

ORDINANCE # 2013-08

AN ORDINANCE OF THE CITY OF AMERICAN CANYON AMENDING CHAPTER 12.04 TITLED "PARK AND RECREATION AREA USE REGULATIONS" BY REVISING SECTIONS 12.04.050, 12.04.080, 12.04.110, 12.04.170, 12.04.210, AND ADDING SECTIONS 12.04.220 AND 12.04.221 TO THE AMERICAN CANYON MUNICIPAL CODE ESTABLISHING TRAIL USE REGULATIONS

WHEREAS, this Ordinance is exempt from environmental review pursuant to Sections 15301, 15304 and 15307 of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended ("CEQA"), because the adoption of trail use regulations is a minor alteration of existing pedestrian trails and because such regulation consists of an action by a regulatory agency for the protection of natural resources and such action is exempt from CEQA review.

WHEREAS, a public hearing was held by the City Council of the City of American Canyon on December 3, 2013 after due notice was given as required by law, at which time oral and documentary evidence was introduced along with a recommendation by the Open Space Advisory Committee and the Parks and Community Services Commission of the City of American Canyon.

THE PEOPLE OF THE CITY OF AMERICAN DO ORDAIN AS FOLLOWS:

SECTION I

Chapter 12.04 of the American Canyon Municipal Code titled "Park and Recreation Area Use Regulations" is hereby amended by revision Sections 12.04.050, 12.04.080, 12.04.110, 12.04.170, 12.04.210, adding new Sections 12.04.220 and 12.04.221 to read as follows:

12.04.050 Skateboard use.

A. Skateboards are allowed on city sidewalk areas, **open space surfaced trails or paths unless otherwise prohibited** or on the designated skate park. No person may ride a skateboard upon any other park or city facility, including, but not limited to, tennis courts, basketball courts, parking lots, or playground areas.

12.04.080 Glass containers.

Within the limits of any existing or future park, playground area in the city, or open space, it is unlawful for any person, firm, or corporation, to use or possess any glass containers within the boundaries of the park or playground area, or open space without prior city permission.

12.04.110 Use of vehicles

A. It is unlawful for any person to ride or drive any vehicle within any city park, open space, playground or other recreation area, par course, power line easements, or on medians, unless designated for that purpose, without permission of the city manager or designee.

B. It is unlawful for any person to operate or drive an automobile, bicycle, motorcycle, truck, motor scooter, or other conveyance on roads or paths not designated for that purpose. Motorized vehicles are not permitted on the par course.

C. No person shall park, abandon or otherwise be allowed to remain within any city park, open space, playground, or other facility any automobiles or other conveyances between dusk and dawn except as authorized through the city manager or designee.

D. It is unlawful for any person to wash or repair any automobile or other conveyance within any city park, open space, playground, or other facility without the permission of the city manager or designee.

12.04.170 Damaging, tampering with property

A. It is unlawful for any person to mark, deface, disfigure, injure, tamper with, displace or remove any building, bridge, table, bench, barbeque, playground equipment, fence, gate, or other structures or equipment, facilities, or city park or open space property or appurtenances whatsoever, either real or personal, including, but not limited to, wood or other pieces of trees, or vegetation.

B. It is unlawful for any person to engage in any actions or conduct injurious to or to injure in any manner any trees, shrubs, plants, flowers, or other property in any city park, open space, playground or other recreation area or facility.

C. It is unlawful for any person to misuse, damage, cut, carve, transplant or remove any tree, plant, wood, turf or ground cover, or pick the flowers or seed of any tree or plant, or attach any rope, wire or other object to any tree or plant within any city park, open space, playground or recreational area, except as authorized by the city manager or designee.

12.04.210 Restrictions in posted areas

The parks and recreation director shall have the authority to adopt reasonable regulations regarding the types of activities which may be conducted in city parks, open space, grounds, buildings, swimming pools, hardscape, landscape, or other park and recreation areas, and to post signs authorizing or prohibiting such activities in the designated areas. No person shall play any game, hobby, sport or otherwise engage in any activity in any public park, ground, building, swimming pool, hardscape, landscape or other park and recreation area or facility in which a sign notifying the public that such activity is prohibited has been posted by the parks and recreation services director or his/her designee.

12.04.220 Trail Use - Regulations.

- A. All persons and their pets shall remain on mapped and designated trails or areas.
- B. Smoking is prohibited except at designated areas.
- C. No person shall bring into, carry, or use in any way on the trails any firearm, air gun, pellet gun, or other weapon of any kind, or any instrument or device designed for or capable of hurling projectiles or missiles, or any fireworks or explosives of any kind except as otherwise permitted by state and federal law and persons with a valid permit to carry a weapon.
- D. Hunting and access to hunting is prohibited.

E. All wildlife, plants, and natural objects shall be left undisturbed.

1. No person shall move, remove, damage, deface or in any way molest or construct or alter any wildlife including trees, plants, shrubs, rock, soil, turf, wildflowers or wildlife, alive or dead, unless approved by the Parks and Recreation Director.
2. No person shall release any domesticated or wild animal, plant, flower, tree, seed, or other vegetation on trails.
3. No person shall move, remove, damage, deface or in any way molest or construct or alter any geologic, archaeological, or historic object.
4. No person shall disturb livestock or grazing animals.

F. Fishing is permitted in the Napa River, but is not allowed in any pond or lake.

G. Equestrian use.

1. Pedestrians and bicyclists shall yield to horses. Equestrians shall use caution when approaching or overtaking another person and shall make their presence known well in advance to the person.
2. Equestrian use is permitted on trails or trail areas specifically designated for that use.
3. Equestrians shall maintain control and speed of their animal at all times.
4. Equestrians are encouraged to wear a helmet while riding.

H. All or portions of the trails may be closed at any time due to maintenance and or/or emergency needs. No person shall use, remain in, or enter a trail when it is posted as closed.

I. Hand launch boats (canoes, kayaks, rafts, paddle boards, etc.) are permitted in the Napa River. Hand launch boats are not allowed in any pond or lake, unless associated with a designated launch site.

J. Bicycle Use.

1. Bicyclists shall yield to pedestrians and horses. Bicyclists shall use caution when approaching or overtaking another person and shall make their presence known well in advance to the person.
2. Bicycle use is limited to designated trails. Off-trail riding is prohibited.
3. Bicycles must obey posted speed limits.
4. Bicyclists shall maintain control and speed of the bicycles at all times.

5. Bicyclists shall wear a helmet in accordance with California Vehicle Code Section 21200 et. seq.

SECTION II

12.04.221 Trail Use - Enforcement.

Pursuant to American Canyon Municipal Code section 1.24.010 violation of any trail use regulation shall constitute an infraction unless such violation is specifically designated.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on the 17th of Dec. 2013 by the following vote:

MAYOR GARCIA:
VICE MAYOR JOSEPH:
COUNCIL MEMBER BENNETT:
COUNCIL MEMBER LEARY:
COUNCIL MEMBER RAMOS BENNETT:

Yes
Yes
Yes
Yes
Yes

Leon Garcia
Leon Garcia, Mayor
City of American Canyon

ATTEST:

Rebekah Barr
Rebekah Barr, MMC, City Clerk

APPROVED AS TO FORM:

William D. Ross
William D. Ross, City Attorney