

Yucaipa Municipal Code

[Up](#) [Previous](#) [Next](#) [Main](#) [Collapse](#) [Search](#) [Print](#)

[Title 12 STREETS, SIDEWALKS AND PUBLIC PLACES](#)

Chapter 12.04 CITY PARKS

[12.04.010 Definitions.](#)

The following words shall have the meaning indicated when used in this chapter:

“Amplified sound” means music, sound wave, noise, vibration or speech projected or transmitted by electronic or mechanical equipment, including amplifiers.

“Director” means the community services director, or any other person authorized by him, pursuant to law, to act in his stead.

“Park” means any park, playground, athletic field, or any outside recreation area operated by the city by itself or in conjunction with any other governmental or private entity.

“Risk manager” means the city manager, or any other person authorized by him/her, pursuant to law, to act in his/her stead.

“Special event permit” or “facility reservation permit” means written authorization for exclusive use of parks or buildings or portions thereof, as provided for and defined in this chapter.

“Vehicle” means any device by which any person or property may be propelled, moved or drawn, excepting a device moved by human power. (Ord. 127 § 1, 1994)

[12.04.020 Compliance required.](#)

No person shall enter, be or remain in any park unless he/she complies at all times 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. 127 § 2, 1994)

[12.04.030 Rules and regulations.](#)

The rules and regulation set out in this chapter apply to all parks in the city, unless expressly stated otherwise in this chapter. (Ord. 127 § 3, 1994)

[12.04.035 Additional regulations for skate park facilities.](#)

A. No person shall ride a skateboard or wear inline or roller skates or permit a minor for whom he or she is responsible to ride a skateboard or wear inline or roller skates in a skate park facility unless the person, while riding the skateboard or wearing inline or roller skates, is wearing a helmet, elbow pads and knee pads.

B. No person shall use a skate park facility one-half hour after sunset or one-half before sunrise of the following day without an approved facility reservation permit.

C. No food and/or drink is allowed on the skating surface.

D. Additional obstacles or other materials (i.e., ramps, jumps, etc.) shall not be brought into a skate park facility.

E. Bicycling or motorized vehicles are prohibited.

F. Any person who violates any provision of this section is guilty of an infraction. (Ord. 188 § 1, 1998)

12.04.040 Hours of operation.

No person shall be in any city park or park facility between the hours of ten p.m. and six a.m. of the following day, without an approved facility reservation permit. (Ord. 127 § 3.1, 1994)

12.04.050 Vehicle, bicycle and other nonmotorized equipment operation.

A. Roads for Public Use. The provisions of the California Vehicle Code are applicable in the city parks upon any way or place of whatever nature which is publicly for purposes of vehicular travel. All violations of the Vehicle Code shall be enforced and prosecuted in accordance with the provisions thereof.

B. Surfaces Other than Roads for Public Use. No person shall drive or otherwise operate a vehicle in a city park, and no person shall ride a bicycle or other nonmotorized equipment, including skateboards, roller skates and roller blades (as defined in the California Vehicle Code) in a city park, upon surfaces other than those maintained and open to the public for purposes of vehicular travel or specifically designated for such purposes, except upon temporary parking areas as may be designated from time to time by the director, and further excepting vehicles in the service of the city.

C. No person shall park or stand any vehicle, except by written permission from the community services director, on any road, path or other area except at places designated for parking. Designated parking areas shall be used for no other purpose than for the parking of vehicles. The driver or operator of the vehicle, as well as the owner thereof shall be subject to citation for violation of this provision. Any vehicle parked in violation of this provision will also be towed pursuant to appli-

cable provisions of the vehicle code and city ordinance.

D. It shall be a violation of this chapter to drive a vehicle in any park at a speed greater than is reasonably prudent, and in any event at a speed in excess of five miles per hour. (Ord. 127 § 3.2, 1994)

12.04.060 Solicitation and hawking/ sales prohibited.

No person shall practice, carry on, conduct or solicit for any occupation, business or profession in any city park, or sell or offer for sale any merchandise, goods, article or anything whatsoever, without full compliance of Section 12.04.210. (Ord. 127 § 3.3, 1994)

12.04.070 Animals prohibited— Exceptions.

No person shall cause, permit or allow any animal owned or possessed by him, or any animal in his care, custody, or control to be present in a park except:

A. Horses (equine animals) being led or ridden under reasonable control upon any bridle paths or trails provided for such purposes;

B. Horses (equine animals) which are hitched or fastened at a place expressly designated for such purpose;

C. Dogs or cats when led by a leash, cord or chain not more than six feet long, or when confined within the interior of a vehicle;

D. Dogs which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

- E. Small pets which are kept on the person of the possessor at all times;
- F. In connection with and within the written scope of activities authorized in writing by the director. (Ord. 127 § 3.4, 1994)

12.04.080 Duty to care for animals.

A. It is the mandatory duty of all persons owning, possessing, in control of, or otherwise responsible for a dog, a cat, or horse in a city park to promptly collect, pick up and remove all fecal matter left behind by the animal in or upon the park, this section shall not, however, apply to guide dogs for blind or disabled persons.

B. The community services director shall cause signs to be posted within all city parks notifying persons owning or in control of animals of their obligation to comply with the provisions of this section and the penalties for violation hereof. (Ord. 127 § 3.5, 1994)

12.04.090 Amplified sound—Purpose of regulations.

The city has enacted those sections of this chapter regulating amplified sound for the sole purpose of securing and promoting the public health, comfort, safety and welfare of its citizenry. Additionally, the right of persons to speak in a manner that is amplified electronically or mechanically is properly limited with regard to time, place and manner by balancing the correlative constitutional rights of the citizens of this community to privacy and freedom from the public nuisance of excessively loud and unnecessary sound. (Ord. 127 § 3.6, 1994)

12.04.100 Amplified sound—Facility reservation permit or special event permit required.

It is unlawful for any person to install, use and operate within a park a loudspeaker or any sound amplifying equipment for the purposes of giving instructions, directions, talks, addresses or lectures, or of transmitting music or other sound to any persons or assemblages of persons in a park, or in the vicinity thereof, except when installed, used or operated in compliance with one of the following provisions:

- A. By authorized law enforcement or city personnel; or
- B. Under a facility reservation permit issued by the director, or with a special event permit issued by the city, when operated in accordance with terms and conditions of that reservation or special event permit. (Ord. 127 § 3.7, 1994)

12.04.110 Amplified sound—Grant or denial of facility reservation permit or special event permit.

A. In determining whether to grant or deny a request to use amplified sound, the community services director shall be guided by the following considerations:

1. The extent to which sound may carry into private or residential areas of the city;
2. Any conflict with other scheduled park uses or events;
3. The necessity for use of electricity, availability of electrical sources or outlets and the safety of individuals near such electrical sources or equipment;
4. Any other consideration relevant and necessary to the public health, safety and welfare.

B. The director shall not deny a request based on the content of any proposed talks, addresses, lectures, musical presentations or performances. (Ord. 127 § 3.8, 1994)

12.04.120 Amplified sound—Power source designated.

Amplifiers requiring an external power source shall be operated only through a power source provided by or through special permission of the parks maintenance division. (Ord. 127 § 3.9, 1994)

12.04.130 Amplified sound— Regulation of volume.

If, at any time, the police department determines that the sound produced by an amplified sound system in a park is unreasonably interfering with other persons using the park or with nearby residents in the comfortable and reasonable enjoyment of their premises, an officer shall request the person in charge of the assembly, or any other person appearing to be involved in the production of sound, to immediately reduce the level thereof. If the sound is not reduced within five minutes to a reasonable level, the officer shall immediately contact the parks maintenance division personnel to curtail the power source. (Ord. 127 § 3.10, 1994)

12.04.140 Additional alternate power sources—Approval, inspection and fees.

Any additional or alternate power source required for lighting or other purposes must be approved, in advance, for such use by the building and safety department, and by the director for safety, noise and appropriateness. The building and safety department must inspect and approve all connections, wiring and components of sound, lighting and/or wiring

systems prior to their use for rehearsal and/or performance. A fee may be imposed for such inspections. (Ord. 127 § 3.11, 1994)

12.04.150 Firearms, fireworks and weapons prohibited.

No person shall carry or discharge firearms, firecrackers, rockets, torpedoes or other types of explosives or explosive devices, or carry or discharge an air gun, or pistol, any sling shot or similar devices, including bows and arrows, or use any object calculated to make a noise sufficient to disturb the peace or quiet of the park. If such objects, weapons or articles are brought into any park, the person or persons so bringing them in will be subject to having them confiscated and are subject to citation for violation of this chapter. Confiscated items which are legally permitted will be returned to the owner through the Yucaipa police department. (Ord. 127 § 3.12, 1994)

12.04.160 Damaging property and land prohibited.

No person shall cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property; pluck, pull up, cut, take or remove any shrub, bush, plant or flower; make or write upon, paint or deface in any manner any building, monument, fence, bench or other structure in a park. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer in a park. (Ord. 127 § 3.13, 1994)

12.04.170 Fires and camping.

No person shall set or kindle a fire except in a stove or fireplace provided for that purpose, or camp in a park, without an approved special event permit. (Ord. 127 § 3.14, 1994)

12.04.180 Disposal of waste liquids and refuse.

No person shall wash dishes, or empty salt water or other waste liquids, or leave garbage, cans, bottles, papers or other refuse in a park except in designated trash or refuse receptacles. (Ord. 127 § 3.15, 1994)

12.04.190 Games.

No person shall play or engage in any game, that may potentially endanger or harm other users of the park. (Ord. 127 § 3.16, 1994)

12.04.200 Use of playground equipment.

No person over the age of eleven shall ride or use playground equipment designated for young children. (Ord. 127 § 3.17, 1994)

12.04.210 Advertising matter.

No person shall post, place or erect any bills, notices, papers, advertising devices or matter of any kind on park facilities, structures or on park property without written permission of the director. (Ord. 127 § 3.18, 1994)

12.04.220 Permit required to sell merchandise.

No person shall conduct any business in a city park without first having obtained a business license, paid the appropriate license fee, complied with any and all applicable provisions of Chapter 5.04, and obtain an approved special event permit.

Bona fide charitable and non-profit organizations, city-sponsored events and city-cosponsored events may sell merchandise, goods, articles or things only if specially authorized by the director upon the approval of the person using the facility at the time such nonprofit group proposes to sell goods. This section shall not apply to the sale of merchandise, goods, articles or things, by veterans who are physically unable to obtain a livelihood by manual labor, or the lawful distribution or dissemination of literature or otherwise engaging in a legitimate exercise of freedom of speech or press. (Ord. 127 § 3.19, 1994)

12.04.230 Commercial activity prohibited.

No person shall practice, carry on, conduct or solicit for any trade, occupation, business or profession except as permitted in writing by the director. (Ord. 127 § 3.20, 1994)

12.04.240 Meetings.

No person shall hold any meeting, service, concert, exercise, parade or exhibition at which more than fifty (50) persons are expected to attend in any public park, without first obtaining an approved facility reservation permit or a special event permit. (Ord. 127 § 3.21, 1994)

12.04.250 Drinking of alcoholic beverages.

The possession, sale or consumption of any alcoholic beverage in a park is prohibited, except as expressly allowed as a condition of a special event permit and pursuant to the laws and regulations enforced by the State Department of Alcohol and Beverage Control. (Ord. 127 § 3.22, 1994)

12.04.255 Smoking and disposal of tobacco prohibited in city parks, playgrounds and on city trails.

- A. No person shall be in possession of a burning tobacco or tobacco-related product, including but not limited to cigarettes, cigars, pipes or similar devices in or upon any public park, playground or trail in the city.
- B. No person shall dispose of lighted or unlighted cigarettes or cigars, or cigarette or cigar butts. Or similar devices, or any other tobacco-related waste (including, but not limited to.. chewing tobacco) in or upon any public park, playground or trail in the city, except in a receptacle designated for such disposal.
- C. No person shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to obtain compliance with this section.
- D. For the purposes of this section and any resolutions adopted to effect the purposes of this section, ..smoking” means inhaling, exhaling, burning or carrying any lighted cigarette. cigar, pipe. plant, weed or any other lighted smoking product or equipment used to burn any tobacco product, weed, plant or another combustible substance (a “similar device”). the lighting of a cigarette, cigar, pipe or similar device, and the exhaling of gaseous products and particles created by the use Of a lighted cigarette, cigar, pipe, or similar device.
- E. Violations of this section shall constitute an infraction unless prosecuted pursuant to an administrative citation procedure established by the city. (Ord. 256 § 1, 2006)

12.04.260 Reservation—Responsibility.

The director shall be responsible for scheduling and controlling the use of parks, or portions thereof, for the maximum benefit and participation by interested persons or groups, both public and private. The director shall determine which areas of parks may be reserved for use and under what terms reservations are made. Activities sponsored or co-sponsored by the city shall be given preference in the use of city parks. (Ord. 127 § 3.23, 1994)

12.04.270 Reservation—General.

All reservable areas of city parks may be reserved on a first-come, first-served basis. A standard facility reservation permit must be submitted at least one week prior to, but not more than eight weeks in advance, to apply for reserved park use. (Note: In the case of athletic fields, local leagues will be notified prior to the season of a special meeting that will determine dates for all leagues.) (Ord. 127 § 3.24, 1994)

12.04.280 Reservation—Policies/fees.

All individuals and groups must adhere to all city policies while using city parks. Appropriate fees, forms and deposits, etc., must be submitted at the time a reservation is requested. (Ord. 127 § 3.25, 1994)

12.04.281 Bounce houses.

- A. A permit shall be required to place and use a bounce house on city property. The bounce house must be operated pursuant to the permit terms and conditions.
- B. For the purposes of this section and any resolutions adopted to effect the purposes of this section, the term “bounce house” means inflatable recreational equipment containing landing surfaces on which users may jump or bounce, which equipment is intended for outdoor use. (Ord. 233 § 1, 2004)

12.04.290 Reservation—Special event permit.

Activities such as carnivals, community celebrations, outdoor festivals, and temporary special events shall require a special event permit and are subject to all requirements of Chapter 5.16, regulating temporary special events. (Ord. 127 § 3.26, 1994)

12.04.300 Reservation—Additional facilities.

As a condition of issuance of a facility use permit or a special event permit, the director may also require the applicant to provide additional water and sanitary facilities and refuse receptacles as he/she reasonably believes to be necessary for the protection of public health, safety and welfare in connection with the intended use. (Ord. 127 § 3.27, 1994)

12.04.310 Reservation—Security.

As a condition of issuance of a facility use permit or a special event permit, the director may require the applicant to provide the number of approved security personnel as the director determines may be necessary, based on the nature of the proposed event. (Ord. 127 § 3.28, 1994)

12.04.320 Reservation— Reimbursement.

As a condition of issuance of a facility use permit or a special event permit, the applicant may be required to submit a cleaning deposit and to reimburse the city for any unusual cleanup and facility repair expenses and for services provided by the parks maintenance division or the police department incurred as a result of the activity authorized by the permit. (Ord. 127 § 3.29, 1994)

12.04.330 Consent required for permit or reservation transfer.

No permit or reservation for the use of a park, or any portion thereof, shall be transferable or assignable without the written consent of the director. (Ord. 127 § 3.30, 1994)

12.04.340 Insurance.

Any person or group holding an event requiring a facility use permit or special event permit under this chapter shall provide evidence of insurance with the city named as an additional insured insuring the city from any and all liability for injury to persons or property resulting from the activity. The minimum amount, type and form of such insurance shall be determined by the city risk manager. (Ord. 127 § 3.31, 1994)

12.04.350 Enforcement responsibility.

The city police department shall have the primary responsibility for the enforcement of the provisions of this chapter, including all violations of state law within city parks. (Ord. 127 § 3.32, 1994)

12.04.360 Violations—Misdemeanor.

No person shall violate any provisions, or fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for a violation of a specific provision of this chapter, any act mandated or declared unlawful and every failure to perform an act made mandatory by this chapter is punishable as a misdemeanor. Every person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly. (Ord. 127 § 3.33, 1994)

12.04.370 General penalty.

A. Except in cases where a different punishment is specifically prescribed elsewhere in this chapter, each misdemeanor offense is punishable by imprisonment for a period not exceeding six months, or by a fine not to exceed one thousand dollars (\$1,000.00), or by both; provided, that where the city attorney determines that such action would be in the interest of justice, the city attorney may specify in the accusatory pleading that the offense shall be an infraction.

B. Except as otherwise prescribed elsewhere in this chapter, every offense specifically declared to be an infraction is punishable by a fine not exceeding one hundred dollars (\$100.00) for a first violation, or for not exceeding two hundred dollars (\$200.00) for a second violation of the same provision within one year, and a fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same provision within one year. Any person who has previously been convicted two more times during any twelve (12) month period for any crime made punishable as an infraction shall be guilty of a misdemeanor upon the third violation. (Ord. 127 § 3.34, 1994)

12.04.380 Integration and interpretation.

If a conflict arises between this chapter and previous ordinances, resolutions or policies of the city, this chapter shall take precedence.

In the event that a question arises as to the interpretation, construction or application of the city park rules and regulations, the community services director shall make the final determination of each interpretation, construction or application. (Ord. 127 § 4, 1994)