




# Conejo Recreation & Park District

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**GENERAL MANAGER**  
Jim Friedl

**BOARD OF DIRECTORS**  
George M. Lange, Chair  
Doug Nickles, Vice-Chair  
Chuck Huffer, Director  
Nellie Cusworth, Director  
Marissa Buss, Director

**GENERAL MANAGER EMERITUS**  
Tex Ward

**DATE:** September 5, 2024  
**TO:** Board of Directors  
**FROM:** Jim Friedl, General Manager   
**SUBJECT:** **Second Reading and Adoption of CRPD Ordinance No. 2024-1 – An Ordinance Establishing Rules and Regulations for CRPD Parks**

## RECOMMENDATION

Adopt Ordinance 2024-1 Establishing Rules and Regulations for CRPD Parks.

## DISCUSSION

The July 18, 2024, CRPD staff report and updated CRPD Ordinance Code (CPRD Ordinance 2024-1) are attached hereto. Since the introduction and first reading of the updated Ordinance Code on July 18, 2024, a public notice of the second public hearing and adoption of the updated Ordinance Code was published in the Thousand Oaks Acorn Newspaper on August 2, 2024.

The entire updated Ordinance Code (CPRD Ordinance 2024-1) has been posted on the homepage of the District's website ([www.crpd.org](http://www.crpd.org)) since July 30, 2024.

Should the Board adopt Ordinance 2024-1 this evening, the updated CRPD Ordinance Code will go into effect on October 6, 2024.

**CRPD Ordinance 2024-1 can be found at:**  
<https://www.crpd.org/public-documents-policies-forms>

**Attachment:** CRPD staff report dated July 18, 2024 including CRPD Ordinance No. 2024-1

## ADMINISTRATIVE OFFICES

403 West Hillcrest Drive, Thousand Oaks, CA 91360-4223  
805-495-6471 | 805-497-3199 | [parks@crpd.org](mailto:parks@crpd.org) | [www.crpd.org](http://www.crpd.org)



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**GENERAL MANAGER EMERITUS**  
Tex Ward

**DATE:** July 18, 2024

**TO:** Board of Directors

**FROM:** Jim Friedl, General Manager 

**SUBJECT:** Introduction and First Reading of CRPD Ordinance No. 2024-1 - An Ordinance Establishing Rules and Regulations For CRPD Parks

## RECOMMENDATION

Introduce Ordinance 2024-1 Establishing Rules and Regulations for CRPD Parks and set a public hearing for the September 5, 2024 meeting of the CRPD Board of Directors to consider adoption.

## DISCUSSION

The CRPD Ordinance Manual is the park “rule book” or “user manual” which sets the rules and guidelines for the public’s shared use and enjoyment of public park property. The Ordinance Manual evolved over decades as the population and the park system in the Conejo Valley grew.

Additions and revisions to Ordinances are needed over time to keep pace with changing state and federal laws and regulations, respond to developing case law, address challenges posed by new technologies, address evolving societal issues and concerns, protect public lands and facilities and generally preserve the health, safety and general welfare of the people recreating in public parks.

The CRPD Ordinance Manual was last updated in February 2020 with the prohibition of smoking & vaping in public parks.

In early 2024, staff met with Jocelyn Corbett, an attorney with the firm Dapeer Rosenblitt Litvak, LLP to begin the work to update and organize a new CRPD Ordinance Code. A working group with Ms. Corbett and staff from all 3 CRPD divisions (Recreation & Community Services, Parks and Planning and Management Services) along with COSCA Ranger representatives met regularly over the past 6 months to better organize and clarify the various code sections. The intent of the comprehensive update is not to dramatically change the substance of the Ordinance Code, but to better organize the code, clarify language and better reflect current practices and operations.

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During the CRPD Board meeting on June 6, 2024 there were suggested changes and improvements to the DRAFT CRPD Ordinance Code which have been incorporated into the Ordinance Code attached hereto. Section numbers have been adjusted to be as consistent with the existing COSCA Ordinance as possible.

The main purpose and philosophy of the Ordinance Code is not changing. CRPD seeks to inform and educate through the parks' rules and regulations and strives for voluntary compliance whenever possible. However, in limited instances, enforcement officers will need to enforce the Ordinance Code and issue Administrative Citations or Notices to Appear. Thus, once the new Ordinance Code is in place, there will still need to be staff training and communication with and distribution to partner agencies (like the Ventura County Sheriff's Office/Thousand Oaks Police Department and COSCA). In addition, the administrative citation process will require CRPD to update existing systems and processes. Once the new Ordinance Code is in effect, staff will begin the process of updating the park rules signs to reflect current codes.

Should the CRPD Board introduce Ordinance 2024-1, staff will set a noticed public hearing for September 5, 2024 for the Second Reading and adoption of the Ordinance which, if approved, would go into effect 31 days later.

Respectfully submitted,



Jim Friedl  
General Manager

Attachment: Ordinance No. 2024-1

## **STRATEGIC PLAN COMPLIANCE**

- 6.7 Maintain CRPD Ordinance Manual (now CRPD **Ordinance Code**). Review and Update Ordinance Manual as needed.

ORDINANCE NO. 2024-1

AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE CONEJO RECREATION AND PARK DISTRICT  
ESTABLISHING RULES AND REGULATIONS GOVERNING CPRD PARKS

WHEREAS, the Conejo Recreation & Park District (CRPD) has a comprehensive set of rules and regulations governing the use of CRPD parks, facilities and open space lands which has been amended and revised over the past 60 years; and

WHEREAS, the CRPD Ordinance Manual served as the Ordinance Manual for open space land owned by the Conejo Open Space Conservation Agency (COSCA) from 1977 until May 2009 when COSCA adopted its own rules and regulations governing COSCA open space; and

WHEREAS, additions and revisions to Ordinances are needed over time to keep pace with changing laws and regulations, respond to developing case law, address changes posed by new technologies, address evolving social issues and concerns, protect public lands and facilities and generally preserve the health, safety and general welfare of the people recreating in public parks, and

WHEREAS, multiple changes, amendments and additions to the CPRD Ordinance Manual over the years have created a document which could be improved with a comprehensive update and revision; and

WHEREAS, CRPD retained legal counsel to review the CRPD Ordinance Manual and to help draft the comprehensively updated and new "Conejo Recreation and Park District Ordinance Code;" and

WHEREAS, a Draft CRPD Ordinance Code, as well as Policies and Procedures for Facility Reservations, were presented and discussed during a regularly-scheduled CPRD Board meeting on June 6, 2024; and

WHEREAS, certain changes and improvements were suggested and are incorporated into this Ordinance Code; and

WHEREAS, this Ordinance was introduced and first read in title only during a duly-noticed public meeting of the CRPD Board of Directors on July 18, 2024.

**NOW, THEREFORE, the Board of Directors of the Conejo Recreation and Park District does ordain as follows:**

Part 1.

**CRPD ORDINANCE MANUAL 2024-1**

**AN ORDINANCE ESTABLISHING RULES AND  
REGULATIONS FOR CRPD PARKS**

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# ARTICLE I

## GENERAL PROVISIONS

### SECTION 101 – TITLE; CITATION; REFERENCE

This ordinance code shall be known as the “Conejo Recreation and Park District Ordinance Code,” and it shall be sufficient to refer to said as the “Conejo Recreation and Park District Ordinance Code” in any prosecution for the violation of any provision thereof, or in any other proceeding. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any of the code as an addition, amendment to, correction or repeal of the “Conejo Recreation and Park District Ordinance Code.”

### SECTION 102 – EFFECT OF CODE ON PAST ACTIONS AND OBLIGATIONS

The adoption of this Code does not affect prosecutions for ordinance violations committed prior to the effective date of this Code, does not waive any fee or penalty due and unpaid on the effective date of this Code, and does not affect the validity of any cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

### SECTION 103 – PURPOSE/SEVERABILITY

The purpose of this Ordinance Code is to provide rules to govern the use of District parks, Open Space, and buildings in order that all persons may enjoy and make use of such District parks, Open Space, and buildings, to protect the rights of all concerned, and to establish provisions for enforcement of the Ordinance Code. If any provision or clause of these ordinances or the application thereof is held invalid or unconstitutional, such declaration shall not affect the other provisions or applications of these ordinances which can be given effect without the invalid provision or application and, to this end, the provisions of these ordinances are declared to be severable.

### SECTION 104 – DEFINITIONS

The following words and phrases, whenever used in these ordinances, shall be construed as defined in this section:

“**Aircraft**” shall mean the use of any manned or unmanned, full-size, or scale model flying craft.

“**Alcoholic Beverage**” shall mean alcohol, spirits, liquor, wine, beer, and every liquid or solid containing one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or combined with other substances.

“**Amplified Sound**” shall mean sound projected and transmitted by electronic equipment, including amplifiers, radios, or other devices.

“**Article**” shall mean an article of this ordinance unless some other ordinance, policy, or statute is stipulated.

"**Board**" shall mean the Conejo Recreation and Park District Board of Directors.

"**Boating**" shall mean the use of any manned or unmanned, full-size, or scale model floating vessel.

"**Building**" shall mean any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals, chattel, or property of any kind.

"**Camp**" means to pitch or occupy camp facilities; to use camp paraphernalia.

"**Camp Facilities**" include, but are not limited to, tents, huts, temporary shelters, trailers, motor homes, camper, or vehicles otherwise used for shelter.

"**Camp Paraphernalia**" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-CRPD or non-COSCA designated cooking facilities and similar equipment.

"**Carrying Capacity**" shall mean the maximum number of patrons allowable at a facility as determined by the sum of the space requirements for various activities and the expected number of individuals participating in a particular activity.

"**City or CTO**" shall mean the City of Thousand Oaks.

"**City Manager**" shall mean the City Manager of the City of Thousand Oaks or a designated representative. The City Manager is COSCA's co-Chief Administrative Officer.

"**Code**" or "**District Code**" shall mean this Conejo Recreation and Park District Ordinance Code.

"**Commercial**" shall mean any venture by a person, business, or other entity for profit.

"**Conejo Recreation and Park District**" or "**CRPD**" shall mean all lands and facilities, including parking lots, under the ownership of or subject to the Conejo Recreation and Park District, a special district.

"**Conejo Recreation and Park District Facility Reservations Policies and Procedures**" or "**CRPD Policies & Procedures**" shall mean the compilation of policies, procedures and regulations concerning permits, fees and park/facility use requirements approved by the Board and amended from time to time.

"**COSCA**" or "**Conejo Open Space Conservation Agency**" shall mean the agency established pursuant to the Joint Powers Agreement between the Conejo Recreation and Park District and the City of Thousand Oaks and all lands and facilities, including parking lots, under ownership of or subject to the Conejo Open Space Conservation Agency (COSCA)'s management authority.

"**COSCA Manager**" shall mean the COSCA Manager or a designated representative.

"**COSCA Ordinance Manual**" shall mean the compilation of the rules and regulations adopted by the COSCA Board of Directors, as may be amended from time to time.

"**CRPD General Manager**" shall mean the chief administrative officer of the Conejo Recreation and Park District or his/her designee. The CRPD General Manager is COSCA's co-Chief Administrative Officer.

"**Damage**" shall mean to injure, mutilate, deface, destroy, cut, chop, girdle, dig, excavate, kill, or in any way harm or disturb.

**“Disabled Persons”** shall mean “disabled persons” as defined under Section 295.5 of the California Vehicle Code.

**“District”** shall mean the Conejo Recreation and Park District.

**“District Parks”** shall mean all lands and facilities under ownership or control of Conejo Recreation and Park District, including CRPD Open Space.

**“Employee”** shall mean any employee of CRPD, COSCA, or the City of Thousand Oaks, who is authorized to be a representative for or perform work on CRPD property, COSCA Open Space, or CTO Open Space.

**“Encroach” and “Encroachment”** shall include but not be limited to the performance of any of the following acts:

1. Erecting, Constructing, placing, storing or maintaining any pathway, trail, sidewalk, obstruction, monument, landscaping, patio, pool, treehouse, swing, bike ramp, bike jump, irrigation line, debris, post, fence, guardrail, wall, loading platform, curb, gutter, driveway, surfacing, culvert, drainage facility, pipe, conduit, cable or any other structure, over, under, or within District Parks or Open Space.
2. Planting any tree, shrub, grass, or growing thing within District parks or Open Space.
3. Clearing, removing, or otherwise altering vegetation, rocks, or other natural features in District parks or Open Space without a valid easement or other authorization from CRPD General Manager.

**“Enforcement Officer”** shall mean those public officers and employees who have been designated by the General Manager to have authority to enforce the provisions of this Code and applicable Local Ordinances, as defined herein.

**“Facility”** shall mean any building or park under the management of CRPD or COSCA and available for public use.

**“Geocaching”** shall mean a recreational activity requiring the participant to search for hidden items or landmarks using a global positioning system and coordinates retrieved from a website or other source.

**“Interference”** shall mean threatening, resisting, intimidating, or intentionally obstructing a CRPD employee or agent engaged in an official duty, or on account of the performance of an official duty.

**“Livestock”** shall mean domestic or animals normally kept or reared on a farm or ranch for work, breeding, fattening, or other purposes including, but not limited to, horses, bovines, sheep, swine, and goats.

**“Local Ordinances”** shall mean and include the COSCA Ordinance Manual, the MRCA Park Ordinance, the Rancho Simi Recreation and Park District Ordinance Code, and the Thousand Oaks Municipal Code, as defined herein.

**“Major Impact”** shall apply when the nature of the activity or proposed use is found to (1) limit the use of the facility, (2) cause damage or nuisance to the neighbors, (3) require parking beyond capacity of the park, or (4) any use that is deemed extraordinary.

**“Management Authority”** shall mean the management of parks, Open Space, and improvements which may be demonstrated by, but is not limited to, contracts, memoranda of understanding, agreements, licenses, governmental resolutions, easements, or the Joint

Powers Agreement entered into by the CRPD, COSCA, and City on October 18, 1977 (as amended).

**“Model Craft”** shall mean any unmanned land, sea or air vehicle, or any unmanned aircraft that is (1) capable of sustained flight in the atmosphere, (2) flown within visual line of sight of the person operating the aircraft, and (3) flown for hobby or recreational purposes.

**“Mountain Recreation and Conservation Authority” or “MRCA”** shall mean the agency established pursuant to the joint powers act between the Conejo Recreation and Park District, the Santa Monica Mountains Conservancy, and the Rancho Simi Recreation and Park District.

**“MRCA Park Ordinance”** shall mean the compilation of the rules and regulations adopted by the MRCA Board of Directors, as may be amended from time to time.

**“Nature Preserves”** shall mean District designated areas to protect the resources and/or flora and fauna.

**“Open Space”** shall mean all lands or bodies of water under the ownership, management, and/or control of the Conejo Recreation and Park District, Conejo Open Space Conservation Agency, and the City of Thousand Oaks that are left in a natural vegetative state with limited public access.

**“Organization”** means a recognized association, partnership, firm, or corporation. For purposes of enforcement of this Code, CRPD shall not be deemed an organization.

**“Out-of-District Group or Organization”** shall mean any group, organization, association, partnership, firm, or corporation located outside the boundaries of the CRPD or COSCA or when fewer than 50 percent of the participants are District residents.

**“Park”** shall mean all grounds, roadways, building, structures, and lands acquired by Conejo Recreation and Park District (CRPD) or COSCA (Conejo Open Space Conservation Agency) or any area to which CRPD or COSCA holds title or exercises delegated authority.

**“Park Ranger” or “Ranger”** shall mean any sworn CRPD or COSCA peace officer pursuant to Penal Code 830.31(b).

**“Permit”** shall mean a permit for use of parks, Open Space, equipment, or buildings as provided for and defined within these ordinances.

**“Person”** shall mean any individual or group of individuals.

**“Rancho Simi Recreation and Park District”** shall mean all lands and facilities, including parking lots, under the ownership of or subject to the Rancho Simi Recreation and Park District, a special district.

**“Rancho Simi Recreation and Park District Ordinance Code”** shall mean the compilation of the rules and regulations adopted by the Rancho Simi Recreation and Park District Board of Directors, as may be amended from time to time.

**“Resident/Public/General Public”** shall mean any person who resides within the boundaries of the Conejo Recreation and Park District (CRPD) and/or Conejo Open Space Conservation Agency (COSCA).

**“Section”** shall mean a section of this ordinance manual, unless some other document, statute or policy is specifically identified.

**“Smoke” or “smoking”** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for

inhalation, whether natural or synthetic, in any manner or in any form. "Smoke" or "smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing a prohibition on smoking.

**"Store"** means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location

**"Structure"** shall mean anything constructed or erected which requires a location on or in the ground or which is attached to something having a location on or in the ground, such as signs, flagpoles, or similar appurtenances, including a building or a building's architectural features and roof appurtenances required to operate and maintain the building.

**"Thousand Oaks Municipal Code"** or **"TOMC"** shall mean the Municipal Code of the city of Thousand Oaks, including but not limited to Section 10.32.010 of Los Angeles County Code Title 10, as adopted by the city of Thousand Oaks and codified in the Thousand Oaks Municipal Code at Section 6-1.100. With the exception of Section 10.32.010, in the event of a conflict between any provision of the TOMC and this Code, the provision of this Code shall take precedence.

**"Trail"** shall mean any path or access through District or COSCA lands constructed or maintained for the intended use of pedestrians, disabled patrons, equestrians, or bicyclists.

**"Vaping"** shall mean inhalation and exhalation of vapor of liquid from a usually battery-operated electronic device.

**"Vehicle"** shall mean every device by which any person or property is or may be transported or drawn upon land, Open Space, or a street or highway excepting devices moved by human power or used exclusively upon trails.

**"Waters"** shall mean any lake, reservoir, pond, stream, creek, river, or other standing or flowing body of water within a park site.

## **SECTION 105 – AUTHORITY**

The Board of Directors authorizes the General Manager to implement and administer this code, and the policies, ordinances, and regulations contained herein. Whenever a power is granted to, or a duty imposed on, the General Manager, the power may be exercised, or the duty performed, by the General Manager or by any other employee or agent so designated or assigned by the General Manager. Unless this policy expressly provides otherwise, the General Manager or other employee or agent so designated or assigned such duties shall enforce the provisions of this Code. The General Manager shall have the authority to promulgate reasonable rules and regulations as may be necessary or convenient to implement the provisions of this Code and to protect the public health, safety and welfare and the resources under the District's care and control.

## **SECTION 106 – USE PERMIT**

No person shall use a park or facility or any portion thereof without a current and valid use permit, where a permit is required as set forth in the CRPD Policies & Procedures.

## SECTION 107 – RIGHT OF APPEAL

### A. Permits

An applicant may appeal the decision of a District representative to the CRPD General Manager regarding park and building permits. Applicant must file such appeal with the General Manager within 48 hours of the notification of the representative's decision. The General Manager may hold a hearing within three working days of the filing of such appeal at which time applicant may present any and all evidence, testimony, and information relative to the application. The General Manager shall, within 72 hours of said appeal hearing, issue a decision either affirming or denying the application or direct that a permit be issued subject to appropriate terms and conditions. The General Manager shall specify grounds for denial, cancellation or revocation. Failure to timely file an appeal shall be deemed a waiver of the right of appeal, and the General Manager's decision shall be final and binding. The General Manager is authorized to delegate appeal hearing authority to a District employee or other person to act as an independent hearing officer.

The decision of the General Manager shall be final unless an appeal is made to the Board of Directors. Applicant must file such appeal with the CRPD Board of Directors within 48 hours of the notification of the General Manager's decision and tender the appeal fee, as established by the Board by resolution, as may be amended from time to time. The Board shall agendaize such appeal at the next available and reasonable CRPD Board of Directors' regular scheduled meeting at which time applicant may present any and all evidence, testimony, and information relative to the application. The CRPD Board of Directors at the meeting shall issue a decision either affirming or denying the application, or direct that a permit be issued subject to appropriate terms and conditions. The CRPD Board of Directors shall specify grounds for denial. The Board decision is final, subject only to judicial review in accordance with the timeline set forth in California Code of Civil Procedure, Section 1094.6.

### B. Park Exclusion (CRPD Code Section 240)

A person who has been excluded from a park or facility by the General Manager pursuant to Section 240 of this Code may appeal the decision. Such person must file such appeal with the General Manager within 48 hours of the notification of the General Manager's or his/her representative's decision. The General Manager may hold a hearing within three working days of the filing of such appeal at which time applicant may present any and all evidence, testimony, and information relative to the application. The General Manager shall, within 72 hours of said appeal hearing, issue a decision either upholding, rescinding or modifying the exclusion order, specifying the grounds for the decision. Failure to timely file an appeal shall be deemed a waiver of the right of appeal, and the General Manager's decision shall be final and binding. The General Manager is authorized to delegate appeal hearing authority to a District employee or other person to act as an independent hearing officer. The General Manager's decision is final, subject only to judicial review in accordance with the timeline set forth in California Code of Civil Procedure, Section 1094.6.

## SECTION 108 – VIOLATION OF PERMIT

Violation of any terms and conditions of the permit by permittee or any agent, employee, or invitee of permittee is prohibited. The General Manager reserves the right to revoke any permit for a violation thereof, with or without notice to the persons or organization to whom the permit was issued.

## ARTICLE II

### PARK RULES AND REGULATIONS

#### SECTION 201 – USE OF PARKS; GROUP USE & SPECIALIZED USE

The District's reserveable areas may be made available for the use of persons and groups subject to the issuance of a permit and the payment of appropriate fees. A permit must be issued for the use of any park for pre-advertised assemblies, by groups consisting of 50 or more persons, and/or for events for which a fee is charged for entry. All applications for use of any park must be signed by an adult who shall agree to be responsible for said use.

Use of the District's neighborhood parks shall be guided by the park's carrying capacity and type of activity being conducted at each park.

#### SECTION 202 – VEHICLES AND PARKING

Parking violations are a civil liability and will be subject to an administrative adjudication process.

- a. No vehicle shall be operated on District Parks or Open Space outside of designated roadways. Exceptions may be made with written permission by the CRPD General Manager.
- b. No vehicle shall be parked on District Parks or Open Space except within designated parking areas or within designated markings. Exceptions may be made with written permission of the CRPD General Manager. Vehicles shall not block any gate.
- c. If the CRPD General Manager finds that a vehicle can be operated so as not to interfere in any way with the protection of resources and authorized use of District Parks or Open Space, permission may be granted to operate such vehicle under such restrictions and/or in such locations as the deemed appropriate by the General Manager. Parking such vehicle is permitted only in areas so designated.
- d. Vehicles operated within the boundaries of District parks or Open Space shall be driven at a careful and prudent speed not greater than is reasonable and proper with due regard for the traffic, surface, and width of the roads. In no event shall a vehicle be driven in District Parks at a speed greater than 15 miles per hour and 5 miles per hour in Open Space, except on any paved road over which there is an access easement or right-of-way, in which case drivers shall adhere to posted speed limits.
- e. No person who owns or has possession, custody, or control of any vehicle or unattached non-motorized vehicle, including but not limited to trailers, campers and boats, shall park upon any District Parks or Open Space for more than a period of fifteen (15) consecutive hours unless otherwise permitted by the CRPD General Manager.
- f. No person shall drive, move, or leave standing within District parks or Open Space any motor vehicle, or any unattached non-motorized vehicle, including but not limited to trailers, campers and boats, unless it is registered and the appropriate fees have been paid as required by law and the registration tab is properly displayed.

- g. No person shall operate a motorized vehicle in District parks or Open Space without a valid driver's license in their possession.
- h. No vehicle maintenance may be performed in District parks or Open Space except for minor repairs needed to move the vehicle. For purposes of this section, "minor repairs" shall be those for which the vehicle can be moved within fifteen (15) minutes of commencement of the work.
- i. No vehicle, or any unattached non-motorized vehicle, including but not limited to trailers, campers and boats, shall be parked in District Parks or Open Space after the closing time of the Open Space area, park or facility.
- j. Disabled Persons Parking Zones
  - 1. *Space identification.* Disabled persons parking shall be designated by blue striping to mark the stall and a profile view of a wheelchair printed within the stall or space as well as a sign with the same type of marking on it.
  - 2. No person shall fail to display, or improperly display, a handicap placard. A citation issued for illegal parking may be reduced to a \$10 fine by the CRPD General Manager when proof of a valid handicap placard is presented.
  - 3. No person shall operate any vehicle other than a vehicle bearing a distinguishing license plate defined by the California State Vehicle Code to stop or park such vehicle in a parking zone identified as reserved for disabled or handicapped persons. The fine for this violation shall be as prescribed by the Vehicle Code.
- k. Violation of the parking regulations set forth in this Section or established by the CRPD General Manager shall be unlawful and shall constitute a civil offense. Every person in violation of any parking regulation set forth in this Section shall be punishable by a fine.
- l. Vehicles parked in violation of the parking regulations set forth in this Section are subject to removal from District Parks or Open Space under certain circumstances, including but not limited to the following:
  - 1. When a vehicle is parked or left standing on District Parks or Open Space when the District Parks or Open Space is closed to public use.
  - 2. When a vehicle is parked or left standing upon a roadway in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard to other traffic upon the roadway.
  - 3. When a vehicle is parked so as to block the entrance to a driveway or is blocking a gate.
  - 4. When a vehicle is parked so as to prevent access by firefighting equipment to a fire hydrant or emergency service.
  - 5. When a vehicle is parked in any parking restricted zone.
  - 6. When a vehicle has been parked overnight or for more than a period of fifteen (15) consecutive hours.
- m. If an illegally parked vehicle is removed from District Parks or Open Space as provided for in this section, the owner shall be liable for all fees, towing, and storage charges.

This Section does not apply to the operations of CRPD- or COSCA-owned or -operated vehicles, law enforcement or emergency vehicles or law enforcement or emergency officials while in the performance of law enforcement or emergency duties, utility vehicles (e.g. SCE, Southern California Gas, Water, or City), COSCA, or CRPD employees, enforcement officers, as defined herein, and volunteers while engaged in official CRPD- or COSCA-related activities.

### **SECTION 203 – INTENTIONALLY LEFT BLANK**

### **SECTION 204 – VEHICULAR TRESPASS**

- a. No vehicle, including off-road vehicles and motorcycles, shall be operated or parked on any District Parks or Open Space except on roadways and parking areas specifically constructed for vehicular traffic and as allowed per posted signage. Fire breaks and fire protection roads, hiking and riding trails shall be prohibited from vehicular use. An exception will be made for those vehicles which are authorized by the District to serve as an emergency vehicle or to deliver supplies to a permit camping group.
- b. An exception is hereby established for disabled persons to use single-rider electric motorized vehicles adapted for recreational use by disabled persons, and for COSCA or CRPD vehicles, vehicles of enforcement officers, as defined herein, emergency vehicles, and vehicles of agencies and individuals holding an easement or written permission from the COSCA Manager or CRPD General Manager, or vehicles authorized by the holder of an easement, but only within said easement.

### **SECTION 205 – FIREARMS AND WEAPONS**

- a. No person shall carry, possess, set, leave, or deposit, or cause to be fired, across, in, on, or into any portion of District Parks or Open Space any weapon, gun or firearm, spear, missile, bow and arrow, crossbow, slingshot, trap or hunting device, air or gas weapon, paintball gun, ammunition, throwing knife or axe, martial arts throwing device, or any other weapon or device capable of injuring or killing any person or animal, or damaging property or natural resource except at posted or authorized ranges and areas designated for such purposes. Parents of persons under the age of 18 shall be held liable and financially responsible for the full amount of damages, or the maximum amount allowed under California Civil Code Section 1714.3.
- b. An exception to this Section will be made for duly authorized law enforcement officials.

### **SECTION 206 – FISHING, WILDLIFE, AND HUNTING**

- a. No person shall fish by any means in District parks and Open Space except in designated areas with signs posted allowing fishing, and only when within the scope of state regulations.
- b. No person shall introduce wildlife, fish or plants, including their reproductive bodies, into District Parks or Open Space ecosystem.
- c. No person shall feed wildlife.

- d. No person shall hunt, shoot, wound, trap, or capture animals on District Parks or Open Space.
- e. No animal shall be killed, harmed, relocated, or removed from District Parks or Open Space unless by a COSCA or CRPD employee during the performance of his/her official duties, except when necessary to avoid bodily harm.

### **SECTION 207 – VANDALISM**

No person shall use or possess a graffiti implement including, but not limited to, aerosol paint containers, indelible markers, paint sticks, etching tools or similar devices, to apply graffiti upon or to damage, deface, cut, spray, paint, mark, scratch, write on, or otherwise deface any District Parks or Open Space or alter any natural feature, fence, wall, building, sign, monument, or other property on District Parks or Open Space. Persons causing vandalism, or parents of persons under the age of 18, will be held liable and financially responsible for the full amount of damages, or the maximum amount allowed under the California Civil Code, Section 1714.1. In addition to any civil fines and penalties all provisions of the California Penal Code, Section 594, and penalties thereunder are applicable.

### **SECTION 208 – THROWING MISSILES**

No person shall throw missiles, rocks, mud, sand, or any object that may cause bodily harm to others on District Parks and Open Space. Objects used in recreational activity are exempt from this section provided they are not used in an irresponsible and hazardous manner.

### **SECTION 209 – AMPLIFIED SOUND**

- a. No person shall play or operate any sound or energy amplification devices, including radios, television sets, public address systems, musical instruments, or similar devices on District Parks or Open Space unless written permission has been granted in advance by the CRPD General Manager, and then only upon a finding that the use of amplified sound will not adversely affect natural resources and the Open Space character of the land.
- b. Where written permission has been granted, no person shall operate any sound amplification device in such a manner that it will be audible at a distance in excess of 100 feet from the sound amplifying equipment without a permit. No person, in any instance, shall operate a sound amplification device in such a manner that the volume is unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons or domestic animals within any area of audibility. A permit may be issued when the General Manager determines that operation of such a sound amplification device will not unreasonably disturb other users of District parks, Open Space, or adjacent residences, even though the sound will be audible for a distance in excess of 100 feet. All amplified sound must cease in accordance with the City's noise ordinance between the hours of 10:00 p.m. and 7:00 a.m. or when a permit ends (T.O. Municipal Code Sec. 5-21.01). All amplified sound at Conejo Creek North Park must cease 1 hour before the closing of the parking lot unless permission is granted by the CRPD General Manager.

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## **SECTION 211 – GOLF**

No person shall drive, chip, or in any other manner play or practice golf, or hit balls on, over, or into District parks or Open Space, except at District golf courses and/or driving ranges.

## **SECTION 212 – MODEL CRAFTS**

No person shall operate any unmanned model vehicles, airplanes, gliders, cars, boats, rockets or any other model craft of any kind or description on, over, or into any portion of District parks or Open Space, except by written permission of the CRPD General Manager.

## **SECTION 213 – BOATING; AIRCRAFT; DRONES**

- a. No person shall launch or land any manned aircraft or boat in District Parks or Open Space without the permission of the CRPD General Manager and then only in accordance with state/federal laws regarding aviation and/or boating.
- b. No person shall hang glide, parachute, parasail or balloon or engage in any human flight at an altitude of less than 500 feet on, over, or into any District parks or Open Space, without the permission of the CRPD General Manager, and then only in accordance with state/federal laws regarding aircraft.
- c. No person shall cause any unmanned aerial vehicles (UAV), drones, or unmanned aircraft systems (UAS) (collectively, “drones”) to enter or fly in, on or above any District Parks or Open Space without the written permission of the General Manager, and then only in accordance with state/federal laws regarding drones, as defined herein.

## **SECTION 214 – OVERNIGHT CAMPING**

- a. No person shall camp, occupy camp facilities, or use camp paraphernalia in District Parks or Open Space except as otherwise provided in this Section.
- b. No person shall use house trailers, campers, or motorhomes for overnight sleeping purposes in any District Park or Open Space, except under the purview of a duly approved permit.
- c. No person shall store personal property, including camp facilities and camp paraphernalia in any District Park or Open Space.
- d. An enforcement officer may remove personal property unlawfully stored or found on District parks or Open Space from an unlawful encampment.
- e. Under special conditions, a permit may be issued by the CRPD General Manager and a fee levied to any group of a responsible nature permitting the members to camp overnight at a designated location in District parks or Open Space. The members of such group shall be supervised by an adequate number of responsible adults. The members of the group and/or adult supervisors in charge of a youth group shall comply with time, location, parking, and other conditions specified in the permit. A District employee or employees must be present during the use of the permit; the number of employees to be present will be determined by the General Manager in his/her sole

discretion. Permittee shall pay for the cost of any District employee who is assigned to be present during the use of the permit. Overnight camping shall not interfere with the use of the District Park or Open Space or in any way be detrimental to the District Park or Open Space.

## **SECTION 215 – FIREWORKS AND DANGEROUS OBJECTS**

No person shall possess, discharge, set off, or cause to be discharged, in or into any District parks or Open Space any firecrackers, torpedoes, rockets, fireworks, explosives, or substances harmful to the life and safety of persons or property. Exceptions may be made with written permission of the CRPD General Manager, and then only upon a finding that the use of such fireworks or other dangerous objects will not adversely affect natural resources and the Open Space character of the land.

## **SECTION 216 – NUDITY**

No person shall appear nude while in or on any District parks or Open Space except by special permission by the District. Nudity shall be defined as codified in Title 14 California Code of Regulations section 4322, and Thousand Oaks Municipal Code section 5-16.02.

## **SECTION 217 – WASHING**

No person shall wash any portion of the body or cleanse any food, dishes, or utensils or other objects in District parks, park waters, Open Space, Open Space waters, or water supply, except in areas expressly designated for this use.

## **SECTION 218 – SWIMMING/WADING**

No person shall swim or wade in any District park waters or Open Space waters except at places and times authorized by the CRPD General Manager, or as posted.

## **SECTION 219 – HOURS OF USE**

- a. Except where otherwise specified in this Code, the District's Policies & Procedures Manual, or as posted on site, District Parks are open to the public between 7:00 a.m. and 10:00 p.m.
- b. *District Parks.* No person, except those involved in District-sponsored programs, having valid permits, or with written permission from the CRPD General Manager, shall enter or remain in any park or recreation area other than during open hours as posted at the park or recreation area and per written policies promulgated by the General Manager and/or the Board.
- c. *Open Space.* CPRD may designate certain sensitive areas, e.g., nature preserves, for no public access. District Open Space lands so posted shall not be open to public use at any time, except under restrictions set forth in this ordinance. No person, except with written permission from CRPD General Manager, shall enter or remain in CRPD Open Space other than during open hours as posted at/near the Open Space and per written policies promulgated by the General Manager and/or the Board.

## **SECTION 220 – FLORA AND TURF**

No person shall remove or injure any form of plant life from District parks or Open Space, including the removal of wood, turf, grass, soil, rock, sand, and gravel, plants, or flowers, except by a duly authorized CRPD or COSCA employee in the performance of his/her duties and specifically authorized by the CRPD General Manager, and then only upon a finding that the removal or injury is either (1) necessary to protect public health or safety or (2) that it is limited in scope and serves a necessary or useful public purpose. Under special conditions, a permit may be issued by the CRPD General Manager.

## **SECTION 221 – ARCHAEOLOGICAL FEATURES**

No person shall remove, injure, disfigure, deface, or destroy any object of paleontological, archaeological, or historical interest or value. An exception is granted to a person or entity operating under the authorization and directions of the CRPD General Manager solely for the purpose of appropriate curation or protection of a resource as determined necessary by a professional archaeologist, paleontologist, or historical resource expert, and then only if done in compliance with all applicable local, state and federal laws and regulations.

## **SECTION 222 – GEOLOGICAL FEATURES**

No person shall destroy, disturb, damage, mutilate, or remove earth, sand, gravel, minerals, rocks, or features of caves, except by a duly authorized CRPD or COSCA employee in the performance of his/her duties and specifically authorized by the CRPD General Manager, and then only upon a finding that the removal or injury is either (1) necessary to protect public health or safety or (2) that it is limited in scope and serves a necessary or useful public purpose. Under special conditions, a permit may be issued by the CRPD General Manager.

## **SECTION 223 – ANIMALS – DOMESTIC AND LIVESTOCK**

- a. No person owning or having charge, care, custody, or control of any domestic animal or livestock shall cause, permit, or allow to run at large upon any District parks, Open Space, properties, or within facilities unless such animal is restrained by a substantial chain or leash and is in the charge, care, custody, or control of a competent person. Pets not properly leashed may be impounded and the owner cited.
- b. Dogs shall be on leashes not exceeding six feet.
- c. The removal of feces of domestic animals and livestock on District property is the responsibility of the owner or custodian of said animal.
- d. Livestock animals, or similar animals, may be ridden or led on District parks and Open Space on designated trails, under specified restrictions and in designated areas with the permission of the CRPD General Manager, and then only upon a finding that the activity permitted will not adversely affect natural resources and the Open Space character of the land. Leads will not exceed 20 feet. Riders must control their livestock animals at all times.
- e. No animal shall graze in any District Park or Open Space except on property leased for such purpose.

- f. No livestock shall be allowed in District park waters or Open Space waters, except for trail crossing purposes.
- g. Domestic animals or livestock may be prohibited from specific District parks and Open Space areas at specific times or events at the discretion of the CRPD General Manager.
- h. No person shall abandon, leave or deposit domestic animals or livestock, whether dead or alive, in District parks or Open Space.

#### **SECTION 224 – ALCOHOLIC BEVERAGES, INTOXICATED PERSONS, CONTROLLED SUBSTANCES AND OTHER DRUGS IN DISTRICT PARKS AND OPEN SPACE**

- a. No person shall be allowed on District parks or Open Space while under the influence of intoxicating liquors, as defined in California Vehicle Code Section 23152, or under the influence of controlled substances, as defined in California Health and Safety Code Section 11550, as prohibited pursuant to California Penal Code Section 647(f).
- b. No person shall use consume or use cannabis, cannabis products, or synthetic cannabinoids, as defined in California Health and Safety Code Sections 26001 and 11357.5, respectively, in District parks or Open Space.
- c. Alcohol may be consumed by adults 21 years of age or over except in areas designated to prohibit the consumption of alcohol. No person shall possess or consume alcohol at El Parque de la Paz, Glenwood Neighborhood Park, Waverly Park, Conejo Creek West, Rancho Conejo Playfield, Estella Neighborhood Park, and Cypress Neighborhood Park.
- d. No person shall be allowed to sell or serve alcohol in parks or at sporting events without having first obtained a District permit. Sales and service shall be conducted in compliance with any conditions imposed on the permit.

#### **SECTION 225 – LITTER, RUBBISH & DUMPING**

- a. No person shall throw or dispose of bottles, glass, sharp pointed objects, wastepaper, combustible or other refuse in any place in a District park or Open Space other than in a receptacle maintained for that purpose is prohibited.
- b. No person shall use any District Park or Open Space receptacle for the depositing of garbage, trash, or other refuse not generated and/or used within the Open Space or park boundaries.
- c. No person shall dump rocks, soil, grass clippings, branches, leaves, equipment, vehicles, construction materials, furniture or accessories, or any other item or material without the prior written approval of the CRPD General Manager.
- d. No person shall possess or use a glass container, bottle, jar, tumbler, or vessel of whatever nature, empty or not, in Open Space unless authorized by the CRPD General Manager, except that persons may pick up glass containers left or discarded by others and remove or deposit same in an approved trash receptacle.

#### **SECTION 226 – FIRES IN DISTRICT PARKS AND OPEN SPACE**

- a. No person shall ignite an open fire in District parks except in designated areas. Briquettes and propane barbecues are the only combustible material authorized for barbecue or brazier use. Wood fires are authorized in identified areas such as fire rings by permit only.
- b. Upon notice of park closure due to fire hazard warning by the fire district, all reservations shall be canceled and affected areas closed to the public.
- c. No person shall ignite an open fire in Open Space except by permit. It shall be the responsibility of every person igniting a fire to completely extinguish it (dead out) before leaving the fire unattended.
- d. No person shall leave a fire unattended. Fire protection must be available at all times.

**SECTION 227 – SMOKING AND VAPING IN DISTRICT PARKS AND OPEN SPACE**

No person shall smoke or vape on District Lands, unless otherwise permitted by the General Manager. This prohibition does not apply to parking lots. No person shall dispose of used cigar, cigarette or e-cigarette waste except in an appropriate waste receptacle.

**SECTION 228 – TRESPASSING**

No person shall trespass into areas designated “No Trespassing.” This includes, but is not limited to, private land or property, rooms in District buildings or structures, swimming pools during specific hours, fenced control areas such as storage areas, shop areas, holding areas, construction sites, field closures due to rain or refurbishment, and all posted areas.

**SECTION 229 – CLOSURE OF PARKS, FIELDS, & OPEN SPACE**

- a. *District Parks.* No person shall enter into a District park that has been closed by the CRPD General Manager. The CRPD General Manager may close a park area or recreation facility at any time when they determine the existence of or potential for danger to the persons using the property, the property itself, or for any cause which could affect the safety and welfare of the public. This section may be enforced without the concurrence of those persons or organizations then using the property or facility.

CRPD fields are closed periodically due to wet conditions, for refurbishments or other events.

- b. *Open Space.* No person shall enter an Open Space area that has been closed by the COSCA Manager, CRPD General Manager, or any Ranger. The COSCA Manager, CRPD General Manager, or any Ranger may close an Open Space area, park area or recreation facility at any time to protect public welfare and safety and/or protect the property or resources from damage or threat of damage. Any violation of such closure will constitute a trespass. This section may be enforced without the concurrence of those persons or organizations then using the property or facility.

- c. *Nature Preserves*. Entrance to such an area shall be prohibited, except with written permission for the purposes of scientific study, a docent-led hike, or other authorized activities. These areas may be posted as “no trespassing.”

**SECTION 230 – SALES AND SOLICITATION**

No person shall conduct commercial activities in District Parks or Open Space except by written permission from the CRPD General Manager.

No person shall engage in activities for the sole purpose of the following without the written permission from the CRPD General Manager:

- a. Advertising for sale any product, goods, wares, merchandise, services, or event.
- b. Distributing handbills or circulars related to a commercial purpose, or posting, placing, or erecting any signs, bills, notices, paper, or advertising matter of any kind.
- c. Conducting or soliciting for any trade, occupation, business, service, or profession.

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**SECTION 232 – CONSTRUCTION, TEMPORARY AND UNLAWFUL**

No person shall erect, construct, install, or place any structure, building, shed, fence, trail, road, equipment, material, sign, banner, or apparatus or perform any construction of any type for any purpose on, below, over, or across District parks and Open Space.

Exceptions may be made with written permission from the CRPD General Manager, and/or the issuance of a Temporary Encroachment Permit by the CRPD General Manager specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such an authorization. Such temporary construction work may only be authorized if it does not adversely affect the natural resources or Open Space character of the Open Space.

**SECTION 233 – PUBLIC URINATION AND DEFECATION**

No person shall urinate or defecate in any public place except when using a urinal, toilet, or commode located in a bathroom, restroom, or portable restroom.

**SECTION 234– ENCROACHMENT**

No person shall encroach, as defined in this Code, or to make or cause to be made any encroachment, or to do any encroachment work upon, over, under, or within any District parks or Open Space except in accordance with the provisions of Section 234 of this Code.

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**SECTION 237 – TRAILS AND TRAIL USE**

No person shall travel off designated trails. No person shall build or maintain private or unauthorized paths or trails in District parks or Open Space.

Trail users must yield to other trail users in the manner defined herein or as otherwise posted at trailheads. Hikers must yield to equestrians. Bicyclists must yield to pedestrians and equestrians, and bicyclists headed downhill must yield to bicyclists headed uphill.

### **SECTION 238 – SKATEBOARDS, IN-LINE SKATES, ROLLER SKATES, BICYCLES, AND NON-MOTORIZED SCOOTERS REGULATIONS**

No person shall skateboard, in-line skate, roller skate, bicycle, and operate non-motorized scooters, or similar devices, on sidewalks or other areas, except for the purpose of transportation, in such case those person(s) riding or propelling such devices shall:

- a. Yield to all pedestrians.
- b. Proceed with due care and at a safe speed, including walking, when in the presence of pedestrians or on any sidewalk where there is the possibility of a pedestrian suddenly emerging onto the sidewalk from a building or structure.

No person shall skateboard, in-line skate, roller skate, bicycle, and operate non-motorized scooters, or similar devices, on any park infrastructure – including but not limited to – walls, steps, rails, picnic areas, picnic tables, playground buildings, benches, driveways, parking lots, tennis courts, basketball courts or any designated sports court, or any drainage structure on park property.

Bicycles and similar devices (e.g. unicycles) shall be allowed in District parks and Open Space under the following restrictions:

- a. Bicycles must stay on designated trails and roadways.
- b. No person shall operate a bicycle in a reckless or negligent manner so as to endanger public property or the life, limb, or property of any person or animal. A reasonable and prudent speed limit will be observed.
- c. Bicyclists must yield when meeting horses, equestrians, and pedestrians. “Yield” means slow down to a speed approximately the same or slower than the equestrian or pedestrian, establish communication, be prepared to stop, and/or move aside to allow other users to pass, and pass safely.
- d. No person shall possess or operate a bicycle or similar device in District Parks or Open Space in areas designated or signed to restrict such activity.
- e. All state and local regulations regarding helmet use, for minors or adults, shall be followed.
- f. For purposes of this section, the term bicycle includes Class 1 electric bicycle, but not Class 2 or Class 3, as defined in the California Vehicle Code Section 312.5. Class 2 and 3 are considered motorized vehicles.

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## **SECTION 241 – FILMING AND COMMERCIAL PHOTOGRAPHY**

Individuals engaged in the making of movies, still photography, or television films for commercial purposes shall observe the following procedures. Permission to film on CRPD-owned land pursuant to this section may be granted by the General Manager or a designated representative with the following stipulations:

- a. Issuance of a CRPD commercial filming permit, and compliance with its contents. Requests may be received by letter, telephone, or in person.
- b. A certificate of insurance naming CRPD as coinsured on the day or days of filming with the limits of not less than \$1,000,000 for public liability and property liability which must be on file with CRPD prior to permit approval; and
- c. The CRPD Board of Directors shall assess a fee for the use of CRPD property for commercial filming or photographic purposes. This fee will be reviewed periodically. Applicants must comply with all City of Thousand Oaks and CRPD ordinances relating to filming and are responsible for obtaining all necessary permits as required under those ordinances.
- d. The applicant shall provide all personnel and services necessary to the satisfaction of CRPD for crowd control, traffic control, fire control, maintenance, and any other situations that attract potential hazards due to the presence of the filming production. Any personnel services provided shall be compensated to CRPD at an hourly rate designated by the General Manager or an authorized agent. The appropriate fee will be established to cover all costs incurred by CRPD. At the time of permit issuance, an estimate of such fees will be given the applicant.
- e. The applicant shall be responsible for complete replacement, refurbishing, or payment to CRPD for any damaged, destroyed, or otherwise disturbed property during the time of the filming for which the permit applies.
- f. Filming and related activities shall not be allowed if it will cause permanent damage to open space resources, including plants, animals, or cultural, archaeological, historical, or geologic features.
- g. All land and open space resources therein shall be returned to their natural condition upon completion of filming.
- h. All or a portion of the fees may be waived by the General Manager or productions when the primary purpose is educational or training, and said organization is a nonprofit corporation within the State of California.

## **SECTION 242 – RULES & REGULATIONS FOR GEOCACHING & ELECTRONIC GAMES**

All geocaching activities in District Parks or Open Space must comply with existing CRPD management policies, ordinances, and guidelines. Caches must be registered at [www.geocaching.com](http://www.geocaching.com) and must comply with guidelines defined by [www.geocaching.com](http://www.geocaching.com).

- a. A permit is not needed for geocaching activities.
- b. Caches must be placed within four (4) feet of official trails or improved areas such as parking lots or trailheads. Unauthorized off-trail hiking is prohibited.
- c. Caches must be placed at least 300 feet from plants on the list of "Rare, Endangered and Sensitive Plants of the Conejo Valley", available from CRPD staff.
- d. Modification of geographical features, vegetation, trails, fences, signs or wildlife is prohibited.
- e. Caches are the responsibility of the owner and if are not maintained, may be deemed abandoned and removed by a CRPD employee or Park Ranger.
- f. CRPD reserves the right to immediately remove any cache or end any geocaching activities that do not comply with the aforementioned guidelines

### **SECTION 243 – MEMORIALIZATION**

- a. No person shall install a monument, memorial, tablet, structure, or other commemorative installation in a District Park or Open Space area.
- b. No person shall scatter human ashes from cremation.

### **SECTION 244 – ENTRY TO ACTIVITIES**

The CRPD General Manager may enter any reserved park area or recreation facility at any time to inspect the premises for safety, compliance of use, hazards, or in the course of normal duties.

### **SECTION 245 – USE OF DISTRICT EQUIPMENT BY NON-DISTRICT GROUPS**

District vehicles and equipment are provided for the express purpose of carrying out District functions. Requests received from groups or organizations for the use of District equipment in association with an approved event on District Lands shall be made in writing to the District. Such requests may be granted by the General Manager provided that such use does not interfere with District operations.

### **SECTION 246 – CLIMBING**

No person shall climb, free climb or rappel using bolts, pitons, or similar permanent or temporary anchoring equipment or ropes, harnesses, or slings within District Parks, as defined herein.

### **SECTION 247 – INTERFERENCE, LAWFUL ORDERS, AND DISORDERLY CONDUCT**

- a. No person shall attempt to use or interfere with the use of any facility which is reserved for another person or organization holding a permit or interfere with the duties and operations of District park staff.
- b. No person shall commit disorderly conduct. For purposes of this section, "disorderly conduct" shall mean a person, with intent to cause public alarm, nuisance, jeopardy or violence, or knowingly or recklessly creating a risk thereof, commits any of the following prohibited acts: (1) engages in fighting or threatening, or in violent behavior; (2) uses language, an utterance, or gesture, or engages in a display or act that is obscene, physically threatening or menacing, or done in a manner that is likely to inflict injury or incite an immediate breach of the peace; (3) makes noise that is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances; (4) creates or maintains a hazardous or physically offensive condition. No person shall allow children in their care and control to engage in disorderly conduct.

In the interest of public health, safety, and welfare, it may be necessary to exclude persons or groups from District areas and/or facilities. Such action may be taken by the CRPD General Manager, subject to appeal to an Administrative Hearing with the CRPD General Manager.

## ARTICLE III

### SPECIAL ACTIVITIES AND DESIGNATED AREAS

#### SECTION 301 – SPECIFIC AREAS DESIGNATED FOR SKATEBOARDING

- a. Skateboarding, in-line skating, and roller skating are deemed by California law to be hazardous activities. Conejo Recreation and Park District will not be responsible for injuries. Persons skate at their own risk.
  1. Persons shall skateboard, in-line skate, roller skate, bicycle, and non-motorized scooter on or within District skating facilities at the designated times.
  2. Skateboarders, in-line skaters, roller skaters, bicyclers, and non-motorized scooter riders shall at all times yield to pedestrians. No person shall skateboard, in-line skate, roller skate, bicycle, or non-motorize scooter in any area where signs are posted, or known to have been posted, prohibiting such activity.
- b. In case of emergency, call 911.
- c. All injuries shall be reported to Borchard Center staff – (805) 381-2791.
- d. Only skateboards, in-line skates, and roller skates are permissible.
- e. Helmet, elbow pads knee pads are required. Wrist guards are recommended.
- f. Spectators are not permitted in the skating area.
- g. Drugs are prohibited.
- h. No alcohol or smoking permitted on or within 50 feet of this facility.
- i. No food, beverages or glass containers within the skating facility.
- j. No amplified sound.
- k. Restroom, drinking fountain and telephones are at Borchard Center.
- l. Monthly park schedule is available at [www.crpdp.org](http://www.crpdp.org).
- m. All other District ordinances apply.

#### SECTION 302 – RULES AND REGULATIONS FOR SPECIFIC AREAS DESIGNATED FOR BICYCLES

- a. The SAPWI Trails Bike Park amenities and features are open from 7:00 am to dusk.
- b. Off-road bicycling is deemed by California law to be a hazardous activity. Conejo Recreation and Park District will not be responsible for injuries. Persons shall ride at their own risk.
- c. Persons shall bicycle on or within District facilities only during designated times.
- d. Bicycle riders shall at all times yield to pedestrians or other trail users. No person shall ride bicycles in any area where signs are posted, or known to have been posted, prohibiting such activity.

- e. Cyclists shall ride within their ability.
- f. Cyclists shall inspect each feature prior to use, never jump blindly, and have a spotter.
- g. In case of emergency, call 911.
- h. Only one person may use a feature at a time.
- i. Only human-powered bicycles are permissible; no powered or power-assisted bicycles or other vehicle is allowed, including Class 1 E-bicycles as defined in California Vehicle Code Section 312.5.
- j. Helmet, elbow pads knee pads are required. Body, shin, knee and elbow armor are recommended.
- k. Spectators must stay in the spectator area and are not permitted in the bicycle area or on features.
- l. Dogs are prohibited in the bicycle park and spectator area.
- m. Building or modification of features is prohibited.

### **SECTION 303 – RULES AND REGULATIONS FOR SPECIFIC AREAS DESIGNATED FOR OFF-LEASH DOGS**

- a. Hours of operation are 7:00 am to 8:30 pm. The Off-Leash Areas may be closed at the discretion of the CRPD General Manager.
- b. The Off-Leash Areas may be closed periodically during the year for special events.
- c. Enter at your own risk. Adults and children assume all risks associated with the Off-leash Areas. No children under 16 allowed without adult supervision. Small children must be within arm's reach of a supervising adult.
- d. Dogs must display current licenses and be properly inoculated, healthy (no contagious conditions), and parasite-free.
- e. Dogs are to be kept on a leash (not exceeding 6') when OUTSIDE the Off-Leash Areas fence at all times. No dog shall be unleashed between the owner's vehicle and the gated entrance.
- f. Dogs must be leashed and unleashed inside the double-gated holding area, not inside the Off-leash Areas.
- g. All dog owners must carry a leash, but no dogs shall be leashed once inside the park.
- h. Dogs left unattended at the Off-Leash Areas may be impounded by Animal Control. Close supervision of one's dog is required. Close supervision means that the dog is within voice command range at all times. Failure to closely supervise dogs may result in the dog being banned for an appropriate period of time.
- i. Owners must clean up after their pets. Mutt mitts are provided.
- j. AGGRESSIVE DOGS must be removed from the Off-Leash Areas area immediately without debate. Owners are responsible for their actions and those of their dog. Aggressive dogs may be permanently banned from the Off-Leash Areas. Aggressive dogs are defined as either vicious or potentially dangerous dogs as defined in the California Food and Agricultural Code Sections 31601 through 31603. Furthermore, an

aggressive dog is defined as any dog that is determined by the District to pose a threat to dogs or people by virtue of a single incident or history of unprovoked acts of aggression against people or animals. Violation of the Food and Agricultural Code carries penalties not to exceed \$1,000.

- k. Airhorns and bullhorns are prohibited.
- l. Food of any kind, including food for human consumption, is prohibited inside the Off-Leash Areas.
- m. Smoking is prohibited within the fenced area.
- n. A person may have no more than three dogs inside the Off-Leash Areas. Due to inability to closely supervise their dogs, owners may not have one dog in the large dog section and one in the small dog section.
- o. Female dogs in heat are prohibited. Due to their vulnerability to disease and injury, puppies under five months old are prohibited.
- p. People may not run or jump while within the Off-Leash Areas. Adults should remind their young children of this rule.
- q. Grooming of dogs is prohibited at Off-Leash Areas.
- r. When leaving the park, please remove all tennis balls, toys, or other personal items or they will be discarded.

#### **SECTION 304 – RULES AND REGULATIONS FOR SPECIFIC AREAS DESIGNATED FOR MODEL CRAFTS**

- a. Hours of operation are 7:00 am to dusk.
- b. At the discretion of the CRPD General Manager, radio-controlled (RC) aircraft must be operated in accordance with the Academy of Model Aeronautics (AMA) safety codes. An experienced pilot must check new aircraft before their first flight.
- c. All transmitters must meet current FCC and AMA guidelines.
- d. All pilots must be licensed by AMA and members of the Thousand Oaks Soaring Society, a District partner.
- e. Only motorless, un-tethered flight is permitted.
- f. Unauthorized spectators are not permitted in take-off or landing areas or along the cliff edge.
- g. Anyone under the influence of alcohol or other intoxicants is prohibited from flying. No alcohol or intoxicating substances may be consumed prior to or while flying.
- h. Flying is prohibited when the site is posted as being closed.
- i. There will be no flying within 100 feet of any public, commercial or residential building.
- j. Beginning pilots are permitted to fly only with the assistance of an experienced pilot.
- k. RC models will NOT be launched or flown from any other location within two miles of a specified radio-controlled location.

## SECTION 305 – RULES AND REGULATIONS FOR SAPWI NEIGHBORHOOD PARK PUMP TRACK

- a. The Pump Track is open from 7:00 am to dusk.
- b. Only bicycles, non-motorized scooters, skateboards, in-line skates, and roller skates are allowed on the pump track.
- c. Persons use the track at their own risk, whether using bicycles, non-motorized scooters, skateboards, in-line skates, or roller skates.. Skateboarding, in-line skating, and roller skating are deemed by California law to be hazardous activities. Conejo Recreation and Park District will not be responsible for injuries.
- d. Persons shall use bicycles, non-motorized scooters, skateboards, in-line skates and roller skates on or within District facilities only during designated times.
- e. Persons using bicycles, non-motorized scooters, skateboards, in-line skates or roller skates, shall at all times yield to pedestrians.
- f. No person shall use a bicycle, non-motorized scooter, skateboard, in-line skates or roller skates in any area where signs are posted, or know to have been posted, prohibiting such activity.
- g. Persons shall use the pump track within their ability, and shall not attempt to use the track unless they have sufficient ability and experience to do so safely.
- h. Persons shall inspect each feature prior to use and have a spotter. Persons must watch out for other riders and skaters. Persons shall not stop in areas with poor visibility.
- i. Only one person may use a feature at a time, and shall take turns and let everyone have a chance to use the track.
- j. Only human-powered vehicles are permissible. Powered, power-assisted, or other vehicles are not allowed, including Class 1 E-bicycles as defined in California Vehicle Code Section 312.5.
- k. Building or modification of features is prohibited. No person shall install foreign obstacles, including but not limited to, ramps, rails, road cones, etc.
- l. Helmet, elbow and knee pads are required. Full-face helmet, neck brace, body, shin, knee, and elbow armor are recommended.
- m. Spectators are not permitted on the pump track. Parents must monitor wandering children.
- n. Dogs are prohibited on the pump track.
- o. No food, beverages or glass containers on the pump track.
- p. No amplified sound.

## ARTICLE IV

### CODE ENFORCEMENT; PENALTIES

#### SECTION 401 - AUTHORITY TO ARREST; AUTHORITY TO ISSUE NOTICE TO APPEAR

A. Pursuant to Penal Code Section 836.5, a designated public officer or employee shall be authorized to make arrests without a warrant, whenever the public officer or employee has reasonable cause to believe that the person to be arrested has committed a violation in his or her presence of any provision of this Code and/or local ordinances, as defined herein, which the public officer or employee has the duty to enforce.

B. Public officers or employees shall be authorized to make an arrest for the violation of any provisions of this Code and/or local ordinances, regardless of whether the violation constitutes an infraction or misdemeanor.

C. In any case in which a person is arrested pursuant to subsection A of this section and the person arrested does not demand to be taken before a judge or court commissioner, the public officer or employee making the arrest shall prepare a written notice to appear and release the person on his promise to appear in accordance with Penal Code Section 853.6 et seq. as it currently exists and may be amended from time to time.

#### SECTION 402 - ENFORCEMENT OFFICERS

A. The following public officers and employees are hereby designated as mandated "enforcement officers," as defined in this Code:

1. District Park Rangers;
2. COSCA Park Rangers;
3. Los Angeles County Animal Control Officers

It shall be the duty of the enforcement officers set forth in this Subsection A to enforce the provisions of this Code and applicable local ordinances, as defined herein.

B. The following public officers and employees are hereby designated as authorized enforcement officers:

1. MRCA Park Rangers;
2. Thousand Oaks Code Enforcement Officers;
3. Thousand Oaks Police Department Officers;
4. Ventura County Sheriff's Office deputies and other sworn personnel;
5. Rancho Simi Recreation and Park District Rangers;
6. California State Park Rangers;
7. National Park Service Rangers

The enforcement officers defined in this Subsection B have the authority to enforce the provisions of this code and applicable local ordinances.

C. All enforcement officers have the authority to warn, evict and/or arrest a person who violates any provision of this Code or the local ordinances, as defined herein. Officers

further have the authority to issue notices to appear and issue administrative citations, as set forth in this Code. Enforcement officers shall carry property identification while carrying out their duties.

D. All enforcement officers have the authority to deny use of District parks, open space and facilities and participation in programs to individuals and groups who fail to comply with this Code. Officers may take into custody any item which is used in violation of this Code or which may cause damage to District property, to any person, or to the property of any person if its use is permitted to continue.

### **SECTION 403 – COMPLIANCE**

All persons entering, occupying, or remaining in any park or holding of the District shall comply with this Code, all rules and regulations as may be promulgated by the General Manager to implement the provisions of this Code, and local ordinances, as defined herein. Additionally, all persons shall comply with any order or provision thereof posted on District property by the General Manager.

### **SECTION 404 – VIOLATIONS**

It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating this Code shall be guilty of a misdemeanor unless an enforcement officer, as defined in Section 402 of this Code, issues a citation or notice to appear charging the offense as an infraction.

### **SECTION 405 – PENALTY FOR VIOLATION**

- A. Misdemeanors. Any person convicted of a misdemeanor under the provisions of this Code is punishable by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the Ventura County Jail for a period not exceeding six months, or by both such fine and imprisonment.
- B. Infractions. Any person convicted of an infraction under the provisions of this Code is punishable by (1) a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) a fine not exceeding two hundred dollars (\$200.00) for a second violation of the same Code provision within one twelve-month period; (3) a fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same Code provision within one twelve-month period.
- C. Each day or any portion thereof that a person violates any provision of this Code shall constitute a separate offense.

### **SECTION 406 - PROHIBITED ACTS**

Whenever in this Code any act or omission is made unlawful, it shall include causing, permitting, aiding, abetting, suffering or concealing such act or omission.

## ARTICLE V

### ADMINISTRATIVE REMEDIES

#### SECTION 501 – FINDINGS AND PURPOSE

The Board of Directors of the Conejo Recreation and Parks District finds and declares as follows:

(1) Enforcement of the CRPD Code is an important public service in order to protect the health, safety, and welfare of the public and to preserve the District's parks, open spaces and facilities. Although it is always the goal of the District to obtain voluntary compliance with its laws, the Board recognizes that there will be instances where compliance must be compelled by administrative or judicial means when persons responsible for violations of the code fail or refuse to voluntarily comply with applicable laws.

(2) Government Code Section 53069.4 authorizes local agencies to enact legislation making a violation of any local ordinance subject to an administrative fine or penalty. The State Legislature has also enacted other provisions of California law that allow local governments to impose administrative or civil fines/penalties for violations of specified provisions of state law. The Board intends, pursuant to this statute, to establish an administrative citation program that:

(a) Imposes a nonjudicial administrative fine and/or penalty for offenses of the CRPD Code, local ordinances, as defined in this Code, and other state laws as authorized by state statute;

(b) Encourages prompt cessation or correction of prohibited uses or activities at District parks, open spaces and other facilities; and

(c) Creates deterrence against future violations of the District's laws.

(3) The administrative citation remedy is not intended to replace any other remedy allowed by the CRPD Code or state law. It is intended to provide an alternative and/or additional means by which the District's laws may be enforced.

#### SECTION 502 – APPLICABILITY AND SCOPE

(1) Use of this chapter shall be at the sole discretion of the District and is one remedy that the District has to address violations of the CRPD Code, local ordinances, and/or other applicable provisions of state law. By adopting this article, the District does not intend to limit its discretion or ability to utilize any administrative, civil, criminal, or other remedy available at law or equity, or any combination thereof, to address violations of the District's laws.

(2) This article makes a violation of any provision, restriction, or requirement of this Code, local Ordinances, any rule or regulation promulgated pursuant thereto, or any condition of any permit or other approval issued pursuant to this Code subject to an administrative fine.

(3) This chapter establishes the administrative procedures for the imposition, enforcement, collection, and administrative review of administrative fines and/or penalties pursuant to Government Code Section 53069.4.

(4) An administrative fine in an amount adopted by resolution of the Board shall be imposed by means of an administrative citation issued by an enforcement officer and shall be paid directly to the District (or agent thereof). Payment of a fine shall not bar concurrent or further enforcement actions by the District.

(5) The General Manager may dismiss a citation at any time if a determination is made that it was issued in error, in which event any deposit of a fine shall be refunded. Notice of such action shall be given to the citee in writing.

(6) The General Manager is authorized to promulgate procedural rules and regulations governing the provisions in this chapter.

### **SECTION 503 – DEFINITIONS**

As used in this article, the following words are defined as follows:

(1) “Administrative fine” and/or “administrative penalty” shall mean the monetary sanction established by resolution of the Board that is imposed upon a responsible person by means of a citation.

(2) “Citation” shall mean an administrative citation that is issued to a responsible person pursuant to this article.

(3) “Citee” shall mean a responsible person to whom a citation is issued.

(4) “Code” shall include: (a) the entire CRPD Code and local ordinances, as defined in this Code, (b) any rule or regulation promulgated to implement the provisions of the CRPD Code, (c) any condition of any permit or other approval issued pursuant to this code, and (d) other state laws as authorized by state statute.

(5) “Hearing officer” shall include a private entity, organization, association or person, or a public official, or duly constituted reviewing authority or commission that the General Manager designates or appoints to consider all timely requests for an administrative hearing upon issuance of a citation.

(6) “Officer” shall mean an enforcement officer as defined in this Code.

(7) “Person” shall mean and includes any individual, partnership of any kind, a corporation of any kind, limited liability company, association, joint venture or other organization or entity, however formed, as well as fiduciaries, trustees, heirs, executors, administrators, or assigns, or any combination of such persons.

(8) “Responsible person” shall mean any person that allows, causes, creates, maintains, suffers, or permits a violation of the code to exist or continue by any act or the omission of any act or duty.

(9) "Violation" shall mean an act or omission of any use, activity or condition that constitutes an offense of the Code, as well as a breach or violation of any condition of a permit or other approval issued pursuant to the Code.

#### **SECTION 504 – ISSUANCE OF ADMINISTRATIVE CITATION; CONTENTS THEREOF**

(1) Whenever an enforcement officer determines that a violation of the code has occurred, the officer may issue a citation on a District-approved form imposing an administrative fine or fines to the responsible person(s) in accordance with the provisions of this chapter.

(2) When the violation pertains to a use, activity or condition that creates an immediate danger to health or safety, a citation may be issued forthwith. In the absence of an immediate danger, a citation shall not be issued pursuant to this article unless the responsible person has first been provided with a reasonable period, as determined by the officer, in which to cease the unlawful use or activity or correct the unlawful condition.

(3) An officer may issue a citation for a violation not committed in the officer's presence if the officer has determined, through investigation, that the citee did commit, or is otherwise responsible for, the violation.

(4) Each day, or any portion thereof, that a prohibited use, activity or condition under the Code is committed, continued or permitted shall constitute a separate violation for which an administrative fine may be imposed. A single citation may charge multiple violations of the Code; however, each violation is subject to a separate and distinct administrative fine.

(5) Each citation shall contain, at a minimum, the following information:

- (a) Name and mailing address of the responsible person;
- (b) The issuance date of the citation;
- (c) The address or description of the location of the violation;
- (d) The date and approximate time of the commission of the violation(s), or detection thereof by an officer;
- (e) The relevant provision(s) or section(s) of the Code alleged to have been violated;
- (f) A description of the violation(s);
- (g) Amount of the fine for each violation, the procedure and place to pay the fine(s) and/or reinspection fees, and any late payment charge and/or interest charge(s), if not timely paid;
- (h) A description of the administrative citation review process and the manner by which a hearing on a citation may be obtained (including the form to be used, where it may be procured from, and the period in which a request must be made in order to be timely);
- (i) The name and signature of the officer, and the signature of the citee, if he or she is physically present and willing to sign the citation at the time of its issuance. The refusal of a citee to sign

a citation shall not affect its validity or any related subsequent proceeding, nor shall signing a citation constitute an admission that a person has committed a violation of the Code;

(j) A statement that the failure to timely tender the fine(s) and other fees, costs, and/or charges imposed pursuant to this chapter may result in the delay or denial of a District permit or other approval; and

(k) Any other information deemed necessary by the General Manager.

## **SECTION 505 – SERVICE OF ADMINISTRATIVE CITATION AND NOTICES**

(1) A citation may be served either by personal delivery to the citee or by first class mail through the United States Postal Service.

(2) If served by personal delivery, the date of personal delivery of the citation to the citee shall constitute its issuance date and the date that service shall be deemed complete.

(3) If served by first class mail, the citation shall be sealed in an envelope with postage prepaid and addressed to the citee at his or her last known business, residence, or mailing address as same appears in public records of the District, the Ventura County tax assessor's office, the Ventura County recorder's office, the California Department of Motor Vehicles, and/or the Secretary of State. In such instances, the date a citation is deposited with the United States Postal Service shall constitute both its issuance date and the date that service shall be deemed complete.

(4) If a citation is personally subserved upon an authorized agent, manager or representative of the citee, a copy thereof shall also be served upon the citee by first class mail at his or her last known business, residence, or mailing address as same appears in public records of the District, the Ventura County tax assessor's office, the Ventura County recorder's office, the California Department of Motor Vehicles, and/or the Secretary of State. In such instances, the date a copy of the citation is deposited with the United States Postal Service shall constitute both its issuance date and the date that service shall be deemed complete.

(5) Any notice or order given pursuant to any provision of this article shall be served in the manner provided for in this section, unless otherwise stated.

(6) Failure of a citee to receive a citation or notice given in the manner stated in this section shall not invalidate any fine, late charge, action or proceeding that is imposed or brought pursuant to this article.

## **SECTION 506 – IMPOSITION OF ADMINISTRATIVE FINES, LATE CHARGES AND INTEREST CHARGES**

(1) *Fine.* The amounts of the fines imposed pursuant to this article shall be set forth in a schedule of fines established by resolution of the Board. The Board may, by resolution, also impose escalating fines in amounts it deems appropriate for repeat offenses of the same ordinance. The amounts of fines may be modified from time to time by a resolution of the Board.

(a) If a violation is otherwise classified as an infraction under the code, the administrative fine shall not exceed \$100.00 for a first offense, \$200.00 for a second offense of the same ordinance within a 12-month period of time, and \$500.00 for a third or greater offense of the same ordinance within a 12-month period of time, as set forth in Sections 25132(b) and 36900(b) of the California Government Code. The amounts of such fines may be modified from time to time by a resolution of the Board, provided they do not exceed the limits allowed by state law.

(2) *Late Payment Charge.* Failure to pay an administrative fine within the period specified on the citation unless timely appealed, shall result in the assessment of a late charge. The late charge shall be equal to 100 percent of the total fine owed.

(4) *Interest.* Failure to pay an administrative fine within 60 days of the issuance of a citation or, if contested, within 60 days of an order to pay pursuant to a decision by a hearing officer or judicial officer confirming the fine, shall result in the imposition of an interest charge at a rate established by resolution of the Board. Interest shall not accrue on a late charge or reinspection fee. The rate of interest may be modified from time to time by resolution of the Board.

## **SECTION 507 – PAYMENT AND COLLECTION OF FINES AND OTHER CHARGES**

(1) *Payment.* All administrative fines imposed by means of a citation shall be due from the citee and shall be received by the District (or agent thereof) within 20 calendar days from the date the citation was served. Thereafter, a late charge shall be due and owing, as well as interest, as imposed by this chapter.

(a) Administrative fines, reinspection fees, late charges, and any interest due shall be paid to the city at such location or address as stated in the citation, or as may otherwise be designated by the General Manager.

(b) Payment of an administrative fine shall not excuse or discharge a citee from any other responsibility or legal consequences for a continuation or repeated occurrence(s) of a violation of the Code.

(c) Cessation or correction of a violation shall not excuse the obligation of a citee to pay an administrative fine or any other charges, fees, or costs imposed as a result of the issuance of a citation.

(2) *Collection.* Unpaid administrative fines and other charges, fees, or costs imposed in accordance with this chapter shall constitute a debt that may be collected in any manner allowed by law, including, but not limited to: (a) the filing of a civil action in the Ventura Superior Court; and/or, (b) by means of collecting the debt using the California Franchise Tax Board "Inter-Agency Offset Program" (pursuant to Section 12419.10 of the California Government Code); and/or, (c) by denying the issuance of a District permit or other approval to any citee who has failed to tender all unpaid administrative fines, late payment charges, interest charges, or reinspection fees. The District shall also be entitled to recover its attorneys' fees and costs arising from an action to collect an administrative fine and other charges, fees, or costs imposed in accordance with this article, if it is the prevailing party and provided it made the election to seek attorney fees at the commencement of the action. A citee shall be entitled to recover his

or her attorney fees if the District made the election to seek attorney fees at the outset of the action and the citee prevails thereon.

(a) The General Manager may promulgate policies and procedures for the city's election to use one or more of the foregoing collection remedies.

## **SECTION 508 – RIGHT TO AN ADMINISTRATIVE HEARING; WAIVER OF ADVANCE DEPOSIT OF FINE**

(1) *Appeal.* Any citee may contest the violation(s), or that he or she is a responsible person, by filing a request for an administrative hearing in the manner set forth on the citation within 10 calendar days from the issuance date of the citation. If the request for a hearing is not timely received in the manner set forth on the citation, the citee shall have waived the right to a hearing and the citation shall be deemed final.

(a) A request for a hearing shall contain the following:

(i) The citation number.

(ii) The name, address, telephone and any facsimile numbers or email addresses of each person contesting the citation.

(iii) A statement of the reason(s) why a citation is being contested.

(iv) The date and signature of the citee(s).

(b) No filing fee shall be charged for the filing of a request for an administrative hearing.

(c) A timely request for a hearing shall not excuse a citee from any other responsibility or legal consequences for a repeated occurrence(s) of a violation of the code.

(2) *Advanced Deposit of Fine.* Requests for a hearing shall be accompanied by an advance deposit of the entire amount of the fine (and any accompanying reinspection fee) stated in the citation. Failure to deposit a fine (and accompanying reinspection fee) within the required period, or to tender a nonnegotiable check, shall render a request for an administrative hearing incomplete and untimely, in which case the citee shall have waived the right to a hearing and the citation shall be deemed final. Fines that are deposited with the District shall not accrue interest. Fines deposited shall be returned to the person tendering the fines in the event a citation is overturned.

(a) *Hardship Waiver of Advance Deposit of Fine.* A citee who is financially unable to deposit the administrative fine with his or her request for a hearing may complete a District-approved application form for an advance deposit hardship waiver (hereinafter, "hardship waiver"). This form and all required accompanying records shall be tendered, along with a request for a hearing, to the office of the General Manager – Conejo Recreation and Park District, Hillcrest Center, 403 W. Hillcrest Drive, Thousand Oaks, CA 91360 – within 20 calendar days from the issuance date of the citation.

(i) To be considered for a hardship waiver, the application form must be complete, signed, and must be accompanied by documents that enable the District to reasonably determine the citee's present inability to deposit the fine. Documents suitable for consideration may include, without limitation, accurate, complete and legible copies of state and federal income tax returns and all schedules for the preceding tax year; financial statements, loan applications, bank account records, income and expense records for 12 months preceding submittal of the waiver form, as well as other documentation demonstrating the citee's financial hardship. The District may, at its sole discretion, request additional documents in order to determine a citee's financial ability to tender an advance deposit of the fine. Failure to submit sufficient evidence of a citee's financial inability to tender an advance deposit of the fine shall result in a denial of the hardship waiver. The District may, at a time chosen in its sole discretion and after a citation is final or confirmed, destroy or discard the documents submitted by a citee for a hardship waiver without prior notice to the citee.

(ii) Failure to submit a completed, signed hardship waiver form, along with sufficient records that support a claim of financial hardship, shall render any request for an administrative hearing incomplete and untimely, unless an advanced deposit of the fine was timely tendered in accordance with subsection (2) of this section. In this event, the citee shall have waived the right to a hearing and the citation shall be deemed final.

(iii) The District shall issue a written decision regarding the application for a hardship waiver. If the hardship waiver is denied, the written decision shall specify the reasons for not granting the hardship waiver. This decision is final and nonappealable. The decision shall be served upon the person requesting the hardship waiver by first class mail to the address listed on the hardship waiver application.

(A) Approval of a hardship waiver shall result in the District setting a hearing pursuant to Section 709 of this Code.

(B) If the District determines that the citee is not entitled to a hardship waiver, the citee shall tender the full amount of the administrative fine as set forth in the written decision on the hardship waiver within 10 calendar days of the date the decision is deposited with the U.S. Postal Service. In the event the General Manager does not receive the full amount of the fine in the required period (1) the request for a hearing is rendered incomplete and untimely, (2) the citee shall have waived the right to a hearing and the citation shall be deemed final, and (3) a late charge shall be imposed upon the administrative fine.

## **SECTION 509 – ADMINISTRATIVE HEARING; PROCEDURES**

(1) An administrative appeal hearing shall be scheduled and conducted within 60 calendar days of the date a timely and complete request is received by the District. A citee who files a request for an administrative hearing to contest a citation (hereinafter, "appellant") shall be notified in writing by first class mail of the date, time, and location of the hearing at least 10 calendar days prior to the date of the hearing. The failure of an appellant to receive a properly addressed notice shall not invalidate the citation or any hearing or District action or proceeding conducted pursuant to this chapter.

(2) At the place and time set forth in the written notice of administrative hearing, the hearing officer shall hear and consider the testimony of the issuing officer, the appellant(s), and/or their witnesses, as well as any documentary evidence presented by these persons concerning the violation(s) alleged in the citation.

(3) Administrative hearings are informal, and formal rules of evidence and discovery do not apply. The District bears the burden of proof to establish a violation and responsibility therefor by a preponderance of evidence. The issuance of an administrative citation shall constitute prima facie evidence of the violation and a copy of the citation, as well as any of the officer's photographs or documents related to the violation, shall be received into evidence. The enforcement officer who issued the citation is not required to attend or participate at the hearing; a representative on behalf of the District may present the officer's evidence. The appellant(s), and officer, if present, shall have an opportunity to present relevant evidence and witnesses and to cross-examine witnesses. An appellant may bring an interpreter to the hearing at the appellant's sole expense. The hearing officer may question any person who presents evidence or who testifies at any hearing.

(4) An appellant may appear at the hearing in person or by written declaration executed under penalty of perjury. Said declaration and any documents in support thereof shall be tendered to and received by the office of the General Manager at least three city business days prior to the hearing. If the appellant fails to attend the scheduled hearing, or to otherwise submit a written declaration in a timely manner, the hearing officer shall cancel the hearing and send a notice thereof to the appellant(s) by first class mail to the address(es) stated on the appeal form. A cancellation of a hearing due to nonappearance of the appellant shall constitute the appellant's waiver of the right to appeal. In such instances, the citation (and corresponding fine and other applicable fees) shall be deemed final.

(5) Hearings may be continued once at the request of an appellant or the officer who issued the citation. Any request by an appellant to continue a hearing must be submitted to the General Manager in writing no later than two business days before the date scheduled for the hearing. The hearing officer may continue a hearing for good cause or on his/her own motion; however, in no event may the hearing be continued for more than 30 calendar days without stipulation by all parties.

#### **SECTION 510 – HEARING OFFICER DECISION; RIGHT OF APPEAL THEREFROM**

(1) After considering all the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or overturn the citation based upon whether there was a preponderance of evidence that the violation(s) listed in the citation existed or occurred and shall state the reasons therefor.

(a) The decision of the hearing officer shall be a final administrative decision.

(b) If the citation is upheld and the appellant did not deposit the fine at the time the appellant requested an administrative appeal hearing, the hearing officer shall also order the payment of the fine (and other applicable fees and costs) as set by Board resolution within 20 calendar days of the decision.

(c) If the citation is overturned in whole or in part, the District shall refund the fine deposit corresponding to the portion of the citation that was overturned. Any such fine shall be mailed to the responsible person within 45 calendar days of the District's receipt of the hearing officer's decision and order.

(2) The appellant(s) shall be served by first class mail with a copy of the hearing officer's written decision. The date the decision is deposited with the U.S. Postal Service shall constitute the date of its service. The failure of an appellant to receive a properly addressed decision shall not invalidate it or any hearing, District action or proceeding conducted pursuant to this chapter.

(3) Decisions of the hearing officer are, in accordance with Government Code Section 53069.4(b), appealable to the superior court within 20 days after the date of their service. Each decision shall contain a statement advising the appellant(s) of this appeal right and the procedures and court filing fee for its exercise. An appellant shall serve a copy of the court-filed notice of appeal on the office of the General Manager– Conejo Recreation and Park District, Hillcrest Center, 403 W. Hillcrest Drive, Thousand Oaks, CA 91360 – by personal service or first class mail within five calendar days of filing the original thereof.

(4) If a hearing officer's decision is not appealed in a timely manner, the decision shall be deemed confirmed, final, and binding.

(5) An appeal from a hearing officer's decision is not appealable to the Board and the superior court is the sole reviewing authority. The appeal hearing before the superior court shall be heard de novo, except that the contents of the District's file in the case (including the citation) shall be received in evidence and shall constitute prima facie evidence of the facts stated therein.

(a) If a responsible person prevails on appeal, the District shall reimburse his or her filing fee, as well as the fine deposit in accordance with the court judgment. These monies shall be mailed to the responsible person within 45 calendar days of the District's receipt of a notice of judgment or ruling from the superior court clerk.

## **SECTION 511 – PENALTY**

A citee's willful nonpayment of administrative fines, late charges, interest charges or reinspection fees shall constitute a misdemeanor offense punishable in accordance with Article IV of this Code.

### Part 2. (Uncodified)

#### Severability

If any article, section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this title; it being hereby expressly declared that this title, and each section, subsection, sentence, clause and phrase hereof, would have been prepared, proposed, adopted, approved and ratified irrespective of the fact

that anyone or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Part 3.  
(Uncodified)

Effective Date

This Ordinance shall take effect on the thirty-first (31<sup>st</sup>) day following its final passage and adoption.

Part 4.  
(Uncodified)

Upon the effective date of this ordinance, the Ordinance Manual (last revised in February 2020), is superseded and replaced by this CRPD Ordinance Code (Ordinance No. 2024-1) and the former Ordinance Manual will no longer have any force or effect.

\_\_\_\_\_ PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
George Lange, Chair

\_\_\_\_\_  
Jim Friedl, General Manager

ATTEST

\_\_\_\_\_  
Aline Reynders