

**10.04.010 Title for citation.**

---

The ordinance codified in this title shall be known as, and may be cited as, the park ordinance. [Ord. 2954, 1980; prior code § 8.60.020(b)].

**10.04.020 Definitions.**

---

As used in this chapter:

(A) "Alcoholic beverages" includes alcohol, spirits, liquor, wine, beer and every other liquid which is fit for beverage purposes and which contains more than one-half of one percent of alcohol by volume.

(B) "Commission" means the Parks and Recreation Commission.

(C) "Department" means the Department of Parks, Open Space and Cultural Services.

(D) "Director" means the Director of Parks, Open Space and Cultural Services.

(E) "Motor vehicle" means any multiwheeled, treaded or sled-type vehicle that is propelled by a motor or engine including any vehicle commonly known as a "motorized recreation vehicle."

(F) "Park" means every park, riding and hiking trail, recreation area, beach, community center or building, historic structure or facility owned, managed or controlled in whole or in part by the County and under the jurisdiction of the Director in either incorporated or unincorporated territory.

(G) "Park waters" means any lake, pond, river, stream or other body of water within a park.

(H) "Vessel" means every description of watercraft used or capable of being used as a means of transportation on water. [Ord. 4488 § 4, 1998; Ord. 2954, 1980; prior code § 8.60.010].

**10.04.030 Compliance with rules and regulations.**

---

A person shall not enter, be or remain in any park unless he complies with all of the regulations set forth in this chapter applicable to such park and with all other applicable laws, ordinances, rules and regulations. [Ord. 2954, 1980; prior code § 8.60.020(a)].

**10.04.040 Fees and permits.**

---

(A) The Board of Supervisors may adopt a schedule of fees for the use of parks and it shall adopt rules and regulations for the granting of permits issued by the Department pursuant to this chapter. The Director may

deny a permit on the basis that the application does not meet the requirements of the rules and regulations or upon making of a finding that the proposed use is detrimental to the public health, safety or welfare on one or more of the following grounds: security, crowd control, traffic control, parking, environmental health, sanitation or fire control; and that such detriment cannot reasonably be mitigated. The Board and Commission shall be advised of this action. An applicant for a permit may appeal the denial thereof to the County Administrator. The determination by the County Administrator may be appealed to the Board of Supervisors.

(B) When such fee schedule, rules and regulations are adopted, it is unlawful to be in a park except by payment of the fee or in accordance with the required permit or rules and regulations of the park. [Ord. 2954, 1980; prior code § 8.60.030].

#### **10.04.050 Applicability of regulations.**

---

The rules and regulations set out in following sections apply to all parks as defined in SCCC 10.04.020, except as otherwise expressly stated. [Ord. 2954, 1980; prior code § 8.60.040(a)].

#### **10.04.060 Hours.**

---

The Director shall designate the hours for the use of the parks. The Director shall post the hours of use at the entrance of each park. [Ord. 2954, 1980; prior code § 8.60.040(q)].

#### **10.04.070 ~~Hunting—Fishing—Molesting animals.~~**

---

No person shall pick, collect, molest, hunt, disturb, injure, trap, take, net, poison, harm or kill any kind of plant, mineral, animal or fish, or so attempt, except that fish or frogs may be taken other than for commercial purposes in accordance with the State fishing laws and regulations unless otherwise posted by the Director of the Department. The foregoing provision shall not apply to persons employed by any city, the County, the State or the United States to destroy predatory animals or birds or beasts as defined in the Food and Agricultural Code when acting in the course of their employment, nor shall the foregoing provision of this section apply:

(A) If a person is requested by the Director of a park containing a nature museum a person may capture such an animal and deliver it unharmed to the Director;

(B) If a person is a duly authorized Santa Cruz County park employee and is doing so in the performance of normal duties. [Ord. 4429 § 1, 1996; Ord. 2954, 1980; prior code § 8.60.040(m)].

#### **10.04.080 Grazing.**

---

A person shall not permit any cattle, horses, goats, sheep, swine or any domestic animal to graze in any park, except on property designated for such purpose. [Ord. 2954, 1980; prior code § 8.60.040(k)].

#### **10.04.090 Bringing animals into parks.**

---

A person shall not bring into a park any cattle, mule, goat, sheep, swine, dog, cat or other animal of any kind except as specifically provided in this chapter or as otherwise permitted by the Director. [Ord. 2954, 1980; prior code § 8.60.040(g)].

#### **10.04.100 Dogs and cats.**

---

(A) Dogs shall be licensed in accordance with the animal ordinance (Chapter [6.08](#) SCCC). A person may bring and maintain in any park, exclusive of golf courses, a dog or cat, if such dog or cat is kept on a leash or chain not to exceed six feet in length and under immediate control of its owner or custodian, or upon written permission of the Director when required for authorized park programs, or when dogs are in special areas of parks designated and posted by the Park Director as dog exercise and training areas (dog parks) and so long as the regulations of the Park Director with respect to the use of such areas are followed.

(B) Any person owning or having control of any dog or cat which defecates upon property owned or managed by the Department of Parks, Open Space and Cultural Services must immediately remove and dispose of the feces.

(C) Notwithstanding any other provision of this section, the Director has the authority to prohibit dogs and cats in any park or part thereof after submitting the proposal to the Parks Commission for review and recommendation. [Ord. 4666 § 1, 2002; Ord. 4429 § 2, 1996; Ord. 2954, 1980; prior code § 8.60.040(h)].

#### **10.04.110 Animals on trails.**

---

No person shall bring any animal within or upon any area designated as a nature preserve, nature trail, equestrian trail, or bicycle trail except with written authorization of the Department. This section does not apply to horses that are on marked equestrian trails provided they are under the immediate and reasonable control of the owner. [Ord. 4429 § 3, 1996; Ord. 2954, 1980; prior code § 8.60.040(i)].

#### **10.04.120 Service animals for persons with disabilities.**

---

SCCC 10.04.090, 10.04.100 and 10.04.110 do not apply to service animals used to assist persons with disabilities, such as guide dogs, hearing dogs, assistance dogs, seizure alert dogs or social/therapy dogs; provided, that such service animals shall remain under the immediate control of such persons with disabilities. [Ord. 4666 § 2, 2002; Ord. 2954, 1980; prior code § 8.60.040(j)].

**10.04.130 Vehicle regulation in County parks.**

---

The Board shall regulate the use of vehicles within the parks by resolution adopted pursuant to Section [21113](#) of the Vehicle Code. The Director of Parks, Open Space and Cultural Services shall be responsible for the administration and enforcement of vehicle regulations within any parks in accordance with SCCC Title [9](#). [Ord. 4018 § 2, 1989; Ord. 2954, 1980; prior code § 8.60.040(n)].

**10.04.140 Washing or repairing vehicles.**

---

No person shall engage in the washing, cleaning, polishing, repairing, renovating or painting of any motor vehicle, trailer or other wheeled conveyance or bicycle within a park, except that emergency repairs immediately necessary in order to proceed from the park may be completed. [Ord. 2954, 1980; prior code § 8.60.040(f)].

**10.04.150 Model airplanes and boats.**

---

A person shall not operate motorized model airplanes, boats or crafts except in areas designated for such use and subject to all rules and regulations contained in such written permission. [Ord. 2954, 1980; prior code § 8.60.040(o)].

**10.04.155 Tobacco products in parks.**

---

- (A) No person shall be in possession of a burning tobacco or tobacco-related product, including but not limited to cigars and cigarettes, in or upon any park.
- (B) No person shall chew tobacco or tobacco-related products in or upon any park.
- (C) No person shall dispose of lighted or unlighted cigars or cigarettes, or cigar or cigarette butts, or any other tobacco-related waste in or upon any park. [Ord. 4861 § 1, 2007].

**10.04.160 Alcoholic beverages.**

---

- (A) Any person drinking or consuming an alcoholic beverage or possessing any open alcoholic beverage container in any park shall be in violation of SCCC 8.02.020 or 8.02.030 except for beer, wine, or “sparkling wine” such as champagne, as authorized by permit issued by the Director.
- (B) Permits issued by the Director pursuant to this section are expressly limited to the service of beer, wine, or “sparkling wine” such as champagne, and shall require proof of any license or permit required by the Alcoholic Control Act, a cleanup and damages deposit, and in those instances where there is an entrance fee charged and alcoholic beverages are sold, insurance in the amount specified in the rules and regulations. Such

insurance shall name the County, its officers, agents and employees as additional insureds, be primary coverage and indemnify the County, its officers, agents and employees for any and all losses, including, but not by way of limitation, attorneys fees and legal costs which the County, its officers, agents and employees may suffer by reason of use of the permit.

(C) Notwithstanding any other provision of this section, the Director may prohibit the consumption of any intoxicating liquor in a park or part thereof after submitting the proposal to the Parks Commission for review and recommendation. [Ord. 4576 § 1, 1999; Ord. 4488 § 5, 1998; Ord. 4429 § 4, 1996; Ord. 2954, 1980; prior code § 8.60.090].

#### **10.04.165 Approved use of park facilities.**

---

(A) No person shall hang glide or golf in any area of a park.

(B) In order to protect or promote the public health or safety or to protect public property from risk of harm, the Director has the authority to prohibit activities such as skateboarding, in-line skating, bicycling, scooter riding, or roller skating in any park or part thereof, after submitting the proposal to the Parks Commission for review and recommendation.

(C) If an activity is prohibited pursuant to subsection (B) of this section, the Director shall cause the area in which the activity is prohibited to be posted in such a manner as to reasonably inform the public of the prohibition.

(D) Any person who engages in an activity that is prohibited by this section is guilty of an infraction, which shall be punishable as provided in SCCC 1.12.040; provided, however, that any offense(s) which would otherwise be an infraction is a misdemeanor punishable in accordance with SCCC 1.12.030 of the Santa Cruz County Code if a defendant has been convicted of three or more violations of this section within the 12-month period preceding the Commission of the fourth offense. For this purpose, a bail forfeiture is deemed to be a conviction of the offense charged. [Ord. 4748 § 1, 2003; Ord. 4429 § 5, 1996].

#### **10.04.170 Camping.**

---

(A) A person shall not camp or sleep overnight in any park except where a family-type camping area is so designated and then only in accordance with the rules and regulations governing the use of such area.

(B) The Director may issue a permit to any youth group and to any special interest group permitting its members as a group to camp overnight at a designated location in a park if the Director finds that the members

of such group will be supervised during such camping by an adequate number of responsible adults and such overnight camping will not interfere with or in any way be detrimental to the park or interfere with the uses thereof.

(C) Upon the granting of such a permit, the members of such group, including the adult supervisors, may camp at the time, location and under the conditions specified in such permit. [Ord. 2954, 1980; prior code § 8.60.040(r)].

---

**10.04.180 Changing clothes.**

A person shall not change clothes or disrobe in a park except in that portion of a comfort station or other facility which is designated for such purpose. [Ord. 2954, 1980; prior code § 8.60.040(s)].

---

**10.04.190 Dishwashing.**

A person shall not place in any park waters any edible matter, dish or utensil or cleanse in any park waters any such edible matter, dish or utensil or commit any nuisance in or near such waters except as provided in SCCC 10.04.270. [Ord. 2954, 1980; prior code § 8.60.040(t)].

---

**10.04.200 Damage or theft.**

No person shall disturb, destroy, remove, deface or injure any property of the County park system. [Ord. 2954, 1980; prior code § 8.60.040(l)].

---

**10.04.210 Fires.**

No person shall ignite or permit to be ignited, or maintain or permit to be maintained, a fire in any location in a park except in a designated campfire site, barbecue pit, fireplace or cooking area provided by the Department for the purpose of maintaining a fire, or except as specifically permitted in writing by an authorized employee or agent of the Department. [Ord. 2954, 1980; prior code § 8.60.040(e)].

---

**10.04.220 Amplified music.**

Amplified music shall not be played except by permit signed by the Director. [Ord. 2954, 1980; prior code § 8.60.040(u)].

---

**10.04.230 Harmful objects.**

A person shall not place, throw, leave, keep or maintain any fixed or portable object or weapon in such a manner or in such a place that any person or animal may be injured or any structure or vehicle may be damaged thereby. [Ord. 2954, 1980; prior code § 8.60.040(b)].

**10.04.240 Road and trail use.**

---

A person shall not operate any motor vehicle on or over any firebreak or any fire protection roads which are posted or locked against public use or operate any motor vehicle on or over any riding or hiking trail, including a riding and hiking trail established under Article 6 of Chapter 1 of Division 5 of the Public Resources Code of the State or any designated service road, except as otherwise provided for by permission of the Department or in case of emergency. [Ord. 2954, 1980; prior code § 8.60.070].

**10.04.250 Rubbish.**

---

A person shall not throw, leave, place, deposit or dispose of any garbage, refuse, wastepaper, bottles or cans in any place in a park other than into a garbage can or other receptacle maintained therein for that purpose, nor shall any person place any household garbage or refuse in any trash receptacle within a park. [Ord. 4429 § 6, 1996; Ord. 2954, 1980; prior code § 8.60.040(c)].

**10.04.260 Shooting.**

---

Except as otherwise authorized by law, no person shall use, maintain, possess or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, paint ball gun or any other weapon potentially hazardous to wildlife or human safety within the boundaries of any park or within 200 feet thereof. It is unlawful to shoot any of the weapons mentioned in this section into or across any park. The foregoing provisions of this section shall not apply to the operation and use of shooting, firing or archery ranges or to other areas that have been designated by the Director for the use of firearms nor shall they apply to persons employed by any city, the County, the State or by the United States to destroy predatory animals or birds or beasts as defined in the Food and Agricultural Code when acting in the course of their employment. [Ord. 4429 § 7, 1996; Ord. 2954, 1980; prior code § 8.60.040(d)].

**10.04.270 Soliciting.**

---

A person shall not offer for sale, solicit the sale of, announce by any means the availability of, or have in his possession, control or custody any goods, wares or merchandise, which the public may purchase at any time, except:

(A) Pursuant to a concession or other agreement authorized by the Board of Supervisors or pursuant to a permit authorized by the Director.

(B) A sports team which is a member of a regular sports league and which admits all members of the general public to the sporting event to the extent of capacity without discrimination and without charge to any game

played may solicit voluntary contributions from the spectators attending such games. [Ord. 2954, 1980; prior code § 8.60.040(p)].

#### **10.04.280 Swimming and boating.**

---

Swimming and boating are prohibited except in those areas designated by the Director. The Director shall adopt water safety rules regulating swimming and boating areas. This section does not apply to waters subject to the provisions of the California Harbors and Navigation Code. [Ord. 2954, 1980; prior code § 8.60.050].

#### **10.04.285 Skate facilities.**

---

(A) No person shall ride a skateboard, in-line skates or roller skates in any temporary or permanent County skate facility unless that person is wearing appropriate safety gear, including a helmet, elbow pads, knee pads and hand/wrist guards.

(B) Signs shall be posted at County skate facilities as notice to any person using the facility that they must wear a helmet, elbow pads, knee pads and hand/wrist guards and that any person failing to do so will be subject to citation for violating this section, prohibition from using the facility, or both. One sign shall be posted at any entrance to the skating area and one or more sign(s) shall be posted at another location within the skating area. [Ord. 4570 § 1, 1999].\*

\* Code reviser's note: Ord. 4570 added this section as 10.04.280. It has been editorially renumbered to avoid duplication.

#### **10.04.290 Islands.**

---

No person shall go upon or remain upon any island in any park water unless authorized by the Director. [Ord. 2954, 1980; prior code § 8.60.060].

#### **10.04.300 Emergency closure.**

---

(A) Whenever a menace to the public health or safety is created by a calamity such as flood, storm, fire, earthquake, explosion, accident or other disaster, or when, in the opinion of the Department employees charged with the protection and safety of the public, a hazardous condition exists due to overcrowding or civil disorder, or upon formal request by the Director or Park Manager of any County park facility, any duly appointed peace officer or any designated uniformed County employee may close the park or facility to further public entry and may lawfully command the public to vacate the facility or park until, in the opinion of the closing authority, the hazardous condition no longer exists.

(B) Any unauthorized person who wilfully and knowingly enters an area closed pursuant to this section or who wilfully remains within such area after receiving notice to evacuate or leave is guilty of a misdemeanor. [Ord. 4748 § 2, 2003; Ord. 2954, 1980; prior code § 8.60.080].

**10.04.305 Limited or prohibited areas.**

---

(A) The Director or designated representative may from time to time establish prohibited or limited areas to avoid interference in development, construction and management, or to provide for security, safeguarding or preservation of property within the County park system, or to preserve or protect the public safety or well-being.

(B) The Director or designate shall declare an area prohibited or limited by written order specifying the period thereof. The order may include such classes of persons who may enter therein and the conduct of such proper activities or official duties as the Director may prescribe. The order may also limit the number of persons in an area.

(C) The Director or designate shall cause the area prohibited or limited to be posted in such a manner as to reasonably inform the public of the restrictions.

(D) If the period of prohibition or limitation is intended or expected to exceed 90 calendar days, within 60 calendar days after imposing the prohibition or limitation, the Director or designate shall submit the matter to the Parks Commission for review and recommendation.

(E) Any unauthorized person who enters an area prohibited or limited pursuant to this section and/or conducts an activity that is prohibited in such area is guilty of an infraction, which shall be punishable as provided in SCCC 1.12.040. [Ord. 4748 § 3, 2003].

**10.04.310 Administration.**

---

The Director shall administer the provisions of this chapter. [Ord. 2954, 1980; prior code § 8.60.020(c)].