

TITLE 10 PUBLIC PARKS, PUBLIC FACILITIES, AND PARKING FACILITIES

Chapter 10.1 ACTIVITIES IN CITY PARKS, PUBLIC FACILITIES, AND PUBLIC PARKING FACILITIES

10-1.010 Definitions.

As used in this chapter, the following terms shall have the meanings set forth herein or as otherwise specified in the guidelines referenced herein. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.

- (a) "Applicant" means any individual, corporation, partnership, trust, nonprofit organization, association, group or other business entity or organization who seeks a permit under this Chapter. For purposes of this Chapter, "applicant" includes the organizer of the event, responsible for coordination and management of the event on the day or days of the event.
- (b) "Boat" shall mean any vessel or device in or upon which persons or property may be transported upon, over, or under the surface of the water.
- (c) "Camping" shall have the same meaning as Chapter 5-36.01.
- (d) "City" refers to the City of Watsonville, California.
- (e) "City Manager" means the City Manager or designee.
- (f) "Expressive Activity" shall have the same definition as set forth in Chapter 5-12.
- (g) "FAA" refers to Federal Aviation Administration.
- (h) "Park" means a park, playground, open space area, trail, or any other area, or grounds in the city, owned or used by the City and devoted to active or passive recreation including parking lots constructed directly in and around the park to serve the customers of the park and includes Skate Parks and Bicycle Pump Tracks, as defines in Section 10-2.010.
- (i) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
- (j) "Permit" means a permit issued by the City of Watsonville pursuant to this Chapter.
- (k) "Pinto Lake Recreation Area", for convenience referred to in this chapter as "Pinto Lake", or "the Lake", shall include the waters of Pinto Lake within the boundaries of the City property, as well as the lands owned by the City contiguous to the Lake and devoted to recreational uses and facilities, including, but not limited to, boating, fishing, and other water activities.
- (l) "Public Facility" means all Public Buildings and Public Parking Facilities as defined in this section.
- (m) "Public Building" means City-owned buildings including general governmental buildings, recreation centers, libraries, restrooms, public service centers and any other building used by the City for public purposes.
- (n) "Public Parking Facilities" means a City-owned parking lot or parking facility constructed to provide parking to a general area of the City that is not primarily a "Park" or "Public Building" as defined.
- (o) "Refuse" means any broken glass, ashes, grease, food waste boxes, shopping carts garbage, trash, bottles, cans, papers, ashes, food and vegetable material, rubbish, industrial wastes, animal waste, grass clippings, tree or shrub pruning or any other discarded substance, matter, or thing, whether liquid or solid.

- (p) "Unmanned Aircraft" means an aircraft weighing less than fifty-five pounds, including everything that is onboard or otherwise attached to the aircraft, that can be flown without the possibility of direct human intervention from within or on the aircraft.
- (q) "Vehicle" has the same definition as California Vehicle Code section 415, but excludes vehicles in the service of the City.
- (r) "Wheeled Vehicles" means a bicycle, skateboard, roller skates, in-line skates, scooter or other wheeled device powered by human activity or by motor and includes electric bicycles.

10-1.020 General provisions.

The provisions of this chapter shall apply to all Parks and Public Facilities to facilitate the pursuit and enjoyment of leisure activities and for the general welfare of the community.

The following principles shall govern use of Parks and Public Buildings:

- a) Parks and Public Buildings are primarily intended for the use and enjoyment by residents of Watsonville.
- b) Public recreation services, spaces, and activities should be available to all Watsonville residents without discrimination as to race, religion, gender, identity, economic status, or any protected status;

10-1.030 Operating hours and Closures.

- (a) Operating hours for Parks and Public Facilities are established as follows, unless authorized by permit or agreement by the City Manager:
 - (1) Parks. All Parks shall be open from sunrise to sunset and remain closed from sunset to sunrise;
 - (2) Public Facilities. Operating hours shall be established by the City Manager.
- (b) The opening and closing hours of Parks and Public Facilities shall be posted at each entrance and exit thereof for public information.
- (c) Curfew. Unless authorized by City permit, it shall be unlawful for any person to be or remain in a Park or Public Facility when closed to the public.
- (d) The City Manager may close all or any portion of any Park or Public Facility to the public at any time, and for any interval of time, as is reasonably necessary for the preservation and protection of the Park or Public Facility.

10-1.040 Park or Public Facility Regulations.

The City Manager is authorized to take any action, including to promulgate policies or procedures, in furtherance of the administration of this Chapter.

10-1.050 Parks and Public Facilities – Prohibited Conduct

The following conduct is prohibited in all Parks and Public Facilities, unless otherwise permitted by the City:

- (a) Damage to Property. No person may mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, barriers, signs markers, monuments, trash receptacles, paving or paving materials, water lines, or other public utilities or part or appurtenances whatsoever, either real or personal;

- (b) Failure to Properly Use Restrooms. All patrons of Public Facilities shall cooperate in maintaining restrooms in a neat and sanitary condition;
- (c) Removal of or Damage to Vegetation. No person may dig, remove, or damage any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials. Nor shall any person attach any rope, wire or other contrivance to any tree or plant or use stakes or penetrate the ground deeper than 8" without prior approval by the City;
- (d) Climbing, Standing, Sitting. No person may climb, stand or sit on trees, monuments, buildings or walls, vases, fountains, railing, fence or upon any other property not designated or customarily used for such purposes;
- (e) Hunting Animals. No person may hunt, molest, frighten, kill, trap, chase, tease, shoot or throw anything at any animal; nor shall any person remove or have in possession the young of any animal, or the eggs or nest or young of animals;
- (f) Releasing Animals. Except as otherwise regulated by law, no person may lead, ride, drive, keep or let loose any animal, reptile or fowl of any kind in any Park or Public Facility unless under proper control by the animal's owner or attendant. Dogs in Parks must comply with Section 10-1.060(a). The owner shall be responsible for any damage or injury that may be caused by the animal;
- (g) Feeding Nondomestic Animals. No person may feed domestic or nondomestic animals any food, including breads, seeds, nuts or other foods or give or offer, or attempt to give any known noxious or toxic substance as many cause unintentional harm, illness, or death;
- (h) Horse Riding. No person may ride a horse, except on designated trails or by permit. Where permitted, horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree, or shrub;
- (i) Use of Intoxicating Substances. Consumption of alcoholic beverages or use of any other intoxicating substance is prohibited in all Parks and Public Facilities, except pursuant to valid City-issued permit. Moreover, no person may enter or remain in a Park or Public Facility while under the influence of any illegal drug or alcohol when the consumption of alcohol is not approved as part of a City-issued permit;
- (j) Use of Illegal Drugs. No person may use any controlled substance in a manner that is prohibited under state or federal law;
- (k) Smoking. No person may engage in smoking activities as defined by Section 5-37.06 of the Watsonville Municipal Code.
- (l) Unauthorized Gambling. Playing, betting at or against, or wagering on for money, chips, shell, credit or any other representative of value any game that is prohibited by the Penal Code of the State of California is prohibited within all Parks and Public Facilities;
- (m) Possession of Firearms, Weapons. No person may use, carry or possess firearms of any description, or air rifles, spring guns, bows and arrows, slings, BB guns, pellet guns, airsoft guns, orbeez guns, sling shots or any other forms of weapons potentially dangerous to wildlife or human safety. Shooting into Parks or Public Facilities from beyond Park or Public Facility boundaries is similarly prohibited;
- (n) Pollution of Waters. No person may throw, discharge or otherwise place in the waters of any fountain, pond, lake, or other body of water in or adjacent to any Park or Public Facility, or any tributary, stream, storm sewer or drain flowing into such waters, any substance which will or may result in the pollution of such waters;

- (o) Disposal of Refuse. No person may dump, deposit or leave any refuse on Park or Public Facility grounds. Refuse shall be placed in the proper receptacles where these are provided; and where such receptacles are not provided, the individual generating the Refuse shall remove all such Refuse and properly dispose of elsewhere;
- (p) Storage of Personal Property. No person may store, contain, or otherwise leave personal property unattended where not otherwise approved by a City-issued permit;
- (q) Public Bathing, Swimming. No person may swim, bathe or wade in any restrooms, fountains, ponds, lakes or streams not specifically provided for that purpose and so posted. Swimming in the nude or nude sunbathing is prohibited anywhere in a Park or Public Facility;
- (r) Camping. Camping is only permitted in the City in accordance with Chapter 5-36 of the Municipal Code;
- (s) Discharge or Lighting of Fireworks Prohibited in City Parks. No person may bring, possess or set off, or otherwise cause to explode or discharge or burn, any firecrackers, torpedoes, rockets or other fireworks or explosives of flammable material or discharge them or throw them into any Park or Public Facility or any roadway adjacent thereto. This prohibition includes any substance, compound, mixture or articles that, in conjunction with any other substance or compound, would be dangerous from any of the foregoing standpoints. This prohibition also includes fireworks that may otherwise be legal to possess within this State;
- (t) Fires. No person may make or kindle a fire for any purpose except at places provided for such purpose, nor leave a fire at a place provided for such purpose before the fire is completely extinguished, nor utilize a designated BBQ pit without disposing of remnants in provided bins;
- (u) Use of Cooking Equipment without a City Permit. No person may use cooking equipment within Parks or Public Facilities without a City-issued permit or approval, and proper disposal and containment requirements for food scraps, grease, or other food remnants in accordance with posted signs. Use of City-provided barbeque pits is permitted by reservation, or if not reserved, on a first come, first served basis;
- (v) Powered Model Airplanes, Watercraft, or Rockets. Use powered model airplanes, watercraft, or rockets at any time, without permit;
- (w) Powered Cars, or Trucks. Use powered cars, or trucks in a manner that is dangerous, negligent, careless, reckless or that otherwise poses a risk of harm, danger or injury to life or property or in a manner which may interfere, in any way, with another person or entity's right to privacy, right to quiet enjoyment of his/her property, business operations or recreational activities;
- (x) Unmanned Aircraft. No person may use unmanned aircraft or drones, in a manner that is inconsistent with the state or federal law, including FAA regulations, or at a Park or Public Facility not designated for unmanned aircraft use by the City Manager.
- (y) Use of Wheeled Vehicles. No person may:
 - (1) Ride a Wheeled Vehicle in violation of Chapter 1 of Title 4 of this Code.
 - (2) Ride a Wheeled Vehicle on other than a paved vehicular road or path designated for that purpose. A person shall be permitted to wheel, push or carry a Wheeled Vehicle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use;
 - (3) Ride a Wheeled Vehicle and not yield the right-of-way to pedestrians.

- (4) Ride a Wheeled Vehicle in a manner that interferes with entry or exit from Parks or any Public Facility.
 - (5) Ride a Wheeled Vehicle other than on the right-hand side of the road paving as close as conditions permit, and Wheeled Vehicles shall be kept in single file when two (2) or more are operating as a group. Wheeled Vehicle users shall at all times operate with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting;
 - (6) Leave a bicycle in a place other than a bicycle rack when such is provided and there is space available;
 - (7) Leave a Wheeled Device lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by such device.
- (z) Games. No person may take part in or play any game involving thrown or otherwise propelled objects except in areas set apart for such forms of recreation unless authorized by the City Manager. The playing of rough or potentially dangerous games to others, such as football, baseball, and soccer, shall be prohibited, except on the fields and courts or areas provided therefor;
- (aa) Noise and Amplified Sound. No person or group may exceed the noise standards set forth in Section 5-8.02 of this Code. No person may employ amplified sound without a permit as required by Chapter 5-34 of this Code.
- (1) It shall be unlawful to have live entertainment or sound application, with the exception of scheduled Little League games within the baseball diamond. Radios, record players, television sets, and tape players may be used only when the volume does not exceed the volume of normal conversational speech.
- (bb) Merchandising, Advertising.
- (1) Sales and Merchandising. Vendors offering food or any article for sale shall not obstruct pedestrian walkways, parking spaces, fields, or other natural landscapes.
 - (2) Advertising and Signs. Paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatever on any tree, fence, rock, or other natural or artificial surface; advertisements and signs may only be temporarily affixed or posted to sign boards provided by the City.
- (cc) Use of Vehicles and Boats.
- (1) Compliance with Vehicle Code. All persons must comply with all applicable provisions of the Vehicle Code of the State in regard to equipment and operation of vehicles, together with such regulations as are contained in this chapter and any other ordinances of the City regulating traffic;
 - (2) Obedience to Traffic Officers, Peace Officers and Their Designees. All persons shall obey all traffic officers, peace officers and their designees, and City employees who are hereafter authorized and instructed to direct traffic in Public Facilities in accordance with the provisions of this chapter and such supplementary regulations as may be issued by the City;

- (3) Observance of Traffic Regulations. All persons shall observe carefully all traffic signs indicating speed, direction, caution, stopping or parking, and all other signs posted for proper control and to safeguard life and property;
- (4) Excessive Speed. Ride or drive a vehicle at a rate of speed exceeding five (5) miles per hour.

10-1.060 Conduct in City Parks – Specifically.

The following conduct is prohibited at City Parks:

- (a) Dogs. Bring, lead or unleash a dog on a playing field, ballfield or court, or unleash a dog, except in areas provided for that purpose and so posted.
- (b) Glass Bottles. Bring and/or dispose of glass bottles into a Park;
- (c) Pinto Lake Recreation Area.
 - (1) Ride, drive, or permit or allow any horse, cow, cat, or other domestic animal, excluding dogs, within the Pinto Lake Recreation Area without the permission of the City. In any event, such animals, if permitted by the City, shall be on a leash, properly harnessed, or otherwise adequately controlled. Dogs are permitted within Pinto Lake Park, provided that the dog remains on a leash;
 - (2) Take fish at those locations or within an area specified in rules and regulations adopted by resolution of the Council provided such prohibited fishing areas are posted so as to provide reasonable notice of such prohibition and regulations.
 - (3) Operate any Boat at a speed greater than five (5) miles per hour.

10-1.070 Conduct in Public Buildings – Specifically.

The following conduct is prohibited at Public Buildings:

- (a) Possessing animals in any Public Building except for service animals or when the possession of the animal is approved as part of a Permit issued pursuant to 10-1.090.
- (b) Riding or using Wheeled Vehicles.
- (c) All persons visiting Public Buildings are subject to the provisions of Title 5, Chapter 10 of this Code.

10-1.080 Conduct in Public Parking Facilities - Specifically.

No person at a City Public Parking Facility shall do any of following:

- (a) Remain present in a Public Parking Facility for any other purpose than to travel to and from a vehicle parked within the Public Parking Facility;
- (b) Ride or use Wheeled Vehicles, bicycles, skateboards, roller skates, in-line skates, or scooter.
- (c) Park a Vehicle or Boat in other than an established or designated parking area, and such use shall be in accordance with the posted directions there, and with the instructions of any attendant who may be present.
- (d) Drive any vehicle on any area except paved roads or parking areas, or such other areas as may be designated as temporary parking areas by the City.

10-1.090 Permit Required.

It shall be unlawful for any person to engage in any use of any Park or Public Facility for which a Permit is required without obtaining such a permit, except where such activity is regulated by other provisions of this Code, such as Chapter 5-12. Nothing in this Chapter shall require persons or entities to obtain a permit for Expressive Activities, where such activity is addressed by Chapter 5-12 of this Code.

The following uses or activities within all or a portion of Public Facilities or Parks require a special permit issued by the City Manager:

- (a) Gatherings or Events in City Parks or Public Facilities that meet any of the following criteria:
 - a. Gatherings or events in the City Plaza, Pinto Lake Park, Franich Park, or Ramsay Park wherein 75 or more individuals will be present. Events wherein more than 250 individuals will be present are subject to the provisions of Chapter 5-12;
 - b. Gatherings or events in any City Park or Public Building or a portion thereof, wherein an individual or organization intends to host an event to the exclusion of the general public or where the general public must purchase admission.
 - c. Gatherings or events or use of any City Park or Public Facility that exceeds the operational hours of the Park or Public Facility.
- (b) Camping. Permits for Camping shall be issued pursuant to Chapter 5-36 of this Code.
- (c) Construct Temporary Building, Structure. Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands;
- (d) Jump houses. Erect a jump house or other inflatable structure.
- (e) Conduct, Advertise Professional Pyrotechnic Displays. Conduct, advertise, or plan for any professional pyrotechnic display;
- (f) Chemical Toilets. Temporary use of temporary or chemical toilets.

10-1.100 Application for Permit.

- a) Any individual or group desiring a permit, pursuant to Section 10-1.090 shall apply to the City Manager, in writing on a form approved by the City Manager.
- b) A complete application must be submitted to the City Manager at least 72 hours prior to the desired reservation or event.

10-1.110 Criteria for Approval.

The City Manager shall approve a permit pursuant to the provisions of this chapter if the City Manager determines the application meets any of the following criteria:

- a) The information contained in the application, or supplemental information provided, is complete and is not materially false or misleading.
- b) The Applicant has provided satisfactory evidence of insurance, where required, and has remitted any fees or deposits as required by this chapter.
- c) The Applicant has provided evidence of obtaining relevant permits from other state or local entities.

- d) The Park or Public Building, or portion thereof, is available for the period for which the permit is requested.
- e) The area proposed for the Applicant's use or activity can safely accommodate the number of participants expected to participate.
- f) The proposed use, activity or event is compatible with the uses established for the requested Park or Public Building or portion thereof during the date or time requested.
- g) The proposed use does not have realistic potential to create a threat to the public health, safety or welfare, or to damage public property, that cannot be adequately remedied by reasonable traffic control, barriers, and/or other safety measures.
- h) The proposed use would not require the diversion of public safety or other city employees from their normal duties so as to unreasonably reduce adequate levels of service to any other portion of the city.
- i) The proposed use, event or activity will not have a substantial adverse environmental impact.
- j) The proposed use does not conflict with applicable provisions of any federal, state and/or local law.
- k) For events or uses in the City Plaza, the proposed use is not commercial.

10-1.120 – Conditions of Approval.

Permits issued pursuant to this chapter are subject to such reasonable conditions as the City Manager may determine necessary to coordinate multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful uses, protect the safety of persons and property, ensure compliance with noise requirements set forth in Chapter 5-8.02 of this code, and to control vehicular and pedestrian traffic in and around the Park and/or Public Facility. These conditions may include conditions for waste management and restoration of the Park, environmental protection, conditions to ensure safe accommodation of an event's pedestrian and vehicular traffic, indemnification and hold harmless of the City, and reasonable designation of alternate sites, times, or dates in the event of conflict with available resources.

10-1.130 Permit Holder Responsibilities.

An individual or organization issued a permit pursuant to this Chapter shall:

- a) Comply with all rules and regulations and all applicable City ordinances as though the same were incorporated into the permit.
- b) Comply with all conditions imposed by the permit.
- c) Inform all attendees of the conditions of the permit and the applicable rules and regulations.
- d) Make the permit available at the event site and shall exhibit it upon request of any city official.

10-1.140 – Revocation of Permit.

Permits issued pursuant to this Chapter may be revoked and the proposed event or use dispersed if the City Manager or designee determines:

- a) That the Applicant misrepresented or misstated any material fact in their application; or
- b) That the Applicant damaged city property or violated permit conditions; or
- c) That the activity or any significant part thereof taking place on said premises is contrary to state or local law or is endangering life and/or property.

10-1.150 Right to Appeal.

Any person who has been denied a permit pursuant to this Section may appeal the denial pursuant to Chapter 1-4 of this Code.

10-1.160 Fees.

The City Manager is authorized and directed to charge and collect such fees as may be established by resolution of the Council for the use of Parks or Public Facilities.

10-1.170 Violation.

- (a) It is unlawful for any person to violate any of the provisions of this chapter.
- (b) Anyone violating, or refuses to abide by, any provision of this chapter shall be subject to the penalties set forth in Chapter 2 of Title 1 of this Code and will be held financially responsible to the maximum extent provided by law for any and all damage caused.
- (c) In addition to fines, for any subsequent violations within any consecutive twelve-month period, the City Manager may order the exclusion of the violator from the use of any Park or Public Facility for a period of time as determined at his or her reasonable discretion.