

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: DEVELOPMENT AGREEMENT
POLICY NUMBER: 6000

6000.1 Prior to the board of directors considering a private development project for approval, a development agreement specifying terms and conditions of said approval, prepared by the General Manager and/or legal counsel, shall be executed by the project's developer(s) and property owner(s) (see policy #6025 Project Approval).

6000.2 The development agreement shall contain the following information.

6000.2.1 Name(s) of developer and/or project sponsor(s), and owner(s) of subject property;

6000.2.2 Assessor's parcel number of subject property;

6000.2.3 Type and purpose of project (e.g., residential commercial, industrial, etc.); and,

6000.2.4 A graphic description of the project attached to the agreement as "Exhibit A."

6000.2.5 Evidence that a community facilities district has been created, which includes all parcels within the CFD for the purpose of maintaining park sites and replacing equipment through a capital replacement account. All expenses associated with the CFD are developer's responsibilities.

6000.3 The following shall be used as standard terms and conditions of the development agreement.

6000.3.1 Standards for the Park and Recreation Service: plans have, at no cost to District, been designed and prepared for the on-site and off-site park and recreation sites and facilities which include Developers obligation to accomplish the following.

6000.3.1.1 Construct the park sites and recreation facilities in conformance with the approved plans therefore, and,

6000.3.1.2 Obtain any and all permits from the department of Public Works of the County of Sacramento and comply with all requirements thereof, including grading permit and dust control requirements for any portion of the project situated within existing or proposed future park sites.

6000.3.2 Acceptance of Plans and Specifications: The completed plans as described above for the parks sites and recreation facilities have been prepared in conformance with District Improvement Standards, the requirements of the General Manager, and are in a form acceptable to same.

6000.3.3 Revision of Plans: Any changes in such accepted plans shall require written approval of the developer and the General Manager.

6000.3.4 Construction: Developer shall, without expense to District, construct the park sites and recreation facilities pursuant to the accepted plans or any approved modification thereof. Developer shall provide in any contract for construction of the park sites and recreation facilities that any contractor's materials, supplier's guarantees thereunder including a one (1) year warranty on the completed improvements, shall insure to the benefit of District after the works constructed thereunder have been conveyed to District as provided in this policy.

6000.3.4.1 Developer shall provide in any contract for construction of the park sites and recreation facilities that the contractors public liability and property damage insurance shall be extended to cover Developer and District and their agents, officers and employees as additional insured with liability and bodily injury limits of not less than \$300,000 and property damage coverage of not less than \$100,000.

6000.3.5 Payment of Prevailing Wages: Developer has been advised that the State of California (State) ATTORNEY General has opined that, in certain circumstances, construction of facilities for provision of public utility services, with the understanding and agreement that said facilities will be turned over to District for ownership, operation and maintenance at the conclusion of construction, may be subject to the prevailing wages laws of the State. Developer has determined that, at this time, said opinion of the Attorney General does not affect the wages paid by Developer to laborers employed on said facilities constructed pursuant to this agreement. Developer agrees, however, that should it be determined that the prevailing wages law of the States (Labor Coed 1770, et seq.) apply to the work performed in accordance with this agreement, then Developer shall defend and hold District harmless from any liability claim, damages, or costs in any way associated with said determination by the State and Developer shall, as further consideration of District entering into this agreement, take all necessary and appropriate action, including payment of back wages, and any associated penalties which may be required, due to enforcement of the prevailing wages laws in connection with construction of the park sites and recreation facilities. Developer agrees that the District has not represented or in any way advised developer of his potential liability and developer does not in any way rely upon any opinion or information of District in making his determination in connection with the payment or nonpayment of such wages for the work performed under this agreement. The obligation of developer to, if required, pay prevailing wages

for the work performed in accordance with this agreement shall be a continuing obligation and shall bind the heirs, successors and assigns of developer and District obligation to provide operation and maintenance on the facilities to be turned over to District, and to provide park sites and recreation facilities therein, shall be dependent upon Developers continuing compliance with this provision.

6000.3.6 Inspection of the Construction: The General Manager of his/her agent(s) shall inspect the construction of the park sites and recreation facilities to assure that the works are installed in accordance with the accepted plans. Aid inspections shall be funded by an inspection fee paid by Developer. Construction of the park sites and recreation facilities system shall not commence until said inspection fee is paid. The General Manager shall notify Developer as to a deviation or failure to construct, pursuant to the accepted plans as soon as such deviation or failure is brought to his/her attention, and Developer shall correct such deviation or failure.

6000.3.7 Hold Harmless: District is not, by inspection of the construction or installation of the park sites and recreation facilities system, representing Developer or providing a substitute for inspection and control of the work by Developer. Any inspections and observations of the work by District are for sole purpose of providing a substitute for inspection and control of the work by Developer. Any inspections and observations of the work by District are for the sole purpose of providing notice stage and character of the work. Any failure of District to note variances in the work from the plans does not excuse or exempt Developer from complying with all terms of the plans. The fact that Districts inspects the construction of work and notifies Developer of deviations or failure to construct, pursuant to the accepted plans shall not be deemed to constitute a guarantee by District that the works have been built accordance thereof by District, Developer shall hold Districts harmless against any and all claims, demands and chargers by third parties arising out of alleged deviations or failures to construct pursuant to the accepted plans.

6000.3.8 Conveyance: Within ninety (90) days after completion of construction of the park sites and recreation facilities in accordance with the accepted plans therefor and District s Improvement Standards.

6000.3.8.1 Developer and owners shall convey titles of the completed works to District without cost and free and clear of all liens and encumbrances, by appropriate conveying documents, acceptable in form to the Administrator.

6000.3.8.2 Developer shall provide District with one set of 24" by 36" reproducible (as built) drawings of the completed project in to the District Administrator;

6000.3.8.2.1 Developer shall furnish to District a bond, irrevocable letter of credit, cash deposit, or other form of surety meeting Districts approval in the amount of \$_____, being 100 % of the cost of the park sites and recreation facilities, as estimated by the Project Engineer, protecting District against any failure of the work due to natural phenomenon or catastrophe, faulty materials, poor workmanship, or defective equipment within a period of one (1) year after acceptance of the park sites and recreation facilities by the District's Board of Directors. Said bond or irrevocable letter of credit shall name Developer as principal and District as obligee; and,

6000.3.8.2.2 District shall accept conveyance of title of the completed park sites and recreation facilities by resolution and include it as part of its system, and shall there after operate and maintain said system.

6000.3.9 Developers Responsibilities After Conveyance: after Districts acceptance of the park sites and recreation facilities, Developer and Owners shall have no obligation for the operation, maintenance, repair or replacement thereof, except that to the extent Developer and/or Owners retain ownership of any parcel to which service from such works is available, they shall pay the same rates and charges levied by Districts time to time as any other property owner.

6000.3.10 Obligation for Park Site or Facilities: Districts shall be under no obligation to provide additional facilities in order to serve the project. Upon acceptance of the facilities by District, it shall become the sole property of District and shall be used and operated at District's sole discretion.

6000.3.11 Rates and Charges for Service: all service available by Districts to users within the Project shall be at the established rates and charges as fixed by Districts Board of Directors from time to time.

6000.3.12 Notices: notices or requests from any party to this agreement to the remaining parties thereof shall be writing and delivered or mailed, postage prepaid, to the following addresses:

Rio Linda and Elverta Recreation and Park District
810 Oak Lane
Rio Linda, CA 95673
Attention: General Manager

(Developers Name)
(Address)
(City, State, Zip)

6000.3.13 Successors and Assigns: This agreement shall be binding upon and insure to the benefit of the successors and assigns of the parties. Developer and Owners shall not assign any of their rights, duties or obligations under this agreement without prior written consent of District, which consent shall be unreasonably withheld.

6000.3.14 Districts Powers: nothing herein contained shall be deemed to limit, restrict, or modify any right, duty, or obligation given, granted, or imposed upon District by the laws of the State of California now in effect, or hereafter adopted, not to limit or restrict the power or authority of District, including the enactment of any rules, regulations, policies, resolution, or ordinances, and in the event that any part of provisions herein contained in this agreement or incorporated herein, be found to be illegal or unconstitutional by a court of competent jurisdiction, such findings shall not be effect the remaining parts, portions, or provisions hereof.

6000.3.15. Attorney Fees: should any party have to be required to institute legal action to either compel performance of this agreement or recover damages for nonperformance, the prevailing party(s) shall be entitled to reasonable attorney's fees, cost of suit, and all the other expenses of litigation incurred in connection therewith.

6000.3.16 Termination: This agreement shall terminate and be of no further force and effect at Districts discretion if District determines that construction of the park sites and recreation facilities system has not commenced within twelve (12) months from the date of this agreement, and Developer has not submitted the plans and specifications for acceptance as provided for in **6000.3.3** above. Any inapplicable portions of the foregoing standard terms and condition may be deleted or, upon approval of the General Manager (or legal Counsel) to accommodate project-specific situations. When warranted, additional conditions and requirements may be added to the standard terms and conditions by, or upon approval of, the General Manager and/or property owner may appeal to the Board of Directors any agreement terms or conditions, or requirements proposed by General Manager.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Annexation Procedures
POLICY NUMBER: 6010

6010.1 Property must be annexed to the District prior to receiving services unless there is a contact for services. Furthermore, unconditional commitments to provide service to property and/or proposed developments will not be granted until said property is annexed to the District.

6010.2 Annexation Procedures will follow the guidelines of the Local Agency Formation Commission (LAFCO).

6010.2.1 Determine Suitability. Property owners or project developers desiring annexation to the District should first determine several factors regarding their property's suitability for park and recreation services:

6010.2.2 Is the excess capacity in the Districts existing facilities adequate for the property's proposed development density?

6010.3 Said resolution shall contain the following provisions:

6010.3.1 That a description of the annexed lands shall be attached to said resolution;

6010.3.2 The annexed land shall be subject to the District's policies, rules and regulations, charges made, and assessments levied pursuant to the provisions of the laws pertaining to park and recreation districts to pay for outstanding obligations of said district, and also shall be subject to all and any combination of assessments, tolls and charges as may exist at the adoption of the resolution and as thereafter may be established and/or levied by the County of Sacramento and/or the District for any District purpose;

6010.3.3 The district shall be under no obligation to construct or maintain any parks and recreation facilities in connection with the subject annexation and the owners of the land to be annexed shall construct, any parks sited and recreation facilities desired, without cost, charge or obligation to the District, a complete park and recreation system as may be specified BY THE District, in accordance with plans and specifications approved by the Board of Directors, and shall convey, at no cost to the District, all of said park and recreation system, including rights of way over all parts thereof, to the District; and,

6010.3.4 The project developers and/or owners of the annexed property, and their heirs, successors and assigns shall agree to abide by all Board policies, rules and regulation of the District presently established and as shall be established by the Board in the future.

6010.3.5 After adoption of said resolution approval by the Board of Directors, it shall be sent to LAFCO along with necessary fees, for processing of State fillings, local recording, and filling with the State Board of Equalization.

6010.4 Annexation Petition. In accordance with 56700 of the California Government Code, the petition proposing annexation of property to the District shall do all of the following:

6010.4.1 State that the proposal is made pursuant to said 56700;

6010.4.2 State the nature of the proposal (i.e., annexation of property to Rio Linda & Elverta Recreation and Park District)

6010.4.3 Include a description of the boundaries of the affected territory accompanied by a map showing the boundaries;

6010.4.4 State any proposal terms and conditions;

6010.4.5 Explain the reason for the proposal (e.g., to receive park and recreation services);

6010.4.6 State whether registered voters or owners of land sign the Petition;

6010.4.7 Designate no more than three (3) persons as chief petitioners, including their names and mailing addresses;

6010.4.8 Request that proceedings be taken for the proposal pursuant to said 56700; and,

6010.4.9 State whether the proposal is consistent with the sphere of influence designated by LAFCO for the District.

6010.5 Description and Maps: In accordance with State Board of Equalization and District requirements, annexation descriptions and maps shall conform to the following conditions,

6010.5.1 All documents must be capable of producing a readable photographic image;

6010.5.2 All descriptions must be prepared by a surveyor or civil engineer licensed in the State of California, and his/her stamp and signature shall be affixed to said description.

6010.5.3 In addition to LAFCO filing, environmental review, State filling, State Board of Equalization and any other applicable non-district fees, and annexation fee shall be paid to the District prior to the adopting by the Board of Directors of the Resolutions approving any annexation. Said annexation fee is presently established at \$_____ per acre [or other appropriate rate], and may be adjusted from time to time by the Board of Directors.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT POLICY & PROCEDURE MANUAL

POLICY TITLE: Environmental Review Guidelines
POLICY NUMBER: 6015

6015.1 CEQA (California Environmental Quality Act)

The Rio Linda Elverta Recreation and Park District will abide by all CEQA requirements.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Digital Marquee and Digital Signage/ and Banner Placement
POLICY NUMBER: 6020

6020.1 Purposes: The Rio Linda Elverta Recreation and Park District has developed this policy for the purpose of regulating the use of the Digital Marquee, Digital Signage and Banner Placement. Priority uses will be as follows:

6020.1.1 District Messages, classes, and special events, rentals.

6020.1.2 Public/Community Service Announcements.

6020.2 Guidelines for Use:

6020.2.1 All messages will be approved by the General Manager prior to being displayed. Appeals of the General Manager's decision will be made to the Board of Directors.

6020.2.2 A Fee of \$35 will be charged for the use of Digital Marquee or Community Center Digital Signage or \$60 for both to be used simultaneously. A fee of \$60 will be charged for Banner placement at outdoor sports facilities

6020.2.3 All messages on Marquee or advertisements on the Lobby Digital Signage will be placed for 2 weeks.

6020.2.4 Banners will be placed for the duration of a season at the respective facility being used.

6020.2.5 All refunds must be approved by the Board of Directors at a regular meeting of the Board.

6020.2.6 If more messages are submitted than the Marquee can display, the General Manager will make the final decision based on "priority use."

6020.2.7 The District reserves the right to abbreviate words if all letters required are not available.

6020.2.8 Marquee cannot be reserved less than five (5) working days before the event.

6020.2.9 Messages will be posted as it reads on the application. The District assumes no responsibility for errors.

6020.2.10 A local charitable/non-profit agency may apply for a fee waiver. To be eligible they must produce a letter of determination from the IRS and they must be based in Rio Linda or Elverta (Organization's Zip Code)

6020.2.11 Each eligible organization will receive one free posting per calendar year

6020.2.12 Each eligible organization will be charged a reduced rate of \$20.00 for every additional message in the same calendar year.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Project Approval
POLICY NUMBER: 6025

6025.1 Developers of residential, commercial, industrial or other type development project that must attain approval from the District prior to the following:

6025.1.1 Construction of associated park and recreation facilities which they propose to connect add or connect to the District's system: or,

6025.1.2 Relocation of existing District facilities.

6025.1.3 "Project" shall be defined as the proposed construction of any development involving the Districts park and recreation system and/or alterations to provide additional improvements at existing facilities in order to obtain park and recreation services.

6025.2 The developer initiates a request for project approval by submitting, to the General Manager plans for the proposed improvements. The General Manager shall review the project plans and related information to insure their conformance with District policies, good engineering judgment and the best interest of the District.

6025.3 The project shall be submitted by the General Manager to the Board of Directors for approval consideration when the following have been accomplished:

6025.3.1 The improvement plan satisfies the requirements of the Administrator;

6025.3.2 The developer and project – property owner have executed a development agreement (see Policy 6000) as prepared by the General Manager and,

6025.3.3 The project site has been annexed to the District.

6025.4 Upon written request from the project developer and/or project engineer, the Board will review the requirements specified by the General Manager for the involved improvement plans, development agreement, or other related items, to determine if they are in keeping with the District policies, and/or the best interests of the District. If the subject of the request involves general engineering judgment, the Board may request an impartial opinion of another professional engineer (one who is not involved with the project or its principals).

6025.5 Upon approval of the project by the Board of Directors, the General Manager of the District shall be authorized to execute the development agreement on behalf of the District, and the General Manager shall be authorized to affix his/her signature of approval on the projects improvement plans.

6025.6 Approval of a project by the board of Directors is valid for one year. If significant construction of the project has not commenced by the end of one year from the date of approval, or if construction commences halted for more than one year, project approval shall expire.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Naming of Parks, Facilities, and Amenities
POLICY NUMBER: 6030

6030.1 The responsibility for the naming of all facilities shall rest with the Board of Directors.

6030.2 The Board of Directors shall name a park by 4/5 decision of the entire Board. Abstention or absent vote will be considered a negative vote and the resolution will be defeated.

6030.3 The name of the park should be of geographic location, description of area, or historic aspects of the park, i.e. Westside Park or Depot Park.

6030.4 No park should be named after persons either living or deceased with some of the following exceptions: A person must have made substantial and significant contributions to the District, whether they are living or deceased.

6030.5 Notice of the naming of parks must be listed in the local newspaper, giving date, time, and location of meeting for naming of District facilities.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: SKATE PARK
POLICY NUMBER: 6035

6035.1 Purpose: The Rio Linda Elverta Recreation and Park District has established the following rules and regulations governing use of District skate park areas to assure the safe and enjoyable recreational use by all members of the public.

6035.2 Park is for skateboarding and in-line skates only. All other uses including bicycles are prohibited.

6035.3 Skate Park is closed from dusk to dawn. Absolutely no trespassing when Skate Park is closed.

6035.4 Helmet and protective pads/gear must be worn at all times.

6035.5 No smoking allowed within 50' of public structures.

6035.6 Excessive foul language is strictly prohibited

6035.7 Possession or consumption of alcoholic beverages or controlled substances is strictly prohibited. NO SMOKING is allowed in the skate park or surrounding areas.

6035.8 Minimum recommended age is 6 years old.

6035.9 Notify staff of any unsafe conditions found in the park.

6035.10 No skating in parking lot, on sidewalks, curbs, or park/building entrance areas.

6035.11 The District retains the right to remove or ban any participant from the park for violating rules and regulations.

6035.12 Skate Park area is recorded on video tape.

6035.13 Use skate park at your own risk.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Placement of Private Storage Units on District Property
POLICY NUMBER: 6040

6040.1 This policy sets forth the procedure for local organizations to follow when requesting to store materials on District property. When considering requests, the Board of Directors will consider the impact such a request has on the need for the District to provide equal accessibility to park facilities, to provide safe and orderly park facilities and to provide properly maintained and attractive park facilities.

6040.2 Requests to store materials on site- Local organizations, which desire to store materials on District property, must submit a written request to the Board of Directors for consideration. The request must state:

6040.2.1 The name of the organization

6040.2.2 Name, address & phone number of the organization's representative.

6040.2.3 Why the organization is making the request.

6040.2.4 Dimensions of the unit in which materials are to be stored.

6040.2.5 The length of the time the organization intends to store materials on site.

6040.2.6 General description of the items to be stored on site.

6040.2.7 Proposed location for the storage unit.

6040.2.8 Proposed improvements to, and, or around the storage unit to enhance its appearance.

6040.2.9 If local zoning or permits are required, they must be included with initial proposal.

6040.2.10 Confirmation the organization understands.

6040.2.10.1 The Park District is not responsible for damage to the container or its contents.

6040.2.11 The Park District will not be responsible for moving the container on or off the District property for any reason.

6040.2.12 The container will be painted by the owner a color chosen by the Park District.

6040.2.13 Any required maintenance of the container by District Staff such as graffiti removal will be billed to the agency responsible for the container.

6040.3 Placement and Appearance of Storage Units- Generally, storage units must be located away from a main entrance. The Board of Directors may require that improvements be made to or around the storage unit to enhance its appearance in a manner that is consistent with the park environment on which it is located.

6040.4 Memorandum of Understanding- Following approval by the Board of Directors for an organization to place a storage unit on District property, the General Manager is authorized to enter into a Memorandum of Understanding with the organization regarding terms and conditions under which the organization may store materials on site. This Memorandum of Understanding will include, but is not limited to: the storage unit placement, improvements, permissible and non-permissible contents, a general liability release and waiver, and term of placement.

6040.5 Public Agency Requests- Any request from a public agency to store materials on District property is to be considered in the same manner as a request from a local organization as provided for in this policy except that it must also state in its written request the nature of the public good to be derived from storage of materials on District property.

6040.6 Existing Storage Units- Any local organization, which has an existing storage unit on District property as of the date of the adoption of this policy, must comply with this policy within eighteen (18) months of its adoption.

6040.7 Rental Fee- A fee of \$10.00 per month will be charged for rental of District property for each container. The rental fee will be charged on all newly approved cargo containers after 12/1/2008.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: DISTRICT PARK AND FACILITY USAGE
POLICY NUMBER: 6045

6045.1 The Rio Linda Elverta Recreation and Park District derives its powers and obligations from the Public Resources Code. RLERPD has adopted the Sacramento County Park Ordinances from the Department of Regional Parks, Park Ranger Division.
<https://regionalparks.saccounty.gov/Rangers/Pages/default.aspx>

6045.2 Rules and Regulations:

- 6045.2.1** Advertising Matter: It shall be unlawful for any person to distribute, circulate, give away, throw, or deposit in or on any RLERPD facility any handbills, circulars, pamphlets, papers, or any advertisements; or post or affix the same to any tree, fence, or structure in any RLERPD facility without permission of RLERPD.
- 6045.2.2** Alcoholic Beverages: It shall be unlawful for any person or organization to sell, or cause to be sold, alcoholic beverages without written permission from the RLERPD and appropriate State approval.
- 6045.2.3** Bicycles: It shall be unlawful for any person to ride a bicycle of any type on tennis courts, shuffleboard courts, handball courts, horseshoe pits, baseball and softball diamonds, patios, porches, playgrounds, and all other areas, which are not designed or customarily used for such purpose.
- 6045.2.4** Business Activity: No person or organization shall engage in any unauthorized business or commercial activity within any park area. No fundraising without written approval of the RLERPD.
- 6045.2.5** Enforcement of Rules: RLERPD employees shall have the authority to eject from RLERPD facilities any person acting in violation of these rules and regulations.
- 6045.2.6** Fires: It shall be unlawful for any person to build, light, kindle or maintain any open, or outdoor fire at any place within the park boundaries except in areas or facilities specifically built and designed for this purpose.
- 6045.2.7** Firearms, Air Guns, and Other Weapons: No person other than peace officers in the discharge of their duties shall use, maintain, possess, fire, or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety. A violation of the provisions of this section is a misdemeanor.

Adopted:

6045-1

- 6045.2.8** Fireworks: No person shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks defined and classified as “safe and sane fireworks” in Section 12504 of the California Health and Safety Code at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the RLERPD General Manager.
- 6045.2.9** Fishing: It shall be unlawful for any person, regardless of age, to take or collect fish or any aquatic life in any RLERPD facility or parkland without a current State issued fishing license.
- 6045.2.10** Golf: It shall be unlawful for any person to drive, putt or in any other fashion, play or practice golf or use golf balls on or over land or water owned by the RLERPD except in areas set aside for these specific activities.
- 6045.2.11** Hours of Use: It shall be unlawful for any person to enter, loiter or remain in any park, building, or recreation area of the RLERPD at any time between the hours of sunrise to sunset except as follows:
- a. When participating in a CRPD sponsored and supervised activity.
 - b. When in possession of a valid permit issued and signed by authorized RLERPD staff.
- 6045.2.12** Leash Law: No person shall bring any domesticated animal or pet into a park area unless they are leashed.
- 6045.2.13** Horseback Riding: Horseback riding shall be restricted to the Northern Sacramento Bike Trail only. No person shall engage in horseback riding or be permitted to bring a horse into a park area or onto the park natural turf without RLERPD approval.
- 6045.2.14** Limitations on Swimming: It shall be unlawful for any person or persons to enter any body of water owned, managed, controlled, or operated by this RLERPD for the purpose of swimming, wading, or bathing except in those areas and at times designated.
- 6045.2.15** Model Craft: It shall be unlawful for any person to fly model airplanes/drones on or over land or water owned by the RLERPD except in areas set aside for these specific activities.
- 6045.2.16** Motor Vehicle and Other Conveyances: It shall be unlawful for any person at any time to operate or drive any automobile, truck, trailer, motorcycle, motor scooter, motorbike, or any other type of conveyance or motor vehicle in a park.
- 6045.2.17** Parking: Parking will be permitted only in designated areas within the park. It shall be unlawful to park in areas posted “no parking” or to exceed the allowable parking limits in those parking zones so posted.
- 6045.2.18** Picnic Facilities: Group reserving an area will have the exclusive right to that area during the hours of their Permit and individual picnic tables and group areas that have not been reserved will be available on a first-come first-served basis.

- 6045.2.19** Selling and Vending: It shall be unlawful for any person or organization to sell, vend, peddle, or distribute any merchandise or property whatsoever, or sell tickets for or any event within the boundaries of a park except with written permission of the RLERPD.
- 6045.2.20** Smoking: No person shall smoke any substance in any area designated as a nature trail or nature area or in or on any park facility where smoking is prohibited.
- 6045.2.21** Unintended Use of Facilities: No person, group or organization shall use a RLERPD facility for a purpose other than that for which it is intended by the RLERPD except with permission of the RLERPD.
- 6045.2.22** Use of Inflatables: It shall be required to obtain a permit to have an inflatable of any type (bounce house, slide, etc.) in any of the RLERPD parks.
- 6045.2.23** Use Permits and Fees: Persons using an RLERPD facility or equipment subject to charge may only use such upon paying the proper amount for the corresponding time period. Further, persons using a facility which is subject to reservation by permit, but who do not possess such permit, shall vacate the facility when holders of permit present themselves.
- 6045.2.24** Additional codes may apply as posted in park or at facility. See rleparks.com for additional rules. Any exceptions shall be subject to the approval of the RLERPD General Manager.
- 6045.3** Notice of Trespass:
- 6045.3.1** The RLERPD will renew an annual "Letter of Agency" (LOA) with the Sacramento Sheriff's Department. This LOA will permit the Sheriff's Department to issue Notice of Trespass Citations under the California Penal Code 602(k) within RLERPD Parks and Facilities.
- 6045.3.2** RLERPD will also recognize either the General Manager or the Parks Supervisor may also issue Notice of Trespass Citations under the California Penal Code 602(k) and file said notifications with the Sacramento Sheriff's Department.
- 6045.4** Security of Facilities
- 6045.4.1** RELRPD facilities may be locked and or secured at times when there is a safety or security risk. By locking or securing the facilities, visitors will need to be admitted through a buzzer system at the main entrance. This will assist in ensuring that facilities are more secure for program participants and Staff during business hours.

§ 9.36.010. Definitions.

As used in this chapter:

- A. "County" means the County of Sacramento.
- B. "Director" means the Director of the Department of Regional Parks of the County or authorized representative.
- C. "Department" means the Department of Regional Parks of the County.
- D. "Facility" or "park facility" means any body of water, land, campsite, recreation area, building, structure, system, equipment, machinery or other appurtenance owned, managed, controlled or operated by the Department of Regional Parks.
- E. "Barbeque" means any framework, such as a grill or a spit, a fireplace for cooking food over an open fire, open hearth or pit.
- F. "Incendiary Device" means any device that can be used to start a fire or used to cook food including, but not limited to, the following: matches, lighters, flints, gas or electric barbeques, gas, propane and torches.
- G. "Designated Picnic Area" means any location where a Department provided barbeque is located.

(SCC 36 § 2, 1971; SCC 1331 § 4, 2006; SCC 1584 § 1, 2015; SCC 1586 § 1, 2015)

§ 9.36.015. Application of Chapter to Park Districts.

The provisions of this chapter apply to all facilities under the jurisdiction of the County of Sacramento and to all facilities under the jurisdiction of a recreation and park district organized pursuant to the provisions of the Public Resources Code commencing with Section 5780, including any such district governed by the Board of Supervisors acting ex officio as the district Board of Directors and any such district governed by an elected Board of Directors. As used in this chapter with reference to a facility under the jurisdiction of any such district:

- a. "Director" means the administrator of the recreation and park district which has jurisdiction or other authorized representative of such district.
- b. "Department" means the recreation and park district which has jurisdiction.
- c. "Facility" or "park facility" means any body of water, land, campsite, recreation area, building, structure, system, equipment, machinery, or other appurtenances owned, managed, controlled or operated by the recreation and park district having jurisdiction.
- d. "Board of Supervisors" means the Board of directors of the district which has jurisdiction.

(SCC 241 § 1, 1976)

§ 9.36.020. Permit—Application Contents.

Whenever a permit is required by provisions in this chapter, an application shall be filed with the Director stating:

- a. The name and address of the applicant;
- b. The name and address of the person, group, organization or corporation sponsoring the activity;
- c. The nature of the proposed activity;
- d. The dates, hours, and park facility for which the permit is desired;
- e. An estimate of attendance; and
- f. Any other information which the Director, regarding public health, safety and welfare, finds reasonably necessary to a fair determination as to whether a permit should issue.

(SCC 36 § 2, 1971)

§ 9.36.021. Permit—Standards for Issuance.

The Director shall issue a permit hereunder when he finds:

- a. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- b. That the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation;
- c. That all conditions including, where applicable, the payment of fees, approval of the Board of Supervisors, and insurance coverage, are met;
- d. That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- e. That the proposed activity or use will not entail unusual, extraordinary, or burdensome expense or security operation by the Department; and
- f. That the facilities desired have not been reserved for other use.

(SCC 36 § 2, 1971)

§ 9.36.030. Violation of Regulations—Sanctions.

- a. Notwithstanding the provisions of Section 1.01.190, and except as provided in Section 9.36.035(e), and unless otherwise stated in this chapter, a violation of any of the provisions of Chapter 9.36, or failure to comply with any of the regulatory requirements of Chapter 9.36, is an infraction subject to the procedures described in Sections 19(c) and 19(d) of the California Penal Code.
- b. The Director shall have the authority to revoke a permit upon a finding of violation

of any regulation contained in this chapter or upon a finding of violation of other county ordinance or law of this state.

- c. The Director shall have the authority to eject from any park facility any person acting in violation of regulations contained in this chapter.
- d. The regulations contained herein shall not prohibit any person authorized by the Director from the normal exercise of requested, assigned, or contractual duties. (SCC 576 § 12, 1983; SCC 0919 § 5, 1993)

§ 9.36.031. Administrative Fines or Penalties—Procedures.

- A. Administrative penalties established pursuant to section 9.36.031 shall be imposed and collected as set forth herein.
- B. Notice of Violation. When a violation of any of the provisions of Chapter 9.36 is identified, the Director shall issue a Notice of Violation to the person determined to be in violation of this chapter. The Notice shall be on a form prescribed by the Director and shall contain the following information: (1) date, approximate time, and address or definite description of the location where the violation(s) was observed; (2) the code section violated and a description of the violation; (3) the amount of the monetary penalty for the violation(s); (4) an explanation of how the penalty shall be paid, the time period by which it shall be paid, and the place to which the penalty shall be paid; (5) identification of rights of appeal, including the time within which the Notice may be contested and the place to obtain a Notice of Appeal and Request for Hearing form to contest the Notice of Violation; and (6) the name and signature of the citing officer and, if possible, the signature of the person determined to be in violation of this chapter. A single Notice of Violation may charge a violation for one or more days on which a violation exists, and for the violation of one or more code sections.
- C. Service of Citation. The Director shall impart notice to the person found in violation of any provision of this chapter in the following manner:
 - 1. Personal Service. The Director shall attempt to locate and personally serve the person determined to be in violation of this chapter, and, if possible, obtain the signature of the person in violation on the Notice of Violation. If the person in violation refuses or fails to sign the Notice, the failure or refusal to sign shall not affect the validity of the Notice or of subsequent proceedings.
 - 2. Mail. If, for any reason, the Director is unable to personally serve the Notice of Violation on the person determined to be in violation of this chapter, the Notice shall be mailed to the person determined to be in violation of this chapter by certified mail, postage prepaid with a requested return receipt. Concurrently, the citation shall be sent by regular mail. Service by mail shall be sent to the address of the person determined to be in violation of this chapter as shown on public records or as known by the County. If the Notice is sent by certified mail and returned unsigned, then service shall be deemed effective by regular mail, provided the Notice sent by regular mail is not returned by the

post office. Service by mail shall be effective on the date of mailing.

3. The failure of any person determined to be in violation of this chapter to receive any notice served in accordance with this section will not affect the validity of any proceedings taken under this chapter.

D. Satisfaction of Notice of Violation.

1. Upon receipt of a Notice of Violation, the person determined to be in violation of this chapter must pay the administrative penalty to the Department of Regional Parks.

E. Appeal of Citation.

1. Any recipient of a Notice of Violation may contest that there was a violation of section 9.36.030 or that he or she is the person determined to be in violation of this chapter by completing a Notice of Appeal and Request for Hearing form and filing it with the Department of Regional Parks within fifteen (15) calendar days from the date of issuance of the Notice, together with an advance deposit of the total amount of the monetary penalty, or the timely filing of a Request for an Advance Deposit Hardship Waiver pursuant to subsection (F) of this section. Any appeal of the Notice of Violation must include a detailed written explanation of as to the grounds for appeal.
2. The failure to submit a timely and complete request for hearing will terminate a person's right to contest the Notice of Violation and result in a failure to exhaust administrative remedies, and the order of the Notice of Violation will serve as a formal determination and conclusive evidence that the person named in violation of this chapter is liable.

F. Advance Deposit Hardship Waiver. A person seeking an administrative hearing may request a hardship waiver of the penalty deposit by filing with the Director a completed "Advance Deposit Hardship Waiver," which must be signed under penalty of perjury. The request must be submitted along with the request for hearing. The person requesting the waiver bears the burden of establishing that such person does not have the financial ability to make the deposit. The request will be decided by the Director within three business days from the date the request is received, and the Director's decision is final. The applicant will be notified by telephone, facsimile, or in person of the decision on the request. The filing of a request for hardship waiver does not extend the time to file for an administrative hearing or pay the penalty when due. If the request for hardship waiver is denied, an administrative hearing will not be scheduled unless the penalty deposit is paid within five business days following the Director's determination on the request for a hardship waiver.

G. Hearing Officer. The County Hearing Officer shall conduct the administrative hearing.

H. Hearing Procedure. The following rules shall apply to the conduct of a hearing under this section:

1. No hearing to contest an administrative penalty before a Hearing Officer shall be held unless and until a Notice of Appeal and Request for Hearing form has been completed and timely filed, and either the total amount of the penalty has been timely deposited in advance with the Director or, as indicated on the Notice of Appeal and Request for Hearing form, that a Request for an Advance Deposit Hardship Waiver has been timely filed pursuant to Subsection (F) of this section;
2. The hearing before the Hearing Officer shall be set for a date that is not less than fifteen (15) and not more than sixty (60) calendar days from the date that the Notice of Appeal and Request for Hearing form is filed in accordance with the provisions of this section. The person requesting the hearing shall be notified of the time and place set for the hearing at least ten (10) calendar days prior to the date of the hearing;
3. The Hearing Officer shall only consider evidence relevant to whether the violation(s) occurred and whether the responsible person has caused, maintained or allowed the violations of this chapter;
4. The person contesting the administrative penalty shall be given the opportunity to testify and present witnesses and evidence concerning the alleged violation;
5. The failure of any recipient of a Notice of Violation to appear at the hearing or, in the alternative, to present written or demonstrative evidence shall constitute an admission of the violation by the recipient and an admission that the amount of the administrative penalty is appropriate as well as a failure to exhaust administrative remedies that may bar judicial review;
6. The Notice of Violation and any additional documents submitted by the Director shall constitute prima facie evidence of the respective facts contained in those documents;
7. If the Director submits an additional written report concerning the alleged violation to the Hearing Officer for consideration at the hearing, then a copy of this report also shall be served by first class mail on the person requesting the hearing at least five days prior to the date of the hearing;
8. At least ten (10) days prior to the date of the hearing, the recipient of a Notice of Violation shall be provided with copies of the notices, reports and other documents submitted or relied upon by the Director. No other discovery is permitted. Formal rules of evidence shall not apply;
9. The Hearing Officer may continue the hearing and request additional information from the Director or the recipient of the Notice of Violation prior to issuing a written decision;
10. The Hearing Officer is not required to provide transcripts of hearings, but is required to make available tapes of hearings for a fee.

I. Hearing Officer's Decision.

1. After considering all of the testimony and evidence submitted at the hearing, the Hearing Officer shall issue a written decision within ten (10) days of the date of the hearing to uphold or cancel the Notice of Violation and shall list in the Decision the reasons for that Decision. The Decision of the Hearing Officer shall be final;
2. If the Hearing Officer determines that the Notice of Violation should be upheld, then the Director shall retain the penalty amount, including any fee that is the subject of the Notice of Violation, on deposit with the Director;
3. If the Hearing Officer determines that the Notice of Violation should be upheld, and the penalty has not been deposited pursuant to an advance deposit hardship waiver, the Hearing Officer shall set a payment schedule for the payment of the penalty, including any fee that is the subject of the Notice of Violation. Accrual of any late penalty charges shall resume on the day following the date of the Hearing Officer's Decision;
4. If the Hearing Officer determines there has been no violation and the penalty was deposited with the Director, then the Director shall promptly refund the amount of the deposited penalty;
5. The recipient of the Notice of Violation shall be served with a copy of the Hearing Officer's written Decision.

J. Failure to Pay Administrative Penalties.

1. The failure of any person to pay the administrative penalties assessed in connection with a Notice of Violation within the time specified on the Notice constitutes a debt to the County and may result in the matter being referred to the Sacramento County Department of Finance, Revenue Recovery, which may file a claim with the Small Claims Court or, in the alternative, utilize any means within its power to collect the amount owed. The County may pursue any other legal remedy to collect the administrative fines.
2. Any person who fails to pay to the County any administrative penalty imposed pursuant to this Title on or before the date the fine is due shall also be liable in any action brought by the County for all costs incurred in securing payment of the delinquent amount, including, but not limited to, administrative costs and attorneys' fees. Such collection costs are in addition to any required fees, penalties, interest and late charges.
3. Notwithstanding all of the procedures set forth in this section, the Director shall have the ability and discretion to enforce violations of this Title, to impose necessary conditions, to forgive portions of a debt or penalty owed to the County under this Title, and to coordinate collection and enforcement efforts with the Department of Finance, Revenue Recovery.

K. Right to Judicial Review. Any person aggrieved by an Administrative Decision of a Hearing Officer on an administrative citation may obtain review of the Administrative Decision by filing a Petition for Review with the Sacramento

County Superior Court in accordance with the timelines and provisions as set forth in California Government Code section 53069.4.
(SCC 1731, 1/9/2024)

§ 9.36.035. Penalties.

- a. Except as provided in Section 9.36.035(e), every violation of Chapter 9.36 constituting an infraction is punishable by (1) a fine not exceeding \$50 for a first violation; (2) a fine not exceeding \$100 for a second violation of the same ordinance provisions within one year; (3) a fine not exceeding \$250 for each additional violation of the same ordinance provision within one year.
- b. Except as provided in Section 9.36.035(e), every violation of Chapter 9.36 constituting a misdemeanor, is punishable by a fine not in excess of \$500 or by imprisonment in the County Jail for not more than six months, or by both.
- c. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by any such person, and shall be punished accordingly.
- d. Malicious injury or destruction of any real or personal property which constitutes vandalism under the provisions of Section 594 of the Penal Code of the State of California, shall be prosecuted as a violation of Penal Code Section 594 and shall be punishable as either a misdemeanor or a felony, as provided in Penal Code Section 594. Under Penal Code Section 594, if vandalism results in damage of \$1,000 or more, the vandalism may constitute a felony punishable by a fine of \$1,000 or up to a year in state prison, or both.
- e. Effective July 1, 1993, any person violating or failing to comply with the provisions of Sections 9.36.048(a), 9.36.048(b), 9.36.065(d), or 9.36.065(e) of this chapter shall be subject to civil penalties, fees, charges and procedures as set forth in Title 10, Chapter 10.04, Section 10.04.100 of this Sacramento County Code.
(SCC 576 § 3, 1983; SCC 0919 § 6, 1993)

§ 9.36.040. Closure of Facilities.

The Director shall have the authority to close any park facility or portion thereof and require the exit of all persons therein when he or she determines that conditions exist in said facility or portion thereof which present a hazard to the facility or to public safety.
(SCC 36 § 2, 1971)

§ 9.36.042. Park Fees—Purpose.

Section 50402 of the Government Code of the State of California provides that a County may charge for use or services provided in County parks so long as the charges do not exceed the cost of service. The purpose of this section and Sections 9.36.044, 9.36.046, 9.36.048, and 9.36.049 is to provide for park fees to be charged by the Department of Regional Parks for various park services and facilities within the parks in amounts reasonably necessary to recover the cost of operating the parks and providing the various

services and facilities therein.

(SCC 441 § 1, 1980; SCC 660 § 2, 1986; SCC 695 § 1, 1987; SCC 1331 § 5, 2006)

§ 9.36.044. Park Fees—Establishment.

By resolution duly adopted, the Department of Regional Parks may charge fees for park use and use of various facilities or services at one or more of the County parks or recreation facilities, and add to, subtract from, increase or decrease such charges.

(SCC 695 § 2, 1987; SCC 1331 § 6, 2006)

§ 9.36.046. Park Fees—Criteria.

Park fees and user fees for County parks, recreation facilities and services within County parks established pursuant to this chapter shall comply with the following criteria:

- A. Park fees on a per person or per vehicle basis, or both, may be charged in amounts reasonable necessary to recover the costs of facilities, capital improvements, maintenance and operation of County parks and recreation facilities, enforcement and policing of regulations governing park use, and associated administrative costs.
- B. User fees for facilities and services within County parks and recreational facilities shall be charged in amounts reasonably necessary to recover the cost of providing the facilities and services. Examples of the types of facilities and services for which fees may be charged include, but are not limited to, the following: parking; swimming; reservation of buildings and other facilities for exclusive use; participation in organized athletic and other programs of recreation; and golf greens fees.

(SCC 441 § 1, 1980; SCC 660 § 4, 1986; SCC 695 § 3, 1987)

§ 9.36.048. Violations.

- A. It is unlawful for any person to enter or remain in any park facility without having paid the required fee.
- B. Whenever the Director determines that parking or standing of vehicles in County parks would be disruptive to park users or create dangerous conditions, then the Director shall provide for the erection and posting of signs indicating that the parking or standing of vehicles is prohibited, limited or restricted. It is unlawful for any person to park a vehicle or allow a vehicle to stand in a County park contrary to the prohibitions of any sign authorized by this section.

(SCC 441 § 1, 1980; SCC 660 § 5, 1986; SCC 695 § 4, 1987)

§ 9.36.048.5. Violations—Group Vehicle Parking Fees.

The prohibitions of Section 9.36.048 shall not apply to vehicle parking fees for any organization or group which is expressly authorized in writing by the Director, to pay such fees following use of a park facility.

(SCC 0726 § 1, 1988)

§ 9.36.049. Schedule of Fees.

The schedule of fees may be established by duly adopted resolution and shall be applicable to the indicated Sacramento County parks and recreation facilities during the hours of operation of those parks and facilities.

The Director shall determine the hours of operation of Sacramento County parks and recreation facilities based on the following criteria:

- A. Weather conditions;
- B. Seasonal recreation activities scheduled or expected to occur at the parks or recreation facilities;
- C. Nature or extent of public use of the parks or recreation facilities;
- D. Cost effectiveness of operation of the parks or recreation facilities.
(SCC 441 § 1, 1980; SCC 609 § 2, 1984; SCC 642 § 1, 1985; SCC 660 § 6, 1986; SCC 695 § 5, 1987)

§ 9.36.050. Failure to Obtain Required Permit.

- A. No person shall use, occupy, or otherwise remain in any park facility or portion thereof for which a permit is required without first having obtained such permit.
- B. When the number of participants in a reserved area exceeds the designated number of people within the issued permit by over 20%, the permit holder will be subject to an administrative fine for an oversize penalty fee as established pursuant to Section 9.36.049 Schedule of Fees.
- C. When a permit is not obtained for Amplified Sound pursuant to Section 9.36.072, persons will be subject to an administrative fine for Non-Permitted Use for Amplified Sound as established pursuant to Section 9.36.049 Schedule of Fees.
- D. When a permit is not obtained for a bounce house or other inflatable apparatus that requires the use of electricity or a generator to remain inflated pursuant to 9.36.063, persons will be subject to an administrative fine for Non-Permitted Use for bounce house as established pursuant to Section 9.36.049 Schedule of Fees.

(SCC 36 § 2, 1971; SCC 1731, 1/9/2024)

§ 9.36.051. Priority of Use.

Any person using a park facility or portion thereof which may be reserved by obtaining a permit, but who has not obtained such a permit, shall vacate said area when holders of a valid permit present themselves.

(SCC 36 § 2, 1971)

§ 9.36.052. Exhibiting Permit.

No person shall fail to produce and exhibit a permit he or she claims to have upon request of any department employee or any peace officer who desires to inspect said permit for

the purpose of enforcing compliance with any regulations in this chapter.
(SCC 36 § 2, 1971)

§ 9.36.053. Selling and Advertising.

- A. Within the boundaries of any park facility, no person shall sell, vend, peddle, expose, offer for sale, or distribute after sale to the public, any merchandise, service, or property, or sell tickets for any event, nor shall any person distribute, circulate, give away, throw, or deposit in or on any park facility any handbills, circulars, pamphlets, papers, or advertisements, which material calls the public attention in any way to any article or service for sale or hire, nor within any park facility shall any person solicit or collect donations of money or other goods from the public, without express approval of the Board of Supervisors for such activity within the specific park facility.
- B. A request for approval as required by this section shall be submitted to the Board of Supervisors for any activity which requires a written contractual agreement. The director may approve any other request unless, in the discretion of the Director, the request is an unusual one which should be submitted to the Board for approval.

(SCC 36 § 2, 1971; SCC 349 § 1, 1978)

§ 9.36.054. Restrooms and Washrooms.

Male persons shall not enter any restroom or washroom set apart for females, and female persons shall not enter any restroom or washroom set apart for males, except this shall not apply to children under the age of six years who are accompanied by a person who is of the sex designated for that facility and who has reason to be responsible for that child. A violation of the provisions of this section is a misdemeanor.

(SCC 576 § 14, 1983)

§ 9.36.055. Water Pollution.

While within the boundaries of any park facility, no person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water or in any tributary, stream, or drain flowing into such waters, any substance, matter, or thing, liquid or solid, including, but without limitation to, particles or objects made of paper, metal, glass, garbage, rubbish, rubber, fuel, food matter, wood, fiber, and plastics.

(SCC 36 § 2, 1971)

§ 9.36.056. Refuse.

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or on any park facility, except that refuse which is incidental to the use of the facility may be deposited in the receptacles provided therefor. For purposes of this section, an incinerator, stove, fire ring, barbecue, or other device used to contain fires or for cooking is not a proper receptacle for refuse or other waste material.

(SCC 36 § 2, 1971)

§ 9.36.057. Smoking.

- A. No person shall smoke any substance in any area designated as a nature trail or nature area or in or on any park facility where smoking is prohibited.
- B. Smoking is prohibited in all areas of the American River Parkway except:
 - 1. Designated picnic areas;
 - 2. Asphalt trails and surfaces;
 - 3. Levee and levee tops; and
 - 4. Golf courses.

(SCC 36 § 2, 1971; SCC 1567 § 1, 2014)

§ 9.36.057.5. Consumption of Alcoholic Beverages.

- A. No person shall possess any can, bottle or other receptacle containing any alcoholic beverage whether such container is opened, or un-opened, in any area designated as a nature trail or nature area or on or within any park or park facility which has been posted with signs prohibiting such possession. The governing body of the entity owning the park facility may, by resolution, designate, or authorize the Director to designate, the park or park facilities to be posted.
- B. Notwithstanding any other provision of this code to the contrary, violation of the provisions of this section shall constitute an infraction, and shall be punishable pursuant to the provisions of Government Code Section 25132.

(SCC 500 § 1, 1982; SCC 1607 § 1, 2017)

§ 9.36.058. Fires.

- A. No person shall ignite, maintain, or use any fire, or ignite or maintain a fire using a gas or electric barbeque cooker, in any place within any park facility except in a barbecue cooker or other cooking device authorized by the Director for that purpose or when allowed by a permit issued by the Director.
- B. No person shall ignite or maintain a fire of material deposited in any can, box, trench, pit or other receptacle for the purpose of garbage disposal or incineration.
- C. No person shall ignite or maintain a fire using solid fuel such as charcoal, or other material except in areas designated as a picnic area or when issued a permit by the Director.
- D. No person shall use or maintain a container with flammable or combustible liquid or a generator except when issued a permit by the Director.
- E. Any person violating this subdivision is guilty of a misdemeanor and, upon conviction, shall be punished as provided in Section 9.36.035.

- F. The presence of any barbeque or other incendiary device in any place within any park facility, except in designated picnic areas or when allowed by a permit issued by the Director, shall be unlawful and constitutes a public nuisance subject to summary abatement as an imminent threat to public health and safety. Any such barbeque or other incendiary device shall be seized and immediately removed from the park facility by the Department and, thereafter, stored in a secure facility subject to retrieval by the owner of such property under such administrative procedures as may be adopted by the Department.

(SCC 36 § 2, 1971; SCC 1568 § 1, 2014; SCC 1584 § 2, 2015; SCC 1586 § 2, 2015; SCC 1700 § 1, 2022)

§ 9.36.059. Fireworks.

No person shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks defined and classified as "safe and sane fireworks" in Section 12504 of the California Health and Safety Code at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the Director.

(SCC 36 § 2, 1971)

§ 9.36.060. Firearms, Air Guns, and Other Weapons.

No person other than peace officers in the discharge of their duties shall use, maintain, possess, fire, or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, except in areas, at times, and under conditions designated by the Director for such use. A violation of the provisions of this section is a misdemeanor.

(SCC 576 § 15, 1983)

§ 9.36.061. Animals.

- a. No person shall:

1. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal within the boundaries of any park facility, nor remove nor have in his or her possession the young, eggs, or nest of any such creature;
2. Abandon any animal, dead or alive, within any park facility;
3. Remove any animal not his or her own within any park facility; exception is made to the foregoing in that in proper season, fish may be fished and removed from areas designated for fishing by licensed persons, and boarded horses may be removed from a park facility upon proper notification to the Department;
4. Bring into, maintain or allow in or upon any park facility any dog, cat, or other animal except a horse, unless such animal at all times is kept on a leash of sufficient strength and durability that it cannot be broken by the animal so

leashed, and no longer than six feet in length, and be under the full and complete physical control of its owner or custodian at all times. Notwithstanding the provision of this subsection (a)(4), the Director may designate:

- i. Areas and times where such animals may be unleashed for purposes of show, demonstration, or training,
 - ii. Areas and times where such animals are wholly restricted from entering designated parks or park areas;
5. Permit cattle, sheep, goats, horses, or other animals owned by him or her or in his or her possession to graze within the boundaries of any park facility without express approval of the Board of Supervisors;
 6. Ride a horse, pony, mule, burro, or any other animal upon, over or across any park facility, except at times and upon roads or trails designated for the riding of such animals;
 7. Permit any animal owned by him or her, or in his or her possession, to be brought into or remain upon the premises of any park facility, if the Director has given oral or written notice to remove that animal from such premises. The Director may give such notice if such animal is known to the Director to at any time have caused any injury or damage to any person, other animal or property of another while upon the premises of any park facility;
 8. Permit or suffer any animal owned by him or her, or in his or her possession, custody, or control, to defecate upon park facility property without immediately removing such animal feces, placing said feces in a sealed bag or other sealed container, and placing such bag or container with feces in a proper refuse receptacle. Persons with horses in their possession, custody, or control, at times and upon roads or trails designated for the riding of such animal, and, unsighted persons while relying on a guide dog, are exempt from the provisions of this subsection.
- b. Notwithstanding the provisions of subsection (a), all animals shall be prohibited at all times in, upon, or within 15 feet of any area, designated as a nature study area.
 - c. A violation of any of the provisions of this section shall be punishable as follows:
 1. A first violation of any of the provisions of this section is punishable as an infraction; and
 2. A second or subsequent violation of the same provisions of this section committed within 30 days of the previous violation shall be a misdemeanor.
- (SCC 576 § 16, 1983; SCC 0713 § 3, 1988; SCC 0957 § 1, 1994; SCC 1542 § 1, 2013)

§ 9.36.062. Real Property—Appropriation or Encumbrance.

No person shall deposit any earth, sand, rock, stone, or other substance within any park

facility, nor shall he dig or remove any such material from within any park facility, nor shall he erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or piles, nor in any manner appropriate or encumber any portion of the real property owned, operated, controlled, or managed by the Department, without a permit from the Director.

(SCC 36 § 2, 1971)

§ 9.36.063. Property—Use Of.

No person shall:

- a. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof;
- b. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof; or
- c. Without a permit from the Director, make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, any rope, wire, mark, writing, printing, sign, card, display, or similar inscription or device;
- d. Without a permit from the Director, place or use a bounce house or other inflatable apparatus that requires the use of electricity or a generator to remain inflated within a Regional Park facility.

(SCC 36 § 2, 1971; SCC 1731, 1/9/2024)

§ 9.36.064. Locks and Keys.

No person other than one acting under the direction of the Director shall duplicate or cause to be duplicated a key used by the Department for a padlock or door lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person.

(SCC 36 § 2, 1971)

§ 9.36.065. Motorized Vehicles.

- A. While within the boundaries of any park facility, no person shall drive or operate any automobile, motorcycle, motor scooter, trail bike, Class 3 electric bicycle as defined by California Vehicle Code section 312.5, motorized bicycle or moped as defined by California Vehicle Code section 406, dune buggy, truck, or other motorized vehicle on roads or trails other than those designated for that purpose without a permit from the Director.
- B. While within the boundaries of any park facility, no person shall drive any automobile, motorcycle, motor scooter, truck, Class 3 electric bicycle as defined by California Vehicle Code section 312.5, motorized bicycle or moped as defined by California Vehicle Code section 406, or other motorized conveyance, except an authorized emergency vehicle, at a rate of speed exceeding 25 miles per hour,

except as may be otherwise posted by the Director, or in any case at speeds exceeding safe conditions dictated by prevailing circumstances.

- C. No person shall operate any automobile, Class 3 electric bicycle as defined by California Vehicle Code section 312.5, motorized bicycle or moped as defined by California Vehicle Code section 406, or other motorized vehicle within the boundaries of any park facility unless such vehicle is currently licensed, except unlicensed vehicles may be operated in areas designated and posted for such use and in accordance with the rules established for such areas.
- D. No person shall park any automobile, Class 3 electric bicycle as defined by California Vehicle Code section 312.5, motorized bicycle or moped as defined by California Vehicle Code section 406, or other motorized vehicle within any park facility except in areas specifically designated as parking areas. In no case shall any person park a motorized vehicle in a manner that presents a hazard to the public.
- E. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any park facility during the hours the facility is closed without a permit from the Director.
- F. No person shall abandon any motorized vehicle within the boundaries of a park facility.
- G. No person shall wash or repair any automobile or other motorized vehicle within the boundaries of any park facility.
- H. All motorized vehicles within the boundaries of any park facility shall be equipped with a properly installed muffler device which is in constant operation and which prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device.

(SCC 36 § 2, 1971; SCC 1607 § 2, 2017)

§ 9.36.066. Bicycle Trails and Bicycles.

Within the boundaries of any park facility no person shall:

- A. Operate any motorized vehicle, including, without limitation, motorcycles, trail bikes, Class 3 electric bicycle as defined by California Vehicle Code section 312.5, motorized bicycle or moped as defined by California Vehicle Code section 406, upon any bicycle trail except at street, driveway or access road intersections for the purpose of crossing a bicycle trail, without a permit from the Director;
- B. Use any portion of a bicycle trail while on roller skates or a skateboard, except that roller skating may be allowed on portions of a bicycle trail designated for such use by the Director and where signs allowing such use have been placed;
- C. Hold any competitive event on any bicycle trail without a permit from the Director;
- D. Ride a bicycle on any grassy area, path, or walkway designated for pedestrian or equestrian use. A bicyclist shall be permitted to push a bicycle by hand over any

such grassy area, path or walkway;

- E. Leave a bicycle in any place or position where other persons may trip over or be injured by it;
- F. Ride a bicycle on a designated off-street bicycle trail in excess of 15 miles per hour, except for permitted competitive events; or in a manner which is unsafe or which may be injurious to the rider or other persons except for permitted competitive events;
- G. Ride a bicycle upon any unpaved road, trail or area, except on authorized fire roads, service roads or paths designated for bicycle use.

(SCC 36 § 2, 1971; SCC 402 § 2, 1979; SCC 404 § 3, 1979; SCC 713 § 4, 1988; SCC 1607 § 3, 2017)

§ 9.36.066.5. Prohibition of Skates in Park Facilities.

Except as provided in Section 9.36.066 of this chapter and in such areas specifically designated for the use of such devices, no person shall ride upon a skateboard, roller skates, in-line skates, roller skis, or similar device within the boundaries of any park facility where the use of such devices has been prohibited by the posting of a sign or signs prohibiting such activity in locations which give users of the park facilities adequate notice and which clearly state the areas or locations of prohibition.

(SCC 1084 § 2, 1997)

§ 9.36.066.6. Prohibition of Carts in Park Facilities.

Within the boundaries of the American River Parkway no person shall use a shopping cart, basket that is mounted on wheels or a similar device that is primarily used for the purpose of transporting goods of any kind.

(SCC 1314 § 1, 2005)

§ 9.36.067. Hours of Use.

- A. The Director is authorized to promulgate reasonable opening and closing hours for park facilities. No person shall enter, remain in, or camp in or on any park facility during the hours or any part of the hours said facility is closed without a permit from the Director.
- B. Prohibition on Being in the American River Parkway and Dry Creek Parkway After Closing. It is unlawful for any person to enter or remain in the American River Parkway or Dry Creek Parkway between the first hour after sunset and sunrise or such other time as is posted by the Director. A violation of this subsection shall constitute a misdemeanor. This section shall not apply to the following:
 - i. Any on-duty Peace officer, emergency/first responder or County employee;
 - ii. Any County-sponsored functions or programs; or
 - iii. Any person who has received a permit or other written authorization from the

Director for use of the Parkway after closing hours; or

- iv. Persons using the trails for purposes of commuting via foot, bicycle, etc. to and from their place of origin and destination outside of either Parkway.
(SCC 36 § 2, 1971; SCC 1700 § 2, 2022)

§ 9.36.068. Games.

The playing of rough or comparatively dangerous games such as football, baseball, horseshoes, soccer or of any games involving thrown, hit, or otherwise propelled objects such as golf balls, balls of other description, stones, arrows, javelins, model airplanes, model helicopters and drones is prohibited except in fields, courts, or areas specifically provided therefor or, with express permission of the Director, in areas compatible to said use. Persons desiring to use a park facility for the specific purpose for which the facility was established shall have priority of use over persons using said facility for another nonproscribed purpose.

(SCC 36 § 2, 1971; SCC 1607 § 4, 2017)

§ 9.36.069. Swimming.

No person shall swim, bathe, or wade in any water or waterways within any park facility when such activity is prohibited and so posted by the Director upon his or her finding that use of the water would be dangerous to the user, incompatible with the function of the facility, or inimical to public health.

(SCC 36 § 2, 1971)

§ 9.36.070. Boats.

Regulations governing the use of boats within any park facility may be established and posted by the Director. Said regulations shall promote the safety of swimmers and boaters, the protection of property, and general public enjoyment of the facility.

(SCC 36 § 2, 1971)

§ 9.36.071. Regulations.

The Director may establish and post regulations governing the use of park facilities which are not inconsistent with regulations contained in this chapter and which promote public health and safety and the preservation of property.

(SCC 36 § 2, 1971)

§ 9.36.072. Sound Amplification Equipment.

Within any park facility, no person shall use sound amplification equipment in excess of the noise levels provided by Chapter 6.68 of this Code without a permit from the Director.

(SCC 36 § 2, 1971; SCC 0713 § 5, 1988)

§ 9.36.073. Severability.

If any section, subsection, sentence, clause, phrase or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

(SCC 36 § 2, 1971)

§ 9.36.074. Glass Beverage Containers—Purpose.

The County of Sacramento operates and maintains its parks and park facilities for the use, benefit, recreation and enjoyment of the general public. However, the County's regional park facilities accumulate significant amounts of litter annually, a large percentage of which consists of randomly discarded glass beverage containers. The recurring and increasing presence of broken glass resulting from such discarded containers poses a serious threat to the public safety at such park facilities, and unreasonably interferes with the public's use and enjoyment thereof. Broken glass is a unique form of litter, in that it can virtually elude clean-up efforts. In particular, it accumulates from year to year on beaches and rocky shorelines, often hidden underwater beneath a layer of sand/or silt, constituting an undetectable hazard to swimmers and waders. Submerged or otherwise concealed broken glass has resulted in injuries to park visitors involving deep cuts, lacerations and other complications. In almost all cases, advanced medical care beyond basic first aid was required, with most cases requiring suture of lacerations. Additionally, some victims required treatment for shock. In some cases, it appeared likely that surgery would be required to repair nerve, cartilage or tendon damage. Many more such injuries occur, yet go unreported.

It is therefore essential to the preservation of the public peace, health, welfare and safety, and the furtherance of safe public use and enjoyment of County parks and park facilities, that the presence of glass beverage containers upon such premises be prohibited.

(SCC 0713 § 1, 1988)

§ 9.36.075. Glass Beverage Containers—Prohibition.

No person shall possess any cup, tumbler, bottle, jar or other container made of glass and used for carrying or containing any liquid for drinking purposes within any park or on any body of water in the American River Parkway west of Hazel Avenue, or within any other park or park facility which has been posted with signs prohibiting such possession, except in locations where such containers are permitted under the terms of a lease, operating agreement or permit. The governing body of the public entity owning or managing such park or park facility may by resolution designate, or authorize the Director to designate, the park or park facilities to be posted.

(SCC 0713 § 2, 1988)

§ 9.36.077. Concessions.

- a. The sale of goods and services, including, but not limited to, food products, apparel, instructional lessons, and entertainment by natural persons or entities for

commercial gain potentially adversely and seriously impacts the use of park lands and park facilities for use by the public for recreational purposes. Any such sales must be regulated through the use of concession contracts to insure that the goods and services marketed will promote the beneficial use of park facilities for recreational purposes.

- b. It shall be unlawful for any person or entity to enter on and use park lands or facilities owned by the County for the purpose of selling goods or services for commercial gain without having first applied for and obtained from the Board of Supervisors a concession contract authorizing the sales and otherwise regulating the time, place, and manner of such sales. The violation of this subsection shall be punishable as an infraction as provided in Section 9.36.035 of this chapter.
- c. The provisions of this section shall not be deemed to apply to the sale or distribution of newspapers, books, pamphlets, or other activity constituting protected speech under the First Amendment of the United States Constitution or comparable protections under the California Constitution.
(SCC 0904 § 1, 1993)

§ 9.36.079. Public Nuisance.

Any violation of the provisions of this chapter constitutes a public nuisance.
(SCC 414 § 2, 1980)

§ 9.36.080. Authority to Arrest and Cite.

- a. County of Sacramento Park Facilities—Employees. Pursuant to the Public Resources Code, the County of Sacramento Director of Parks and Recreation, and uniformed Park and Recreation employees that may be designated by the Director, shall have the authority and immunities of public officers and employees as set forth in Section 836.5 of the Penal Code to make arrests and issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.6), Title 3, Part 2 of the Penal Code, for misdemeanor violations of laws of the State of California, and ordinances of any city within the County of Sacramento, and ordinances of the County of Sacramento, committed within their presence in a County park or County recreation area.
- b. County of Sacramento Park Facilities—Park Ranger. Pursuant to authorization granted by Penal Code Section 830.31(b), those employees designated Park Rangers by the County of Sacramento park director shall have the power of peace officers as provided in Penal Code Section 830.31. Such designation as Park Ranger may be made when the employee is regularly employed and paid in that capacity and if the primary duty of the peace officer is the protection of County of Sacramento park facilities and the preservation of peace therein.
- c. Recreation and Park Districts—Pursuant to the authorization of Section 5782.26 of the Public Resources Code, the Director of a recreation and park district created pursuant to Public Resources Code Section 5780 et seq., and uniformed park and recreation employees designated by the Director, shall have the authority and

immunities of public officers and employees as set forth in Section 836.5 of the Penal Code to make arrests and issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.5) Title 3, Part 2 of the Penal Code, for misdemeanor and infraction violations of State of California law, ordinances of any city located within the County of Sacramento, ordinances of the County of Sacramento, or park and recreation district regulations or ordinances, when the violation is committed within the park and recreation district and in the presence of the Director or employee issuing the citation.

(SCC 220 § 1, 1975; SCC 250 § 1, 1976; SCC 0957 § 2, 1994)

§ 9.36.081. Parking Regulations Enforcement.

Pursuant to Section 836.5 of the Penal Code, employees of the County assigned to the classes of park ranger assistant, park ranger I, park ranger II, and park ranger III are hereby designated and shall have the duty to enforce parking regulations as enumerated in Chapter 10.24 of the Sacramento County Code and may make arrests and issue citations for violations of such parking regulations as provided in Section 836.5 of the Penal Code.

(SCC 468 § 1, 1981)

§ 9.36.082. Peace Officer Standards and Training Applicable to Park Rangers.

- a. The Board of Supervisors of the County of Sacramento, State of California, declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1 of Title 4, Part 4, of the California Penal Code.
- b. Pursuant to Penal Code Sections 13510.1 and 13512, the County of Sacramento Department of Regional Parks, Park Ranger Unit, will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training.
- c. The Commission and its representatives may make such inquiries as deemed necessary to ascertain that the peace officer personnel of the County of Sacramento Department of Regional Parks, Park Ranger Unit, adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

(SCC 1380 § 1, 2008)

§ 9.36.083. Prohibition on Camping or Constructing, Maintaining or Inhabiting any Structure or Camp Facility in the American River Parkway and Dry Creek Parkway.

A. Findings.

1. The homelessness crisis continues to grow across the County of Sacramento with more people living unsheltered which has contributed to an increase in homeless encampments throughout the County, including in County-owned parks, and in particular, the American River Parkway and Dry Creek Parkways

(collectively "Parkways").

2. The American River Parkway is an open space greenbelt extending approximately 29 miles that covers approximately 7,000 acres and includes several distinct areas such as the Lower American River. The Lower American River Parkway spans 23 miles from the Hazel Avenue Bridge to the American River's confluence with the Sacramento River.
3. The Dry Creek Parkway is an approximately six-mile open space area and riparian corridor that starts at the Sacramento/Placer County line and extends southwesterly along the two forks of Dry Creek to the Sacramento City limits at Ascot Lane, and is part of the Lower American River watershed.
4. The Parkways, including the Lower American River, are afforded special protection and recognition under various federal and state laws, including the National Wild and Scenic Rivers Act (Chapter 28 of Title 16 of the United States Code), the California Wild and Scenic Rivers Act (Chapter 1.4 of Division 5 of the California Public Resources Code), the Urban American River Parkway Preservation Act (Chapter 10 (commencing with Section 5840) of Division 5 of the Public Resources Code), the Bushy Lake Preservation Act (Chapter 9 (commencing with Section 5830) of Division 5 of the Public Resources Code), and the Lower American River Conservancy Program Act (Chapter 10.5 (commencing with line 7 Section 5845) of Division 5 of the Public Resources Code), among other laws.
5. This protection and recognition is afforded to the Parkways because of their important and vital contributions to the quality of life of the greater Sacramento community, the state and nation as a whole. These contributions include functioning as floodway channels, serving as habitats for various fish and wildlife species some of which are protected under the federal and state endangered species and species of special concern laws, providing a myriad of recreational opportunities, and being natural open-space areas for the public to visit.
6. The Sacramento County Department of Regional Parks (Regional Parks) administers and manages approximately 5,000 acres within the Parkways, including having Park Rangers provide law enforcement/public safety services in the Parkways.
7. The Parkways are natural resource areas meant for recreational usage that lack basic amenities needed for extended or continual camping such as adequate restrooms, lighting, access points, roadways, and clean water. Despite that, encampments of unsheltered persons are prevalent in the riparian forest and woodlands areas of the Parkways with approximately 800 to 900 unhoused individuals residing in the Parkways on any given night based on data in and calculations derived from the 2022 Point-in-Time Count.
8. The absence of basic amenities in the Parkways leads to unsanitary living conditions, such as unclean water, accumulation of garbage and debris,

increased risk of wildfires, and exposure to human and animal waste, and poses significant risks to the health and welfare of unsheltered individuals camping in the Parkways.

9. In 2021, the County abated trash, debris, and abandoned property related to abandoned encampments and removed approximately 1,303.5 tons of garbage and debris from the Parkways.
 10. The continued existence of encampments of unsheltered individuals in the Parkways results in the degradation of these vital environmental resources that includes, but is not limited to, contamination of water, damage to or destruction of natural landscape, and fires and damages related to.
 11. The risk of wildfire in the Parkways continues to increase as the drought persists and more individuals camp unlawfully in the area. In 2021, approximately 300 acres were burned in the Parkways due to fires.
 12. It is the obligation of the County to keep the Parkways and similar natural open spaces clean and available for public use, and to protect the public health, safety, and welfare of individuals in the Parkways.
 13. In 2021, County Park Rangers and other law enforcement personnel responded to, investigated, and/or made arrests related to criminal activity including homicide, assaults, including sexual assault, rape, battery, robberies and thefts in the County's Regional Parks including the Parkways.
 14. Responding to emergencies, including calls for service from unsheltered individuals living in the Parkways, are challenging and often hindered due to geographical issues, terrain, narrow roadways, dirt and gravel fire roads, and trails. These limitations become even more significant after sunset. This further puts individuals camping in the Parkways at risk should there be a need to respond to a fire, medical emergency, inclement weather, or other disaster.
 15. The County is seeking to fulfill its aforementioned obligations in a manner that protects the public health and safety of all residents, including unsheltered individuals, and the County's natural resources. Prohibiting constructing, maintaining or inhabiting any structure, tent or camping facility in the Parkways, as well as prohibiting the use or maintenance of containers with flammable or combustible liquids or a generator and limiting access to the Parkways between sunset and sunrise advances the County's interest in protecting the public health, safety, and welfare of the public and preventing the continued degradation and damage to the Parkways.
- B. Camping or Constructing, Maintaining, or Inhabiting Any Structure or Camping Facility in the American River Parkway and Dry Creek Parkway Prohibited.
1. No person shall camp or construct, maintain or inhabit any structure, tent or camp facility in the American River Parkway or Dry Creek Parkway, except with written permission from the Director.

2. No person shall modify the parklands (e.g. dirt, landscaping) or accumulate furniture, household goods, or other items in order to create a structure.
3. The following definitions apply to this section:
 - (a) "American River Parkway" means the area described in the American River Parkway Plan as defined by California Public Resources Code section 5841(a) as may be amended from time to time.
 - (b) "Camp" or "camping" means to place, pitch or occupy camp facilities; to live temporarily in a camp facility; or to use camp paraphernalia.
 - (c) "Camp facility" includes, but is not limited to, tents, huts, or structures, including temporary structures (e.g. not permanently affixed to the ground).
 - (d) "Camping paraphernalia" includes, but is not limited to, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.
 - (e) "Dry Creek Parkway" means an approximately six-mile open space and riparian corridor area starting at the Sacramento/Placer County line and extending southwesterly along the two forks of Dry Creek to the Sacramento City limits at Ascot Lane.
 - (f) "Structure" means a thing that is built or constructed using accumulated furniture, household goods, construction debris (e.g. pallets), tarpaulin, dirt, landscaping, or other items to provide shelter for one or more persons.
4. Penalty. A violation of this section shall constitute a misdemeanor.
5. Enforcement and Abatement; Storage of Property.
 - (a) Authority to arrest and cite for violations of this section shall be consistent with Section 9.36.080.
 - (b) The County may abate or remove structures, tents, or camping facilities established in violation of subsection (B)(1) after providing 48-hours written notice of said abatement. Structures, tents or camp facilities established in violation of subsection (B)(1) may be abated with less than 48-hours written notice by the County, if the structure, tent or camping facility poses an imminent threat to public health or safety. For purposes of this section a structure, tent, or camp facility poses an imminent threat to public health or safety if there are facts and circumstances that would cause a reasonable person to believe, that there is an increased risk of fire or flood, actual fires or floods, obstructions or interference with the flow of pedestrian or vehicular traffic, and blockage of driveways or access points providing access to emergency vehicles.
 - (c) Abatement pursuant to subsection (B)(5)(b) may include, but is not

limited to, removal of camp facilities, camp paraphernalia, garbage, hazardous waste, infectious waste, junk, or debris; and securing the perimeter of the area with fencing, gates, or barricades to prevent further violations. Any personal property identified and left behind during the abatement shall be stored for at least 90 days and notice shall be provided regarding the retrieval process.

6. The Director is hereby authorized to promulgate rules, protocols and procedures for the implementation and enforcement of this section, consistent with the provisions herein.
7. The County shall enforce this provision in a manner that is consistent with applicable federal, state and local laws, including but not limited to applicable case law.

(SCC 1700 § 3, 2022)

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: OUTDOOR FACILITY USE
POLICY NUMBER: 6050

6050.1 The purpose of this policy and procedure is to establish a methodology for the private use of public outdoor facilities owned by the Rio Linda Elverta Recreation and Park District.

6050.1.1 Permits can be acquired at District's main office located at 810 Oak Lane or by calling 916.991.5929.

6050.1.2 No alcohol allowed.

6050.1.3 Tables, trash receptacles and BBQ provided by District.

6050.1.4 Picnic areas available from 9AM till sundown.

6050.1.5 No amplified equipment allowed without District written approval

6050.1.6 Residents of the Recreation and Park District can submit applications one year in advance of their scheduled activity. Residents must provide verification of address

6050.1.7 Non-Residents of the Recreation and Park District can submit applications ten (10) months in advance of their scheduled activity.

6050.1.8 Permits must be acquired at least ten (10) days prior to the event, but no more than one (1) year prior to the event.

6050.1.9 Permits must be acquired at least ten (10) days prior to event.

6050.1.10 Full payment is required at the time the reservation is made. There are no refunds for any reason. In the case of bad weather or extraordinary circumstances the reservation may be rescheduled.

6050.2 Those facilities that are subject to this policy and procedures include the following:

6050.2.1 Picnic Area #1 Community Center Park (Shuffle Board Gazebo)
810 Oak Lane
Capacity 24-30 people
Includes; tables, BBQ, and trash receptacle.

Adopted: 2/14/2014

Amended: 7/20/2016 (6050.3.6)

Amended: 6/19/2019 (6050.1.6; 6050.1.7; 6050.1.8 & 6050.3.1)

- 6050.2.2** Picnic Area #2 Community Center Park (Playground Gazebo)
810 Oak Lane
Capacity 40 people
Includes: tables, BBQ, trash receptacles.
- 6050.2.3** Picnic Area #3 Depot Park
6730 Front Street
Capacity 24 people
Includes; tables, BBQ, trash receptacle
- 6050.2.4** Horse Arena
Central Park
810 Elkhorn Blvd

6050.3 Rules and Regulations on our **Central Park Horse Arena** are as follows:

6050.3.1 Permits for Events at the Central Park Horse Arena may be submitted by residents 12 months in advance of their scheduled activity and 10 months in advance for non-residents.

6050.3.2 Insurance is required. The certificate of insurance shall name the Rio Linda Elverta Recreation and Park District as an additional insured. This shall be indicated in the description or comment box. The Rio Linda Elverta Recreation and Park District, 810 Oak Lane, Rio Linda California 95673 shall be the certificate holder. The minimum limits of liability coverage shall be; each occurrence \$4,000,000; and General Aggregate \$8,000,000. No permit shall be issued until a proper certificate of insurance is received. The District will not be responsible for securing or negotiating insurance for any proposed event.

6050.3.3 Alcohol; the sale of alcohol requires a California Alcoholic Beverage Control (ABC) Permit, alcohol liability Insurance, an additional security deposit, and event security personnel. If the rental group does not plan to serve or consume alcohol it remains responsible to assure that no alcohol is allowed on the premises. Should facility staff become aware of the presence of alcohol during an event and it is not immediately removed, the reservation/permit may be immediately terminated and the facility closed. All refundable deposits may be forfeited. This policy also applies to the presence or use of any illegal substances. The Rio Linda Elverta Recreation and Park District reserves the right to close down any event at any time for alcohol violations. It is a misdemeanor to sell, furnish, or give alcohol to any person under the age of 21 years old. Additionally, it is a misdemeanor to sell, furnish or give alcohol to an obviously intoxicated person. A copy of the (ABC) license must be on file with the District prior to the date of the event.

6050.3.4 Permits must be applied for a minimum of sixty (60) days prior to the scheduled event. Copies of all required permits must be presented to District two weeks prior to the event date.

6050.3.5 Cancellations made thirty (30) days or more prior to the rental will receive 100% refund less the rental deposit fee. Cancellations made less than thirty (30) of event will forfeit all fees paid to date.

6050.3.6 Amplified Sound; Bands, disc jockeys, music or speaking that uses speakers or amplifiers are considered amplified sound. There are restrictions and sound ordinances related to amplified sound. The County noise ordinance requires lowered noise volume at 10pm.

6050.3.7 Lessee/renter must comply with all provisions of the California Animals Law Handbook which has been adopted, by reference, by the County of Sacramento under Title 8 Animals. The handbook can be found on-line.

6050.4 General Provisions of our rental facilities are follows:

6050.4.1 Clean Up; Renter is responsible for cleaning up after the activity. The facility is required to be left in the same condition at the end of the event as it was at the start. Renter is required to pick up all trash and place it in designated receptacles, remove all decorations, banners or advertisements and report any damage to District. District may keep cleaning deposit to repair damages caused by user.

6050.4.2 All users must comply with federal, state and local laws and regulations including Sacramento County Health Department requirements for serving food.

6050.4.3 Fees for picnic areas must be paid at the time of reservation. There are no refunds for cancellations. Reschedules are allowed in the event of rain or inclement weather.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Amplified Music at Out-Door District Owned Facilities
POLICY NUMBER: 6051

6051.1 The purpose of this policy is to limit amplified music at out- door District owned facilities in an effort to mitigate potential noise impacts within the community.

6051.1.2 This policy applies only to amplified music and not event announcers who use amplification for sports activities or other special events.

6051.1.3 No amplified equipment use is allowed without District written approval. See policy 6050.

6051.2 All District owned outdoor facilities are subject to the following restrictions relative to amplified music.

6051.2.1 Sundays through Thursdays all amplified music shall cease at 8:00pm.

6051.2.2 Fridays and Saturdays all amplified music shall cease at 9:00pm.

6051.2.3 In addition, all other conditions identified in County Exterior Noise Standards 6.68.070 shall be enforced and adhered to. (Attachment A)

6051.3 Should any of the above provisions be ignored or not implemented by the facility user the following shall occur.

6051.3.1 The event shall be shut down.

6051.3.2 The user, renter or lessee forfeits all future rights to utilize any District owned outdoor facilities for events or public gatherings.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: FEE SCHEDULE FOR OUTDOOR FACILITIES
POLICY NUMBER: 6060

6060.1

Baseball/softball field	All Residents	\$30.00 / per hour
	All Non-Resident	\$40.00 / per hour
Lights	All Groups	\$15/hr. 1 hr. min
Field Preparation	All Groups	\$80.00
	(dragging, water, lined, bases)	
Bases	All Groups	\$20.00
Tournaments full day 9am-10pm		\$750.00

Number of field preparations are at the discretion of the Park Supervisor. However, there shall be no more than four (4) slow pitch games or two (2) fast pitch games in a row without field preparations. Field preparations included in the tournament fee.

Non-refundable tournament reservation fee (applied to fee) \$200.00

Tournament Security Deposit (Credit Card) \$300.00

All resident groups are to have 80% of its participants living within the RLEPRD boundaries.

All non-resident groups have 50% or less of its participants living within RLEPRD boundaries.

Adopted: 2/14/2014

Amended: 7/20/2016 (6060.4)

Amended: 9/28/2016 (6060.1)

Amended: 06/19/2019 (6060.2.1)

Amended: 04/23/2021 (6060.3.1,3.2,3.3,6060.4&5)

Amended: 12/15/2021

Amended: 9/21/2022

Amended: 10/19/2022

Amended: 4/21/2025

6060.2 Area #1 Community Center Park (Shuffle Board Gazebo)

810 Oak Lane

Capacity 24-30 people

Includes: tables, BBQ, trash receptacle \$35.00/day

Area #2 Community Center Park (Playground Gazebo)

810 Oak Lane

Capacity 40 people

Includes: tables, BBQ, trash receptacle \$40.00/day

Area #3 Depot Park

6730 Front Street

Capacity 24 people

Includes; tables, BBQ, trash receptacle \$35.00/day

6060.2.1 Usage of Electrical Outlets in any Rio Linda Park \$5.00/day

6060.3 Central Park Arena Fees are as follows:

6060.3.1 Non-Resident \$800.00 per day
\$300.00 cleaning deposit.
\$150.00 due at time of reservation which is applied to rental fee.
Lights \$15.00/hour with one hour minimum.
*****Fee includes one arena preparation.**

Applicants will be responsible for purchase of all appropriate insurance and liability coverage for their event. Such insurance will need to be purchased through the District's recommended third-party insurance company to provide accurate and exact coverage

6060.3.2 Resident \$575 per day
\$300.00 cleaning deposit
\$150.00 due at time of reservation which is applied to rental fee.
Lights \$15.00/hour with one hour minimum
*****Fee includes one arena Preparation.**

Applicants will be responsible for purchase of all appropriate insurance and liability coverage for their event. Such insurance will need to be purchased through the District's recommended third-party insurance company to provide accurate and exact coverage

6060.3.3 Resident Groups scheduling more than ten (10) one day events per year. Deposits for all ten (10) events must be received at the time of the first event booking. This will secure all dates and guarantee the facility.

\$500.00 per event
\$100 cleaning deposit;
\$150 due at time of reservation which is applied to rental fee.
Lights \$15.00/hour with one hour minimum.
*****Fee includes one arena preparation.**

6060.3.4 - Non-Profit and Charitable Organizations (Staff recommends)

\$450.00 per event—all other fees to remain the same as 6060.3.3
Applicant will be responsible for purchase of all appropriate insurance and liability coverage for their event. Such insurance will need to be purchased through the District's recommended third-party insurance company to provide accurate and exact coverage. There will be a \$25.00 per vendor fee for all concessions, including food trucks, food/beverage sales, souvenir/t-shirt sales, etc. The sale and consumption of Alcoholic Beverages will be prohibited from the premises during non-profit and Charitable Organization events.

6060.4 A special event is defined as any event that charges a parking fee, entrance fee and offers any additional services including but not limited to food and beverage. If alcohol is served, an Alcoholic Beverage Control (ABC) License, additional insurance, and security is required.

Horse Arena

A flat fee of \$2,500 per day;
\$1,500 damage deposit and
\$500.00 due at time of reservation applied to rental fee.
****Fee includes one arena preparation.**

Community Center Park- (Park Only- No Building Use)

8 Hours: \$500
4 Hours: \$250
Additional Hours: \$70/hr.
\$250 damage deposit and
\$100.00 due at time of reservation applied to rental fee.
*Park must remain open for public use

Depot Park- (Park Only- No Building Use)

8 Hours: \$500
4 Hours: \$250
Additional Hours: \$70/hr.
\$250 damage deposit and

\$100.00 due at time of reservation applied to rental fee.

*Park must remain open for public use

Applicant will be responsible for providing the type of event and confirming that with the District. A Special Event application including a map of where activities will be staged will be required. Should the event change then the District will need to be made aware. Misrepresentation of any special event will result in being shut down immediately with no refunds.

Applicant will also be responsible for the payment of the following:

*Four (4) Security officers for a minimum of six hours on site

*Based on the type of event, RLERPD Staff may amend the number of officers needed or waive this requirement all together. This will be discussed on a case-by-case basis. If a change is recommended, it will be reflected on the special event permit.

Applicant will be responsible for purchase of all appropriate insurance and liability coverage for their event. Such insurance will need to be purchased through the District's third-party insurance company to provide accurate and exact coverage.

Applicant is also responsible for procuring an ABC permit and the required security for that permit listing the event with a minimum of 1,000 attendees.

All requirements stated in this section must be completed and proof of compliance submitted to the District's main office four (4) weeks prior to event date or reservation may be cancelled.

6060.5 Resident Status – is defined as groups or organizations comprised of at least 80% Rio Linda Elverta Recreation and Park District residents. Team rosters and/or individual participant utility bills/photo ID may be required by District Staff to verify residency status.

The suggested rates were derived from conversation with the Parks Division Staff as well as outreach to other equestrian facilities in Placer and Yolo counties.

6060.6 District reserves the right to deny any event request

6060.7 Rental of Equipment & Games for All Groups

Snow cone machine	\$50.00/day
Cotton candy machine	\$50.00/day
Popcorn machine	\$50.00/day
Balloon/dart game	\$50.00/day
Ring toss game	\$50.00/day
Down the Clown game	\$50.00/day

Ski roll game	\$50.00/day
Fish Bowl Game	\$50.00/day
Slots of Fun Game	\$50.00/day
Horse Shoe Equipment	\$50.00/day
Shuffle Board Equipment	\$50.00/day

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Authorized Usage of Electrical Outlets at Outdoor Facilities

POLICY NUMBER: 6052

6052.1 The purpose of this policy is to regulate the usage of electrical outlets in the Rio Linda Elverta Recreation and Park District to District business and park rentals as authorized by the District.

6052.2 All District owned outdoor facilities shall have signage stating that "Authorized Usage Only" for electrical outlets. "Violators are subject to prosecution under California Penal Code 498(b) and removal from the park."

6052.2.1 Both District Staff and recognized Law Enforcement officials can implement this policy.

6052.3 A single day use permit for electrical outlet usage can be purchased at the District Office.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: ATHLETIC FIELD USE
POLICY NUMBER: 6055

6055.1 It is the intent of this policy to assure that the Rio Linda Elverta Sports Fields are used for recreational purposes in conjunction with District Programs. The Rio Linda Elverta Recreation and Park District is committed to creating partnerships with local sports organizations to insure there is ample opportunity for youth, with various skill levels, to participate in athletics. The District's primary responsibility is to provide athletic opportunities and make certain fields remain safe and high quality.

6055.1.1 The allocations/permitting process provides an organization with exclusive use of a field to the exclusion of others. The objective of this policy is to create a clear, written allocation policy and procedure that fairly distributes fields, maximizes playing time, incorporates a turf recovery period to maintain safe quality fields, communicates financial issues and cost recovery and outlines field use regulations.

6055.1.2 The underlying principle for financing public park and recreation facilities is for public use, enjoyment, and to insure that all citizens have equal opportunity and choice of participation. Since the demand is greater than the tax revenues available for support, it is necessary to charge user fees for selected fields, particularly in instances where the field is utilized by individuals or groups for personnel benefit.

6055.2 For the purpose of this policy and procedure athletic fields available to the general public for a fee include Babe Best Park baseball/softball fields and Westside Park baseball/ softball fields. Westside Field will be for permitted uses only. Field access gates shall be locked. A key shall be issued to the permitted user to allow field access. Upon completion of the permitted activity the user is responsible to lock gates, return the key to the district office and have their key deposit returned. The field will be posted with signage reading "Field Use Permits Required." Babe Best Park Fields will be available for pick up play during non-permitted times, consistent with the Memorandum of Agreement (MOA) between District and Rio Linda Little League. In the event there is a conflict with the MOA and any other policy or procedure the MOA shall prevail.

6055.3 Definition of Terms

6055.3.1 Resident Status - is defined as groups or organizations comprised of at least 80% Rio Linda Elverta Recreation and Park District residents. Team rosters and/or individual participant utility bills/photo ID may be required by District staff to verify residency status.

6055.3.2 Youth status is defined as any person 18 years of age or under.

6055.3.3 Field Permits - are required for any organized sport associated with a team, league or school. The District has complete discretion relative to field scheduling. Field permits are issued to priority groups 1, 2, 3, & 4 as identified under priority group classifications. A field use permit application must be submitted with all required fees and certificates of insurance prior to permit issuance. Requests for permits can be made at the District office located at 810 Oak Lane Rio Linda, CA 95673. Permit requests are accepted twice per year. Once in January for field use through June and in June for the rest of the calendar year. District staff shall advise all known users that a meeting will be held in January and in June of each calendar year to determine field use at Westside Park. Field use allocations will be determined at those meetings. It is the responsibility of the user groups to have a representative attends each meeting. Failure to do so will result in loss of field use.

6055.3.4 Field use permits are issued to insure user groups do not experience conflict with other users. A field use permit guarantees the holder use of that field for the day and time shown on the permit.

6055.3.4.1 Group 1: District sponsored programs/ events.

6055.3.4.2 Group 2: Youth Organizations that allow the District to align themselves with AB-2404 Youth Gender Sports Equity Law; Specifically, the District will assign field times and days to those groups that enable the District to meet the requirements of AB2404.

6055.3.4.3 Group 3: Youth organizations or private events with 50% or more District residents.

6055.3.4.4 Group 4: General youth and adult users, or profit organizations, tournaments, clinics and or camps with individual or team participation fees.

6055.4 Tournament applicants must complete a field use request at least 30 days in advance. Requests received less than 30 days in advance will be granted as conditions allow. Tournament clean-up deposits will be refunded provided there is no damage or defacement to the park amenities, including equipment, grass, and foliage. In the event the damage exceeds the amount of deposit, the remainder of the charges will be billed the applicant. The amount to be determined by the District. A non-refundable reservation fee of \$200.00 is required at time of permit application. This \$200.00 will be applied to the \$500.00 tournament fee.

6055.5 The Rio Linda Elverta Recreation and Park District has established insurance and certificate of insurance requirements for facility users, vendors, and contractors entering into permits with the District. Before commencing use of services under permit, the District must be furnished with a Certificate of Liability Insurance.

6055.5.1 The certificate shall contain the following;

6055.5.1.1 Rio Linda Elverta Recreation and Park District shall be named as an additional insured. This should be indicated in the descriptions or comments box.

6055.5.1.2 Rio Linda Elverta Recreation and Park District, 810 Oak Lane, Rio Linda, California, 95673 shall be the certificate holder.

6055.5.1.3 The District shall be notified at thirty (30) days prior to cancellation of the above insurance coverage.

6055.5.1.4 The minimum limits of liability coverage shall be; each occurrence \$2,000,000; Damage to rented premises, each occurrence \$2,000,000; and General Aggregate \$4,000,000. The insurance requirement should be your first priority because your event or activity will not be approved or scheduled until a proper certificate of insurance is received. The District will not be responsible for securing or negotiating insurance on behalf of the permitted.

6055.6 There is no alcohol allowed at, in or around Babe Best and Westside athletic fields.

6055.7 Field Use Policy is as follows:

6055.7.1 All fees to be paid thirty (30) days in advance for multi month field use permits.

6055.7.2 The District reserves the right to cancel any field permit at any time for cause.

6055.7.3 All Field users must have a copy of their permit available for inspection by District staff, park police or other law enforcement agency.

6055.7.4 Requests for additional use, programs or facilities not covered by the Athletic Field.

6055.7.5 No District field preparation services are available before 7:30am.

6055.7.6 Field light use until 10PM unless otherwise approved by the General Manager.

6055.7.7 No vehicles on field or in designated red curb or other no parking areas.

6055.7.8 No volunteer maintenance without approval by District.

6055.7.9 Cooking of any type must occur at a picnic area and not adjacent to the field. Snacks that do not require warming may be distributed.

6055.7.10 Selling, such as snack bar, fundraising or display of sponsorship support banners must be approved by District in writing.

6055.7.11 No items shall remain on the field or attached to the fence at the conclusion of the event or permit/deposit may be acted upon.

6055.7.12 In the event of inclement weather, or if the field, in the judgment of the District should not be used, the usage shall be cancelled by the District. Users should contact the District on the day of usage if there is a question as to the suitability of field use. If field is not usable a full refund will be made for the day(s) field(s) are not usable.

6055.7.13 The District provides no equipment for field use.

6055.7.14 User shall be responsible for any injury or damage incurred on or off the field.

6055.7.15 Reasonable sound level is to be maintained. No amplification is allowed except by permission of the District. Reasonable sound is defined as not to disturb the peace, quiet and comfort of the neighboring properties or other persons.

6055.7.16 Users of facilities shall observe, obey and comply with applicable District, County, State and Federal Laws, rules and regulations.

6055.7.18 Any cancellation of scheduled usage of facilities, or any request for change in hours or conditions indicated on the request form must be completed at least ten working days prior to scheduled usage. Cancellations or changes must be in writing and submitted to the District Office 810 Oak Lane Rio Linda 95673. Failure to comply shall result in forfeiture of fees paid.

6055.7.19 Permit holders may not sublet or transfer permit to another organization.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: SPECIAL EVENT PERMIT POLICY AND PROCEDURE
POLICY NUMBER: 6065

6065.1 Purpose and Intent -The Rio Linda Elverta Recreation and Park District Board of Directors recognize that special events enhance the District's lifestyle and provide benefits to area residents, visitors, and businesses through the creation of unique venues of expression, recreation and entertainment. However, the District also recognizes that special events, if unregulated, can have an adverse effect on the public health, safety, and welfare due to noise, traffic, safety, abuse of alcohol, possible civil or anti event demonstrations and/or protestors, and health hazard impacts.

6065.2 The purpose and intent of this policy and procedure is to set forth reasonable regulations by establishing a process for permitting special events within the District. Permits will protect the rights and interests granted to special event permit holders, ensure the health and safety of patrons, prohibit illegal activity from occurring within special event venues, minimize any adverse effects from special events, and ensuring the efficient use of public property and District services. It is further intended to create a mechanism for cost recovery to the District for special events without having an adverse effect on those special events that contribute to the community.

6065.3 Definitions:

6065.3.1 "Affected Parties," means businesses and residents located within five hundred feet of the area around the special event that are likely to experience impact from the special event.

6065.3.2 "District," means Rio Linda Elverta Recreation and Park District

6065.3.3 "General Manager," means the General Manager or his/her authorized designee.

6065.3.4 "Crowd Manager," means the same as defined in the California Fire Code Section 403.3

6065.3.5 "Commercial Business," means an organization engaged in the trade of goods, services, or both to consumers (e g. retail, corporation, LLC, or sole proprietorship) whose primary purpose is a profit venture.

6065.3.6 "Demonstration," means any formation, procession or assembly of twenty- five (25) or more persons which, for the purpose of expressive activity, is to gather at a public park or other District owned facility.

6065.3.7 "Event," means a special event or a demonstration.

6065.3.8 "Event Promoter," means any person who conducts, manages, promotes, organizes, aids or solicits attendance at a special event.

6065.3.9 “Expressive Activity,” means conduct, the sole or principle object of which is the means of opinions, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity.

6065.3.10 “Goods,” means any wares, personal property, merchandise or any other similar item that is generally sold.

6065.3.11 “Issuing Authority,” means the Rio Linda Elverta Recreation and Park District.

6065.3.12 “Major Special Event,” means an event that includes 2,000 or more participants and/or spectators affecting District and/or law enforcement personnel, resources, services, outdoor facilities, traffic circulation, street closures, the District and/or its residents.

6065.3.13 “Moderate Special Events,” means an event that includes 500 to 1,999 participants and/or spectators or requires a street closure affecting District or law enforcement personnel, resources, services, outdoor facilities, traffic circulation, the community and/or its residents.

6065.3.14 “Minor Special Event,” means an organized recreational activity or event that includes 25 to 499 participants and/or spectators held on District property affecting District and/or law enforcement personnel, resources, services, outdoor facilities, traffic circulation, and the District and its residents.

6065.3.15 “Non-Profit Organization,” means a tax- exempt organization under relevant sections of the Internal Revenue Code.

6065.3.16 “Non Resident,” means an individual or organization residing or based outside the boundaries of the Rio Linda Elverta Recreation and Park District or any group with more than 50% of its membership residing outside District boundaries.

6065.3.17 “Permit Holder,” means an individual, group, or organization to which a special event permit has been issued.

6065.3.18 “Private Party,” means an individual, group, or organization that excludes participation by the public and is either not-for-profit or for-profit.

6065.3.19 “Resident,” means an individual or organization residing or based within the District boundaries. To be considered a District resident group more than 50% of membership must reside within District boundaries.

6065.3.20 “Sheriff,” means Sacramento County Sheriff or his/her authorized designee.

6065.3.21 “Sound” – Amplifying Equipment,” means any machine or device for the amplification of the human voice, music or other sound. Sound amplifying equipment shall not be construed to include electronic devices, including but not limited to radios, tape players, tape recorders, compact disc players, electric key boards, music synthesizers, record players, or televisions, which are designed and operated for personal use, or which are used entirely within a building and are not designated or used to convey the human voice, music or any other sound to an audience outside such building, or which are used in vehicles and heard only by occupants of the vehicle in

which installed. "Sound Truck means any vehicle having mounted thereon or attached thereto any sound-amplifying equipment.

6065.3.22 "Special Event," means any scheduled or planned event occurring on District owned property that impacts properties normal use, can reasonably be expected to require District and/ or other agency support and has potential to impact businesses and residents within 500 feet. Types of events include celebrations, festivals, fairs, sporting or similar events and may include live or amplified music and/or stage, may include alcohol requiring an ABC permit and/or associated regulations, and use of booths or vendors.

6065.3.23 "User Classifications," Outdoor District owned facilities shall be available for use by the public for recreational, educational, civic and commercial purposes. Users are classified into groups for the purpose of assessing fees and determining priority of use.

6065.3.23.1 Priority 1 – District sponsored events;

6065.3.23.2 Priority 2- Resident; recreational, private party or non-profit organization;

6065.3.23.3 Priority 3 – Resident private party for profit or commercial business;

6065.3.23.4 Priority 4- Non- Resident; private party or non-profit;

6065.3.23.5 Priority 5- Non-Resident; commercial business.

6065.3.24 "Vendor," means any person who sells or offers to sell goods or provide services within a special event venue.

6065.4 Major special event applications must be submitted to the District no later than six months prior to event date. Applications will be reviewed, conditioned and a response given the applicant with sixty days from application submittal.

6065.5 First time Moderate special event applications must be submitted to the District ninety days prior to event date. Applications will be reviewed, conditioned and a response given to the applicant within thirty days from application submittal.

6065.6 Minor special event applications must be submitted to the District forty five days prior to event date. District approved major special events will take precedence over minor special event dates. Application will be reviewed, conditioned and a response given to the applicant within fifteen days from application submittal.

6065.7 Any event where alcohol is served requires an ABC License and must be reviewed, approved and abide by all Alcohol and Beverage Control (ABC) regulations.

6065.8 Special Event Permit Applicants must submit, to the District, a completed Permit Application. All required materials can be found in the Special Event Planning Guide and Permit Application document which is available at the District office. The information required includes;

6065.8.1 The name, address, email address, and telephone number of the applicant and event organizer;

6065.8.2 The names, addresses and telephone numbers of the headquarters of any organization for which the special event is to be conducted, and proof of the authorized representatives of the organization;

6065.8.3 An acknowledgement of financial responsibility for any District fees or costs that may be imposed for the special event by the applicant and any person authorizing the applicant to apply for the permit on its behalf.

6065.8.4 A description of the nature or purpose of the special event, including a description of activities planned during the special event.

6065.8.5 Advance notification if alcohol is to be served or sold and the ability to follow applicable ABC guidelines and regulations.

6065.8.6 A statement of fees to be charged to participants of the special event.

6065.8.7 A copy of the document showing proof the applicant is a tax- exempt-non-profit organization.

6065.8.8 Proof of required insurance.

6065.8.9 The date(s), time(s) and location where the special event is to be conducted, including assembly and disbanding.

6065.8.10 A site plan showing locations of all event features, structures, portables, activity areas etc.

6065.8.11 Traffic Control Plans (TCP) if required must meet all California Manual on Uniform Traffic Control Devices (MUTCD) standards for a major or moderate event.

6065.8.12 Approximate event attendance including the number of participants, spectators, event facilitators, crowd managers, animals and vehicles.

6065.8.13 Provisions for first aid and emergency medical services.

6065.8.14 The number, type and location of sanitation services.

6065.8.15 A description of any recording and/or amplification equipment.

6065.9 SECURITY, LAW ENFORCEMENT AND OTHER EMERGENCY SERVICES are as follows:

6065.9.1 The District may require the presence of law enforcement, emergency services, security personnel or crowd managers. The costs of all services shall be borne by the applicant.

6065.9.2 Security personnel are subject to the approval of the District. Security personnel are to be licensed and in uniform. Proof of obtaining the required security personnel must be provided to the District no later than two (20 weeks prior to event date. If proof is not provided to the District by the required date, the special event permit may be revoked. If, after proof of security has been provided to District and said security is not present at the event, the District employee in charge may revoke the special event permit and ask the permit holder to leave the area.

6065.9.3 Costs of any incident requiring a higher level of response by law enforcement due to problems or issues at the event will be charged to the event organizer by the District.

6065.10 RELEASE AND INDEMNIFICATION REQUIREMENTS are as follows:

6065.10.1 Events with vendors or active participants require a District approved waiver indemnifying the District.

6065.10.2 Insurance requirements as defined on page six (6) of the Special Event Planning Guide and Permit Application packet.

6065.11 NOISE ABATEMENT for special events shall be allowed between the hours of 9:00am and 9:00pm. Amplified music shall be allowed between the hours of 10:00am and 10:00pm.

6065.12 The permit holder is responsible for complete clean-up and returning the site or facility to its pre-event condition. A refundable clean up deposit will be required and due in full prior to the issuance of the permit. Deposit amounts will be determined at the time the application is reviewed by District staff and will be based on the size, location and type of event. District staff will conduct a pre-event and post event inspection. If the site or facility has not been left as found, the District will use the deposit to pay for any clean-up work or repairs necessary to return the area to its original condition. If no additional work is required the deposit will be returned in full within thirty days from the date the event was held.

6065.13 The District reserves the right to place restrictions on the use of alcoholic beverages in accordance with ABC regulations and requirements.

6065.13.1 The distribution and consumption of alcoholic beverages shall comply with all applicable laws. All permit holders will be solely responsible for obtaining all required permits or licenses relating to the distribution and consumption of alcoholic beverages. Evidence of required permits or licenses must be provided to District staff two (2) weeks prior to scheduled event date.

6065.13.2 No alcoholic beverage shall be served to any minor person.

6065.13.3 Security and/or law enforcement shall be required at all activities and/or events when alcoholic beverages are served. The number of security personnel will be determined during the review process. The cost of such service shall be borne by the applicant.

6065.13.4 Injuries caused any person because alcoholic beverages being consumed by any person on public or private property, or because of alcohol being available on public or private property, shall be the sole responsibility of the permit holder, its sponsor and representatives.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: INDOOR FACILITY USE FEE SCHEDULE
POLICY NUMBER: 6070

6070.1 Community Center
Entire center, kitchen not included; seating capacity 145

8 hours	\$600.00
4 hours	\$300.00
Additional Hours	\$75/Hr.
Kitchen Use	\$250.00 plus \$200.00 refundable deposit (in conjunction with room rental)
Cleaning Deposit	\$300.00**/no alcohol
Seating Capacity	145

6070.2 Depot

8 hours	\$400.00
4 hours	\$200.00
Additional Hours	\$50/Hr.
Cleaning Deposit	\$200.00**/no alcohol
Seating Capacity	56

6070.2.1 **Events providing alcohol shall provide a \$550.00 cleaning deposit plus an additional \$40.00/hour (subject to change) for District arranged security services. District reserves the right to require security services at any event.

6070.3 Meetings

The Rio, Linda, Elverta and Depot rooms can be rented individually for \$35.00 per hour (2 hour minimum), not to exceed 4 hours. A \$50.00 security deposit is required.

Full Center	seating capacity 145
Rio Room	seating capacity 39
Linda Room	seating capacity 67
Elverta Room	seating capacity 39
Depot	seating Capacity 56

Adopted: 2/14/2014
Amended: 1/18/2017
Amended: 11/16/2022
Amended: 7/19/2023

6070.3.1 Included: Non-Profits, Civic Organizations, Service Clubs, and Government Agencies.

6070.3.1.1 Meetings held Monday through Friday from 8am till 5pm no charge.

6070.3.1.2 Meetings held after 5pm Monday through Friday and weekend shall be charged \$25.00 per hour (2 hour minimum) and \$10.00 for each additional hour of use.

Payment

- A) Be invoiced monthly, invoices will be generated and mailed on 15th of each month previous.
- B) Be invoiced for the entire year by December 15th of the year previous.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT POLICY & PROCEDURE MANUAL

POLICY TITLE: INDOOR FACILITY RENTAL
POLICY NUMBER: 6075

6075.1 The intent of this policy is to insure that the Rio Linda Elverta Community Center is used for recreational purposes, in conjunction with District programs. Non-recreational activities are allowed, but are given lower priority. District programs have highest priority.

6075.2 District sponsored programs take priority over other uses. All rental facilities are available on a first come first serve basis. Reservations can be taken up to twelve months in advance for District residents or ten months for non-residents.

6075 2.1 Weekend rentals will be reserved for both District and personal Special Events.

6075.3 All permit requirements (insurance certificate, ABC Permit, Security contract etc.) must be met not later than ten (10) days prior to event date. Allow three days for confirmation and approval of rental request.

6075.4 Reservations

6075.4.1 Renter must be twenty one (21) years of age.

6075.4.2 Applications will be accepted on first come first serve basis.

6075.4.3 Residents can submit applications one year in advance of their scheduled activity. Residents must provide verification of address.

6075.4.4 A \$100.00 reservation deposit is required to secure the reservation and is applied to the rental fee.

6075.5 Cancellations

6075.5.1 A \$30.00 administrative fee is charged in the event a cancellation occurs 31 days or more of scheduled event. If cancelled 30 days or less of scheduled event the \$100.00 deposit is retained by District.

6075.5.2 A late fee of \$50.00 will be assessed when fees are not paid in total within thirty (30) days of rental date(s).

6075.6 Cleaning Deposit

6075.6.1 Cleaning deposit shall be required for all reservations, payable at the time of reservation. The cleaning deposit is separate from the rental fee and

cannot be applied to rent. Deposit is refundable provided the facility is returned in the same condition in which it was found and all hours occupied have been pre-paid. Any part of the cleaning deposit can be withheld for 1) damages to the building, furnishings or grounds; 2) facility left in unclean condition; 3) missing equipment or furnishings; 4) occupation beyond pre-paid reserved hours; or 5) cancellation of reservation within sixty (60) days of event. Deposit will be returned no later than thirty (30) days after event if facility is left in same condition as issued.

*******At the discretion of the General Manager, the cleaning deposit may be reduced or waived for low risk activities. District reserves the right to require security services at any event.**

6075.7 Availability

6075.7.1 Facilities shall be closed and not available for rental on the following days; January 1, Thanksgiving Day, and December 25th.

6075.8 Equipment

6075.8.1 Equipment available for rent includes public address system, podium, coffee makers and igloos.

6075.9 Liability Insurance

6075.9.1 Renter shall provide liability insurance in the amount of \$2,000,000 naming the District as additional insured and providing a 30 day notice of cancelation. This insurance can be acquired through the District insurance carrier. Certificate of insurance shall be provided to District 30 days prior to the rental event.

6075.10 General Rules

6075.10.1 Smoking not allowed inside building.

6075.10.2 Facility must be cleaned and vacated by 12:00 midnight. District Administrator may approve activities past midnight at double the hourly rate.

6075.10.3 District staff shall monitor the facility at all times.

6075.10.4 Renter is responsible for set up and removal of all decorations used. The Renter will be responsible for set up and take down of District equipment used.

6075.10.5 District may require renter to provide security personnel. If security personnel are required it will be maintained at a level of 1:100 attendants of the event.

6075.10.6 Renter shall be solely responsible for;

6075.10.6.1 Damage, loss, accidents, or injuries to persons or property resulting from use of District property;

6075.10.6.2 Supervision and control of persons in attendance;

6075.10.6.3 Damage to furniture, fixtures or any part of the facility. Additional charges will be assessed for any damage, repair or cleaning required by the District. Any serious injury or damages incurred on District property shall be reported to staff immediately.

6075.10.7 Renter pays for time spent decorating, band set up and take down, and caterer set up and take down;

6075.10.8 Rental periods are defined in the fee schedule;

6075.10.9 District approved private security is required for all activities serving alcohol during rental event. Cost of private security must be paid with rental fee to secure reservation.

6075.10.10 Music and entertainment must cease one (1) hour prior to the end of event.

6075.10.11 For any event in which alcoholic beverages are sold, the renter is required to notify the Sheriff's Department. In addition, renter must secure an Alcoholic Beverage Control (ABC) Permit and follow all State and local laws regarding sale and consumption of alcohol. Permission to use the facility will not be granted until the ABC permit is received by District. If alcohol is served it is renter's responsibility to insure no one under the age of twenty one (21) is possessing or consuming alcohol. If this occurs the event will be shut down immediately.

6075.10.12 District staff reserves the right to full access to all activities at any time in order to insure that all District rules and regulations, as well as County and State Laws are being observed.

6075.10.13 District reserves the right to cancel or reschedule any reservation to accommodate District activities.

6075.10.14 District reserves the right to suspend any individual or group from using the facilities in the event their behavior is abusive or destructive, or violates any District rules or regulations, without refund of fees previously paid.

6075.10.15 Activities involving persons under the age of twenty one (21) years must be supervised by adults at a ratio of one adult for every 15 minors. A list of chaperons must be submitted to the District at time of reservation, not later than thirty (30) days prior to event.

6075.10.16 Control of lights, heating, and cooling systems and other equipment is the responsibility of District staff. Any requests for adjustments shall be made to the staff member on duty.

6075.11 Setup

6075.11.1 All event equipment must be approved by District two (2) weeks prior to the reservation date. District will determine if additional insurance is needed for equipment items.

6075.11.2 Candles, open flames, and fog/smoke machines are not permitted.

6075.11.3 All District equipment must remain inside the facility and cannot be used outdoors.

6075.11.4 Plans for decorations must be approved by District at least thirty (30) days prior to event. The use of staples, tacks and nails on walls is prohibited. Decorations shall be made of fireproof or fire-retardant materials. At no time shall exits be covered or obstructed.

6075.11.5 Renters are responsible for all persons present during set up and cleanup of event. Use of ladders during rental is at the risk of renter. Renters shall be required to sign District's indemnification clause acknowledging proper use of ladders.

6075.12 Cleaning

6075.12.1 All cleaning must be completed prior to check out time on the same day as the event. Renters are responsible for; 1) Depositing all refuse in District supplied trash bags and deposit those bags in the dumpster located in the Community Center parking lot; 2) wiping clean all tables and chairs, 3) removing all decorations; 4) sweeping floors; 5) clean all kitchen equipment and counters and 6) clean all rented District equipment.

6075.12.2 A cleaning check list will be completed before and after each rental by District staff. The District shall provide the following; trash bags, paper towels, dust mop, wet mop, and vacuum. Renter shall provide cleanser, dish soap, sponges, hand towels and any other materials or supplies needed to restore the facility to pre rental condition.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: BUILDING AND INDOOR FACILITY MONTHLY INSPECTIONS
POLICY NUMBER: 6080

6080.1 The purpose of this policy is to insure that all District owned and operated buildings and indoor facilities are safe and properly maintained for public use.

6080.2 Building and indoor facility inspections will be conducted monthly by the Park Supervisor or his designee. All identified deficiencies shall be corrected prior to the next month's inspection. Form #200 shall be used and completed for all inspections.

6080.3 A completed copy of form #200 shall be provided to the General Manager monthly from the Park Supervisor identifying any and all deficiencies needed to be addressed before the next month's inspection.

6080.4 Prior to the next month's inspection the Park Supervisor will provide the General Manager a copy of the previous month's inspection form #200 showing when the deficiencies were addressed and who corrected them.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: QUARTERLY PARK INSPECTIONS

POLICY NUMBER: 6085

6085.1 The purpose of this is to establish a procedure to systematically evaluate the District's park facilities to identify items that need to be repaired, maintained or replaced.

6085.2 This exercise is undertaken to insure that the District's park facilities are maintained at a level that provides a safe quality experience to facility users.

6085.3 The quarterly park inspections will be conducted in January, April, July, and October of each calendar year. The General Manager shall accompany the inspector on each inspection.

6085.4 Rio Linda Elverta Recreation and Park District Form #100 shall be completed for each park unit inspected on a quarterly basis. The facility inspector must sign and date each Form #100. All deficiencies identified on Form #100's shall be corrected by the next quarterly inspection identifying the individual and date the deficiency was corrected.

6085.5 The General Manager shall receive from the Park Supervisor, a copy of the findings for each quarterly inspection. Prior to the subsequent inspection the Park Supervisor shall provide the General Manager copies of the previous inspection depicting all corrected deficiencies.

Example: a) Quarterly Inspection completed in January using Form #100

b) Completed Form #100's provided to District Administrator;

c) Prior to second quarter inspection Park Supervisor provides General Manager a copy of the previous quarter's report showing that all deficiencies have been corrected including dates of correction and identifying the person who corrected the deficiency.

6085.6 This process shall adhere to on a quarterly basis.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: PLAYGROUND INSPECTIONS
POLICY NUMBER: 6090

6090.1 The purpose of this policy and procedure is to insure safe well maintained playgrounds and to minimize District liability exposure.

6090.2 Playground inspections shall be conducted monthly using Playground Inspection Form #400. This shall be conducted by the Park Supervisor or his/her designee.

6090.3 The completed inspection form shall identify any and all deficiencies that need correction or attention. All deficiencies shall be corrected prior to the next month's inspection. Exceptions may be made due to replacement part delivery schedules.

6090.4 The Park Supervisor shall be responsible for maintaining all inspection reports for a period of one year. The Park Supervisor shall provide the General Manager copies of the monthly inspection report.

RIO LINDA ELVERTA RECREATION AND PARK DISTRICT

POLICY & PROCEDURE MANUAL

POLICY TITLE: Prohibition of Smoking/Vaping in Parks
POLICY NUMBER: 6100

6100.1 Ample research exists demonstrating the health hazards of the use of tobacco products, including smoking and the breathing of second-hand smoke. Therefore, in the best interest of the health and safety of park users, the smoking, vaping, and use of tobacco products shall be banned and the following parks shall be smoke free:

- Babe Best
- Community Center
- Northbrook
- Westside

6100.1.1 These parks either have playgrounds or athletic fields and are predominately used by children and are smoke free.

6100.2 No person shall dispose of any material used for smoking in any park, except in a designated waste disposal container

6100.3 All District employees will be responsible for advising members of the public who are observed smoking or vaping tobacco products on District property of the District's policy on the matter. (Reference Policy #6100)

6100.3.1 Members of the public who refuse to comply with this policy may be directed to leave District property.

6100.4 Notwithstanding 6100.1 of this section and unless otherwise provided by state or federal law, smoking is permitted in designated areas in parks authorized by the General Manager. Designated smoking areas shall be marked with signs.

6100.5 "Smoking" means lighting, inhaling, exhaling, or burning any pipe, cigar, cigarette, weed, or plant, or carrying any lighted pipe, lighted cigar, lighted cigarette, lighted weed, lighted plant, or ignited combustible substance in any manner or form.

6100.5.1 "Smoking" also includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

6100.6 This District will follow the California Health and Safety Code § 104495 as it refers to this policy.