

Regulations

Governing Use of Parks, Recreation Areas, and Facilities



**Hayward Area Recreation
and Park District
1099 E Street
Hayward, CA 94541
(510) 881-6700**

**HAYWARD AREA RECREATION AND
PARK DISTRICT REGULATIONS
GOVERNING USE OF PARKS, RECREATION
AREAS, AND FACILITIES**

Subject	Section
APPLICABILITY	3
ABIDING BY REGULATIONS AND LAWS	4
AUTHORIZED ENFORCEMENT	5
PENALTY FOR INFRACTION	6
HOURS	7
USE OF PERMITS	8
ACTIVE SPORTS.....	9
RIDING ANIMALS	10
GRAZING	11
RESTROOM.....	12
AUTOMOBILES.....	13
CARE OF PROPERTY	14
CARE OF WILDLIFE	15
HEALTH AND SAFETY	16
SELLING AND ADVERTISING.....	17
FIRES	18
PETS	19
PUBLIC CONDUCT	20
DUPLICATING KEYS	21
LITTERING	22
EXCESSIVE NOISE.....	23
CAMPING AND LODGING	24
FIREARMS AND WEAPONS.....	25
FIREWORKS.....	26
USE OF PARKS	27
ADMISSION CHARGE	28
SKATE PARK FACILITIES	29
WAIVER.....	30
AMENDMENT OR REPEAL.....	31
CONSTITUTIONALITY.....	32

HAYWARD AREA RECREATION AND PARK DISTRICT

ORDINANCE NO. 001-02, AS AMENDED on November 28, 2005

REGULATIONS GOVERNING USE OF PARKS, RECREATION AREAS, AND FACILITIES

WHEREAS, the Hayward Area Recreation and Park District (District) was created to provide services to the greatest number of people commensurate with the resources of the District; and

WHEREAS, the District's recreation and park programs and facilities have been established for the benefit of the people, who should have access to the programs and facilities without legally prohibited discrimination; and

WHEREAS, these Regulations are adopted pursuant to the authority provided by California Public Resources Code Section 5786.1 and other applicable provisions of law in order to provide for the administration, operation, use and maintenance of the District's facilities, programs and services,

NOW, THEREFORE the Board of Directors of the Hayward Area Recreation and Park District ordains as follows:

REGULATIONS

SECTION 1. Hayward Area Recreation and Park District Ordinance No. 001-70, adopted June 8, 1970 and amended June 11, 1973, September 26, 1977, August 15, 1981, June 12, 1989 and September 24, 2001 is repealed as of the effective date of this ordinance.

SECTION 2. This amended Ordinance No. 001-02 shall take effect thirty (30) days after the date of its final passage. Until that time, Ordinance No. 001-02 as it existed before the effective date of this amendment shall remain in full effect.

SECTION 3. APPLICABILITY. The Regulations stated herein apply to all persons, defined herein as natural persons, business, government, social and/or non-profit entities of all types, and/or any combination thereof, and the officers, employees, agents, contractors, and volunteers thereof. Notwithstanding the foregoing, these Regulations shall not apply to law enforcement officers, nor to the officers, employees or volunteers of the Hayward Area Recreation and Park District while acting in the scope of their official duties. The term "District" when used in these Regulations means the Hayward Area Recreation and Park District, including all lands and waters owned, controlled or managed by the District.

SECTION 4. ABIDING BY REGULATIONS AND LAWS. Persons entering District property may remain as long as they abide by these Regulations, all federal, state and local laws and regulations, all posted rules, and lawful instructions of law enforcement officers and District employees. Failure to leave property of the District when requested to do so by a law enforcement officer or District employee shall be a violation of these Regulations.

SECTION 5. AUTHORIZED ENFORCEMENT. District employees are the representatives of the District and are responsible for assisting law enforcement officers in the enforcement of these Regulations.

SECTION 6. PENALTY FOR INFRACTION. Violation of these Regulations is an infraction punishable by a fine, pursuant to California Public Resources Code Section 5786.17 (b) and other applicable laws. Law enforcement officers and rangers have the authority pursuant to this ordinance and other applicable laws to issue citations for violations of these Regulations. Violation of federal, state and other local laws and regulations may be a felony, misdemeanor and/or infraction, depending upon the terms of the violated law or regulation.

SECTION 7. HOURS. (a) Except for lighted courts that may remain open, only while lighted, up to 10:00 p.m., and District permitted or sponsored events at District facilities, or as otherwise posted, the District park property is open from local sunrise to local sunset. It is a trespass violation to enter or remain in any District park later than

local sunset or prior to local sunrise without prior written consent. Notwithstanding Section 6 of this Ordinance a trespass violation may be prosecuted as either an infraction or a misdemeanor.

(b) No person shall enter by any means any area or facility that is cordoned/fenced off or closed to the public during or after the hours of operation.

SECTION 8. USE OF PERMITS. (a) No person shall use, occupy or remain in an area for which a permit is required unless in possession of a valid permit issued by the District. No use of any District property for musical, theatrical or other entertainment purpose, special event, or pre-advertised assemblies purposes may be made without the issuance of a valid permit issued by the District. All permit applications must be made in the form and manner determined by the District and as otherwise determined by the District, and must be signed or co-signed by an adult, which adult shall agree to be responsible for said use.

(b) No person shall use any areas designated by the District for a specific purpose in a manner contrary to or inconsistent with that specific purpose.

(c) No permit holder shall use athletic fields during wet or rainy conditions with the reasonable potential of damage to the playability of the field. Any permit holder causing or allowing damage to a playing field will be held financially responsible for its repair.

SECTION 9. ACTIVE SPORTS PROHIBITED. (a) No person shall engage in sports such as golf including chipping, self-propelled model airplane flying, inflatable bounces, swimming, boating, self-propelled model crafts usage, go-carting, rope swinging, hang gliding, or similar sports involving the potential endangerment of the safety, well being or property of any person, except in areas designated by the District for such sports.

(b) No person shall engage in skateboarding, soccer, inline skating and the like in areas such as tennis courts and basketball courts that are designed for specific use, or parking lots where motor vehicles are present.

(c) No person shall engage in sports such as skateboarding, football, baseball, softball, volleyball, soccer, and the like in areas that would potentially endanger the safety, well being or property of others.

SECTION 10. RIDING ANIMALS. No person shall ride, drive, lead or keep any saddle or pack animal in areas other than those specifically designated by the District for equestrian activities. No person shall ride, drive, lead, or keep any saddle or pack animal in a reckless or negligent manner so as to potentially endanger the safety, well being or property of any person or animal. No person shall allow his or her saddle or pack animal to stand unattended or insecurely tied.

SECTION 11. GRAZING PROHIBITED. No person shall permit cattle, sheep, goats, horses or any other animals to graze on District property.

SECTION 12. RESTROOM USE. No person shall use restrooms or washrooms designated for the opposite sex, except children age 6 and under or those who are disabled when accompanied by an adult or attendant. Each person shall leave the restroom in at least as neat and sanitary condition as before such person's use of the restroom.

SECTION 13. AUTOMOBILES AND OTHER CONVEYANCES. (a) No person shall operate or drive an automobile, bicycle, motorcycle, truck, trailer, wagon, motor scooter, or other conveyance on other than roads, paths or trails designated by the District for that purpose. Bicycles, skateboards, roller skates, roller blades, self propelled scooters and other like vehicles and conveyances shall not be operated in a negligent, unsafe or reckless manner or in a way that potentially endangers the safety, well being or property of any person, nor at excessive speeds, especially when passing other trail users. Bicycles are permitted on designated paths and trails only.

(b) No person shall wash, service or repair any motor vehicle within any District park area.

(c) Motor vehicles or other motorized conveyances shall only park in a District established or designated parking area. The following are the District's parking violations: 13(c) (1) Posted No Parking, 13(c) (2) Red Curb Zone, 13(c)(3) Not within Designated Space, 13(c) (4) Unattended Vehicle Parked After Hours, 13(c) (5) Parked in a Roadway/ Crosswalk, 13(c)(6) Parked on a Sidewalk, 13(c) (7) Double Parked, 13(c) (8), Parked More than 18 Inches from a Curb, 13(c) (9) Parked in Front of or Too Near a Fire Hydrant, 13 (c) (10), Parked in a Fire Lane, 13 (c) (11) Parked in a Non-Parking area, unless a Permit has been Issued by the District and 13(c) (12) Parked When Driver Not Present on District Property.

(d) No motor vehicle or other motorized conveyance shall be parked in a Handicapped/Disabled space without a posted permit or disabled license plates. The following are violations of Section 13 (d): 13 (d) (1) Blue Curb, Handicapped Zone and 13 (d) (2) Posted Handicapped Stall.

(e) The parking lots are to be used by patrons during the hours the District property is open to the public and who are present on the District property.

(f) Additional rules, regulations, and definitions concerning District parking requirements, as updated from time to time, are on file at the District administrative offices.

(g) Individuals using bicycles, skate boards, roller skates, rollerblades, self propelled scooters and other like vehicles and conveyances in or through District property must wear a helmet while using such vehicles and conveyances on District property.

SECTION 14. CARE OF PROPERTY. (a) No person shall cut, break, injure, damage, tamper with, deface, remove or disturb any District tree, shrub, plant, rock, building, wall, fence, bench, sign, structure, apparatus, historic artifact or resource, or other District property, nor climb any District tree, fence or wall, nor stand or sit upon any District monument, vase, fountain, railing, train track, fence, or any other property not

designated by the District for such purposes, nor hitch a horse or other animal to any District tree or structure not designated by the District for such purpose.

(b) No person shall wear footwear that will damage, injure or create the need for other than usual maintenance on any field, court, deck, floor, turf or specialized surface prepared for particular games or activities.

(c) No person shall construct or erect any building, structure or utility of any kind on, under or over any District property without a valid permit issued by the District.

SECTION 15. CARE OF WILDLIFE. No person shall hunt, catch, injure, damage, destroy or interfere with wildlife, including reptiles, amphibians, birds, mammals, and marine life nor disturb in any way the habitat of same, including dens, eggs, nests and native plants.

SECTION 16. HEALTH AND SAFETY. (a) Alcoholic Beverages. No person shall sell, serve, cause to be served, consume or possess alcoholic beverages of any kind on District property without prior written permit issued by the District.

(b) Smoking. Smoking is prohibited on any District trail or natural area, in or within fifteen (15) feet of any building, at any skate facility, and at or on any District athletic complex, field, court or District managed school district property. No person shall smoke within 25 feet of any District play structure. No person shall deposit or leave cigarette butts, or other tobacco related product within any playground.

(c) No Smoking at Designated Parks. Smoking or disposal of any cigarette, cigar or tobacco product, or any other combustible plant, or weed or substance at Fairmont Terrace Park, and including the park's entrance driveway, and other District parks so designated and posted by the Board of Directors, is prohibited.

SECTION 17. SELLING AND ADVERTISING PROHIBITED. (a) No person shall sell, advertise, offer for sale or give away for the purpose of charity work or promotion or sale any merchandise, article, service or thing whatsoever on District property without prior written permit issued by the District.

(b) No person shall throw or deposit on District property any handbills, circulars, pamphlets, papers or advertisements, or post or affix the same to any tree, fence or structure on District property.

(c) No person shall carry on or conduct any trade, occupation, business or profession on District property without a prior written permit from the District.

SECTION 18. FIRES. (a) No person shall make or kindle a fire for any purpose on District property, except in places designated by the District therefore. Fires started in designated places shall not be left unattended.

(b) Before leaving District property, a person starting a fire on District property shall assure that the fire is thoroughly extinguished.

SECTION 19. PETS AND OTHER ANIMALS. (a) Except in District designated off-leash areas, all pets shall be restrained at all times on a leash or a device no more than 6 feet in length and in possession of some human in complete control of such pets. All animal waste must be picked up and discarded in receptacles provided.

(b) No person shall abandon, leave or deposit on District property, dogs, cats, fowl, fish or other animals, whether dead or alive. Feeding feral or wild animals or depositing feed for feral or wild animals is prohibited.

(c) No person shall bring onto or permit any dangerous animal to enter or remain on District property. For purposes of this subsection, a dangerous animal is defined as any animal which is declared a dangerous animal by a county or city, is unusually aggressive, or is an exotic animal.

(d) No dogs are allowed in Alden Oliver Sports Park of Hayward, Kennedy Park, Southgate Park, Weekes Park, Meek Park, Centennial Park, Castro Valley Community Park, Sulphur Creek Nature Center, Hayward Shoreline, J. Kenneth Birchfield Park, Japanese Gardens, in buildings, in playgrounds, or any park athletic fields or courts except for assist dogs for the disabled.

SECTION 20. PUBLIC CONDUCT. (a) No person shall engage in unusually loud, threatening, abusive, insulting or indecent language on District property, or engage in any disorderly conduct or behavior, or unreasonably or unnecessarily interfere with or obstruct the lawful use and enjoyment of District property by other persons, or impair the ability of any District employee, agent or concessionaire to perform his or her authorized duties and activities. **(b)** No person shall appear unclothed on District property or in such attire, costume or clothing as to be indecently exposed to public view, except in the normal and customary use of authorized dressing rooms, restrooms or locker room areas.

SECTION 21. DUPLICATING KEYS PROHIBITED. No person shall duplicate keys used by the District for District padlocks, door locks, or locks of any type.

SECTION 22. LITTERING PROHIBITED. (a) No person shall drop or deposit or cause to be dropped or deposited refuse, cigarette butts or other tobacco related products, trash or litter on District property except in receptacles provided by the District therefor, nor place nor cause to be placed in said receptacles any refuse, trash or litter brought from other than District property.

(b) No person shall use District property to store personal belongings except in receptacles provided by the District therefor. Unattended personal belongings of value less than \$100 shall be confiscated and stored by the District for a maximum of 30 days. Personal belongings of value less than \$100 unclaimed after this period shall be considered abandoned, and will be discarded. Unattended personal belongings of value of \$100 or more shall be held by appropriate law enforcement officials.

(c) No person shall drop or deposit or cause to be dropped or deposited hazardous materials, dirt, rocks, branches, leaves, lawn cuttings or any other green waste on District property.

SECTION 23. EXCESSIVE NOISE PROHIBITED. It is unlawful for any person to make or continue, or cause to be made or continued, through the use of amplified equipment, or otherwise, any unusually loud, unnecessary or unusual noise which disturbs the peace or quiet within any area within the District or which causes discomfort or annoyance to any reasonable person of normal sensitivity on or near District property. Generators are not permitted at any District facility. The determination of what noise is unusually loud, unnecessary or unusual shall be that of the District employee or of a law enforcement officer, and any instructions of a District employee or of a law enforcement officer concerning such unusually loud, unnecessary or unusual noise shall be obeyed immediately.

SECTION 24. CAMPING AND LODGING PROHIBITED. No person shall camp or lodge on District property except at District sponsored programs.

SECTION 25. FIREARMS AND WEAPONS PROHIBITED. No person other than a law enforcement officer in the scope of duty shall use, carry or possess a firearm on District property. No person shall use, carry or possess explosives or dangerous weapons on District property, including but not limited to hatchets, axes, machetes, bows, crossbows, spears, air or gas weapons, or any other weapon potentially dangerous to human or wildlife safety or well being. No person shall cause a bullet or other projectile to pass through or enter into District property.

SECTION 26. FIREWORKS. No person shall possess, sell, display or discharge any fireworks of any type on District property.

SECTION 27. USE OF PARKS. The following District parks and areas are designated "special use facilities" and are not available for group or general public use other than an activity of the same nature for which the park or area is designated: the Hayward Shoreline Park; Sulphur Creek Park; and the Greenbelt areas designated as hiking, biking or equestrian facilities. Selected parks have reserved picnic areas, as marked, that are open to the general public for picnicking when not reserved. The remainder of the parks and areas in the District are available for appropriate use by the general public on a first come, first served basis.

SECTION 28. ADMISSION CHARGE. The taking of an admission charge or a collection of any kind by other than District employees is prohibited unless written permission has been granted by the District.

SECTION 29. SKATE PARK FACILITIES (a) Any user of the Tennyson Park's Skate Facility or any other facility designated for skateboards, in-line skates, or other skates must wear a helmet, elbow pads, and knee pads. Users are specifically advised that any violation of this provision is punishable as an infraction

(b) No person shall ride a bicycle, scooter, motor scooter, motorcycle or any other kind of conveyance other than skateboards, in-line skates, roller skates or similar skates within the Tennyson Park's Skate Facility or any other District facility specifically designated exclusively for skateboards or in-line skates.

SECTION 30. WAIVER. Upon receipt of a written request to the Board of Directors, the Board may grant in advance a written waiver of one or more of the foregoing Regulations when, in the opinion of the Board, such waiver would contribute to the education, entertainment or physical, mental, cultural or moral development of an individual or group attending, observing or participating in activities on District property, without detriment to other users of District property or to the residents of the District.

SECTION 31. AMENDMENT OR REPEAL. Where a section or Regulation, or procedure adopted pursuant thereto is herein or by some future District Board action amended or repealed, acts and commissions occurring prior to such amendment or repeal may be prosecuted as though such section, Regulation or procedure had not been so amended or repealed.

SECTION 32. CONSTITUTIONALITY. If any part, section, sentence or clause of this ordinance is held invalid or unconstitutional for any reason, such shall not affect the validity or constitutionality of any remaining portion of this ordinance. The Board of Directors declares that each remaining part, section, sentence and clause of this ordinance would have been adopted irrespective of the fact that a part, section, sentence or clause thereof may be declared invalid or unconstitutional.

ADOPTED SEPTEMBER 9, 2002 as Amended November 28, 2005

**THE BOARD OF DIRECTORS
HAYWARD AREA RECREATION AND PARK DISTRICT**