ORDINANCE NO. 1411

AN ORDINANCE REPUBLISHING CHAPTER 19
OF THE SOLANO COUNTY CODE
CONCERNING PARKS AND RECREATION

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Chapter 19 of the Solano County Code entitled "Parks and Recreation," is hereby republished to read as follows:

CHAPTER 19.

PARKS AND RECREATION.

Article I. Parks, Playgrounds and Recreation Fund.

§ 19-10. Created.

Article II. In General.

§ 19-22. Authority of parks division--Certain employees authorized to issue citations and carry weapons.
§ 19-23. Same--Closing or restricting use of parks and facilities.
§ 19-25. Use permits--Required fees to be paid; refund of fees; term of validity; annual permits; persons exempt from requirements of section.
§ 19-26. Same--Revocation; persons expelled from parks.
§ 19-27. Camping regulations.
§ 19-29. Swimming.
§ 19-31. Pets.
§ 19-32. Firearms and other weapons.
§ 19-33. Prohibited acts.

Article III. Lake Solano Park.

§ 19-40. Boating regulations for Lake Solano and Putah Creek.
Article I. Parks, Playgrounds and Recreation Fund.

Sec. 19-10. Created.

Pursuant to the provisions of section 25252 of the state Government Code, there is created a parks, playgrounds and recreation fund, which shall be set forth in each annual budget and be in addition to any other fund allowed by law and shall be known as follows: "Park, Playgrounds and Recreation Fund." (Ord. No. 810, § 1.)

Sec. 19-11. Levy and collection of taxes for maintenance of fund.

The board of supervisors shall each year, in the same manner that they provide for the levy and collection of taxes for other purposes, provide for the levy and collection of such taxes as may be necessary to accumulate or maintain the fund for parks, playgrounds and recreation in such an amount as may be set forth and provided in each annual budget of the county. (Ord. No. 810, § 1.)

Sec. 19-12. Expenditures permitted.

The fund accumulated as provided in this article may be expended for all purposes necessary for the furtherance of the establishing of parks, playgrounds and recreation. This includes, but is not limited to, the acquisition of real and personal property, construction, reconstruction and remodeling of buildings. (Ord. No. 810, § 1.)

Article II. In General.

Sec. 19-20. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them herein, unless the text clearly indicates otherwise:

Boat. An undocumented vessel or device other than an aquaplane or water-ski, in or upon which persons or property may be transported upon, under or over the surface of water including, but not confined to any boat, raft, barge, canoe, skiff, dingy, rowboat, sailboard, sailing vessel, yacht, motorboat, motor vessel, float, pontoon, commercial boat, launch and ship.

County. The County of Solano.

County park.

(a) An area owned by the county and designated by it for public park purposes.

(b) An area owned by some other public entity and used or operated by the county for public purposes.

Horse. Includes mule and donkey, or other rideable animal.

Parks division. The county parks division of the general services department of the county.

Power boat. Any boat powered by electricity or any internal combustion type motor or engine.
Shall. Shall is mandatory; may is permissive.
Vehicle. A device by which any person or property may be propelled, moved or drawn over land, excepting a device moved by human power.

Sec. 19-21. Penalty for violation of chapter.
Every person who violates any of the provisions of this chapter, except provisions directory to the parks division, is guilty of a misdemeanor, and upon conviction thereof, is punishable by imprisonment in the county jail for not more than six months, or by a fine of not more than five hundred dollars, or both. (Ord. No. 810, § 1.)

Sec. 19-22. Authority of parks division--Certain employees authorized to issue citations and carry weapons.

The manager of the parks division, park ranger supervisors and park rangers, not including park ranger trainees, are hereby designated by the Solano County board of supervisors as local park rangers under the provisions of California Penal Code section 830.3(m). The primary duty of the persons so designated shall be the protection of park property, and preservation of the peace therein. The persons designated above shall be authorized to carry firearms.

The manager of the parks division, park ranger supervisors, and park rangers are hereby granted the authority to issue citations, in accordance with the provisions of the California Penal Code section 853.6, for any violations of ordinances of the county or a city, committed within a county park and within their presence.

The designated employees shall receive a course of training in the exercise of a peace officer's powers to arrest and a course of training in the carrying and use of firearms, as prescribed by provisions of California Penal Code section 832. (Ord. No. 810, § 1; Ord. No. 983, § 1.)

Sec. 19-23. Same--Closing or restricting use of parks and facilities.

The parks division is authorized to close to public use any county park or portion thereof, or any lake or stream therein, to restrict the times when the same shall be open to such use and to limit or prohibit boating, fishing or other recreational uses thereof, whenever, in its judgment, it deems it prudent to take any of such actions in order to safeguard the health and safety of the park or any of its facilities.

Good cause to take any such actions shall include, but not be limited, to the following: Unreasonable fire hazard, dangerous weather or water conditions, sanitary protection of a watershed,
construction or repairs in a park, conservation of fish or game, excessive boat traffic, unsafe or unsuitable shoreline, ramp, parking or road conditions, the prevention of damage to the park or any of its facilities, or any dangerous, unsafe or unhealthful condition. (Ord. No. 810, § 1.)

Sec. 19-24. Same--Power to direct public.

Employees of the parks division are authorized to direct the visiting public in county parks in its use of all facilities therein according to law and, in the event of a fire or other emergency, to expedite traffic or insure safety or to prevent pollution of any lake or stream, may direct the public as conditions may require, notwithstanding the provisions of this chapter.

Sec. 19-25. Use permits--Required fees to be paid; refund of fees; terms of validity; annual permits; persons exempt from requirements of this section.

(a) All permits, certificates or decals issued by the parks division authorizing the use of a county park or any of its areas or facilities, and the fees, if any, for same shall be in accordance with schedules adopted from time to time by resolution of the county board of supervisors.

(b) No person shall enter or use any county park or any of its facilities without first paying the prescribed fee, if any, to the parks division at an established point of entry or collection, and receiving an appropriate permit, certificate or decal. No person shall, upon leaving a park, refuse to exhibit to the parks division, upon its demand, any permit which has been issued.

(c) No fee shall be refunded unless refunds have been authorized by resolution of the county board of supervisors.

(d) Annual permits shall be valid for the calendar year in which issued, terminating on December 31 thereof, unless sooner revoked for cause.

(e) Annual vehicle permits shall be affixed to the vehicle windshield, and shall not be transferable to other vehicles owned concurrently by the same or other owners.

(f) The following persons are exempt from the permit and fee requirements of this section: Officers, employees, agents and contractors (and employees of the latter) of any governmental entity, while engaged in the performance of their duties; concessionaires of the county and their agents, employees, suppliers and contractors, while on the business of the concessionaire; employees of public utilities while in the performance of their duties; such other persons as may be designated by resolution of the county board of supervisors. (Ord. No. 810, § 1.)

Sec. 19-26. Same--Revocation; person expelled from parks.

(a) The parks division is authorized to revoke any permit, certificate or decal which it has issued, when:
(1) It was issued unlawfully or erroneously.
(2) Such division has reasonable grounds to believe that the person to whom it was issued has violated any provisions of this chapter or of state law, in which latter case the department may also expel such person forthwith from the park.
(b) No person who has been ordered expelled from a county park shall remain therein.
(c) The parks division may, at its discretion, refuse to admit to a county park any person who has previously been expelled from a county park.
(d) The parks division may take possession of any permit, certificate or decal which it has revoked or which is fictitious, and no person shall fail or refuse to surrender the same to the parks division upon its demand therefor. (Ord. No. 810, § 1.)

Sec. 19-27. Camping regulations.

(a) No person shall camp within a county park without a valid, unexpired, unrevoked permit therefor. The parks division may at any time revoke the camping permit of any person if the campsite occupied by such person is not maintained by that person in a reasonably clean, sanitary and attractive manner.
(b) No person shall camp within a county park except within designated camping areas.
(c) The holder of a camping permit shall affix it to the person's campsite marker. No person shall move, mutilate or destroy any campsite marker or permit without the prior consent of the parks division.
(d) Camping permits may be issued so as to expire after a maximum of fourteen days, but may, at the discretion of the parks division, be extended. All camping permits expire at 2:00 P. M. on the expiration day.
(e) No person shall, without the prior approval of the parks division, park more than two motor vehicles, or one motor vehicle and one boat trailer, at any one campsite in a county park.
(f) Quiet shall be observed in all camping areas of a county park between the hours of 10:00 P. M. and 7:00 A. M. No person shall make any loud or boisterous noise of such a nature as to disturb the repose of other persons in such areas between such hours.
(g) No person under the age of eighteen shall camp within a county park unless accompanied by an adult. (Ord. No. 810, § 1.)


(a) The parks division is authorized to establish and designate such restricted boating areas and speed zones on any lake in a county park as are reasonably necessary for the safety of persons and property.
(b) The parks division is authorized to designate parts of a lake in a county park for the exclusive use of such specific classes of boats and during such specific times as will, in its judgment, best serve the interests of the boating public.
(c) No person shall, within a county park:

1. Operate a boat without a valid and unrevoked permit to do so from the parks division.
2. Operate a boat within a prohibited area when such area has been so designated by official parks division waterways markers.
3. Operate a boat in violation of sailing patterns and buoy markings posted or placed by parks division.
4. Operate a boat at a speed greater than five miles per hour within two hundred feet of any boat landing dock, ramp, logboom or regular beaching area, or within one hundred feet of any boat that is not under way.
5. Operate or occupy any boat while afloat during hours of darkness, without prior approval of the parks division.
6. Keep any boat on shore overnight, except in any area designated by the parks division.
7. Leave a boat which is in a person's care, custody and control unattended at a dock for a period of more than fifteen minutes, or at any other place while afloat for a period of more than eight hours without prior written approval of the parks division.
8. Launch any boat at any place other than a launching area designated by the parks division.
9. Land or beach any boat, except at dock, ramps or other places designated by the parks division.
10. Operate any boat bilge pump except in an emergency.
11. Allow waste from boat washing to discharge into a lake or stream or onto any shore or bank thereof, except at such time and places as may be designated by the parks division.
12. Engage in an boat race, regatta, tournament or exhibition, operate a boat for hire or engage in sales promotion activities of any kind, without first obtaining the consent of the parks division.
13. Allow any boat which is in a person's custody, care or control to be operated by any person who is not competent to do so safely.

(d) Any boat which has been left unattended contrary to a provision of this section may be towed to a suitable storage area by the parks division, at the expense of the owner or other person responsible for such boat. The charges made by the parks division for such towing and storage shall be those established by resolution of the board of supervisors, and the county shall have a possessory special lien on such boat until such charges are paid. Such lien may be foreclosed in the manner provided by section 3052 of the state Civil Code. (Ord. No. 810, § 1.)

Sec. 19-29. Swimming.
Swimming will be allowed only in those areas designated by the parks division. (Ord. No. 810, § 1.)

(a) No person shall, within a county park:

(1) Drive a vehicle at a speed greater than five miles
per hour in a picnic area, campground or parking lot, or at a speed
greater than twenty-five mile per hour in any other area.

(2) Drive a vehicle on other than established vehicular
roads, trails or parking areas.

(3) Drive a vehicle unless the driver then holds a
valid driver's license issued to the driver by this or any other
state or foreign jurisdiction of which the driver is a resident.

(4) Drive a vehicle which has not been licensed by the
motor vehicle licensing authority of this or any other state.

(5) Park or leave unattended any vehicle or trailer in
other than an area designated by the parks division for such
parking.

(6) Drive any vehicle in wilful or wanton disregard for
the safety of persons or property.

(7) Drive a two or three wheel vehicle which is not
equipped with a factory approved spark arrester muffler.

(8) Drive any vehicle which makes an excessive or
unusual noise.

(b) The parks division is authorized to move or remove any
vehicle or trailer which has been illegally parked in violation of
this section. (Ord. No. 810, § 1.)

Sec. 19-31. Pets.

(a) The parks division will require park visitors with dogs
to present a valid license or proof that the dog has valid rabies
inoculation. Pets shall be permitted with campers, only in that
portion of the park designated as overnight camping areas. All
pets, except guide dogs accompanying disabled persons, are
prohibited in day use areas.

(b) The parks division may refuse to admit to any county
park, any person who possesses:

(1) A pet that appears dangerous.

(2) More than two pets per vehicle.

(3) A pet which, in the judgment of the parks division,
is likely to disturb unreasonably other persons in such park.

(c) No person shall, within a county park:

(1) Allow any dog or other pet in the person's custody
to run unrestrained or on a secure leash over seven feet long.

(2) Allow any dog or other pet in the person's custody
to molest or annoy any person.

(3) Allow any dog or other pet in the person's custody
to be and remain tied up and left unattended outside of a tent or
trailer in a camp area during daylight hours.

(4) Allow any dog or other pet in the person's custody
to be and remain tied up at night outside of a tent or trailer in
a camp area.

(5) Abandon therein any animal in the person's custody.
(Ord. No. 810, § 1; Ord. No. 980, § 1.)

Sec. 19-32. Firearms and other weapons.

No person shall, within a county park, use or discharge any
firearm, pellet gun, bow and arrow, crossbow, slingshot or missile
launching device, except:
Sec. 19-33. Prohibited acts.

No person shall, within a county park:

(a) Throw, dump, or deposit upon the surface of the ground, except in containers placed by the park division, any trash, refuse, garbage, litter or waste material.

(b) Throw, dump, or deposit into the waters of any lake or stream, or upon the shore or banks thereof, any trash, refuse, garbage, litter, waste material or petroleum product, or any noisome, nauseous or offensive matter of any kind.

(c) Throw or deposit any burning substance into or onto any combustible place or area, except into an authorized firepit or incinerator.

(d) Bring into such park any vehicle, trash, refuse, garbage, litter or waste material for the purpose of leaving it therein.

(e) Build, kindle or use any cooking or similar fire, except in a camping or picnicking area in a firepit, stove, incinerator or other similar facility provided by, or approved by, the parks division.

(f) Leave unattended any fire kindled by the person.

(g) Smoke in any area thereof which the parks division has determined to be a hazardous fire area, provided signs are in place giving notice thereof.

(h) Hunt, kill, injure or molest any animal or bird, or allow any child or animal in the person's care and custody to do so.

(i) Possess or use any fireworks or other explosives.

(j) Operate any sound amplifying equipment, except in accordance with the terms and conditions of a permit therefor issued by the parks division.

(k) Land any aircraft on any water or land therein, except in an emergency.

(l) Sell or advertise any produce or service, or carry on any other commercial activity, or distribute any handbill, tract, or other literature, without authorization by the county board of supervisors.

(m) Make any oration, harangue or other public demonstration without prior approval of the county board of supervisors.

(n) Perform or participate in any political rally or meeting, religious service or function, or any fund-raising activity, without prior approval of the county board of supervisors.

(o) Bring therein a horse, without first obtaining the permission of the parks division.

(p) Allow any horse which a person was permitted to bring into the park by the parks division, to be in any camping or picnicking area thereof, or in any part of such park outside of established equestrian trails or designated equestrian areas.
(c) Cut, pick, mutilate, remove or destroy any vegetation, or remove soil or rock or natural material, except as authorized by the parks division.

(r) Clean fish, except at such places as may be designated therefor by the parks division.

(s) Use any fish bait that does not conform to the state department of fish and game rules and regulations.

(t) Enter any area thereof where signs have been erected by the parks division forbidding such entry.

(u) Enter any fenced utility area, or remove, destroy or tamper with any valve, switch or control of any telephone, electrical, water or sewer line or system owned or operated by any public entity or public utility.

(v) Commit any act of vandalism, including, but not limited to, removing fixtures or equipment or destroying, painting, marking or defacing any building, sign, fixture or other equipment.

(w) Engage in any riotous, boisterous, threatening or indecent language, or operate a radio or musical instrument in such a manner as to disturb other persons.

(x) Wilfully fail or refuse to comply with any lawful order, signal or direction of any authorized parks division employee, or refuse to submit to any lawful inspection under this chapter. (Ord. No. 810, § 1.)

Article III. Lake Solano Park.

Sec. 19-40. Boating regulations for Lake Solano and Putah Creek.

(a) The operation of power boats on Lake Solano shall be prohibited, except those belonging to the county parks division or other governmental agencies which will be used for rescue maintenance operations.

(b) It shall be unlawful for any person to operate any boat on the waters of Putah Creek westerly of county road No. 293 at such time that:

1. The flow of water from Monticello Dam exceeds the rate of seven hundred fifty cubic feet per second; and
2. Control signs or devices prohibiting boating are posted at Putah Creek fishing access area.

(c) The parks manager shall cause control signs or devices prohibiting boating to be posted at the Putah Creek fishing access area at such times as the flow of water at Monticello Dam exceeds the rate set forth in subsection (b) of this section. (Ord. No. 810, § 1.)

SECTION II.

Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a summary of this Ordinance, with the vote of the
members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be in the DAILY REPUBLIC, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

A certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk to the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors, at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the Office of the Clerk to the Board of Supervisors, at least FIFTEEN (15) DAYS after adoption of the ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

ATTEST:

LINDA TERRA, Clerk to the Board of Supervisors

I, LINDA TERRA, Clerk to the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held the 14th day of January, 1992.

On the motion of Supervisor Stewart and the Second of Supervisor Caddle, this Ordinance was adopted at a regular meeting of said Board on the 28th day of January, 1992, by the following vote:

AYES: SUPERVISORS Caddle, Carroll, Stewart and Chairwoman Simmons

NOES: SUPERVISORS None

ABSTAINED: SUPERVISORS None

ABSENT: SUPERVISORS Davis

WITNESS my hand and the Seal of said Board this 28th day of January, 1992.

LINDA TERRA, Clerk to the Board of Supervisors

By LINDA TERRA, Deputy