

**TWAIN HARTE COMMUNITY SERVICES DISTRICT
ORDINANCE #25**

**AN ORDINANCE OF THE TWAIN HARTE COMMUNITY
SERVICES DISTRICT PRESCRIBING REGULATIONS
FOR USE BY THE PUBLIC OF THE DISTRICT PARK AND
RECREATION FACILITIES.**

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE TWAIN
HARTE COMMUNITY SERVICES DISTRICT, as follows:

SECTION 1: Unless otherwise expressly stated, the following shall be defined in this Ordinance as follows:

Park: The Twain Harte Community Services District Eproson Park, Twain Harte Tennis Courts, Skate Park, Rotary Stage, American Legion Hall/Community Center and “Eproson Baseball Field” Baseball Park and any area set aside for recreational uses, areas conserved for their scenic interests, playgrounds, recreational centers and any other areas owned or operated by the Twain Harte Community Services District and which are intended for active or passive recreational purposes. The word “park” shall also include any buildings (American Legion Hall/Community Center), equipment, plants or other facilities located in any parks and along any trails maintained by the District.

Board of Directors: Board of Directors shall mean the Board of Directors of the Twain Harte Community Services District.

District: District shall mean the Twain Harte Community Services District.

SECTION 2: District parks are designed primarily for use by individuals, families and small or large groups of people during the daylight and evening hours (not beyond 10:00 p.m., except by permit).

SECTION 3: All District parks shall close at 10:00 p.m. It shall be unlawful for anyone to be in a District park between 10:00 p.m. and daylight, or to park any vehicle in a park between these hours for camping or other purposes, except by permit.

The Board of Directors “may issue” special over-night camping permits to local groups, specifying location and rules for this privilege, to ensure there will be no interference with the primary use of the park.

SECTION 4: It shall be unlawful and a misdemeanor for any person, firm or corporation to do or cause or permit to be done any of the acts hereinafter specified within any park owned or operated by the District:

- (1) To loiter or remain in any park at any time between 10:00 p.m. and daylight of the following morning, unless prior written permission is obtained from the Board of Directors;
- (2) To enter or trespass in any area, building or facility which is fenced and locked or enclosed and locked;
- (3) To connect any mobile home, vacation trailer, camping trailer, pickup or truck camper or self-contained camping vehicle to any utility services or outlets provided by any park, except by permit;
- (4) To clean, wash, polish or make other than emergency repairs upon any automobile, motorcycle or self-driven vehicle in any park except by permit;
- (5) To erect clothes lines or wash lines in any park;
- (6) To dispose of any household garbage or other debris not generated on the premises in any of the containers provided by the District;
- (7) To litter in any park properties as described above;

- (8) To discard lighted or unlighted cigars or cigarettes in any area of any park properties;
- (9) To deface, damage, write upon, move, remove or otherwise injure any park facilities, improvements, rest room fixtures, buildings, athletic equipment, field equipment, park maintenance equipment or property, which would include doing “wheelies” in the snow or gravel areas with any type of vehicle, motorcycles, motor conveyance or bicycles where damage to property and/or endangering people or other vehicles and would include the use of bicycles on off-road property, thereby damaging property with excessive use **is absolutely forbidden**;
- (10) To cut, break, injure, drive upon, deface, or disturb any tree, shrub or plant;
- (11) To remove any turf, grass, soil, rock, sand or gravel or throw any type of materials, such as rocks, boards, bottles, cans, etc.;
- (12) To make or kindle a fire, except in designated barbeque facilities provided for that purpose, and bon fires are prohibited;
- (13) Dogs and/or pet animals are not allowed to run at large in any of park properties (including Eproson Ball Park) and must be under control at all times and on a leash;
- (14) To ride, lead, or drive any horse or other animal or propel any vehicle, bicycle, or automobile, except on roadways, operate a motor vehicle at a speed **“greater than five miles per hour”**, park any place in the public parks except where officially designated or violate any provisions of the vehicle code. No vehicle of any kind, except authorized

maintenance vehicles, are allowed within the undeveloped areas of the park properties;

- (15) To operate gasoline powered go-carts, model airplanes, midget cars or motorized scooters in any park;
- (16) To wound, kill, catch or harass any bird or other wild animal in any park property;
- (18) Except for law enforcement officers, to carry or bring any firearms, air guns, slingshots, archery equipment or fireworks into any park properties without the express written permission of the Board of Directors;
- (19) To play or engage in the hitting of golf balls, to include plastic golf balls, in any park properties;
- (20) To move any field equipment or park maintenance equipment from one location to another;
- (21) To indulge in indecent or riotous conduct in any park properties;
- (22) To indulge in any indecent language or to otherwise make noises in such a manner as to disturb, annoy or harass any other lawful user of the park properties;
- (23) To disturb or interfere unnecessarily with spectators or participants in any event conducted in any park or to enter any area provided for, or occupied by, spectators or participants at any such event for the purpose of doing any such act;
- (24) To sell or offer for sale any merchandise, article or thing, whatsoever, except upon a permit granted by the Board of Directors;

- (25) To practice, carry on, conduct or solicit for any trade, occupation, business, posting of signs, without a permit issued by the Board of Directors;
- (26) To use any park facility or equipment which has been reserved;
- (27) The use of the parks of the District is declared to be a privilege and the privileges of using parks may be revoked to any person using vulgar or offensive language to anyone at the parks and such privilege of use may be revoked for conduct that annoys or harasses any other lawful user of any park property;
- (28) To possess open containers of alcoholic beverages on any park property without permit.

SECTION 5: It is the policy of the District to preserve the peace and tranquility and the greatest beneficial use by the public of the District's park properties. No person, firm or organization shall conduct or sponsor a special community event without first obtaining a permit from the Board of Directors. As used herein, the term "special community event" shall be understood and construed to mean any activity or event that is open to the public. Applications for permits shall be made to the General Manager of the District on the forms supplied by said General Manager. Said applications shall be made at least 30 days prior to the proposed date for the special community event. All permit applications shall disclose the following information:

- (1) The name of the proposed event;
- (2) The purpose of the proposed event;
- (3) The date and time of the proposed event;
- (4) The applicant's name, address, and telephone number;

- (5) The beneficiary of any funds raised at the proposed event;
- (6) What group is expected to be served by the special event;
- (7) Whether or not alcoholic beverages will be served;
- (8) Whether or not alcoholic beverages will be sold and must obtain ABC permit from State Alcohol Board;
- (9) What District services and facilities are needed for the event;
- (10) What cleanup arrangements will be made;
- (11) What level of combined public liability and property damage insurance is planned.
- (12) For special events with expected attendance greater than 500 people, the event organizer must do the following:
 - a. A special meeting shall be held with THCS D staff at least 30 days prior to the event to review the requirements for using the park and to develop special permit conditions.
 - b. The event organizer must contact the following agencies, as appropriate to the event, for review and approval of the permit applications:
 - i. Sheriff's Office for law enforcement
 - ii. CHP for external event traffic control
 - iii. Community Sheriff's Unit (CSU) for internal & external event traffic control
 - iv. CalTrans for traffic controls, signage, barricades, cones, etc.
 - v. County Health & Human Services Department for medical tent and ambulance service
 - vi. ABC for alcohol sales permit

- vii. County Environmental Health for food services
- c. Traffic Plan: The event organizer must provide a sketch of venue and surrounding area with traffic pattern, location of officers, flaggers, detours, shuttle bus routes, parking, etc.
- d. Sanitation: The event organizer must submit a plan for garbage clean up during and after event. The plan must address portable toilets including handicap units of sufficient number to accommodate anticipated attendance.
- e. Parking: The organizer must make arrangement for additional parking, including handicap spaces and sufficient attendants.
- f. Communications: A system for two-way communications is needed and must be provided for traffic and crowd control.

All permits shall be subject to approval by the Board of Directors. The General Manager of the District may issue the permit upon his or her signature, when so authorized by the Board of Directors. The Board of Directors may condition the issuance of a permit, upon a deposit by the applicant of a reasonable cleanup deposit and a reasonable facility/utilities use fee in amounts to be determined by the Board of Directors. The cleanup deposit will be returned to the applicant if the facilities used are cleaned up to the satisfaction of the District's General Manager by a specified time on the day following the event. The facility/utilities use fee shall be nonrefundable.

No permit shall be issued, with the exception of private users, until the applicant has supplied the District with a copy of an insurance binder evidencing public

liability and property damage insurance coverage for the event with liability limits of not less than \$500,000.00 per person and \$1,000,000.00 per occurrence, and property damage limits of not less than \$100,000.00 per occurrence with an aggregate coverage of \$200,000.00. If alcoholic beverages are to be served or sold by a permittee, the liability limit per person shall be \$500,000.00.

Said insurance binder shall name the district as an additional insured. All other applicants shall be required to acknowledge in writing that they understand that the District's insurance coverage does not protect the applicant from third party claims that may arise out of their use of the District's facilities.

SECTION 6: Any violation of this Ordinance shall be a misdemeanor and shall be punishable up to the fullest extent of the law.

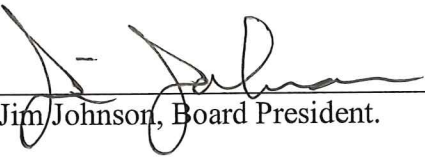
SECTION 7: This Ordinance shall take effect and be in full force from and after the date of its final passage, and before the expiration of 15 days after its final passage, it shall be posted in three public places, and for not less than 30 days within the Twain Harte Community Services District.

The foregoing Ordinance was revised at a regular meeting of the Board of Directors of the Twain Harte Community Services District held on October 14, 2010 and given a first reading at said meeting. Said Ordinance was given a second reading at a regular meeting of said Board of Directors on November 10, 2010 and at said meeting Director Kinsfather moved the adoption of said Ordinance, which motion was seconded by Director Malloy and upon roll call was carried by the following vote:

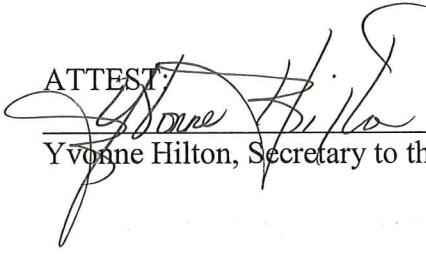
AYES, DIRECTORS: *Malby, Maxwell, Kinsfather, Knudson and Johnson.*

NOES, DIRECTORS: *None*

ABSENT, DIRECTORS: *None*



Jim Johnson, Board President.

ATTEST:


Yvonne Hilton, Secretary to the Board