and knee pads in accordance with Section 605.

**§509(b)** It shall be unlawful to Grind or Slide any Skateboard, In-Line Skate, Roller Skate or Scooter across any object, including but not limited to, curbs, plant containers, concrete walls, rock walls, benches, picnic tables, stairway rails or any other object not intended specifically for this use, in any District Facility or Parkland.

**§509(c)** It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter to ride off of or jump onto or off of any object in any District Facility or Parkland not specifically intended for that use, including but not limited to stairways, curbs, sidewalks, benches, car stops, bike racks, planters, picnic tables or retaining walls.

**§509(d)** It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter in the courtyard area between the Community and Recreation Buildings at the Robert Livermore Community Center.

**§509(e)** It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter within 70 (seventy) feet of the main entrance of the Community Building at the Robert Livermore Community Center.

**§509(f)** It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter within 25 (twenty-five) feet of any public entrance to any District Building.

**Section 510 – Extreme Sports**

**§510(a)** It shall be unlawful to hang glide, parachute, parasail, bungee jump in or from any District Facility or Parkland.

**§510(b)** It shall be unlawful to dive, jump or purposefully fall from bluffs, cliffs, rocks, or structures in any District Facility or Parkland.

**§510(c)** It shall be unlawful to take part in any activity, including but not limited to kite landboarding (aka kiteboarding, land kiteboarding or flyboarding), land sailing, wingsurfing or any other activity that will lift or move a person or animal using the power of air or wind in any District Facility or Parkland.

**Section 511 – Gravity Propelled Activities**

**§511(a)** It shall be unlawful to participate in any Gravity Propelled Activity in any District Facility or Parkland except where designated.

**Section 512 – Climbing**

**§512(a)** It shall be unlawful for any Person to climb, sit or hang upon any tree in any District Facility or Parkland.

**§512(b)** It shall be unlawful to walk, stand, sit or climb upon monuments, fountains, buildings, railings, fences, gates or any structure not designated for such use in any District Facility or Parkland.

**§512(c)** It shall be unlawful to rock climb, boulder, scramble, or ascend in any manner, any rocks, cliffs or bluffs within any District Facility or Parkland.

**Section 513 – Swimming**

**§513(a)** It shall be unlawful for any Person to enter any body of water of any kind or description, in any District Facility or Parkland, for the purpose of swimming, wading or bathing except in those areas and at times designated by the District.

**Section 514 – Recklessness**

**§514(a)** It shall be unlawful to engage in any activity in a negligent, unsafe or reckless manner or in a way that endangers the life, limb or property of any Person in any District Facility or Parkland. (**Misdemeanor**)

**Section 515 – Fishing**

**§515(a)** It shall be unlawful for any Person, regardless of age, to take or collect fish or any other aquatic life in any District Facility or Parkland. *A State fishing license does not supersede District rules and regulations in District Parklands and Facilities.*

**Section 516 – Alcohol**

**§516(a)** No Person shall possess, sell or consume any Alcoholic Beverage within any District Facility or Parkland, except for beer and wine, which may be possessed and consumed except as noted in section 516(b).

**§516(b)**

It shall be unlawful for any Person to possess, sell or consume any Alcoholic Beverage, including beer and wine, in any of the following District Facilities/Parklands:

1. Almond Park
2. Altamont Creek Park
3. Big Trees Park
4. Cayetano Park
5. Christensen Park
6. El Padro Park
7. Ernie Rodrigues Sports Field
8. Independence Park (Kellman Fields)
9. Karl Wentz Park
10. Max Baer Park
11. May Nissen Park
12. Robertson Park
13. Robert Livermore Community Center
14. Robert Livermore Park
15. Sunken Garden Park
16. Vista Meadows Park
17. William (Bill) Payne Sports Park
18. Any District Open Space or Preserve
19. Any District Building
20. At any District Swimming Pool
21. Within 100 (one hundred) feet of the play surface of any District Playground
22. At any organized youth activity
23. At any organized sporting event/athletic contest
24. On or within 50 (fifty) feet of any District Trail, when container has been opened or a seal broken or the contents of which have been partially removed
25. In or within 50 (fifty) feet of any road or parking lot, when container has been opened or a seal broken or the contents of which have been partially removed

**§516(c)**

Pursuant to a Permit, organizations or individuals may be granted an exemption for the use of Alcoholic Beverages at locations noted in section 516(b)

**Section 517 – Weapons**

**§517(a)**

It shall be unlawful for any Person to possess within any District Facility or Parkland, or to fire or discharge, or cause to be discharged, across, within, or into any portion of a District Facility or Parkland, any firearm, gun, rifle, shotgun, bow and arrow, cross bow, sling shot, paintball gun, blowgun, BB gun, pellet gun, air or gas weapon, or any other projectile weapon. Such activity is punishable by imprisonment in county jail pursuant to Penal Code Section 246.3.

**(Misdemeanor)**



- §517(b)** It shall be unlawful for any Person to use or possess in any District Facility or Parkland any hatchet, ax, machete, Knife with a blade over 3 (three) inches, spear or any other edged weapon.
- §517(c)** It shall be unlawful to use or have in any District Facility or Parkland any weapon or instrument likely to, or capable of, producing great bodily injury by any means of force.
- §517(d)** It shall be unlawful to use or have any plastic, wood or metal object intended to mimic a weapon of any kind or description in any District Facility or Parkland without a Permit.
- §517(e)** The provisions of this section shall not apply to any of the following cases:
1. The possession of firearms or dangerous weapons at a place of residence or business located within the District by a Person in the lawful possession of the residence or business.
  2. The discharge of firearms designated by the General Manager specifically for the purposes of Wildlife management, pest control and the destruction of domestic animals presenting a danger to the public or Wildlife.
  3. Peace officers and authorized staff in the discharge of their duties.

**Section 518 – Fire**

- §518(a)** Upon the finding of an Extreme Fire Hazard by a District Ranger, local fire officer or District staff, no Person shall Smoke or build fires of any kind in any District Facility or Parkland.
- §518(b)** Upon the finding of an Extreme Fire Hazard by a District Ranger, local fire officer or District staff, any District Facility or Parkland may be closed to public use and/or evacuated.
- §518(c)** It shall be unlawful to fail to obey, in a prompt manner, an evacuation order after a finding of Extreme Fire Hazard has been rendered. **(Misdemeanor)**
- §518(d)** It shall be unlawful to enter, use or travel through areas of any District Facility or Parkland that have been closed by a District Ranger, local fire officer or District staff, upon finding an Extreme Fire Hazard exists.
- §518(e)** It shall be unlawful to build, light or maintain any open outdoor flame or fire or barbecue in any District Facility or Parkland, except in those devices provided and specifically designated for that purpose.
- §518(f)** It shall be unlawful to use any personal cooking appliances, including but not limited to, a gas or propane stove, portable barbecue, hibachi or tow-behind barbecue, in any District Facility or Parkland without a Permit.

- §518(g)** Sections 518(e) and 518(f) shall not apply to portable tabletop propane grill devices on picnic tables marked with yellow striping at both ends.
- §518(h)** It shall be unlawful to leave a fire unattended in any District Facility or Parkland at any time.
- §518(i)** It shall be unlawful to leave burning fuel such as wood or charcoal in an existing fireplace, fire pit or barbecue grill in any District Facility or Parkland.
- §518(j)** It shall be unlawful to dispose of coals in garbage cans or refuse bins. Fuels must be completely extinguished before being disposed of. If no disposal facility is available extinguished coals shall be left in the barbecue device.
- §518(k)** It shall be unlawful to dispose of lighted cigarettes, cigars, matches or any flaming or glowing material until completely extinguished and then only in a place or container for the proper disposal thereof.

**Section 519 – Smoking/Tobacco Products**

- §519(a)** It shall be unlawful to Smoke or in any way engage in the use of Tobacco or Tobacco-like Products in any District Facility or Parkland or part therein, unless in an area designated and posted for that use by the District. This includes, but is not limited to, cigarettes, cigars, pipes, chewing tobacco and Electronic Cigarettes. Smoking/Tobacco use is strictly prohibited in any area with unmowed grasses or vegetation, natural vegetation or other non-landscaped areas including but not limited to District Open Space Parks and Preserves and regional Trails.

**Section 520 – Fireworks**

- §520(a)** It shall be unlawful to use or possess fireworks of any kind in any District Facility or Parkland. **(Misdemeanor)**

**Section 521 – Malicious Mischief**

- §521(a)** It shall be unlawful for any Person to Vandalize any object in any District Facility or Parkland. **(Misdemeanor)**
- §521(b)** It shall be unlawful for any Person to purposefully rock or tip over any portable restroom in any District Facility or Parkland.
- §521(c)** It shall be unlawful for any Person to tie any rope or other item to or attach any swing, rope or otherwise, to any tree in any District Facility or Parkland.

**Section 522 – Gambling**

- §522(a)** It shall be unlawful to participate in any gambling of any kind or description in any District Facility or Parkland.

**Section 523 – Facility Use Restrictions**

- §523(a) It shall be unlawful for any Person aged 8 (eight) years or younger, unless otherwise posted, to use or be allowed to use any District Facility or Parkland unless accompanied by an Adult. In any District Dog Run/Park or Off Leash Area the minimum age shall be 12 (twelve) years for any Person.
- §523(b) It shall be unlawful for any conservator, guardian, care-taker or family member to leave any Person at any District Facility or Parkland unless said Person can take care of all of their own needs. This includes but is not limited to autonomous execution of bodily functions, mobility, medication needs and eating.
- §523(c) Section 523(b) shall not apply if the conservator, guardian, care-taker or family member stays with the Person and supplies any and all assistance the Person may need. LARPD staff has no care responsibilities unless the Person is a registered participant in an LARPD program or event where such care is part of the program or event.

**Section 524 – Theatrical Re-enactments**

- §524(a) It shall be unlawful to engage in theatrical re-enactments in any District Facility or Parkland without a Permit.

**Section 525 – Filming/Commercial Photography**

- §525(a) Commercial Photography shall be unlawful in any District Facility or Parkland without a Permit.
- §525(b) Section 525(a) shall not apply to the operation of cameras as part of bona fide reporting of news.

**Section 526 – Hazardous Materials**

- §526(a) It shall be unlawful to bring any hazardous, toxic or reactive material, whether liquid, gas, solid, powder, metal or any other form, into any District Facility or Parkland. This includes, but is not limited to, gasoline, paint thinner, turpentine, mineral spirits, propane, any acid or base, petroleum product, pesticide, herbicide, fertilizer or essential oil.
- §526(b) §526(a) does not apply to the normal and legal use of a Motor Vehicle, Wheelchair or Power-Driven Mobility Device.
- §526(c) Certain substances in §526(a) may be allowed, in small quantities, at the discretion of the District, by Permit only.

## **Chapter 600 – General Operations**

### **Section 601 – Restrooms**

- §601(a)** It shall be unlawful for any Person to use a restroom or locker room Facility intended for the opposite sex. This shall not apply to children aged 5 (five) and under accompanied by an Adult or caregiver authorized by the parent or guardian.
- §601(b)** It shall be unlawful to operate any photographic or video capture device of any kind in any District restroom or locker room Facility.
- §601(c)** It shall be unlawful for any Person to remain in or near any restroom or locker room Facility unless actively using said Facility for the purpose for which it is intended.

### **Section 602 – Picnic**

- §602(a)** When no reservation has been made, picnic tables may only be claimed or held on a "one Person-one table" basis. "One Person-one table" means that there must be at least one Adult present for each table claimed or held.
- §602(b)** It shall be unlawful to move or remove any "RESERVED" sign(s), posted by the District, from any picnic area, day use area or campsite Facility.
- §602(c)** It shall be unlawful to willfully occupy or hold a picnic area, day use area, campsite or Facility which has been reserved by another Person through the District.

### **Section 603 – Wearing of Proper Footgear**

- §603(a)** It shall be unlawful for any Person to wear footgear that will damage, injure or create the need for excessive maintenance on any field, court, deck, floor, turf or specialized surface for particular games or activities. In areas posted with a sign specifying footgear authorized or approved, it shall be unlawful for any Person to enter any such area other than with the footgear so designated.

### **Section 604 - Park Use Guidelines**

- §604(a)** It shall be unlawful for any Person to disobey any posted or published District Facility or Parkland policies, restrictions or use guidelines.

### **Section 605 – Wheeled Sports and Recreation Parks/Courses/Tracks**

- §605(a)** It shall be unlawful to enter or remain at any District Wheeled Sports and Recreation Park/Course/Track between Sunset of one day and 6:00 a.m. of the following day, unless otherwise posted.
- §605(b)** It shall be unlawful for any Person, regardless of age, to operate any Wheeled Sports and Recreation Device at any District Wheeled Sports and Recreation Park/Course/Track without a properly fitted and fastened helmet, elbow pads and knee pads.

- §605(c)** It shall be unlawful for any Person in possession of any Wheeled Sports and Recreation Device to be within the designated park/course/track area of any District Wheeled Sports and Recreation Park/Course/Track without also having in their possession a properly fitted helmet, elbow pads and knee pads. The possession of a Wheeled Sports and Recreation Device without a helmet, elbow pads and knee pads as noted above, shall be deemed a violation of this section.
- §605(d)** It shall be unlawful to have or operate a Motor Vehicle of any kind or description at any time in the designated park/course/track area of any District Wheeled Sports and Recreation Park/Course/Track.
- §605(e)** It shall be unlawful to engage in any activity that does not utilize a Wheeled Sports and Recreation Device in the designated park/course/track area of any District Wheeled Sports and Recreation Park/Course/Track.
- §605(f)** It shall be unlawful to use any Wheeled Sports and Recreation Device that is specifically prohibited at a District Wheeled Sports and Recreation Park/Course/Track. A list of devices that are prohibited will be posted at the boundary of the designated park/course/track area and published on the District website.
- §605(g)** It shall be unlawful to alter, in any way, any District Wheeled Sports and Recreation Park/Course/Track.
- §605(h)** It shall be unlawful to possess any glass bottle or container of any kind or description at any District Wheeled Sports and Recreation Park/Course/Track.
- §605(i)** It shall be unlawful to operate any Bicycle that has pegs or a kickstand on any District BMX Bicycle Course/Park.
- §605(j)** It shall be unlawful for any Person to utilize any device with pedals in any District Bicycle Strider Track/Park.

**Section 606 – Camp Shelly**

- §606(a)** Any Person who fails to comply with District rules and regulations may be cited and/or ejected from the campground. If a patron is ejected for failure to comply with District rules and regulations, they will not receive a refund.
- §606(b)** It shall be unlawful to occupy a campsite or parking area unless the site or space to be occupied has been designated for camping or parking by the District.
- §606(c)** It shall be unlawful for a Person who is a Juvenile to use a District campground unless accompanied by a parent or guardian.
- §606(d)** It shall be unlawful to have more than 8 (eight) people occupying any one camp site.

- §606(e)** It shall be unlawful to park more than 1 (one) Motor Vehicle at any campsite, or to park off the designated parking pad at the site, without a Permit.
- §606(f)** It shall be unlawful to use or operate any radio receiving set, musical instrument, amplifier, CD player, television set, karaoke machine or other device in such a manner as to disturb the peace, quiet and comfort of any campground user or Person of normal sensitivity in the area. The use of any such device or machine, such that the sound produced is audible in other camp sites, shall be deemed a violation of this section. In no event shall the above devices be operated between the hours of 10:00 p.m. and 8:00 a.m.
- §606(g)** It shall be unlawful to operate any generator in any District campground without a Permit. In no event may a generator be operated between the hours of 8:00 p.m. of one day and 9:00 a.m. of the following day.
- §606(h)** It shall be unlawful for any Person to use a chainsaw or similar device in any District campground.
- §606(i)** It shall be unlawful to build a fire in any location other than the provided fire pits. In no event shall any Person build or maintain a fire whose flame height exceeds 2 (two) feet or whose dimensions exceed the provided fire pit.
- §606(j)** It shall be unlawful to leave any fire within the campground unattended.
- §606(k)** It shall be unlawful to place any food, Litter or debris into any fire pit.
- §606(l)** It shall be unlawful to not properly store, in accordance with District policy or as directed by District staff, any food, food storage container or food preparation item. This includes but is not limited to pet food, ice chests, cups, plates, utensils, pots and pans. In no event shall any food or item with food residue be left unattended at any time.
- §606(m)** It shall be unlawful to wash any item, including but not limited to, dishes, utensils, cups, pots or pans at hose bibs or sinks.
- §606(n)** It shall be unlawful for any Person to permit any dog to be in any District campground unless such dog is securely restrained by a substantial Leash, not to exceed six feet in length and is under full control at all times. At no time may any dog be left unattended in any District campground.
- §606(o)** It shall be unlawful to allow, or fail to control, a barking dog within any campground of the District.
- §606(p)** It shall be unlawful to leave a dog unattended in any District campground at any time.

**§606(q)** It shall be unlawful to have or allow to remain in any District campground any animal that is deemed Vicious. Any Person that has the charge of any animal that is deemed Vicious will be required to remove the animal from the campground and may be cited and/or ejected from the campground.

**§606(r)** It shall be unlawful to leave any Vehicle or other item that in any manner blocks or impedes traffic on the road to, and within, the campground.

**§606(s)** It shall be unlawful for any Person to use any District campground Facilities or amenities without a Permit.

**Section 607 – Synthetic Sports Fields**

**§607(a)** It shall be unlawful to bring any dog or other animal onto any District Synthetic Sports Field.

**§607(b)** It shall be unlawful for any Person to bring onto or ride any Bicycle of any kind or description on the surface of any District Synthetic Sports Field.

**§607(c)** It shall be unlawful to bring any food or drink, except water, onto any District Synthetic Sports Field.

**§607(d)** It shall be unlawful to bring any glass container of any kind or description onto any District Synthetic Sports Field.

**§607(e)** It shall be unlawful to bring onto or consume any sunflower seeds, gum, candy or nuts while on the surface of any District Synthetic Sports Field.

**§607(f)** It shall be unlawful to bring onto, ride or use any stroller, skateboard, tri-cycle or motor vehicle of any kind or description on any District Synthetic Sports Field.

**Section 608 – Playgrounds**

**§608(a)** It shall be unlawful for any Alcoholic Beverage to be possessed, sold or consumed within 100 feet of the play surface boundary at any District Playground Facility.

**§608(b)** It shall be unlawful to allow any animal, even if securely Leashed, onto the play surface of any District Playground Facility.

**§608(c)** It shall be unlawful to bring any glass container of any kind or description onto the play surface of any District Playground Facility.

**§608(d)** It shall be unlawful to allow any Person aged 8 (eight) years or younger to use any District Playground Facility unless accompanied by an Adult.

### **Section 609 – Disc Golf Course**

- §609(a)** It shall be unlawful for any Alcoholic Beverage, including beer and wine, to be possessed, sold or consumed at any District Disc Golf course.
- §609(b)** It shall be unlawful for any patron of any District Disc Golf course to fail to yield right-of-way to any other park or trail user.
- §609(c)** It shall be unlawful to enter onto or remain in any District Disc Golf course between sunset of one day and 6:00 a.m. of the following day, unless otherwise posted.
- §609(d)** It shall be unlawful for any patron of any District Disc Golf course to climb any fence or to trespass onto any private property bordering or near the course.
- §609(e)** It shall be unlawful to dig or excavate any dirt or to construct any structure of any kind or description or to cut, trim, mow or in any way alter the vegetation including but not limited to grass, shrubs and trees, growing on or near, any District Disc Golf course.

## **Chapter 700 – General Nuisance**

### **Section 701 – Noise**

- §701(a)** The use of all sound-amplifying equipment for any group or special event requires a District use Permit. The users of sound equipment shall abide by any specific limitations noted upon the use Permit, and shall abide by the orders and directions of District employees in the operation of such sound-amplifying equipment.
- §701(b)** It shall be unlawful to use or operate any radio receiving set, musical instrument, amplifier, CD player, television set, karaoke machine, or other device in such a manner as to disturb the peace, quiet and comfort of any park user or any reasonable Person of normal sensitivity in the area. The use of any such device or machine, such that the sound produced is audible at a distance in excess of 100 (one hundred) feet, shall be deemed a violation of this section.
- §701(c)** It shall be unlawful to use or operate any radio receiving set, musical instrument, amplifier, CD player, television set, karaoke machine or other device at a volume greater than 80 (eighty) decibels at the device or speaker at any time.
- §701(d)** It shall be unlawful to willfully make or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet or which causes discomfort or annoyance to any reasonable Person of normal sensitivity utilizing any District Facility or Parkland or on adjacent private property.



### **Section 702 – Posting and Decorations**

- §702(a)** It shall be unlawful for any Person to cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument or other District owned or managed property in any District Facility or Parkland, any bill, advertisement, directional or informational signs, or inscription whatsoever.
- §702(b)** It shall be unlawful in any District Facility or Parkland for any Person to attach or place any materials, devices or equipment to District owned or managed property for the purpose of decorating or for any other purpose without first having obtained a Permit.
- §702(c)** It shall be unlawful for any Person to distribute or place in or upon any Vehicle, left standing or parked, on any District Facility or Parkland any written materials, including but not limited to, advertisements, handouts, handbills, circulars, leaflets, pamphlets, paper, booklets or other printed or written material regardless of whether the content is commercial or non-commercial. Each deposit of any written or printed material shall be deemed a separate violation.
- §702(d)** It shall be unlawful for any Person to place, post, display, fasten to any tree, fence, gate, table, bench, wall, building, monument or other District property any sign, including but not limited to advertisements, directional signs, balloons, political signs, campaign signs, realty signs, banners, or any inscriptions whatsoever whether free-standing, in-ground, tied, taped, stapled, nailed or displayed in any other manner, in any District Facility or Parkland. No sign, banner or posting on any premises or business adjacent to any District Facility or Parkland may be placed in such a manner as to protrude into, hang over, or in any manner encroach upon, any District Facility or Parkland.

### **Section 703 – Unauthorized Storage**

- §703(a)** No Person or group shall store, leave, or otherwise allow to remain on, at or in any District Facility or Parkland any materials, supplies, equipment, vehicle(s) or other items.
- §703(b)** Any materials, supplies, equipment, vehicle(s) or other personal property left for more than 24 (twenty-four) hours, may be moved or towed and stored at owner's expense. If the materials, supplies, equipment, vehicle(s) or other personal property is determined to cause a hazard or to limit the lawful use of a District Facility or Parkland by others the item(s) may be removed immediately.
- §703(c)** Any materials, supplies, equipment or other personal property that have been moved or towed and stored as noted in §703(b), that remains unclaimed after 60 (sixty) calendar days from date of notification or attempted notification of owner, shall become LARPD property and will be disposed of or sold, whichever is determined most appropriate, by the District.

**Section 704 – Disturbing the Peace**

**§704(a)** It shall be unlawful for any Person to engage in any course of conduct in any District Facility or Parkland after being advised by a Park Ranger or other District employee, Law Enforcement Officer, agent or Concessionaire having authority to regulate or manage the area, that such conduct does or could unreasonably or unnecessarily interfere with or obstruct the lawful use and enjoyment of such Facility or Parkland by other Persons or impairs the ability of any Park District employee, agent or Concessionaire to perform his or her authorized duties and activities. **(Misdemeanor)**

**§704(b)** It shall be unlawful to willfully use any threatening, abusive, boisterous, obscene, vulgar or loud behavior which are inherently likely to provoke an immediate breach of peace which impairs or could impair the lawful use and enjoyment of District Facilities or Parklands by other Persons.

**Section 705 – Failure to Obey**

**§705(a)** It shall be unlawful to refuse to leave the premises of any District Facility or Parkland when given a lawful order to do so by a District employee or a Law Enforcement Officer. **(Misdemeanor)**

**Section 706 – Nudity**

**§706(a)** It shall be unlawful for any Person to appear, swim, bathe, wade, sunbathe, walk or be in any District Facility or Parkland in such a manner that the genitals, vulva, pubis, symphysis, pubic hair, buttocks, cleft, perineum, anus, anal region, pubic hair region or any portion of the breast at or below the upper edge of the areola of any female Person be exposed to public view.

**§706(b)** Section 706(a) shall not apply to children under the age of 5 (five) years or a woman with breast(s) exposed in the process of breastfeeding an infant.

**Section 707 – Air Jumps**

**§707(a)** It shall be unlawful to have, install or use any air filled play device including but not limited to, air jumps, trampolines, slides and ball pits in any District Facility or Parkland without a Permit.

**Section 708 – Generators**

**§708(a)** It shall be unlawful to use or possess a generator or similar device in any District Facility or Parkland without a Permit.

**Section 709 – Metal Detectors**

**§709(a)** It shall be unlawful to use a metal detector or similar device in any District Facility or Parkland without a Permit.

**Section 710– Unintended Use**

**§710(a)** It shall be unlawful to use a District Facility or Parkland for a purpose other than that for which it is intended by the District without a Permit.

**§710(b)** It shall be unlawful to alter any District Facility or Parkland without a Permit. This includes but is not limited to digging, excavating, or constructing any obstacle, ramp or jump or removing any object, mowing, edging, trimming, cutting, pruning, removing or adding any plant material, soil or amendments of any kind or description or adding any markings or lines via chalk, paint, tape or other adhesive or any other medium for any purpose.

**§710(c)** It shall be unlawful to erect or build any structure or building of any kind or description in any District Facility or Parkland without a Permit. This includes but is not limited to tents, shade shelters, portable restrooms, tree houses or fencing.

**§710(d)** It shall be unlawful to drive, pound, hammer or place any stake, bar, post, fence post or other item into the ground at any District Facility or Parkland without a Permit.

**Section 711– Encroachment**

**§711(a)** It shall be unlawful for the owner or occupant of any premise or business adjacent to any District Facility or Parkland to fail or neglect to keep any tree, shrub, vine or groundcover controlled or trimmed so as not to infringe upon any District Facility or Parkland. The overhang of trees onto District property shall be trimmed to a minimum height of 8 (eight) feet over grade level of any District Facility or Parkland, with the exception of parking lots or streets, in which case the minimum height shall be 10 (ten) feet.

**Chapter 800 – Vehicles**

**Section 801 – Parking**

**§801(a)** Any Vehicle parked or left standing in violation of this section may be removed in accordance with the California Vehicle code §22650.

**§801(b)**

It shall be unlawful and punishable by civil penalties identified in Vehicle Code §40200(a) for any Person to park a Motor Vehicle in any District Facility or Parkland, except an authorized emergency Vehicle or when in compliance with the directions of a peace officer, in any of the following places:

1. Where prohibited by "No Parking" signs.
2. Where prohibited by "No Stopping" signs.
3. Adjacent to any curb painted red.
4. Adjacent to any curb beyond the time indicated by paint or signs.
5. Within 15 (fifteen) ft. of a fire hydrant.
6. Blocking or obstructing any fire Trail or fire lane.
7. Blocking or obstructing any Trail, sidewalk or pedestrian walkway.  
At no time may a vehicle, even if parked in a legal parking space, overhang or protrude, narrowing a Trail, sidewalk or pedestrian walkway to a width of 3 (three) ft. or less.
8. Blocking or obstructing any gate, entrance or exit.
9. On any lawn, turf or landscaped area.
10. On any area where grass and other vegetation is taller than 4 (four) inches in height.
11. In any picnic area.
12. In such a manner as to take up more than one designated parking place in any authorized area.
13. In such a manner as to block or partially block the roadway of the parking area i.e., Vehicle not pulled fully into parking space.
14. Where a fee is charged and the fee is not paid.
15. In any District parking area where a fee is charged, a Permit is issued as a receipt, and the Permit or receipt is not displayed in a conspicuous place upon the Vehicle as to be easily observed by a peace officer.
16. In any District parking area for the purpose of commute parking.
17. In any District parking area for the purpose of advertising or attempting to sell a Vehicle.
18. In any area not intended by the District to be used for parking or in any area that is designated as restricted or permit use only, without displaying a valid permit.
19. Anywhere in the District between the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, or hours otherwise posted.
20. In any District parking area if vehicle occupants are not utilizing a District Facility or Parkland associated with said parking area.
21. In any area designated for District employees without displaying an LARPD employee parking permit.
22. By backing in where posted head-in parking only.

**§801(c)**

It shall be unlawful for any Person to park, abandon or otherwise allow to remain any automobile or other conveyance in any District Facility or Parkland between the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, or hours otherwise posted, without a Permit.

**§801(d)** It shall be unlawful for any Person to park a Vehicle in any District parking area if such Person is not utilizing a District Facility or Parkland associated with said parking area.

**Section 802 – Motor Vehicles**

**§802(a)** It shall be unlawful for any Person to drive any Motor Vehicle on any District Trail, or on any service road not intended for public use, or any other area posted to prohibit such use.

**§802(b)** Section 802(a) shall not apply to a mobility challenged Person using a multi-use Trail who is using a Wheelchair or Power-Driven Mobility Device or to a Class 1 (one) or Class 3 (three) Motorized Bicycle when operated at a speed no greater than 15 (fifteen) miles per hour on paved Trails outside of Sycamore Grove Park.

**§802(c)** It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland except on established roads that are open to the public for this purpose.

**§802(d)** It shall be unlawful for any Person authorized to operate any Motor Vehicle in any District Facility or Parkland to drive anywhere other than on established roads.

**§802(e)** It shall be unlawful for any Person authorized by easement agreement to drive on service roads and/or Trailways in any District Facility or Parkland to drive anywhere other than on roads approved and agreed upon in the easement.

**§802(f)** It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland at a speed greater than 10 (ten) mph unless otherwise posted.

**§802(g)** Section 802(f) shall not apply to Motorized Bicycles on paved District Trails outside of Sycamore Grove Park. The speed limitation for these Vehicles shall be 15 (fifteen) mph or less, unless otherwise posted.

**§802(h)** It shall be unlawful for any Person to operate a Vehicle within any District parking area or non-roadway at a speed greater than 5 (five) mph.

**§802(i)** It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland at a speed greater than is reasonable or prudent for conditions present, which may include but are not limited to, posted speed limit, road width, road surface, weather, traffic or other conditions.

**§802(j)** It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland at a speed which endangers the safety of Persons, property or Wildlife.

- §802(k) It shall be unlawful in any District Facility or Parkland for the operator of any Motor Vehicle to accelerate so as to cause audible noise by tire friction on the pavement or graveled surface, or to cause the tires of the Vehicle to leave friction marks upon the pavement except when such action is reasonably necessary to avoid collision.
- §802(l) It shall be unlawful in any District Facility or Parkland for the operator of any Motor Vehicle to cause a Vehicle to spin, slide, race, fishtail, circle or to operate a Vehicle in any way that may endanger themselves, any other Vehicles, park users or property. (**Misdemeanor**)
- §802(m) It shall be unlawful for any Person to perform any Vehicle maintenance or repairs in any District Facility or Parkland.
- §802(n) It shall be unlawful to wash any Motor Vehicle in any District Facility or Parkland without a Permit.

### **Section 803 – Motorized Bicycles**

- §803(a) It shall be unlawful to operate a Class 2 (two) Motorized Bicycle in any District Facility or Parkland.
- §803(b) It shall be unlawful to operate any Motorized Bicycle at a speed greater than 15 (fifteen) mph in any District Facility or Parkland.
- §803(c) It shall be unlawful for any Person to operate any Motorized Bicycle in any District Facility or Parkland at a speed greater than is reasonable or prudent for conditions present, which may include but are not limited to, road width, road surface, weather, traffic or other conditions.
- §803(d) It shall be unlawful to operate any Motorized Bicycle in any District Facility or Parkland on any surface other than a paved trail. Motorized Bicycle operation is strictly prohibited in Sycamore Grove Park regardless of trail surface.
- §803(e) It shall be unlawful for any Person under 16 (sixteen) years of age to operate any Class 3 (three) Motorized Bicycle in any District Facility or Parkland.
- §803(f) It shall be unlawful for any Person to operate any Class 3 (three) Motorized Bicycle in any District Facility or Parkland without wearing a properly fitted and fastened helmet. The helmet requirement also applies to a Person who rides upon a Class 3 (three) Motorized Bicycle while in a restraining seat that is attached to the Bicycle or in a trailer towed by the Bicycle.

### **Section 804– Motor Vehicle Abandonment**

- §804(a) It shall be unlawful for any Person to permit a Vehicle to be parked or left standing within District Facilities or Parklands for 72 (seventy-two) or more consecutive hours.

**§804(b)** Any Vehicle parked or left standing in violation of this Section may be removed in accordance with the California Vehicle Code.

**Section 805– Bicycles**

**§805(a)** It shall be unlawful for any Person under the age of 18 (eighteen) to operate a Bicycle, or ride upon a Bicycle as a passenger in any District Facility or Parkland without a properly fitted and fastened Bicycle helmet. This also applies to a Person who rides upon a Bicycle while in a restraining seat that is attached to the Bicycle or in a trailer towed by the Bicycle.

**§805(b)** It shall be unlawful to ride a Bicycle at a speed exceeding 15 (fifteen) mph in any District Facility or Parkland at any time unless otherwise posted. In no event shall a Bicycle be operated at a speed greater than is reasonable or prudent, having due regard for weather, visibility, the traffic on and the surface being traversed. In no event shall a Bicycle be operated at a speed or in a manner which endangers the safety of Persons or property.

**§805(c)** It shall be unlawful to ride a Bicycle off of or jump onto any object in any District Facility or Parkland including, but not limited to stairways, curbs, sidewalks, benches, car stops, bike racks, planters, picnic tables or retaining walls that are not intended for such purpose.

**§805(d)** It shall be unlawful for any Person to lock, chain, fasten, leave or prop any Bicycle in any District Facility or Parkland, to any item not specifically intended for that purpose, including but not limited to trees, tree cages, tree tubes, fences, gates, picnic tables, signs, sign posts, drinking fountains, hose bibs and buildings.

**§805(e)** It shall be unlawful to operate a Bicycle in the courtyard area between the Community and Recreation Buildings at the Robert Livermore Community Center.

**§805(f)** It shall be unlawful to operate a Bicycle within 70 (seventy) feet of the main entrance of the Community Building at the Robert Livermore Community Center.

**§805(g)** It shall be unlawful to operate a Bicycle within 25 (twenty-five) feet of any public entrance to any District Building.

**§805(h)** It shall be unlawful to Grind any Bicycle across any object, including but not limited to, curbs, plant containers, concrete walls, rock walls, benches, picnic tables, stairway rails or any other object not intended specifically for this use, in any District Facility or Parkland.

**Section 806- Watercraft**

**§806(a)** It shall be unlawful for any Person to launch a flotation device of any kind or description, including but not limited to a boat, kayak, canoe, raft, inner tube or surfboard on water owned, managed, controlled or operated by the District.

### **Section 807– Aircraft**

- §807(a) It shall be unlawful to land, launch or tether any Aircraft on any District Facility or Parkland.
- §807(b) It shall be unlawful to practice, or attempt to practice, the landing, take-off, or taxiing of any Aircraft over or upon any District Facility or Parkland.
- §807(c) It shall be unlawful to operate any Aircraft in a manner which disturbs or causes harm to any of the Flora or Wildlife or which impairs the lawful use and enjoyment of a District Facility or Parkland.
- §807(d) It shall be unlawful to operate any Aircraft over any District Facility or Parkland at a height lower than 500 (five-hundred) feet, other than normal landing and take-off activities utilizing the Livermore Municipal Airport.

## **Chapter 900 – Trail Uses**

### **Section 901 – General**

- §901(a) It shall be unlawful to use any District Trail that is posted as closed in any District Facility or Parkland.
- §901(b) It shall be unlawful to use any District Trail in a negligent, unsafe or reckless manner or in a way that endangers the life, limb or property of any Person.
- §901(c) It shall be unlawful for any Person to travel farther than 100 (one-hundred) feet off any designated Trail in any Open Space or Preserve.
- §901(d) It shall be unlawful for any Person to leave any District Trail when such action will result in that Person trespassing on private property.
- §901(e) It shall be unlawful for any Person to utilize a Vehicle of any kind or description, including but not limited to, scooters, off-road scooters, skateboards, off-road skateboards, gravity propelled devices or motor vehicles on any Trail, or across any area in any District Facility or Parkland, not designated for that use. These Vehicles are specifically prohibited on unpaved Trails in any Open Space or Preserve.
- §901(f) Section 901(e) shall not apply to a mobility challenged Person who is using a Wheelchair, or Power-Driven Mobility Device, or a device in which young children are transported i.e., stroller.

### **Section 902 – Bicycles on Trails**

- §902(a) It shall be unlawful to ride or operate any Bicycle on any Trail, District Facility or Parkland not designated for that purpose.



**§902(b)** It shall be unlawful for any Person to not ride a Bicycle single file on the right side of the Trail and/or reduce speed to a level that is safe for conditions, when on turns, blind corners or steep hills/grades.

**§902(c)** It shall be unlawful for any Person riding a Bicycle to not warn other Trail users, at a distance not less than 30 (thirty) feet, when overtaking or approaching. This warning can be a verbal statement that shall be called out, or an audible device that is sounded.

**§902(d)** It shall be unlawful to ride a Bicycle at a speed exceeding 15 (fifteen) mph in any District Facility or Parkland at any time unless otherwise posted. In no event shall a Bicycle be operated at a speed greater than is reasonable or prudent, having due regard for weather, visibility, the traffic on and the surface and width of the Trail. In no event shall a Bicycle be operated at a speed or in a manner which endangers the safety of Persons or property.

### **Section 903 – Saddle or Pack Animals on Trails**

**§903(a)** It shall be unlawful to ride, drive, lead or keep any horse, mule, donkey, pony or other saddle or pack animal on any Trail, District Facility or Parkland not designated for that purpose in any District Facility or Parkland.

**§903(b)** It shall be unlawful to ride or drive any horse, mule, donkey, pony or other saddle or pack animal at a Trot, Canter, Lope, Gallop or Run or to use an Ambling Gait in any area where the pace of such animal is restricted to a Walk. These areas include, but are not limited to, asphalt/paved surfaces and Open Space Trails less than 4 (four) feet wide.

**§903(c)** It shall be unlawful to ride or drive any horse, mule, donkey, pony or other saddle or pack animal at a speed that exceeds a Trot, Ambling Gait or 15 (fifteen) miles per hour, whichever is less, in any District Facility or Parkland, unless otherwise posted. In no event shall the speed of such animal be greater than is reasonable or prudent, having due regard for weather, visibility, other trail users, trail conditions and the width of the Trail, and in no event at a speed which endangers the safety of Persons, property or Wildlife.

**§903(d)** It shall be unlawful to ride, drive, lead or keep any horse, mule, donkey, pony or other saddle animal on any District Trail without a securely fastened saddle and a bridle or other device designed to control the animal.

### **Section 904 – Vehicles on Trails**

**§904(a)** It shall be unlawful for any Person to drive any Vehicle of any kind on any District Trail or service road not intended for public use or posted to prohibit such use.

**§904(b)** Section 904(a) shall not apply to a mobility challenged Person using a multi-use Trail who is using a Wheelchair or Power-Driven Mobility Device or a device in which young children are transported i.e. stroller.

**§904(c)** It shall be unlawful to utilize any sled, wagon, pony cart or other device pulled by an animal of any description on any District Trail.

## **Chapter 1000 – Domestic Animals**

### **Section 1001 – Grazing**

**§1001(a)** It shall be unlawful to allow horses, cattle, sheep, goats or any other animal to graze in any District Facility or Parkland.

### **Section 1002 – Saddle or Pack Animals**

**§1002(a)** It shall be unlawful for any Person to ride, drive, lead or keep any horse, mule, donkey, pony or other saddle or pack animal at any swimming pool, nature Preserve, picnic area, Playground, lawn or turf area, or any other area designated as restricted in any District Facility or Parkland.

**§1002(b)** It shall be unlawful for any Person to ride, drive, lead or keep any horse, mule, donkey, pony or other animal in a manner that would interfere with the lawful use and enjoyment of any District Facility or Parkland.

**§1002(c)** It shall be unlawful for any Person to leave any horse, mule, donkey, pony or other animal unattended or insecurely tied in any District Facility or Parkland.

**§1002(d)** It shall be unlawful to tie any horse, mule, donkey, pony or other saddle or pack animal to any sign, sign post, tree, bush, shrub, tree cage, tree tube, picnic table, bench, drinking fountain, fence, gate or other District property or building at any time unless in a manner and place so designated for that use.

### **Section 1003 – Animals/Pets**

**§1003(a)** No dog, cat, or other animal, even if securely Leashed, shall be permitted at any aquatic Facility, Playground, Preserve, Synthetic Sports Field, wetland, in any building, or any other area specifically designated as prohibited.

**§1003(b)** Section 1003(a) shall not apply to an on duty service animal assisting a physically challenged Person.

**§1003(c)** No dog, cat, horse, or other animal shall be Permitted in any District Facility or Parkland, except at a place, time and in a manner as designated. At such times animals must be under the charge and full control of a Person competent to keep such animal under effective charge and control.

- § 1003(d) It shall be unlawful for any Person to cause or permit any dog or other animal to be in any District Facility or Parkland unless securely restrained by a substantial Leash not to exceed 6 (six) feet in length. A dog may be secured by a Retractable Leash; however, the Retractable Leash may not exceed 6 (six) feet in length when in the presence of other people. Even if secured by a Leash or Retractable Leash, the animal must be under the charge and full control of a Person able to keep such animal under effective charge and control at all times.
- §1003(e)** Nothing in section 1003(d) shall prevent a dog from being without a Leash in a designated Dog Run/Park/Off-Leash Area that is posted for such use. However, owners allowing a dog to use such areas are still required to attend the dog and are responsible for the charge, control and actions of said dog. Section 1003(d) will not apply to an on duty service animal assisting a physically challenged Person.
- §1003(f)** It shall be unlawful for any Person to leave an animal or pet of any description unattended in any District Facility or Parkland at any time.
- §1003(g)** It shall be unlawful for any Person in control or having custody of any dog or other animal to fail to remove the feces of such animal from any District Facility or Parkland. All feces shall be removed from the ground in a bag or other device and placed in a trash receptacle. Any Person in control or in charge of any dog or other animal must carry a bag or other device for removal of feces at all times, and must present the bag or other device to any law enforcement or animal control officer upon request.
- §1003(h)** It shall be unlawful for any Person to sweep, rake, shovel or otherwise clean out any Trailer or Vehicle of any kind or description, that is used to move horses, bovine or other animals, of any fecal material and leave said material behind in any District Facility or Parkland.
- §1003(i)** It shall be unlawful for any Person to knowingly bring into any District Facility or Parkland any sick, diseased or infectious animal or pet.
- §1003(j)** It shall be unlawful for any Person to leave or abandon any animal or pet, whether dead or alive, in any District Facility or Parkland. **(Misdemeanor)**
- §1003(k)** Any dog or cat found without a license or identification tag, in violation of California Food and Agriculture Code Section 30951, may be seized and impounded by members of the District's Ranger staff, Law Enforcement Officer or other authorized employee assisting the police, as authorized by and pursuant to California Food and Agriculture Code Section 31101.
- §1003(l)** It shall be unlawful to allow a dog or other animal to chase, injure or kill any cow, goat, sheep or other domestic animal in any District Facility or Parkland.

- §1003(m)** Any dog found running at large in District facilities or Parklands (i) in a pack of three or more dogs in the park or (ii) chasing wild animals or cattle, or interfering with, bothering or harassing park users, other animals or Wildlife, may be seized and impounded. In the event that such a dog is found to create a danger to the life or limb of park users, other animals or Wildlife, and cannot be seized or impounded, the dog may be killed by a County or City law enforcement officer or designated District Park Ranger.
- §1003(n)** It shall be unlawful for any Person to bring into, or permit any Vicious Animal to enter or remain in, any District Facility or Parkland. (**Misdemeanor**)
- §1003(o)** It shall be unlawful for any Person to train dogs for attack, or any other form of dog and human contact which simulates an attack, in any District Facility or Parkland. (**Misdemeanor**)
- §1003(p)** It shall be unlawful to utilize any sled, wagon, pony cart or other device pulled by an animal of any description within any District Facility or Parkland.
- §1003(q)** It shall be unlawful for any Person to feed any Feral or abandoned animal in any District Facility or Parkland.
- §1003(r)** It shall be unlawful for any Person to bring into any District Facility or Parkland any Exotic Animal or Prohibited Animal without a permit. This does not include saddle animals, domestic dogs (excluding wolf and coyote hybrids) and domestic cats (excluding Exotic crosses).

**Section 1004 – Dog Run/Park and Off-Leash Areas**

- §1004(a)** It shall be unlawful for any Person to bring an unlicensed dog(s) into any District Dog Run/Park or Off-Leash Area. A valid dog license tag must be worn by the animal(s) at all times.
- §1004(b)** It shall be unlawful for any Person that brings a dog(s) into a District Dog Run/Park or Off-Leash Area to leave the enclosed/designated area without their animal(s). Any Person charged with the control of said animal(s) must remain in the enclosed/designated area and monitor and control the dog(s).
- §1004(c)** It shall be unlawful for any Person to knowingly bring into any District Dog Run/Park or Off-Leash Area any sick, diseased or infectious animal.
- §1004(d)** It shall be unlawful for any Person to bring into, or allow to remain in any District Dog Run/Park or Off-Leash Area, any animal that is in heat.
- §1004(e)** It shall be unlawful for any Person to bring into, or allow to remain in any District Dog Run/Park or Off-Leash Area, any animal that is not a dog.

- §1004(f)** It shall be unlawful for any Person to bring into, or allow to remain in any District Dog Run/Park or Off-Leash Area, any animal that cannot be kept under Voice Control.
- §1004(g)** Section 1004(f) may not apply to a dog with visual or hearing disabilities. Accommodation may be made on a case-by-case basis for the use of visual cues or assistive technology i.e. electric collar, in place of audible signals. Regardless of method, all conditions of Voice Control must still be met.
- §1004(h)** It shall be unlawful for any Person to have more than 2 (two) dogs in any District Dog Run/Park or Off-Leash Area at any one time.
- §1004(i)** Any Person charged with the control of any dog(s) in any District Dog Run/Park or Off-Leash Area must have in their possession, at all times, a Leash for each animal. One Leash per animal must be presented to any District Park Ranger, law enforcement, or animal control officer upon request. Failure to do so shall be a violation of this section.
- §1004(j)** It shall be unlawful for any Person aged 12 (twelve) years or younger to be in any District Dog Run/Park or Off Leash Area unless accompanied by an Adult.

## **Chapter 1100 – Natural & Cultural Resource Protection**

### **Section 1101 – Wildlife Protection**

- §1101(a)** It shall be unlawful for any Person to hunt, molest, disturb, injure, trap, take, fish, net, poison, harm, capture or kill any kind of Wildlife in any District Facility or Parkland. (**Misdemeanor**)
- §1101(b)** It shall be unlawful for any Person to remove, destroy or in any manner disturb the natural habitat of any animal in any District Facility or Parkland.
- §1101(c)** It shall be unlawful to allow a dog or other animal to chase or injure Wildlife in any District Facility or Parkland.
- §1101(d)** It shall be unlawful to allow a dog or other animal to dig up burrows or disturb nests or dens of any Wildlife in any District Facility or Parkland.
- §1101(e)** It shall be unlawful for any Person to feed Wildlife at any time in any District Facility or Parkland.
- §1101(f)** It shall be unlawful for any Person to leave, release or abandon any Wildlife, whether dead or alive, in any District Facility or Parkland. (**Misdemeanor**)
- §1101(g)** It shall be unlawful for any Person to collect or remove from any District Facility or Parkland any scat, bones, teeth, fur, feathers, nest, egg (whether hatched or unhatched) or any other part of any Wildlife.

### **Section 1102 – Flora Protection**

- §1102(a)** It shall be unlawful for any Person to damage, destroy, injure, collect, dig up, pick, mutilate, cut, carve upon or remove any Flora in any District Facility or Parkland. **(Misdemeanor)**
- §1102(b)** It shall be unlawful for any Person to bring into any District Facility or Parkland any Flora for the purposes of planting, dispersal or disposal.
- §1102(c)** It shall be unlawful for any Person to collect any seeds or cuttings in any District Facility or Parkland.
- §1102(d)** It shall be unlawful for any Person to tie any rope or other item to or attach any swing, rope or otherwise, to any tree in any District Facility or Parkland.

### **Section 1103 – Geological Feature Protection**

- §1103(a)** It shall be unlawful for any Person to damage, carve, dig up, collect or remove earth, rocks, sand, gravel, fossils, minerals, caves, or any geological article or feature in any District Facility or Parkland. **(Misdemeanor)**
- §1103(b)** It shall be unlawful for any Person to collect or remove any water from any stream, creek, river, channel, canal, slough, pond, lake, permanent or ephemeral pool or puddle, wetland, bay, lagoon, or other stream or body of water in any District Facility or Parkland.

### **Section 1104 – Archaeological/Cultural/Artifact Protection**

- §1104(a)** It shall be unlawful for any Person to damage, injure, dig up, mutilate, cut, collect, relocate, remove or in any way disturb any paleontological, archaeological or Cultural Artifact or Feature in any District Facility or Parkland. **(Misdemeanor)**

### **Section 1105 – Research or Collecting Permit**

- §1105(a)** Special Permission may be granted to remove, treat, disturb, or otherwise affect Wildlife or Flora or geological, cultural, archaeological, or paleontological materials for research, interpretive, educational or park operational purposes. Permission for any collection activity must be in writing and obtained in advance.



Livermore Area  
Recreation and Park District  
*An independent special district*

**LIVERMORE AREA RECREATION AND PARK DISTRICT  
CERTIFICATE OF THE CLERK OF THE BOARD OF DIRECTORS**

I, Mathew Fuzie, Clerk to the Board of Directors of the Livermore Area Recreation and Park District, do hereby certify that a summary of the proposed amended Ordinance No. 8 and a Notice of Hearing on the Ordinance, stating that the Board of Directors would consider amending the Ordinance at a Board Meeting on June 24, 2020 at 2:00 PM via Zoom, was published in the June 18, 2020 edition of The Independent newspaper.

I further certify that a summary of the proposed amended Ordinance No. 8 and a Notice of Hearing on the Ordinance, stating that the Board of Directors would consider amending the Ordinance at a Board Meeting on June 24, 2020 at 2:00 PM via Zoom was publicly posted, and that a certified copy of the entire text of the amended Ordinance was available to the public at 4444 East Avenue, Livermore, California on the dates of June 18 through June 24, 2020. A Notice of Hearing and a certified copy of the entire text of the amended Ordinance were also posted on the LARPD website, on the dates of June 18 through June 24, 2020.

I further certify that in the publications and postings of the Notice of Hearing on the Ordinance, it was stated that certified copies of the entire text of the Ordinance were available for public use and examination, at 4444 East Avenue, Livermore, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this \_\_\_\_\_ day of June 2020.

\_\_\_\_\_  
Mathew Fuzie  
Clerk to the Board of Directors  
Livermore Area Recreation and Park District

ATTACHMENT B