

ORDINANCE 39

AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
AMENDING THE DISTRICT'S RULES AND REGULATIONS TO ADD
PROVISIONS RELATED TO RECREATION

THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY
SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The following Rules are added to Regulation 1 of
the District Rules and Regulations and the existing Rules of
Regulation 1 are renumbered accordingly:

Rule 1.65. PARK SYSTEM means Hiller Park, Pierson Park,
or any other area in the Distarict, owned or used by the
District and devoted to recreation.

Rule 1.66. VEHICLE means any wheeled conveyance, whether
motorpowered, animal drawn, or self propelled. The term
shall include any trailer in tow of any kind or size.

Section 2. The following Regulation is added to the
District's Rules and Regulations and the existing Regulations
are renumbered accordingly:

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REGULATION 41 - PARK SYSTEM

Rule 41.01. INJURY TO OR MISUSE OF PARK SYSTEM PROPERTY. NO PERSON SHALL:

(A) Willfully mark, deface, injure, tamper with, or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, bleachers, ball fields, water lines, paving or paving materials or other public utilities or parts thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park system property or appurtenances whatsoever, either real or personal.

(B) Litter, soil or defile rest rooms. Persons under the age of six (6) shall be accompanied by an adult when using the restroom.

(C) Remove any soil, rock, stones, trees, shrubs, or plants, down timber or other wood or materials or make any excavations by tool, equipment or any other means or agency.

(D) Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public utility into, upon or across such land.

(E) Trespass upon any area where prohibited.

(F) Hunt, molest, or otherwise harm wildlife within the park system.

(G) Announce, advertise or call the public attention in any way to any article or service for sale or hire, except by permit.

(H) Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever in any park without a permit.

(I) Use any system for amplifying sounds, whether for speech or music or otherwise upon any District grounds unless a special permit is first secured from the Manager.

Rule 41.02. POLLUTING WATERS OR DUMPING REFUSE PROHIBITED. NO PERSON SHALL:

(A) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, stream or any other body of water in or adjacent to any component of the Park System or any tributary, stream, storm sewer or drain flowing into such waters any substance, matter or things, liquid or solid, which will or may result in the

pollution of said waters.

(B) Dump, deposit, or leave any trash, except in proper receptacles.

Rule 41.03. OPERATION OF MOTOR VEHICLES AND MOTORCYCLES-
PROHIBITED ACTS. NO PERSON SHALL:

(A) Fail to comply with all applicable provisions of the Vehicle Code of the State of California in regard to equipment and operation of vehicles together with such regulations as are contained in this ordinance.

(B) Fail to obey all police officers and District Employees who are hereafter authorized and instructed to direct traffic whenever and wherever needed in the park in accordance with the provisions of these regulations.

(C) Fail to observe carefully all traffic signs, parking, and all other signs posted for the proper control and to safe guard life and property.

Rule 41.04. CONDUCT - ALCOHOLIC BEVERAGES:

(A) Picnickers may use alcoholic beverages with their picnic meals in designated areas in the Park System, provided they conduct themselves in an orderly manner.

(B) Alcoholic beverages may be sold by permit only for those park units where sales are not prohibited.

(C) No person shall be under the influence of intoxicating liquor as provided in Section 647 (F) of the California Penal Code.

REGULATION 42 - OPERATION OF HILLER PARK

Rule 42.01. PICNIC AREA USE. Groups or organizations desiring to use any portion of the picnic area or any of the buildings or structures in Hiller Park for the purpose of holding picnics to the exclusion of other persons may do so by permit only. Pets in the Picnic area must be on a leash. Horses are prohibited in the Picnic area.

Rule 42.02. OVERNIGHT USE PROHIBITED. There is to be no camping or loitering on the grounds or in public buildings between sunset and sunrise.

Rule 42.03. FIRES. Fires will be allowed in buildings and on

grounds only in those areas equipped with fireplaces for the containment of fires.

REGULATION 43 - PERMITS, FEES AND DEPOSITS

Rule 43.01. PERMITS REQUIRED. A valid permit is required for groups to use any facility to the exclusion of all others, to use any system for amplifying sounds or to sell alcoholic beverages.

Rule 43.02. PERMIT PROCESS. A person seeking issuance of a permit hereunder shall file an application on the form provided by the District to the Manager along with the required use fee and Clean Up Deposit at least two weeks prior to the event. The District Manager shall either approve or disapprove the permit based on the Criteria set forth herein and notify the applicant. No application shall be approved unless the applicant furnishes liability coverage acceptable to the District. The Manager may impose conditions for approval.

Rule 43.03. PERMIT FEES. A filing fee of \$20.00 shall be charged for and must accompany each application for any permit required hereunder. The permit fee is a non-refundable processing fee.

Rule 43.04. DEPOSIT. A deposit of \$50.00 must accompany each application for any permit required hereunder. The deposit shall be returned to the applicant within ten working days if the site is restored to preuse condition. If District cleanup is required to restore the site to preuse conditions the deposit will be forfeited.

Rule 43.05. PERMITS FOR EXCLUSIVE USE OF FACILITIES. The Manager shall only grant a permit for the exclusive use of any facility when each of the following findings can be made:

- (A) That the requested area of the park is available during the period for which the permit is requested.
- (B) That the expected attendance does not exceed the capacity of the area.
- (C) That the use for which the permit is sought complies with the use established for the area of the park requested.

Rule 43.06. PERMITS FOR USE OF SOUND SYSTEM: The Manager shall only grant a permit for the use of any Sound Amplification system when each of the following findings can be made:

- A. That the sound system proposed will not unduly inconvenience or disturb neighboring properties or other park users.
- B. That the maximum noise from use of the sound system complies with Humboldt County's Noise Regulations.
- C. That the sound system is essential to the purpose of the proposed activity.
- D. That the use for which the permit is sought complies with the use established for the area of the park requested.

Rule 43.07. PERMITS FOR SALE OF ALCOHOLIC BEVERAGES. The Manager shall only grant a permit for sale of alcoholic beverages when each of the following findings can be made:

- A. That the person or organization seeking the permit has a valid permit from the Alcoholic Beverage Commission to sell alcohol.
- B. That the person or organization seeking the permit has arranged for adequate private security.
- C. That the use for which the permit is sought complies with the use for the area of the park requested.

Rule 43.08. APPEALS.

(a) An appeal of the action of the Manager on any Permit Application pursuant to this regulation must be in writing and filed by or on behalf of the Applicant within ten (10) days after the action of the Manager on the Application.

(b) The appeal shall set forth in detail the factual and legal basis of the appeal.

(c) The BOARD OF DIRECTORS shall consider and act on the appeal within forty five (45) days after the appeal is filed. The Applicant shall be entitled to submit oral or written evidence to the Board in support of the appeal. Action of the BOARD OF DIRECTORS on the appeal shall be final.

REGULATION 44 - ENFORCEMENT

Rule 44.01. VIOLATIONS. Any violation of these rules relating to the use of the District's park and recreation facilities is a misdemeanor, punishable by law.

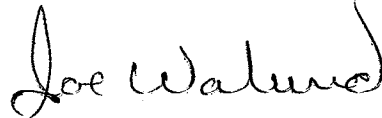
Section 3. This ordinance when effective shall be added to the Rules and Regulations of the District as a codified ordinance of the Board of Directors of the McKinleyville Community Services District.

On the Motion of Director ED ESTES and seconded by Director GRANT RAMEY, the foregoing ordinance is duly adopted on second reading this 16TH day of AUGUST, 1990 by the following vote:

AYES: ESTES, HARLING, SHEPHERD, RAMEY, WALUND

NOES: NONE

ABSENT: NONE



President, Board of Directors
McKinleyville Community Services
District

ATTEST:


Secretary, Board of Directors
McKinleyville Community Services District

I, BARBARA L. BETHEL, Secretary to the Board of Directors of the MCKINLEYVILLE COMMUNITY SERVICES DISTRICT, hereby certify that the foregoing is a full, true, and correct copy of an ordinance duly adopted this 16TH day of AUGUST, 1990.


Secretary to the Board of
Directors of McKinleyville
Community Services District

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