

PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 2010-01

THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT ORDAINS AS FOLLOWS:

An ordinance providing rules and regulations for park and recreation facilities owned and operated by the Phelan Pinon Hills Community Services District (the "District").

SECTION 1: RULES AND REGULATIONS

The rules and regulations hereinafter set forth shall govern the use of the District's public parks.

- A. RESTRICTIONS: Within the limits of said public parks, no person shall commit and/or perform any of the following as hereinafter specified:
- (1) To lead, to let loose any animal or fowl of any kind, provided that this shall not apply to dogs, cats when led by a leash or chain no more than six feet long under full control of its owner or custodian. Riding or leading of horses or other animals in, through, or across any park or property owned or governed by the District is prohibited unless an area is specifically authorized to be used for such purposes.
 - (2) To enter, be, or remain in any park or on any property owned or governed by the District while in the possession of alcoholic beverages or while consuming alcoholic beverages. "Alcoholic beverages" include alcohols, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits liquor, wine and beer which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when mixed, diluted, or combined with other substances.
 - (3) To enter, be, or remain in any park or on any property owned or governed by the District while in the possession of glass bottles or containers.
 - (4) To smoke or consume any tobacco or tobacco products, except in designated areas.
 - (5) To be in any park or park facility between the hours of 11:00 p.m. and 6:00 a.m. of the following day, without a special permit, as hereinafter described in Paragraph B, from the District's General Manager or his or her authorized representative.

- (6) To light or maintain any fire except in a stove, fire circle or other place provided for that purpose.
- (7) To throw, project or propel upon, along or across any park, property or facility of the District any missile or object capable of causing personal injury or damage to property, provided that baseball, basketball and football, and other games where a ball is used, shall be played only in designated areas.
- (8) To park or strand any vehicle, except by permission from the District's General Manager, on any road, path, or other area except at places designated for parking by the District. Designated parking areas shall be used for no other purpose than for the parking of vehicles.
- (9) To drive any vehicle other than on roads, trails, or driveways provided for that purpose.
- (10) To drive a vehicle in any public park or area governed by the District at a speed greater than is reasonably prudent, and in any event at a speed in excess of 5 miles per hour.
- (11) To ride or use playground equipment designed for young children unless under the age of 14 or such other age prescribed by the equipment. Such equipment shall be posted as to this prohibition.
- (12) To throw, discard, place, or dispose of any garbage or refuse in any place other than a garbage can or other receptacle maintained for that purpose. Garbage and refuse shall not be brought from outside the park and deposited in park garbage cans or receptacles.
- (13) To hold a music concert or other musical event without complying with any and all applicable rules and regulations.
- (14) To use profane language or engage in fighting or gambling.
- (15) To misuse, destroy, or mutilate any park property.
- (16) Golf, archery and model airplane flying shall be prohibited except in areas designated for such purposes.
- (17) To molest, injure, or kill any bird or mammal, or disturb its habitat.
- (18) To commit or otherwise permit to be committed any illegal or unlawful activities.

- B. ENFORCEMENT: The District's General Manager is hereby authorized to take all necessary actions to enforce this Ordinance and to issue permits to engage in specified recreational activities in specified parks or areas owned or governed by the District subject to the usage restrictions set forth herein.
- C. EXCEPTIONS: The provisions of the above sections shall not be construed to prohibit persons from engaging in organized recreational activities conducted and scheduled by the District or to prohibit the District from conducting such activities.

SECTION 2: SEVERABILITY

This Ordinance and various parts, sections, and clauses hereof are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of record, the remainder of this Ordinance shall not be affected thereby. The District's Board of Directors hereby declares that it would have passed this Ordinance, and each part thereof, regardless of the fact that one or more of such parts would be declared unconstitutional or invalid.

SECTION 3: VIOLATIONS

Any person violating any provision of this Ordinance, as determined by the District's General Manager, may be denied the use of parks and park facilities under the jurisdiction of this Ordinance, may be prosecuted as committing either a misdemeanor or an infraction by the District's General Manager in the name of the people of the State of California, or may be the subject of redress by civil action.

SECTION 4: PENALTY

Every violation of the provisions of this Ordinance that is determined to be an infraction shall be punishable by (a) a fine not exceeding \$100 for a first violation of this Ordinance; (b) a fine not exceeding \$200 for a second violation of this Ordinance within one year; (c) a fine not exceeding \$500 for each additional violation of this Ordinance within one year. If found guilty, a person may be refused future access to all parks and park facilities under the jurisdiction of this Ordinance.

SECTION 5: OPERATION

This Ordinance supersedes any prior rule, regulation, ordinance, or resolution inconsistent with the terms hereof and shall take effect thirty (30) days after adoption.

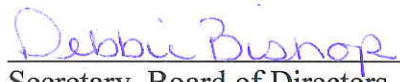
ADOPTED this 3rd day of February, 2010.

AYES: Johnson, Fahrlender, Morrissette, Roberts
NOES: Anderson
ABSTAIN:
ABSENT:



President, Board of Directors

ATTEST:



Secretary, Board of Directors