



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 22**

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
ADOPTING RULES AND REGULATIONS GOVERNING PARKS**

Be it ordained by the Board of Directors of the Town of Discovery Bay as follows:

SECTION 1. The following definitions shall apply for this ordinance:

- a) "Park" means and includes all parks, riding and hiking trails, recreation areas, community centers, and any other property managed, controlled or owned, in whole or in part, by the Town of Discovery Bay, including structures thereon used, operated, or maintained for recreational purposes whether passive or active.
- b) "General Manager" means the General Manager of the Town of Discovery Bay or his or her designee.

SECTION 2. It is unlawful for any person to enter, remain, or loiter within the limits of any park managed, controlled, or owned by the Town of Discovery Bay, between one-half (½) hour after sunset to one-half (½) hour before sunrise the next day. This provision shall not apply to the entry upon park property in the course of duty of any peace officer or other duly authorized public employee.

SECTION 3. The following provisions shall apply to the use of motor vehicles within parks:

- 1) A person shall not operate motor bikes, motorcycles or other motor vehicles in any park except upon paved or improved roadways provided for that purpose or upon such paths or trails as designated by the General Manager.
- 2) A person shall not operate, drive or ride a motor vehicle of any kind on a park road at a speed in excess of fifteen (15) miles per hour, unless a different speed limit has been designated and posted.
- 3) No person shall stop or park a motor vehicle, trailer, motorcycle, trail bike, motor scooter, go-cart or other motor-driven wheeled conveyance, any place in a park except in areas designated for parking. When parking spaces are designated by lines, it is unlawful for the operator of any vehicle to stop, stand or park said vehicle other than in a regularly designated parking space, across any such line, or in such position that such vehicle shall not be entirely within the area so designated as a parking space. Nor shall any person park any vehicle in a manner that obstructs the free movement of other vehicles, nor shall any vehicle be parked in a manner which obstructs any gate, sidewalk, pedestrian crosswalk, or pedestrian walk-through. No person shall allow any such vehicle to remain within the boundaries of a park during the hours the park is closed except by permit from the General Manager. Any person driving any motor vehicle shall enter or exit a park at provided entry roads, paths or gates.
- 4) No person shall engage in the washing, cleaning, polishing, repairing, renovating, changing of fluids or painting of any motor vehicle, trailer or other wheeled conveyance or bicycle within a park.
- 5) This provision shall not apply to authorized emergency vehicles or other duly authorized maintenance vehicles.

SECTION 4. The following provisions shall apply to animals within a park:

- 1) A person shall not bring into a park any animal other than dogs or cats except as hereafter specifically provided or as otherwise permitted by the General Manager.
- 2) A person may bring and maintain in any park up to a total of two (2) dogs and/or cats, excluding "service dogs", if such dog or cat is kept on a leash or chain not to exceed six (6) feet in length and under immediate control of its owner or custodian.
- 3) Each person in control of a dog or cat shall promptly remove and dispose of, in a sanitary manner, excrement left by such dog or cat. Each person in control of a dog or cat shall be in possession of materials to remove excrement left by such dog or cat.

SECTION 5. Smoking is prohibited in parks. No person shall use in any park tobacco products of any kind, including, but not limited to, chewing tobacco, cigars and cigarettes.

SECTION 6. The consumption of alcoholic beverages is prohibited in parks. No person shall consume in any park any intoxicating liquor or dilutions of mixtures containing such intoxicating liquor.

SECTION 7. All parks are designated as drug-free zones pursuant to and within the meaning of Health and Safety Code Section 11380.5.

SECTION 8. The following provisions shall apply to noise and amplification of sound within a park:

- 1) Excessive noise is prohibited in parks. No person shall willfully make or cause to be made or continued any disturbing, excessive or unnecessary noise which disturbs the peace or quiet of persons present in the park or any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivities.
- 2) Any person who wishes to electronically amplify sound during normal park hours must first obtain written permission from the General Manager. This prohibition shall not include the use of small portable radios as long as such radios are operated at such a volume as not to disturb other persons present in the park.
- 3) The prohibitions of this provision shall not apply to the use of any amplified sound by any peace officer or employee of the Town of Discovery Bay while engaged in the performance of his or her duties.

SECTION 9. A person shall not throw, leave, place, deposit or dispose of any garbage, refuse, waste paper, bottles or cans in any place in a park other than into a garbage can or other receptacle maintained therein for that purpose. Nor shall any person place any household garbage in any trash receptacle within a park.

SECTION 10. The following provisions shall apply to conduct within a park:

- 1) No person shall possess, discharge, or shoot any firearm, bow and arrow, slingshot, airgun, fireworks, or other devices potentially harmful to park visitors. The prohibition against firearms does not apply to a peace officer or a security guard engaged in the performance of his or her duties.
- 2) No person shall start or maintain fires in parks other than in "on-site" barbeque pits or personal portable barbeques within designated picnic areas. No person shall fail to extinguish live coals or fires before leaving the picnic area.
- 3) No person shall enter or trespass in any area, building or facility which is fenced and locked or enclosed and locked or is posted with a "No Trespassing" sign.
- 4) No person shall remove, cut, break, injure, disturb or deface in any way buildings, equipment, grounds or other facilities of any park.
- 5) No person shall cut or remove any wood, turf, rock, tree, flower, shrub, sand or gravel from any park.

SECTION 11. A person shall not enter, be or remain in any park unless he or she complies with all of the regulations set forth herein and with all other applicable laws, ordinances, rules and regulations.

Any violation of this ordinance is punishable as an infraction by a fine of \$250.00. Each person is guilty of a separate offense for each and every day of which any violation of any provision of this ordinance is committed and is punishable accordingly.

PASSED AND ADOPTED this 23rd day of January 2013 by the following vote:


Ray Tetreault
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on January 23, 2013 by the following vote of the Board:

AYES: 4
NOES: 0
ABSENT: 1-Director Pease
ABSTAIN: 0


Richard J. Howard
Board Secretary