

# ATTACHMENT 1

## PARK REGULATIONS UPDATE

This document includes the provisions of Chapter 9.10 of the Culver City Municipal Code (CCMC) reviewed by City staff and the CCMC Review Ad Hoc Subcommittee. As mentioned in the staff report, the discussion of some provisions is being deferred at this time. Added text is noted in blue underline, deleted text is noted in ~~red strikethrough~~, and deferred provisions are noted in ~~greyed out text~~.

### **REGULATION OF PARKS ~~AND PLANTING~~**

**[DISCUSSION OF SECTION 9.10.005 BELOW WILL BE DEFERRED AT THIS TIME. ADDITIONAL DEFINITIONS OF CERTAIN TERMS USED WITHIN THIS CHAPTER WILL BE ADDED WHEN THIS SECTION IS UPDATED.]**

#### **§ 9.10.005 DEFINITION; MAINTENANCE OF MAP.**

A. As used in this Code, a **PUBLIC PARK** is any of the following:

1. Any area within the City of Culver City owned, leased or operated by the City as a park, playground, recreation field, civic center or bike path, including the parking lot or parking area immediately adjacent thereto;
2. Any area where public buildings or structures are located, including the parking lot or parking area immediately adjacent thereto; and
3. Any area owned or operated by another public agency as a park, playground, recreation field, civic center or bike path, including the parking lot or parking area immediately adjacent thereto.

B. As used in Subsection A., an official action of the City Council to formally dedicate or to officially accept an area for public park purpose is not required.

C. The City Engineer shall maintain a map designating public parks in the official records of the City Engineer.

#### **~~§ 9.10.010 SALE OR TRANSFER OF PARK PROPERTY.~~**

~~A. Any real property of the City used for park purposes shall not be sold, leased, or otherwise transferred, except by authority of a resolution of the City Council adopted at the conclusion of a public hearing on the proposed sale, lease, or transfer. An~~

~~environmental impact report shall be considered and approved by the City Council before any such resolution is adopted.~~

~~—B. Notice of the hearing shall be published twice in the newspaper designated by the City Council pursuant to City Charter § 621, the first publication to be at least ten days before the hearing. At least five copies of the published notice shall be conspicuously posted on the subject park property. The heading of the notices shall be “Notice of Proposed Sale/Transfer of This Park” in letters not less than one inch in height.~~

~~—C. Any resolution adopted by the City Council authorizing any such sale, lease, or transfer shall by its terms state that it shall not be effective until after thirty days from the date of its adoption. The adoption of any such resolution shall be deemed to be a legislative act subject to referendum in the same manner as an ordinance.~~

#### **§ 9.10.015 POLICY ON CLOSING.**

The Director, in his or her sole discretion, may declare any Any section or part of any park ~~may be declared~~ closed to the public ~~by the Parks, Recreation and Community Services Director~~ at any time and for any interval of time, either temporarily or at regular and stated intervals, and either entirely or ~~merely~~ limited to certain uses, ~~as the Parks, Recreation and Community Services Director shall find reasonably necessary.~~

#### **~~§ 9.10.020 LOST ARTICLES.~~**

~~—The finding of lost articles by park attendants shall be reported to the Parks, Recreation and Community Services Director, who shall make every reasonable effort to locate the owners. The Parks, Recreation and Community Services Director shall make every reasonable effort to find articles reported as lost.~~

**[DISCUSSION OF SECTION 9.10.045 BELOW WILL BE DEFERRED AT THIS TIME.]**

#### **§ 9.10.045 CELEBRATIONS IN PARKS; PERMITS.**

Except as hereinafter provided, no company, society or organization shall hold or conduct any picnics, celebrations, parade, service or exercises in any public park, without first obtaining permission from the person or persons duly authorized by the Parks, Recreation and Community Services Director, and agreeing to conform to the rules contained in the application. No person shall take part in any picnic-celebration, parade, service or exercise held or conducted contrary to the provisions hereof, except that nothing in this Section shall be construed as preventing individual families from using parks and facilities for picnics, and the like, when no reservations have been made and no permit has been issued therefor covering the date requested.

#### **§ 9.10.050 OBSTRUCTING PATHWAYS PROHIBITED.**

No person or persons shall assemble, collect or gather together ~~in any walk, driveway, passageway or pathway in any park or in other places set apart for the travel of persons or vehicles in or through any park, or occupy the same so that the free passage or use thereof by persons or vehicles passing along the same shall be obstructed~~ in any manner that blocks, impedes or obstructs, or leaves or causes to be left any object that blocks, impedes or obstructs, access or egress to any park pathway, sidewalk, walkway, passageway or recreational court or facility, or any entrance, exit or approach to any park building, structure, or recreational court or facility, except as authorized by the Director.

#### **§ 9.10.055 PROHIBITIONS.**

Within the limits of any public park it shall be unlawful for any person:

A. Having charge, care, custody or control of any dog, except as permitted by § 9.10.400 or § 9.10.600, or other animal, fowl, or reptile to cause, permit or allow the same to be within the limits of any public park within the City, unless such person or organization ~~shall have~~ has obtained approval ~~a special permit~~ from the ~~City Council~~ Director to conduct an entertainment or exhibition in which an animal is a participant, or a Film Permit in accordance with Chapter 11.14 of this Code in which an animal or animals is part of the filming activity.

B. To carry or discharge any airgun or firearm, or discharge any missile or other projectile from a slingshot ~~or~~ bow, or mechanized or electronic device, or bring, or have in his or her possession, or set off or otherwise cause to explode or discharge or burn any firecrackers, torpedoes, rockets or other fireworks or explosives or inflammable material, or discharge them or throw them into any such areas from land or highway adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. This provision, however, shall not prevent the holding of fireworks exhibitions or displays in public parks or places when authorized by the City Council in accordance with Section 9.01.220 of this Code.

C. To swim, bathe, wade in, or pollute the water of any fountain, water feature or pond.

D. 1. To make, kindle or use a fire, barbecue, portable stove or burning charcoal, ~~except in designated areas provided by the City for such purpose, or in such areas and under such regulations as may be designated by the Parks, Recreation and Community Services Director. This subsection shall not apply to use of a City-designated barbecue grill, or other designated area pursuant to a permit issued by the Director, with the approval of the Community Risk Reduction Division of the Fire Department ("CRR"). CRR shall have the authority to prohibit the use of certain barbecue grill locations at any time in order to protect public health and safety.~~

2. To use any substance other than charcoal in a City barbecue grill. Any person using a City barbecue grill shall ensure the safe disposal of charcoal.

~~3. No person shall~~ To drop, throw, or otherwise scatter lighted matches, ~~burning cigarettes or cigars, tobacco paper~~ or other inflammable material, within any park area, or upon any public property, highway, road or street abutting or contiguous thereto.

4. To smoke or dispose of any tobacco product or tobacco paraphernalia, pursuant to Section 9.11.115 of this Code.

**[DISCUSSION OF SUBSECTION “E” BELOW WILL BE DEFERRED AT THIS TIME.]**

E. To camp, occupy camp facilities, or use camp paraphernalia; provided, however, that the Parks, Recreation and Community Services Director may issue a temporary permit to allow camping in connection with a special event. No person shall store personal property, including camp facilities and camp paraphernalia, within any public park or upon any public property. For purposes of this Subsection, the following definitions shall apply:

**CAMP.** To pitch or occupy camp facilities or to use camp paraphernalia;

**CAMP FACILITIES.** Include, but are not limited to, tents, huts or temporary shelters;

**CAMP PARAPHERNALIA.** Includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, cooking facilities and similar equipment. **CAMP PARAPHERNALIA** shall not include City-designated cooking facilities or equipment;

**STORE.** To put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.

F. To ride or drive any horse or other animal, or ~~propel any vehicle, cycle, or automobile~~ ride, operate or drive any motorized bicycle, personal assistive mobility device, board, scooter, skateboard, or other motorized device or vehicle elsewhere than on the roads or drives provided for such purpose, unless in possession of a permit issued by the Director. "Motorized" shall include mechanized vehicles and devices reliant on electricity, gasoline, solar energy or any other power source. This subsection shall not apply to any person who is operating (1) a non-motorized bicycle, skateboard, scooter, roller skates or other non-motorized vehicle or device, provided such vehicle or device is not traveling greater than five miles per hour (5 mph); or (2) a mobility device due to a physical disability, and is otherwise unable to move about as a pedestrian.

G. To leave a bicycle, skateboard, or other non-motorized vehicle or 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 it, or park or leave a non-motorized bicycle or scooter in a place other than a designated location, such as a bicycle rack, when such location is provided and there is space available. Motorized vehicles and devices shall not be parked or left within the park, but must be parked or left in a parking lot or other authorized area. ~~, or ride a bicycle other than on the right hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machines 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 vehicles they may be meeting.~~

H. To ~~sleep or lay on~~ use or cause to be used any park or park facility object, item, amenity or equipment, including but not limited to trees, tables, seats, benches,

playground equipment or any other areas ~~not~~ for anything other than their intended ~~for~~ such use or purpose.

**[DISCUSSION OF SUBSECTION “I” BELOW WILL BE DEFERRED AT THIS TIME.]**

I. To announce, advertise or call public attention in any way to any article or service for sale or hire, or expose or offer for sale any article or thing; nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Parks, Recreation and Community Services Director.

J. To play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device, for money, chips, shells, credit or any other representative of value, or maintain or exhibit any gambling table or other instrument of gambling or gaming.

**[DISCUSSION OF SUBSECTIONS “K” AND “L” BELOW WILL BE DEFERRED AT THIS TIME.]**

K. To practice, carry on, conduct or solicit for any trade, occupation, business or profession without the permission of the City Council.

L. To drive or have any dray, truck, wagon, cart, or other traffic vehicle carrying goods or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand or soil or any article of trade or commerce, or any offensive article or material whatsoever, upon any road or drive except such as may be especially provided or designated for such use, or such as may be authorized by permit from the Parks, Recreation and Community Services Director.

**[DISCUSSION OF A PORTION OF SUBSECTION “M” BELOW WILL BE DEFERRED AT THIS TIME.]**

M. To take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes, except in areas set apart for such forms of recreation. ~~The playing of rough or comparatively dangerous games such as football, baseball and quoits is prohibited except on the fields and courts or areas provided therefor. Rollerskating shall be confined to those areas specifically designated for such pastime.~~ To play or engage in an organized game or sport, including, but not limited to, baseball, softball, football, soccer and lacrosse, except in such areas specifically designated or set apart for such purpose. For purposes of this subsection, “organized game or sport” shall mean a game or sport that is directed by adult or youth leaders and involves rules and formal practice and competition. The use of steel cleats in the park is prohibited. The Department may prohibit any game, sport or recreational activity that is determined to be dangerous to participants or public safety, or is found to cause damage to public parks.

N. To deposit, except in City-designated receptacles, any paper, fruit, rubbish, debris, or any waste material of any kind generated as a result of park and/or park facility use,

~~except in City-designated receptacles~~ or to use City-designated receptacles in parks and park facilities to dispose of personal, household or commercial waste.

**[DISCUSSION OF SUBSECTION “O” BELOW WILL BE DEFERRED AT THIS TIME.]**

O. To fight or challenge another person to fight, maliciously or willfully disturb another person by loud and unreasonable noise, or use offensive words that are inherently likely to provoke an immediate violent reaction from another person.

P. To interfere with or hinder any employee, agent or volunteer of the City engaged in maintenance or repair of any park or park facility and/or any such person carrying out duties or enforcing rules and regulations as authorized by the Department at any park or park facility.

Q. To enter, ~~or use, or abet the use of~~ any area in violation of posted notices or any provision of this Chapter.

R. To fail to produce and exhibit any permit ~~issued by from~~ the Department Parks, Recreation and Community Services Director he claims to have, upon any City official's request of any authorized person who shall desire to inspect the ~~permit same~~ for the purpose of enforcing compliance with any provision of this Code, any other City rules, regulations and policies, and conditions of the permit ordinance or rule.

**[DISCUSSION OF SUBSECTION “S” BELOW WILL BE DEFERRED AT THIS TIME.]**

S. To maliciously, willfully or unreasonably disturb or interfere with any person or party occupying any area, or participating in any activity, under the authority of a permit.

T. To enter any park, park area or park facility barricaded or fenced for maintenance, repair or construction, or closed to the public, without the authorization of the ~~Parks, Recreation and Community Services Director~~ Department.

U. To conduct or perform any instructional activity for monetary consideration in a park or park facility, including, but not limited to, fitness training, yoga classes, tennis classes, gyms, boot camps and other types of camps, without first obtaining a permit from the Director.

**§ 9.10.060 HOURS OF OPERATION.**

The City Council by resolution shall establish hours during which parks and park facilities owned and operated by the City of Culver City shall be closed to the public. In each park a sign shall be conspicuously displayed which states the hours of operation of the park and the hours during which the park is closed to the public.

**NEW PROVISIONS:** The following are new provisions to be added to the *Regulation of Parks* Subchapter of Chapter 9.10. The Section numbers, final titles and placement of these provisions are to be determined.

## **PERMITS AND USE AGREEMENTS**

A. The Department may issue permits allowing the use of a park or park facility, or portion thereof, by a person, group or organization, to the exclusion of others, in connection with planned social occasions such as birthday parties, programs and recreational activities. No person, group or organization other than the person, group or organization authorized by the permit shall enter or remain in the designated park or park facility, or portion thereof, during the period covered by the permit. Park and park facility permits are nontransferable and may only be used by the permit holder.

B. The Department shall have the authority to post reservation notices at a park or park facility, or portion thereof, notifying the public that a park or park facility, or portion thereof, is reserved for exclusive use during a specified time period, pursuant to a permit. No person shall use any park or park facility, or portion thereof, including sites, tables or other public accommodations, which have been posted with a Department issued reservation notice.

C. Any person, group or organization not having a permit for the use of a park or park facility shall surrender or turn over possession of the park, park facility, or portion thereof, to any person, group or organization that is in possession of a valid permit from the Department. A person, group or organization not having a permit from the Department shall not refuse or fail to surrender the use of such park, park facility, or portion thereof, to any person, group or organization who has a validly issued permit for the use of such park, park facility, of portion thereof.

## **GENERAL ADMINISTRATION**

A. Any person using or participating in any activity within a park or park facility shall do so in accordance with the regulations of this Chapter and all applicable laws, including fire and safety regulations and applicable provisions of this Code. Any person, group or organization holding a permit to conduct certain activities within a park or park facility shall be bound by all park rules and regulations and all applicable laws as though fully set forth in the permit.

B. Any person, group or organization violating park rules and regulations, applicable laws, or conditions of any permit shall be subject to the immediate revocation of park or park facility use privileges authorized by the permit, and any permit fees paid shall be nonrefundable.

C. The Department shall have the authority to revoke a park permit upon a finding of the violation of park rules and regulations, applicable laws, or conditions of any permit.



D. Any person, group or organization using a park or park facility shall be liable and responsible for paying for any damage to any person or property including, but not limited to, City property, arising out of or related to such use.

E. Any person, group or organization that wishes to use a park, park facility, or a portion thereof, on a repetitive basis, shall first obtain a permit or use agreement from the Department authorizing said use prior to occupying the park, park facility, or portion thereof, for said activities. Repetitive uses include, but are not limited to, athletic league, team or group sporting activities, including any games, practices, clinics, or other sport related events. No person, group or organization shall violate any conditions set forth in a use agreement or continue to conduct any activity or use for which a use agreement is required upon revocation of such use agreement.

F. Use of a park or park facility for group activities or events shall not interfere with the public enjoyment of the park or park facility; detract from the health, safety, welfare or recreation of the general public; cause unusual or extraordinary expense to the City; nor draw crowds in excess of the capacity of the park or park facility or portion thereof.

G. The Department, in its discretion, may establish scheduling procedures, use regulations, and application processes for City parks and park facilities.

**[DISCUSSION OF SECTION 9.10.200 BELOW WILL BE DEFERRED AT THIS TIME.]**

### ***PUBLIC BUILDINGS AND PROPERTY***

#### **§ 9.10.200 PROHIBITIONS.**

It shall be unlawful for any person to:

A. Cut, break, deface, mark or write upon, or in any manner injure or damage any public building, or any fixtures, furniture or appurtenances attached thereto, or damage any street tunnel, lighting standard, bench or other publicly owned or operated structure, apparatus or property.

B. Climb, cut, break, deface or disturb any tree, shrub, plant or flower, or pluck, pull up, take or remove any shrub, bush, plant or flower within any parkway or other public area.

C. Take, remove or carry away any machinery, equipment, motor vehicle, apparatus, wood, turf, grass, soil, rock, furniture or fixture of any kind from any public building, playground, park, yard or other area without permission from the custodian in charge of said buildings or premises.

D. Deposit any paper, food, rubbish, debris or any waste material of any kind in any public restroom, except in City-designated receptacles. No person over the age of ten (10) years shall use the restrooms and washrooms designated for the opposite sex.

E. Paste, glue, tack or otherwise post or distribute any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.



## **SKATEBOARDS AND OTHER WHEELED RECREATIONAL DEVICES, ~~ROLLERSKATES, IN-LINE SKATES AND ROLLERBLADES~~ - RULES AND REGULATIONS**

### **§ 9.10.300 PUBLIC SKATEBOARD PARKS; RULES AND REGULATIONS.**

A. Any person who rides or operates a skateboard or other wheeled recreational device, ~~rollerskates, in-line skates, or rollerblades~~ in a publicly-owned or operated skateboard park in the City must wear a helmet, elbow pads and kneepads at all times and signage shall be posted setting forth these requirements and the penalty for violation thereof. For the purpose of this Section and Section 9.10.305, "other wheeled recreational device" shall mean non-motorized bicycles, scooters, inline skates, roller skates, or wheelchairs being used for recreational purposes.

B. The Department ~~Parks, Recreation and Community Services Director~~ is authorized to ~~set forth~~ establish any administrative guidelines or processes, and the City Council may establish by resolution any rules and regulations, regarding the use of public skateboard parks within the City. Signage setting forth all rules and regulations established by this subsection, and the penalty for violation thereof, shall be posted at all public skateboard parks within the City. A violation of any rule or regulation established by this subsection shall be subject to the penalties as set forth in § 9.10.300.C.

C. Violation of this section shall constitute an infraction, subject to penalties as set forth in § 1.01.045 of this Code. Violations also may be enforced through the administrative citation process set forth in Chapter 1.02 of this Code.

### **§ 9.10.305 SKATEBOARDING, ~~ROLLER- SKATING, IN-LINE SKATING AND ROLLERBLADING~~ AND THE USE OF OTHER WHEELED RECREATIONAL DEVICES PROHIBITED IN CERTAIN AREAS** ~~PROHIBITIONS.~~

Skateboarding, ~~rollerskating, in-line skating, and rollerblading~~, and the use of other wheeled recreational devices in certain areas of the City may be prohibited by resolution of the City Council.

## **OFF-LEASH DOG PARK**

### **§ 9.10.400 RULES AND REGULATIONS.**

Notwithstanding any other provision in this Code, a person may have charge, care, custody or control of any dog in that portion of Culver City Park designated as the Culver City Dog Park (the "Dog Park"), subject to all the following conditions enumerated in this Section.

- A. The person who has charge, care, custody or control of any dog:
1. Must ensure the dog is currently licensed, vaccinated and over the age of four (4) months, and provide proof of licensing upon request by any City official;
  2. Must not allow more than three (3) dogs to be in his or her charge, care, custody or control while in the Dog Park;
  3. Must use the appropriate areas of the Dog Park designated for "Small/Timid" or "Large" dogs;
  4. Is required to pick-up and dispose of the dog's feces in trash receptacles both in and out of the Dog Park;
  5. Must remain with the dog at all times while using the Dog Park, and is solely liable for any and all injuries and/or damage caused by the dog;
  6. Shall not permit a dog with a known communicable disease in the Dog Park at any time;
  7. Shall not permit a female dog in heat in the Dog Park;
  8. Shall not permit an aggressive dog in the Dog Park;
  9. Must have the dog restrained by a substantial chain or leash not exceeding six (6) feet in length at all times, except while inside the fenced areas of the Dog Park; and
  10. Must remove any pronged or spiked collar or choke collar from the dog prior to entry.
- B. Children twelve (12) years of age and under are not permitted in the Dog Park, unless accompanied and supervised by an adult at all times.
- C. No person shall bring a stroller, carriage, baby carrier, bicycle, skateboard, scooter, children's toy, food, dog toy, dog treat or dog food in the Dog Park.
- D. No person shall bring any animal, other than a dog, into the Dog Park.
- E. 1. No person shall conduct any activity at the Dog Park which may be an immediate danger to the public's health, safety and welfare.
2. Such activity must cease immediately when asked to do so by a City official.
- F. ~~4.~~ Smoking is prohibited in the Dog Park, [pursuant to Section 9.11.115 of this Code.](#)  
~~—2. The inhaling, exhaling, burning or carrying of any lighted pipe, cigar, cigarette, wood, plant or other combustible substance in any manner or any form is prohibited.~~
- G. No person shall enter or use the Dog Park when it is closed.
- H. No person shall operate or conduct a business within the Dog Park, unless permitted by the City.
- I. The use of the Dog Park in the City by an owner of a dog or by a person having charge, care, custody or control of a dog shall constitute an agreement, by said owner or

person having charge, care, custody or control of a dog, to protect, indemnify, defend and hold harmless the City from any claim of injury or damage arising from or in connection with the use of the Dog Park, including but not limited to, injuries arising from dog bites.

J. ~~4.~~ A person entering, using or visiting the Dog Park expressly assumes the risk of any injury or damage which may arise from or in connection with such entrance, visit or use of the Dog Park, including but not limited to, injuries resulting from dog bites.

K. ~~2.~~ The City shall not be liable for injuries or damages arising from or in connection with the use of the Dog Park, including but not limited to, injuries resulting from dog bites, by an owner of a dog or by a person having charge, care, custody or control of a dog.

#### **§ 9.10.405 PENALTIES.**

~~Any person who violates or fails to comply with any provision of § 9.10.400 shall be guilty of an infraction, and may be subject to a fine not to exceed \$100 per violation. Violation of §9.10.400 shall constitute an infraction, subject to penalties as set forth in §1.01.045 of this Code. Violations also may be enforced through the administrative citation process set forth in Chapter 1.02 of this Code.~~

### ***DESIGNATED DOG PATHS***

#### **§ 9.10.600 DESIGNATED DOG PATHS.**

A. Notwithstanding any other provision in this Code, a person may have charge, care, custody or control of any dog upon the designated dog paths established by resolution of the City Council; provided such dog is at all times restrained by a substantial chain or leash not exceeding six (6) feet in length, in the control of a competent person.

B. For purposes of this Section, ***DESIGNATED DOG PATHS*** shall mean the pathways established by resolution of the City Council as ***DESIGNATED DOG PATHS*** and identified by conspicuously displayed signs indicating that they are ***DESIGNATED DOG PATHS***, and where the pathways themselves are marked with pictures of paw prints.

C. Nothing in this Section shall permit or allow any person having charge, care, custody or control of any dog to permit or allow that dog to be in any portion of any public park, except as permitted by § 9.10.400, other than on the ~~designated dog paths~~ **DESIGNATED DOG PATHS** established by resolution of the City Council.