



**Pete Sakaris, President**

**Rich Lozano, Vice President**  
**Angela Spease, Director**

**Reina Tarango, Director**  
**Daniella Zehnder, Director**

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## **REGULAR BOARD OF DIRECTORS MEETING**

**WEDNESDAY, FEBRUARY 4, 2026**  
**8820 Elk Grove Blvd., Elk Grove, 95624**

**Regular Meeting - Board Chambers – 5:30 p.m.**  
**Closed Session – Conference Room Archer**

We honor, respect, and acknowledge Elk Grove's first inhabitants, the Plains Miwok, who lived as sovereign caretakers of this land and these waterways since time immemorial. We commemorate and advocate for their descendants, the Wilton Rancheria Tribe – the only federally recognized tribe in Sacramento County – who endure because of the bravery, resiliency, and determination of their ancestors, tribal members, and leaders.

The Cosumnes Community Services District welcomes, appreciates, and encourages participation in the District's Board meetings. The Board requests that you limit your presentation or comments to three (3) minutes per person so all who wish to participate may have the opportunity to do so, at the discretion of the Board President. The Board reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary.

If you wish to address the Board during the meeting, please complete a Speaker Form and give it to the District Clerk before consideration of the agenda item.

## **AGENDA**

### **REGULAR BOARD MEETING – 5:30 p.m.**

#### **A. CALL TO ORDER/ ROLL CALL**

1. Session Roll Call
2. Pledge of Allegiance
3. Moment of Silence

#### **B. COMMUNICATIONS FROM THE PUBLIC (Non-agendized items)**

This is the time and place for the public to address the Board of Directors. State law prohibits the Board from addressing any items not previously included on the Agenda. The Board of Directors may receive testimony and set the matter for a subsequent meeting. Comments are to be limited to three minutes per individual at the discretion of the President. Individuals representing a group or an organization shall be permitted five minutes. Comments relating to similar issues should be brief, concise, and non-repetitious. Speakers should state their home or business address when commenting to the Board.

**Note:** Under the provisions of the California Government Code, the Board is prohibited from discussing or taking immediate action on any non-agendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

#### **C. CONSENT CALENDAR**

The following Consent Calendar items are expected to be routine and non-controversial. They may be acted upon by the Board at one time without discussion. Any item may be removed by a Board Member for discussion or clarification. Members of the public wishing to comment on any Consent Calendar item may do so before Board action.

4. Approve Minutes from January 21, Regular Board Meeting.
5. Award Contract FD-25-009 P-25 for the Purchase of Digital Portable Radios.
6. Approve Playground Rubberized Surface Seal Coat Contract.
7. Approve Playground Poured-in-Place Rubberized Surface Replacement Contract.
8. Approve Parking Lot Rehabilitation Contract.

#### **D. PRESENTATIONS**

None

**E. PUBLIC HEARINGS**

9. First Reading of Ordinance 15 Amending Parks and Recreation Regulations. (T. Farris)

**RECOMMENDATIONS:**

- 1) Introduces and waives the first reading of Ordinance No. 15, amending Park and Recreation Regulations, and read by title only;
- 2) Schedules a public hearing for February 18, 2026, for the second reading by title only and adoption of Ordinance No. 15 amending the previous version.

**F. STAFF REPORTS**

None

**G. BOARD OF DIRECTORS BUSINESS**

10. Meeting/Event Approval and Report

11. General Manager Report

**H. IDENTIFICATION OF ITEMS FOR FUTURE MEETING**

This is the time for the Board of Directors to identify the items they wish to discuss at a future meeting. These items will not be discussed at this meeting, only identified for a future meeting.

**I. CLOSED SESSION**

12. Convene to Closed Session

a. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: General Manager Tim Ogden  
Unrepresented employee: all unrepresented employees

b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: APN 1500-182-007 and 1000 Walnut Ave. Galt, CA 95632  
Agency negotiator: General Manager Tim Ogden  
Negotiating parties: City of Galt  
Under negotiation: terms of payment

**J. RECONVENE REGULAR MEETING**

13. Reconvene the Regular Meeting – Report out on Executive Session

Cosumnes Community Services District  
Regular Board Meeting - Wednesday, February 4, 2026

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**I. ADJOURNMENT**

**Note: Disabled Accommodations.**

*The Cosumnes Community Services District will provide reasonable accommodations for persons with disabilities. Please contact Elenice Gomez, District Clerk, at 8820 Elk Grove Blvd. Elk Grove, CA 95624, phone (916) 405-7151, at least 48 hours before the meeting, to allow time to provide for special accommodation.*

**Note: Review and Copies of the Agenda, Agenda Reports, and Material.**

*Before each meeting, copies of the Agenda, Agenda Reports, and other materials, as well as any public record relating to an open session agenda item that is distributed within 72 hours before the meeting, are available for public review at the Cosumnes Community Services District's website at <https://www.cosumnescsd.gov/AgendaCenter/Board-of-Directors-2>*

***Certificate of Posting of Agenda***

*I hereby declare that the foregoing Agenda for February 4, 2026, Regular Meeting of the Cosumnes Community Services District Board of Directors was posted on January 29, 2026, at 8820 Elk Grove Blvd., Elk Grove, California, 95624, and was available for public review at that location.*



*Signed this 29<sup>th</sup> day of January 2026.*

**COSUMNES COMMUNITY SERVICES DISTRICT  
REGULAR BOARD MEETING – 5:30 PM  
WEDNESDAY, JANUARY 21, 2026  
MINUTES**

**REGULAR BOARD MEETING – 5:30 PM**

**ATTENDANCE**

Directors present were Rich Lozano, Pete Sakaris, Reina Tarango, and Daniella Zehnder. President Angela Spease attended via teleconferencing.

General Manager Tim Ogden, District Counsel Sigrid Asmundson, Fire Chief Felipe Rodriguez, Chief Financial Officer Nou Vang, and Parks and Recreation Administrator Traci Farris were also in attendance.

**A. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

1. President Sakaris called the meeting to order at 5:34 p.m.

Director Tarango read the land acknowledgement.

2. Assistant Fire Chief Robert Kasparian introduced Registered Nurse and Performance and Development Coordinator Julie Carrington and Captain David Becker, who led the Pledge of Allegiance.
3. A moment of silence was observed in honor of Sacramento County Sheriff's officer Caravallo, who lost his life on December 24, and firefighters suffering from cancer, as this month is National Firefighter Cancer Awareness Month.

**B. COMMUNICATIONS FROM THE PUBLIC**

None

**C. PRESENTATIONS**

4. CORE Presentation. (T. Farris)

Parks and Recreation Administrator Traci Farris introduced Recreation Manager J. Long and CORE Operations Supervisor Anthony Viveiros who presented.

**D. CONSENT CALENDAR**

5. Approve Minutes from December 17, 2025, Regular Board Meeting.
6. Receive and File the December District-wide Report.
7. Approve Multi-Year Agreement for Marketing Services at CORE Recreation Center.
8. Approve Landscape Maintenance of District Streetscape Service Area 4 – Contract Extension and Authority Increase.
9. Approve Multi-Year Agreement with Republic Services Recycling and Waste Services.

Director Zehnder recused herself from voting on item 9.

Director Tarango moved to approve the Consent Calendar items 5 through 8; seconded by Director Lozano. The vote was 5 yeses and 0 noes, and the motion carried.

Director Lozano moved to approve the Consent Calendar item 9, seconded by Director Tarango. The vote was 4 yeses and 0 noes, and the motion carried.

## **E. PUBLIC HEARINGS**

None

## **F. STAFF REPORTS**

10. Approve Funding of Mobile Integrated Health (MIH) Program Through Fiscal Year 2025-26. (R. Kasparian)

Recommendations:

1. Approve the continued funding and operation of the Mobile Integrated Health (MIH) Pilot Program through Fiscal Year 2025-26; and
2. Authorizes the General Manager to approve a one-time budget appropriation not to exceed \$120,000 in Measure E funds within Fiscal Year 2025-26.

Assistant Fire Chief Robert Kasparian presented.

Director Tarango moved to accept staff's recommendations; seconded by Director Zehnder. The vote was 5 yeses and 0 noes, and the motion carried.

11. Audited Financial Statement for Fiscal Year Ended June 30, 2025. (N. Vang)

Recommendations:

1. Receive and file the Annual Comprehensive Financial Report for the Fiscal Year ended June 30, 2025, presented in **Attachment A**; and
2. Receive and file the Memorandum of Internal Control and Required Communications presented in **Attachment B**; and
3. Receive and file the GANN Appropriations Limit Report in **Attachment C**.

Chief Financial Officer Nou Vang presented.

## **G. BOARD OF DIRECTORS BUSINESS**

21. Meeting/Event Approval and Report

Director Tarango – attended the EG Chamber Gala on January 16 and the MLK Community Breakfast on January 17.

Director Zehnder – Attended the Park Advisory Committee on January 12.

Director Lozano – Did a ride-along with the squad for the Mobile Integrated Health on January 8, attended the Cap to Cap 26 Community Resource Committee meeting on January 9, attended the ceremony honoring Galt Policy Officer Kevin Tonn on January 15, and attended the Elk Grove Chamber Gala. Congratulated Director Spease on her business being named Business of the Year during the event. Made an invitation to those who would be interested in participating in the CSD Sacramento Affiliated Chapter Organizational Meeting on January 27.

Director Spease – Went to different fire stations to show appreciation to the crews, thanking them for all they do. Attended the Elk Grove Chamber Gala on January 16 and the MLK March on Monday, January 19.

Director Sakaris – Attended the Elk Grove Chamber of Commerce Gala on January 16, the MLK March on Monday, January 19, and attended the Fire Academy Night.

## 22. General Manager Report

General Manager Ogden announced that on January 29 at 4:30 p.m., we will host the Firefighters Academy Graduation, and the Firefighter Community Support Foundation Crab Feed is coming up soon.

Thanked the Wilton Rancheria and Ski River Casino for the Wreaths of Hope, our wreath took 3<sup>rd</sup> place with almost 4,000 votes, winning \$3,000 for scholarships.

Recognized our Search and Rescue Dog, Ruffles, who is turning 3 on Friday.

Stated that we are making great progress with the CLEAR Committee, and there will be a meeting on February 3, and an RFP will be put out to hire a financial consultant to assist with the numbers. Phase 1 will likely occur in February, when the City will take an action item to its City Council, and the District will take the action item to our Board shortly after, in the February-March time frame.

Announced that the Years of Service and Awards recognition event will be on February 6.

## H. IDENTIFICATION OF ITEMS FOR FUTURE MEETING

None

## I. ADJOURNMENT

With no further business, the meeting was adjourned at 7:13 p.m.

Approved: \_\_\_\_\_  
Board President

Attest: \_\_\_\_\_  
Secretary to the Board

# STAFF REPORT

**DATE:** February 4, 2026

**TO:** Board of Directors

**FROM:** Felipe Rodríguez, Fire Chief

**BY:** Carolyn Baptista, Administrative Manager

**SUBJECT: AWARD OF CONTRACT FD-25-009 P-25 COMPLIANT DIGITAL PORTABLE RADIOS**



## RECOMMENDATION

The Board of Directors ("Board"):

- 1) Awards an agreement in an amount not to exceed \$254,866.51 to 49er Communications, Inc. for the purchase of 60 P-25 radios, including Ultra High Frequency (UHF) Third Band operability, accessories, tax, shipping, etc.; and
- 2) Authorizes the General Manager or their designee to execute all agreements, amendments, and grant-related documents necessary to complete this purchase.

## BACKGROUND

The Federal Emergency Management Agency (FEMA) administers the annual Assistance to Firefighters Grant (AFG), which funds fire departments and emergency medical organizations for equipment, training, and resources. On March 6, 2023, the Board authorized staff to apply for the 2023 AFG to replace obsolete Very High Frequency (VHF) radios with 60 dual-band, P-25 compliant portable radios. The grant request totaled \$620,673.66, including a 10% local match of \$56,424.88 from the General Fund. On August 16, 2024, FEMA awarded the District the full requested amount.

To ensure compliance with District procurement and grant policies and meet operational needs, staff issued a Request for Proposals (RFP) for dual-band radios on July 14, 2025. The RFP requested pricing not only for the radios but also for a variety of items, including UHF Third Band operability. The timing of the RFP aligned with staff capacity to allow sufficient time for evaluation, testing, and operational review.

The District received three proposals (Table 1). Staff reviewed all submissions, conducted product demonstrations, and surveyed personnel who would use the radios to evaluate functionality, durability, and ease of use. Based on this evaluation, 49er Communications, Inc., offering Bendix King radios, provides the best overall value in terms of price, functionality, and operational suitability.

**Table 1: Proposals**

<b>Vendor</b>	<b>Brand</b>	<b>Amount w/o Third Band</b>
Silke Communications	Kenwood	\$423,527.00
Golden State Communications, Inc.	Motorola	\$628,782.02
49er Communications, Inc.	Bendix King	\$209,547.12

**FINANCIAL ANALYSIS**

This purchase has no new General Fund impact. The Fiscal Year 2025/26 Grants Fund includes \$620,673.66 for this AFG grant, \$564,249 through FEMA, and a \$56,425 District match (10%).

Competitive bidding resulted in pricing below the original grant award, allowing the District the opportunity to pursue UHF Third Band operability without increasing the federal award. Staff submitted a request to FEMA to amend the grant to include this upgrade, which enhances regional and statewide interoperability. The cost difference for the UHF Third Band is \$45,319.39.

- If the amendment is approved: The UHF Third Band upgrade will be fully funded by the grant.
- If the amendment is not approved: The District will fund the \$45,319.39 upgrade using operational radio maintenance funds within the Fire Department's General Fund budget.

Ongoing maintenance and operational costs associated with the radios will be absorbed within existing departmental budgets and do not require additional appropriations.

**SUSTAINABILITY ANALYSIS**

There will be no environmental impact resulting from the recommended Board action.

# STAFF REPORT

**DATE:** February 4, 2026

**TO:** Board of Directors

**FROM:** Traci Farris  
Administrator of Parks & Recreation

**BY:** Kavita Takhar, Management Analyst

**SUBJECT: APPROVAL OF PLAYGROUND RUBBERIZED SURFACE SEAL COAT CONTRACT**



## RECOMMENDATION:

The Board of Directors:

- 1) Approves a contract with Flexground LLC, to provide playground rubberized surface seal coat services, in the amount of \$177,600.35 plus a 5% contingency (\$8,880.02) for a total not to exceed contract amount of \$186,480.37; and
- 2) Authorizes the General Manager or their designee to approve Change Orders up to the contingency amount and execute all requirements and amendments of the contract.

## BACKGROUND

The Cosumnes Community Services District's (District) Park Maintenance Management Plan (PMMP) identifies the sealing of playground surfaces as a crucial measure to ensure asset longevity and maintain safety compliance. The District identified twenty-one (21) playgrounds with Poured-in-Place (PIP) and/or PebbleFlex rubberized surfacing projects to be completed in Fiscal Year 2025/26.

To preserve the integrity and longevity of the safety surfacing, seal-coat maintenance is scheduled for each playground on a recurring 2- to 3-year cycle. The seal coat protects surfaces from ultraviolet deterioration and is performed by specially trained personnel. The scope of work includes surface preparation, roll-on application of the sealant, and the temporary installation and removal of protective fencing.

On December 10, 2025, a Request for Bid (RFB) was advertised on the District's Website and published in the Daily Recorder on December 12, 2025. A public bid opening was conducted on January 7, 2026, resulting in three qualifying bids.

<b>Contractor</b>	<b>Base Bid</b>
Flexground LLC	\$177,600.35
MOKA Engineering and Construction	\$217,087.00
No Fault LLC	\$310,000.00

Flexground LLC was determined to be the lowest responsive bidder. It is recommended that the District award the contract to Flexground LLC, which has successfully completed similar projects for the District.

### **FINANCIAL ANALYSIS**

The agreement with Flexground LLC for the playground rubberized surface seal coat project is funded and included in the approved Biennial Fiscal Year 2025/2026 Landscape & Lighting Assessment Fund budget.

Base Bid Amount	\$177,600.35
Contingency (5%)	\$8,880.02
Total Contract Amount	\$186,480.37

A five percent (5%) project contingency has been incorporated to address potential unforeseen conditions that may be encountered during seal coat services. This contingency amount allows the District to address any necessary repairs identified at that time.

There are no new funding requests as a result of staff's recommendations.

### **SUSTAINABILITY ANALYSIS**

The action being taken as a result of this request supports the District's sustainability practices, specifically:

- Measure SW-1: Recycling

PIP and PebbleFlex rubberized surfacing are durable, visually pleasing, and environmentally beneficial, as they are manufactured from recycled rubber. When maintained on a bi-annual schedule, these surfaces have an average lifespan of approximately fifteen years.

# STAFF REPORT

**DATE:** February 4, 2026

**TO:** Board of Directors

**FROM:** Traci Farris  
Administrator of Parks & Recreation

**BY:** Kavita Takhar, Management Analyst

**SUBJECT: APPROVAL OF PLAYGROUND POURED-IN-PLACE REPLACEMENT CONTRACT**

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## RECOMMENDATION:

The Board of Directors:

- 1) Approves a contract with Flexground LLC, to provide playground rubberized surface replacement services, in the amount of \$134,878.25, plus a 5% contingency (\$6,743.91) for a total not to exceed contract amount of \$141,622.16; and
- 2) Authorizes the General Manager or their designee to approve Change Orders up to the contingency amount and execute all requirements and amendments of the contract.

## BACKGROUND

The Cosumnes Community Services District (District) is undertaking a project to replace rubberized playground surfacing at four park locations. The project includes the removal and replacement of existing Poured-in-Place (PIP) rubber surfaces at Keema, Kloss, Kramer, and Luttig Park. Rubberized playground surfacing is a critical safety feature that significantly reduces the risk of falls-related injuries during play. This project will help maintain the District's commitment to providing safe, high-quality recreational environments for the community.

On December 10, 2025, a Request for Bid (RFB) was advertised on the District's website and published in the Daily Recorder. A public bid opening was conducted on January 7, 2026, resulting in three qualifying bids.

<b>Contractor</b>	<b>Base Bid</b>
Flexground LLC	\$134,878.25
MOKA Engineering and Construction	\$168,814.00
Community Playgrounds Inc.	\$254,571.00

Flexground LLC was determined to be the lowest responsive bidder. It is recommended the District award the contract to Flexground LLC, which has successfully completed similar projects for the District.

## **FINANCIAL ANALYSIS**

The agreement with Flexground LLC for the playground rubberized surface replacement project is funded and included in the approved Biennial Fiscal Year 2025/26 Landscape & Lighting Assessment Fund budget.

Base Bid Amount	\$134,878.25
Contingency (5%)	\$6,743.91
Total Contract Amount	\$141,622.16

A five percent (5%) project contingency has been incorporated to address potential unforeseen conditions that may be encountered during construction, specifically related to the subsurface drainage systems beneath each playground's rubberized surface. These systems cannot be fully evaluated until the existing surface is removed. The contingency allows the District to address any necessary repairs identified at that time.

There are no new funding requests as a result of staff's recommendations. Since this project was bid before the ordinance implementing the California Uniform Public Construction Cost Accounting Act (CUPCCAA) took effect, it exceeds the General Manager's existing contract authority. CUPCCAA is effective now, so future like bids will not need additional Board of Directors authority.

## **SUSTAINABILITY ANALYSIS**

The action being taken as a result of this request supports the District's sustainability practices, specifically:

- Measure SW-1: Recycling

PIP rubberized surfacing are durable, visually pleasing, and environmentally beneficial, as they are manufactured from recycled rubber materials. Approval of this contract aligns with the District's Climate Action Plan/Sustainability Action Plan by promoting environmental sustainability through the reuse of recycled materials and the reduced consumption of natural resources.

# STAFF REPORT

**DATE:** February 4, 2026

**TO:** Board of Directors

**FROM:** Traci Farris  
Administrator of Parks & Recreation

**BY:** Lisa Gates, Sr. Management Analyst



**SUBJECT: APPROVAL OF CONTRACT FOR PARKING LOT REHABILITATION CONTRACT**

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## **RECOMMENDATION**

The Board of Directors:

- 1) Awards a contract to JB-TC Ventures, Inc. dba JB Bostick Company, to perform parking lot rehabilitation services, not to exceed \$127,441.00 plus a 15% contingency (\$19,116.15) for a total of \$146,557.15; and
- 2) Authorizes the General Manager or their designee to approve Change Orders up to the contingency amount and execute all requirements and amendments of the contract.

## **BACKGROUND**

The Cosumnes Community Services District's (District) Asset Life Cycle Plan identifies and prioritizes projects annually to ensure that District assets are safe and maintained regularly, thereby extending their useful life. The District is responsible for maintaining its parking lots and is on a preventive maintenance schedule that ensures asset longevity, safety, and ADA compliance.

The District identified fourteen (14) parking lot rehabilitation projects to be completed in Fiscal Year 2025/26. These projects will occur at Beeman Park, Elk Grove Park, Oasis Park, Fire Headquarters, and eight different Fire Stations. The work to be performed under this contract includes the furnishing of all labor, materials, equipment, transportation, and services necessary for slurry seal, curb paint, striping, and removal and replacement, as needed, at each identified project location.

On December 10, 2025, a Request for Bid was advertised on the District website and Daily Recorder. Additionally, staff contacted contractors who had bid on the project in previous years. On January 7, 2026, staff received six (6) bids:

<b>Contractor</b>	<b>Base Bid</b>
Action Asphalt & Concrete	\$186,265
B&M Civil LLC dba B&M Builders	\$166,010
JB-TC Ventures, Inc. dba JB Bostick Company	\$127,441
Sunrise Grading & Paving	\$225,800
United Pavement Maintenance	\$208,508
Zara Construction	\$229,019

JB Bostick Co. was the responsive, low bidder and is recommended to receive the contract award for \$127,441. JB Bostick Co. has successfully completed similar projects for the District.

The approval of this contract accomplishes the Parks & Recreation Plan for Play Strategic Plan Objective 4.7 by implementing best practices for public safety, as contractors performing the work ensure that surfaces meet industry safety standards.

### **FINANCIAL ANALYSIS**

The contract amount shall not exceed \$127,441.00 plus a 15% contingency (\$19,116.15) for a total contract amount of \$146,557.15. The cost associated with the contract for parking lot rehabilitation services was included in the Board-approved Biennial Fiscal Year 2025/26 Landscape & Lighting Assessment Fund and Internal Service Fund budgets. Since this project was bid before the ordinance implementing the California Uniform Public Construction Cost Accounting Act (CUPCCAA) took effect, it exceeds the General Manager's existing contract authority. CUPCCAA is effective now, so future like bids will not need additional Board of Directors authority.

<b>Funding Type</b>	<b>Base Amount</b>	<b>Contingency</b>	<b>Total</b>
Landscape & Lighting	\$94,805.00	\$14,220.75	\$109,025.75
Internal Service Fund	\$32,636.00	\$4,895.40	\$37,531.40
			<b>\$146,557.15</b>

There are no new funding requests as a result of staff's recommendations.

### **SUSTAINABILITY ANALYSIS**

Timely, professional repair and maintenance of District facilities support sustainability efforts by ensuring reliable operations and reducing resource waste. This agreement supports the following Climate Action Plan/Sustainability Action Plan measures:

- SW-1: Recycling
- SW-3: Construction Waste Diversion

# STAFF REPORT

**DATE:** February 4, 2026

**TO:** Board of Directors

**FROM:** Traci Farris, Administrator of Parks & Recreation

**BY:** Mitzi Kies, Executive Assistant

**SUBJECT: FIRST READING OF ORDINANCE NO. 15 AMENDING PARK AND RECREATION REGULATIONS**

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## **RECOMMENDATIONS**

The Board of Directors ("Board"):

1. Introduces and waives the first reading of Ordinance No. 15, amending Park and Recreation Regulations, and read by title only;
2. Schedules a public hearing for February 18, 2026, for the second reading by title only and adoption of Ordinance No. 15 amending the previous version.

## **BACKGROUND / ANALYSIS**

Ordinance No. 15 serves to provide park and recreation regulations for the Cosumnes Community Services District (District). On August 1, 2012, Ordinance 9 was amended and restated as Ordinance 15.

The amended ordinance reorganizes, clarifies, and modernizes existing rules. While some new topics are addressed, the ordinance largely preserves the original intent: to ensure parks are safe, accessible, and enjoyable for all users. Revisions to the current park and recreation regulations were significant enough that a redline version would not be helpful, but a summary of the key changes do the following:

### Clear Rules and Organization

- The ordinance is reorganized into logical sections covering general rules, facility management, and public conduct.
- Language has been simplified and clarified so park users can more easily understand what is allowed and prohibited.

### Updated Enforcement Penalties

- Enforcement authority is clearly assigned to designated District Enforcement Officers (§§1.04–1.06).

- Violations are processed through the District's Administrative Citations Ordinance (Ordinance No. 17), creating a more consistent and transparent process.
- Staff may require individuals who violate rules to leave a facility for the remainder of the day.

#### Modern Activities and Technology

- New rules address activities that did not exist or were uncommon when the ordinance was last updated, including:
  - Electric bicycles (e-bikes) on trails (§3.14), with speed limits and safety requirements
  - Drones and other unmanned aerial systems (§3.17), which are restricted unless permitted
- These rules are intended to improve safety and reduce conflicts between different park users.

#### Facility Use, Permits, and Fees

- Permit and reservation requirements are clarified for organized activities, events, and exclusive uses
- The ordinance does not adopt new fees but confirms the Board's authority to set fees separately through the District's Book of Fees.
- Priority-of-use rules are clarified to avoid conflicts between permitted and non-permitted users.

#### Safety and Conduct Standards

- Expanded safety rules apply to Extreme Sports Parks, including required protective equipment, age-appropriate use, and posted disclaimers.
- Dog Park rules are expanded to address supervision, sanitation, health requirements, and user responsibility.
- Rules addressing smoking, alcohol, glass containers, noise, and disorderly conduct are updated to align with current state law.

#### CEQA Exemption

- Adoption on this ordinance is an administrative action and is exempt from CEQA.

The following timeline is proposed to amend Ordinance No. 15:

- February 4, 2026 - First reading by title only of amended Ordinance No. 15
- February 18, 2026 - Second reading by title only and adoption of amended Ordinance No. 15
- No later than March 5 (15 days after adoption) - publication of summary of Ordinance No. 15
- March 20 (30 days after adoption) – amended Ordinance No. 15 becomes effective.

## **FINANCIAL ANALYSIS**

There is no impact on the General Fund as a result of what is being requested in this report.

## **SUSTAINABILITY ANALYSIS**

There is no impact on the District's sustainability practices as a result of this report.

Attachment A: Proposed Amended Ordinance No. 15

Attachment B: Previous Ordinance No. 15

# **Attachment A**



**COSUMNES COMMUNITY SERVICES DISTRICT**

**ORDINANCE NO. 15**

**PARKS AND RECREATION REGULATIONS**

**AMENDED on December 17, 2025, AMENDED and RESTATED Ordinance  
No. 9 on August 1, 2012, ADOPTED as Ordinance No. 9 in 2007**

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**ORDINANCE NO. 15**  
**Amended**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE COSUMNES COMMUNITY SERVICES DISTRICT  
AMENDING AND RESTATING ORDINANCE NO. 15**

**WHEREAS**, the Cosumnes Community Services District ("District") adopted Ordinance No. 15 on August 1, 2012, Parks & Recreation Department regulations; and

**WHEREAS**, the District now desires to amend Ordinance No. 15 to update the regulations to suit current conditions.

**NOW, THEREFORE**, the Board of Directors of Cosumnes Community Services District does hereby ordain as follows:

**SECTION 1 Park Regulations.** The Board of Directors adopts the Facility Rules and Regulations set forth herein.

**Section 1.01 Applicability.**

- A. It is Mission of the District that residents receive maximum benefit and enjoyment from District parks, facilities and recreation programs.
- B. In furtherance of the District's policy, this ordinance establishes rules and regulations governing the use of District parks and facilities as well as rules for participation in District programs to ensure that all persons using District parks and facilities and participating in District programs receive maximum benefit and enjoyment.
- C. The Board of Directors enacts this Ordinance under the authority granted to Community Services Districts by Government Code section 61000 et seq.

**Section 1.02 Definitions.**

- A. "Board of Directors" means the Cosumnes Community Services District Board of Directors.
- B. "District Administrator" means the Cosumnes Community Services District Parks and Recreation Administrator or their authorized designee.
- C. "District" means the Cosumnes Community Services District.
- D. "Enforcement Officer" means any District employee or agent authorized to enforce any provision of this Ordinance.
- E. "Facility" or "Facilities" means any recreation facility, as defined in California Public Resources Code Section 5780.1, or any area, place, open space, corridor, trail, park, parkway, golf course, lake, creek, beach, playground, building, structure, camp, community center, gymnasium, meeting room, auditorium, court, field, swimming pool, aquatics center, equipment, machinery, or other appurtenance

owned, managed, controlled, or operated by the Cosumnes Community Services District.

#### **Section 1.04 Violation of Ordinance.**

- A. Any violation of the Facility use and fees or rules and regulations set forth in this Ordinance is a misdemeanor, subject to the procedures described in Sections 19(c) and (d) of the California Penal Code, unless a citation is issued specifying the violation is an infraction. A citation shall be processed through administrative actions in accordance with District Ordinance No. 17. Prosecution of a person pursuant to this section will not preclude prosecution of that person pursuant to the California Penal Code or other provisions of California law.
- B. Any unlawful act or omission in this ordinance includes causing, permitting, aiding, abetting, suffering, or concealing the act or omission.
- C. An Enforcement Officer may order a person to leave a Facility that is in violation of this Ordinance, or applicable local, State, or Federal law. No person may refuse to leave a District facility after being ejected. Any person who has been ejected from District property may not return to the same facility, or any other District facility, during the calendar day in which that person is ejected.
- D. Parents or legal guardians are responsible for the actions of their minor children. Damage to District property resulting from the actions of minors will be imputed to parents having custody or control of the minor (California Civil Code §1714.1).

#### **Section 1.05 Penalties.**

- A. Every violation of this Ordinance is punishable by fines established through the District's Book of Fees and shall be processed in accordance with, and subject to the procedures set forth, in the District's Administrative Citations Ordinance, Ordinance No. 17.
- B. It is unlawful and shall be a misdemeanor for any person to willfully resist, delay, or obstruct an Enforcement Officer in the discharge or attempt to discharge any duties of his or her office.

#### **Section 1.06 Enforcement.**

- A. Employees. Pursuant to Government Code Section 61064, District employees authorized to enforce violations of District Code shall have the authority and immunities of public officers and employees as outlined in Section 836.5 of the Penal Code to issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.6), Title 3, Part 2 of the Penal Code, for misdemeanor violations of the laws of the state of California.
- B. No person shall refuse or fail to comply with any lawful order, rule, or regulation adopted by the District Administrator, or other instruction or warning given by an Enforcement Officer in a Facility when the Enforcement Officer determines that a person is violating a provision of this Ordinance or engaging in conduct that presents an immediate threat to the safety of any person or property.

### **Section 1.07 Compliance with Instructions and Signs.**

- A. No person shall disregard, deface, alter, or tamper with any warning or instructional sign in a Facility.

### **Section 1.08 Public Nuisance.**

Any violation of the provisions of this Ordinance shall constitute a public nuisance. Any citation, fine or fee issued against any member of the public that is issued pursuant to this Ordinance or applicable provisions of the City Municipal Code shall be valid so long as such citation, fine or fee was issued pursuant to a violation that occurred on or at a Facility

## **SECTION 2. Facility Use, Management, and Administration**

These provisions define how facilities are accessed, reserved, and protected.

### **Section 2.01 Closure of Facilities.**

- A. The District Administrator shall have the authority to close a Facility, or portion thereof, and require the exit of all persons therein when they determine that conditions exist in said Facility or portion thereof that presents a hazard to the Facility or to public safety.
- B. In an emergency, Enforcement Officers may temporarily close a facility and will seek authorization from the District Administrator at the earliest opportunity.

### **Section 2.02 Park, Recreation, and Service Fees – Purpose.**

*Section 61115 of the Government Code of the State of California* provides that a Community Services District may charge for the use of its Facilities or services provided within them, so long as the charges are reasonable. The purpose of this Section is to provide for reasonable fees to be charged by the District for use of its Facilities or services provided in its Facilities.

### **Section 2.03 Facility Use Fees – Establishment.**

The Board of Directors may establish a schedule of fees in the District's Book of Fees for the use of Facilities or services.

### **Section 2.05 Fee Violations.**

- A. Where a fee is required, it is unlawful for any person to enter or remain in any Facility without having paid the required fee. Notwithstanding the foregoing, this subsection shall not apply to vehicle parking fees for any organization or group that is expressly authorized in writing by the District Administrator to pay such fees following use of the Facility.
- B. Whenever the District Administrator determines that parking or standing of vehicles in a Facility would be disruptive to the Facility's users or create dangerous conditions, then the District Administrator shall provide for the erection and posting

of signs indicating that the parking or standing of vehicles is prohibited, limited or restricted. It is unlawful for any person to park a vehicle or allow a vehicle to stand in a Facility contrary to the prohibitions of posted signs.

#### **Section 2.06 Failure to Obtain Required Use Permit or Contract.**

No person shall use, occupy, or otherwise remain in any Facility or portion thereof for which a permit is required without first having obtained such permit.

#### **Section 2.07 Priority of Use.**

Any person using a Facility or portion thereof which may be reserved by obtaining a use permit or contract, but who has not obtained such a permit or contract, shall vacate said area when holders of a valid permit or contract present themselves.

#### **Section 2.08 Exhibiting Permit or Contract.**

Any person claiming to have a permit or contract authorizing that person to use a specific Facility shall immediately produce and exhibit said permit or contract upon request of a District employee or Enforcement Officer who desires to inspect said permit or contract for the purpose of enforcing compliance with any regulations in this Ordinance.

#### **Section 2.09 Restrooms and Washrooms.**

- A. Individuals are allowed to use restrooms that correspond with their gender identity. Children under the age of six may enter restrooms designated for another gender only when accompanied by a caregiver. Maintenance staff may enter restrooms designated for a different gender as part of their job duties. This section does not infringe upon individual rights protected under California Civil Code Section 51.
- B. No person shall deposit any human waste material in or on any Facility other than in a public toilet or designated receptacle.
- C. No loitering is allowed in restrooms. No persons shall linger in the restroom facility for an extended period of time without a clear reason for being there.

#### **Section 2.10 Real Property – Appropriation or Encumbrance.**

- A. No person shall deposit any earth, sand, rock, stone, or other substance within any Facility; nor shall they dig or remove any such material from within any Facility; nor shall they erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or piles; nor in any manner appropriate or encumber any portion of the real property owned, operated, controlled, or managed by the District, without a permit from the District Administrator.
- B. Notwithstanding the foregoing or provisions of Section 2.11, a person who wishes to engage in the sport of metal detecting may apply for a permit with the District and shall agree to the terms of the permit, which will include provisions for lost and found notification, digging limits, and damage notifications. Permits shall not be issued for areas of historic importance or in areas of ecological preservation.

## **Section 2.11 Property – Use of.**

No person shall:

- A. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof.
- B. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, property, or any portion thereof.
- C. Without the written approval of the District Administrator, make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or on any portion thereof, any rope, wire, mark, nails, tacks, writing, printing, sign, card, display, or similar inscription or device.
- D. All temporary roadside memorials on public property and rights-of-way shall be disposed of in accordance with the applicable City Municipal Code nuisance provisions, as amended from time to time.

## **Section 2.12 Locks and Keys.**

No person other than one acting under the direction of the District Administrator shall duplicate or cause to be duplicated, a key used by the District for a padlock or door lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person.

## **Section 2.13 Hours of Use.**

The District Administrator is authorized to adopt reasonable opening and closing hours for all Facilities. No person shall enter, remain in, or camp in or on any Facility during the hours that Facility is closed without a use permit from the District Administrator.

## **Section 2.14 Placement of Signs on District Property.**

Placement of signs, other than those posted pursuant to the approval of the District Administrator, are not allowed on or in any Facility.

## **Section 2.15 Bounce Houses, Tents, Awnings, Stages, Water Slides**

### **A. Approval and Vendor Requirement**

1. Bounce houses may be installed at District Facilities only if rented from an approved vendor listed on the official District Approved Vendor List.
2. The use of bounce houses from non-approved vendors is prohibited.
3. The user must provide confirmation of the vendor's approval and insurance coverage prior to use.

### **B. Written Approval Requirement**

1. No person shall erect or contract with any other party to erect any tent, awning, stage, water slide, or other ground covering device on a Facility without obtaining written approval from the District Administrator.
2. Bounce houses rented from an approved District vendor are pre-approved and do not require separate written approval, provided all District conditions and safety requirements are met.

### **C. Stabilization and Equipment**

1. No person shall affix, anchor, stake, or otherwise stabilize any device by driving objects into District property.
2. Bounce houses, tents, awnings, and stages shall be stabilized using sandbags or other non-penetrating weights.
3. Users are responsible for providing all necessary equipment, including electricity, tarps, and weights, and for ensuring the setup complies with the District's safety guidelines.

### **Section 2.16 Bulky Items, Tents, and Storage of Personal Property in Facilities.**

Facilities should be clean, sanitary, accessible, and available to the public for their intended recreational purposes. Bringing bulky items into a Facility and the unauthorized use of a Facility for the storage of personal property interfere with the rights of other members of the public to use the Facility for its intended purposes and can create a public health or safety hazard that adversely affects the Facility and those who use the Facility for recreational activities.

#### **A. Definitions.**

1. "Bulky Item" means any item which is too large to fit in a 60-gallon trash container with the lid closed, including, by way of example, but not limited to, a mattress, couch, chair, or other furniture or appliance. Bulky Item does not include a portable, collapsible picnic chair or table.
2. "Jurisdiction" shall mean the District, the City of Elk Grove, or any other applicable agent or contractor of the District or City engaged by the District for enforcement of the provisions of this Section.
3. "Person" means any individual, group, business, business trust, company, corporation, joint venture, joint stock company, partnership, entity, association, club or organization composed of two or more individuals (or manager, lessee, agent servant, officer or employee).
4. "Personal Property" means any and all tangible property, and includes by way of example, but not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags, hammocks, and personal items such as luggage, backpacks, clothing, documents, medication and household items.
5. "Store," "Stored" or "Storing" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
6. "Tent" means any tarpaulin, cover, structure or shelter, made of any material which is not open on all sides, and which hinders an unobstructed view behind or into the area surrounded by the tarpaulins, cover, structure or shelter.

- A. No person shall bring into any Facility any Bulky Item without a permit for the purpose of storage.
- B. Except for areas expressly designated for camping, no person shall erect, configure or construct a Tent in any Facility.
- C. No person shall erect any barrier against or lay string or join any wires, ropes, chains or otherwise attach any Personal Property to any of the District's personal property or trees or plants in a Facility, including by way of example, but not limited to, a building or portion or protrusion thereof, playground equipment, sports

equipment, exercise equipment, fencing, netting, trash can, gazebo, pagoda, pole, post, bike rack, drinking fountain, sign, table, bench, tree, bush, shrub or plant, without the District Administrator's written consent.

E. Removal of Stored Personal Property; Discarding of Stored Personal Property.

1. No Person shall Store Personal Property in any Facility.
2. All Stored Personal Property remaining in any Facility after closing may be removed by the Jurisdiction.
3. Personal Property placed in a Facility shall be deemed to be Stored Personal Property if it has not been removed from the Facility prior to the daily closure of the Facility. Moving Personal Property to another location in the same Facility shall not be considered removing the Personal Property from the Facility. The Jurisdiction may remove such Stored Personal Property after providing notice pursuant to Subsection (F) herein. This Section shall not apply to Personal Property that remains in the Facility after the Facility closes pursuant to statute, ordinance, regulation, permit, contract or other authorization by the Jurisdiction.
4. The Jurisdiction may remove and discard any non-permitted Bulky Item from a Facility without prior notice.
5. In the event Personal Property placed in the Facility poses an immediate threat to the health or safety of the public, the Jurisdiction may remove and discard it without prior notice.

F. Pre-Removal Notice. Notice of the Jurisdiction's removal of Personal Property that is not deemed an immediate threat to the health or safety of the public will be provided as follows:

1. By erecting in the Facility at least one sign in a conspicuous place providing notice that any Personal Property remaining in the Facility after the Park closes may be removed and impounded and may be discarded by the Jurisdiction if not claimed within 90 days of the Jurisdiction's removal of the Personal Property; or
2. By placing on or near the Personal Property, a written notice containing the following:
  - i. A general description of the Personal Property to be removed.
  - ii. The location from which the Personal Property will be removed.
  - iii. The date and time the notice was posted.
  - iv. A statement that the Personal Property has been stored in violation of this Section and will be removed by the Jurisdiction if the Person who stored the Personal Property in the Park does not remove the Personal Property from the Park within 24 hours.
  - v. The location where the removed Personal Property will be stored, including a telephone number and the internet website of the Jurisdiction through which a Person may receive information as to impounded Personal Property, as well as information as to voluntary storage location(s); and

vi. A statement that the Jurisdiction may discard the Personal Property if not claimed within 90 days after the Jurisdiction's removal of it.

G. Post-Removal Notice. Upon the Jurisdiction's removal of Personal Property, written notice shall be placed conspicuously in the area from which the Jurisdiction removed the Personal Property. The written notice shall contain the following:

1. A general description of the Personal Property removed by the Jurisdiction.
2. The date and approximate time the Personal Property was removed by the City.
3. A statement that the Personal Property was stored in violation of this Section.
4. The location where the removed Personal Property will be impounded, including the telephone number and internet website of the Jurisdiction through which a Person may receive information as to impounded Personal Property; and
5. A statement that the removed Personal Property may be discarded if not claimed within 90 days of the Jurisdiction's removal of it.

H. It shall be unlawful to fail to remove from a Facility attended Stored Personal Property within 24 hours of receiving written notice pursuant to Subsection E.2. or after closure of the Facility, in any Facility with a sign posted pursuant to Subsection F.1.

I. Storage and Disposal.

1. Except as specified herein, impounded Personal Property shall be moved to a place of storage.
2. Except as specified herein, impounded Personal Property shall be held by the Jurisdiction for 90 days, after which time, it may be discarded. The Jurisdiction shall not be required to undertake any search for, or return of, any Personal Property held by the Jurisdiction for longer than 90 days.
3. The Jurisdiction shall maintain a record of the date any Personal Property was discarded.

J. Repossession. The owner or any other person entitled to the Personal Property removed by the Jurisdiction may repossess the Personal Property prior to its disposal upon submitting satisfactory proof of ownership or entitlement to the Personal Property. A Person may establish proof of ownership by, among other methods, describing the location where and date when the Property was stored in a Facility and providing a specific and detailed description of the Personal Property. Valid, government-issued identification is not required to claim removed Personal Property; however, positive identification of the Personal Property owner is required.

K. Nothing herein precludes the enforcement of any law prohibiting illegal dumping, including by way of example, but not limited to, California Penal Code Section 374.5, and Elk Grove Municipal Code Sections 6.14.010, 9.36.055, 9.36.056, 30.10.040 or any successor statutes proscribing illegal dumping.

## **Section 2.17 Trespass Upon Public Property.**

- A. No person shall remain upon any Facility after having been found to have violated any city ordinance, policy, rule or regulation, where that person has been given a warning by authorized personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.
- B. Any person who has been found by an authorized District personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the District may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one (1) year that the ban will be in effect.
  1. In the instance of a ban from attending or participating in sporting events, the notice of ban may include multiple locations if all listed locations are designated as used by that sporting event.

### **C. Progressive Ban Process.**

To ensure that bans are issued consistently and proportionately, the District shall utilize a progressive process for enforcement actions taken under this section, unless the violation involves conduct posing an immediate threat to public safety, staff, or property.

1. First Violation – Verbal Warning.  
The individual shall be advised of the rule or regulation violated and directed to cease the conduct. If the individual complies, no further action shall be taken.
2. Second Violation – Written Warning or Temporary Ban (Up to Seven (7) Days).  
A written notice may be issued identifying the violation, the date and location of the incident, and the duration of any temporary ban.
3. Third Violation – Intermediate Ban (Up to Ninety (90) Days).  
Repeated or escalating violations may result in a ban of up to ninety (90) days. Written notice shall be personally served or mailed, identifying the rule violated, affected facility, effective dates, and appeal procedure.
4. Severe or Repeated Violations – Extended Ban (Up to One (1) Year).  
Serious violations involving violence, threats, harassment, or endangerment may result in a ban of up to one (1) year pursuant to subsection (B).
5. Appeal.  
Any person receiving a written ban exceeding seven (7) days may request a review by the Parks and Recreation Director or designee within ten (10) business days of receipt. The Director's decision shall be final.
6. Reinstatement.  
Persons banned for ninety (90) days or more may request reinstatement

after serving half the ban period, upon demonstrating compliance and agreement to follow all rules.

## **SECTION 3. Public Conduct and Prohibited Activities**

These provisions define prohibited conduct, restricted activities, and enforcement standards applicable to all users.

### **Section 3.01 Advertising and Soliciting**

No person shall distribute, circulate, give away, throw, or deposit in or on any Facility any flyers, handbills, circulars, pamphlets, papers, or advertisements, where the material calls the public attention in any way to any article or service for sale or hire; nor within any Facility shall any person solicit or collect donations of money or other goods from the public, without express approval of the District Administrator, or their designee, for such activity within the specific Facility.

### **Section 3.02 Water Pollution.**

No person using a Facility shall place, by any means, any substance which will or may result in the pollution of waters within the Facility, or a portion thereof, without a use permit from the District Administrator.

### **Section 3.03 Refuse.**

It shall be unlawful for a person to engage in the following conduct in a Facility:

- A. Litter, deposit, or abandon any garbage, sewage, refuse, trash, or other solid waste material other than in an appropriate receptacle or container provided for disposal of solid waste material.
- B. Dispose of or release liquid waste other than in an area, receptacle or vessel specifically designated for liquid waste disposal. As used in this section, liquid waste includes by way of example, but not limited to, sewage, dishwater, pool discharge or any liquid containing detergents or chemicals.
- C. Deposit any solid waste or dispose of or release any liquid waste in a water body located in a Facility.
- D. Deposit, dispose of, release or abandon any liquid waste, garbage, sewage, refuse, trash, or other waste material generated outside of a Facility into a receptacle or vessel owned, managed, or provided by the District.

### **Section 3.04 Smoking, Tobacco, Electronic Smoking Devices.**

- A. No person shall smoke or use an electronic smoking device ("vape") any substance, use any tobacco product or discard any tobacco-related waste in any Facility, or within 25-feet of a children's playground, or tot lot sandbox area, or within 250-feet of a youth sports event (pursuant to California Health and Safety Code Section 104495 et seq., as amended from time to time).

- B. No person shall smoke, vape, or otherwise use cannabis products or discard any cannabis-related waste, in any Facility, or within 1000 feet of a children's playground, school, daycare center, or youth center while children are present (pursuant to California Health and Safety Code Section 11362.3 *et seq.*, as amended from time to time).
- C. Signs shall be posted in areas designated by the District Administrator for permitted smoking of tobacco or electronically vaporized products as permitted for consumption by the State of California. Such posting shall not be misconstrued to unlawfully permit the smoking or consumption of cannabis products. Cannabis products are expressly prohibited from consumption in public places by California State Law.
- D. Smoking Near Building Entrances, Windows, and Air Intakes.
  - 1. Pursuant to California Government Code Section 7597 *et seq.*, smoking, vaping, or the use of any tobacco, cannabis, or electronic smoking device is prohibited within twenty-five (25) feet of any entrance, exit, operable window, or air intake vent of any District-owned, leased, or operated building or Facility that is a place of employment or public access.
  - 2. This restriction applies to all substances including, but not limited to, tobacco, cannabis, herbs, or any vaporized product intended for inhalation.
  - 3. No person shall discard smoking or vaping waste (including cigarette butts, filters, ashes, or cartridges) within such areas.
  - 4. The District shall post clear and visible signage at Facility entryways indicating that smoking and vaping are prohibited within twenty-five (25) feet of building entrances, exits, and windows, consistent with state law.

### **Section 3.05 Alcoholic Beverages.**

#### **A. General Prohibition**

No person shall possess or consume any open container of alcohol, or any receptacle containing an alcoholic beverage with a broken seal or partially removed contents:

- 1. On or within any District building; or
- 2. In any area where signage prohibits such possession or consumption.

Exceptions apply only if alcohol possession or consumption is expressly authorized by a valid permit issued by the District or by a license issued by the California Department of Alcoholic Beverage Control (ABC), and the individual or entity complies with all applicable conditions of that permit or license.

#### **B. Prohibition for Minors**

- 1. It is unlawful for any person under 21 years of age to possess, consume, or attempt to possess or consume any alcoholic beverage in any area governed by this Ordinance.

#### **C. Alcohol Service at the Golf Course**

Alcohol consumption is permitted on District-owned golf courses under the following conditions.

- 1. Alcohol may be sold only in compliance with all applicable state and local licensing laws and regulations.

2. Patrons may not bring their own alcohol onto the course unless specifically authorized in writing by the District Administrator.
3. Consumption is limited to designated areas, including the course, patio, and other approved spaces as identified by signage.
4. All staff involved in alcohol sales or service shall complete Responsible Beverage Service (RBS) training or a comparable certification.
5. The District reserves the right to review, suspend, or modify alcohol service policies at any time to ensure alignment with safety, operational, and community standards.

D. ABC License Exceptions

The District may authorize the use of a permit or license issued by the California Department of Alcoholic Beverage Control (ABC). All subsequent alcohol sales, consumption, possession, and staff training shall be consistent with the terms of that license. The District reserves the right to review and modify alcohol service policies to ensure they align with safety, operational, and community standards.

**Section 3.06 Glass Beverage Containers.**

No person shall possess any cup, tumbler, bottle, jar or other container made of glass within any park or on any body of water or within any other Facility which has been posted with signs prohibiting such possession, except at events or in locations where such containers have been authorized by a permit from the District Administrator. The intent of this prohibition is to prevent harmful refuse material from being intentionally or accidentally deposited in Facilities.

**Section 3.07 Fires.**

- A. Without a permit issued by the District Administrator, no person shall ignite, maintain, or use any fire in any place within any Facility except in a barbecue cooker or other cooking device authorized by the District Administrator for that purpose. Modified devices, or trailer cookers, are subject to independent inspection and shall require authorization by a permit from the District Administrator.
- B. No person shall ignite or maintain a fire of materials deposited in any can, box, trench, pit, or other receptacle maintained for the purpose of garbage disposal or incineration, nor shall any person dump any ashes or other burnt materials in or on any Facility.
- C. Notwithstanding other provisions of this section, no person shall ignite, maintain, or use any fire in any place within any Facility except in a barbecue cooker, or upon a cooktop, installed at the Facility, or by permit from the District Administrator at designated locations and subject to approval by the Fire Marshall or his/her designee.
- D. It shall be unlawful for any person to use a hydrant in a Facility other than for fire suppression. Written exception may be made by the District Administrator with approval from the Fire Marshal.

### **Section 3.08 Fireworks.**

No person using a Facility shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks defined and classified as "safe and sane fireworks" in Sections 12505, 12508, and 12529 of the California Health and Safety Code at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the District and a fire permit has been obtained from the District Fire Department.

### **Section 3.09 Firearms, Air Guns, and Other Weapons.**

- A. No person other than a peace officer in the discharge of his/her duties shall use, maintain, possess, fire, or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, except in areas, at times, and under conditions designated by the District Administrator, in writing, for such use.
- B. No person shall use, maintain, possess, fire, or discharge any imitation firearm as defined by Section 16700 of the California State Penal Code. All Sections of Division 4 (commencing with Section 20150), Title 3, Part 6 of the Penal Code apply to the determination of the person's imitation firearm. Any punishment imposed herein does not preclude prosecution of applicable California State Laws.
- C. No person shall use, maintain, possess, display, store, or otherwise make visible any device which is intentionally shaped, colored, styled, or otherwise designed to appear as a complete or partial firearm.

### **Section 3.10 Animals.**

No person(s) shall:

- A. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal within the boundaries of any Facility, nor remove or possess the young, eggs, or nest of any such creature, without the authorization of the District Administrator.
- B. Abandon any animal, dead or alive, within any Facility. A violation of this subsection is punishable as a misdemeanor with a fine of \$1,000 for every animal.
- C. Remove any animal not owned by said person within any Facility; exception is made to the foregoing in that, in proper season, fish may be fished and removed from areas designated for fishing by licensed persons.
- D. Bring into, maintain or allow in or upon any Facility any dog, cat, or other animal, unless such animal at all times is kept on a leash, six-feet in length or shorter, of sufficient strength and durability that it cannot be broken by the animal so leashed, and is under the full and complete physical control of its owner or custodian at all times. The District Administrator may designate areas and times within which persons may show, demonstrate, or train unleashed animals, but under full control of their owners or custodians.
- E. Permit cattle, sheep, goats, horses, or other animals to graze within the boundaries of any Facility without express approval of the District Administrator.

- F. Ride a horse, pony, mule, burro, or any other animal upon, over or across any Facility, except at times and upon roads or trails designated for the riding of such animals, or as otherwise approved per contract or use permit.
- G. Permit any animal owned by, or in possession of, to be brought into or remain on the premises of any Facility if the District Administrator has given oral or written notice to remove that animal from such premises. The District Administrator may give such notice if such animal is known to the District Administrator to have at any time caused any injury or damage to any person, other animal or property of another while upon the premises of any Facility.
- H. Permit any animal owned by, or in possession, custody, or control, to defecate in or upon any Facility without immediately removing such animal feces, placing said feces in a sealed bag or other sealed container, and placing such bag or container with feces in a proper refuse receptacle. Unsighted persons, while relying on a guide dog, are exempt from the provisions of this subsection.
- I. No person shall bring a dangerous animal or vicious animal as defined by Elk Grove Municipal Code Sections 8.06.040, 8.06.050, or an attack dog, guard dog or sentry dog, as defined in Health and Safety Code Sections 121875 *et seq.* into a Facility, or allow any of these types of dogs to remain in a Facility. Nothing in this section shall prohibit law enforcement personnel from being accompanied by trained police dog.
- J. No person shall allow an animal to enter or remain in a body of water in a Facility, unless authorized by the District Administrator.
- K. A person who brings a trained service animal into a Facility shall be responsible for any injury to a person or damage to property, including park property, caused by the animal. A person bringing an animal into a District Facility shall have a duty to report to any Enforcement Officer any injury suffered by any person or any damage to property caused by the animal, as soon as practicable following the incident. If no Enforcement Office is available at a Facility to receive a report of the incident, the person shall report the incident to any District employee within 24 hours.
- L. The District may issue additional rules and regulations which limit or exclude pets from any Facility or any section of a District park where the District determines that the presence of pets substantially conflicts with the general use and enjoyment of the park. This subsection does not apply to a trained service animal that accompanies a person with a disability.
- M. No person who brings a pet or any other animal into a Facility shall refuse the instructions from a Enforcement Officer to remove the animal from the park when the Enforcement Officer determines that the animal is in the park in violation of this Ordinance, contrary to any written District rule or regulation, or when the animal presents a threat to the safety of any person or property;
- N. No person shall bring any animal, other than a trained service animal performing its duties, into any District building without express written permission from the District Administrator. Under the Americans with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to perform tasks for an individual with a disability.

- O. No person shall organize, host, invite, or otherwise cause an organized animal event to take place within a Facility without express approval of the District Administrator.
- P. No person shall feed or in any manner provide an attractant to any wild animal or domestic animal now living in the wild.
- Q. No person shall leave, store, or maintain any attractant in a location and manner accessible to any wild animal or domestic animal now living in the wild. This subsection shall not apply to District employees or wildlife rehabilitators using attractant to trap said animal in a legally authorized or permitted manner.

### **Section 3.11 Fishing Regulations**

Fishing at District Facilities are subject to all applicable California Fish and Wildlife regulations. In addition, the following regulations apply to the Elk Grove Park Pond:

- A. It is illegal to fish during restricted hours and months. Fishing is allowed when the park is open from sunrise to one hour before sunset, from March 1 to November 30.
- B. Fishing is not permitted on the same calendar day as any fish plant. Signs must be posted on days when fish plants operate.
- C. All anglers 16 years of age or older must have a valid California State fishing license.
- D. All anglers must exhibit, upon demand, a valid California State fishing license to any peace officer, authorized California Department of Fish and Wildlife ("CDFW") employee or any District employee.
- E. All anglers are restricted to a single fishing pole, which must be closely attended at all times. This restriction is pursuant to Section 7149.45(a) of the Fish and Game Code due to barbless hook restrictions.
- F. Only single-point barbless hooks may be used.
- G. All anglers must submit to an inspection of hooks cast into the pond, or intended to be cast into the pond, upon demand by a peace officer, authorized CDFW employee, or any District employee.
- H. It is unlawful to deposit or leave any refuse in the water.
  - 1. In the event an angler's line becomes snagged upon an object, and the angler is unable to retrieve the line, the angler must promptly call the District Park Maintenance Hotline and provide the following information:
    - i. the angler's full name
    - ii. a description of the location of the discarded refuse.
    - iii. a description of the discarded refuse; and
    - iv. a phone number or other means of contact.

*The provision of this information shall not be used to penalize the angler for the discarded refuse.*

If the angler is unable to call the District Park Maintenance Hotline, they must advise District staff at the Elk Grove Park Office of the foregoing information.

- E. The daily bag and possession limit is five (5) fish per angler.
- F. Fishing may be prohibited as posted.

### **Section 3.12 Motorized Vehicles.**

The Board of Directors, pursuant to the authority granted by Section 21107.5 of the Vehicle Code and subject to the conditions and limitations specified in subdivision (b) of that Section, finds that the District-owned and maintained roads are generally held open for vehicular travel and which so connects with highways that the public cannot determine that the roads are not highways. As provided in Section 21107.5 of the Vehicle Code, all applicable Sections of the Vehicle Code are hereby made applicable to said District-owned and maintained roads. In addition, the following provisions are expressly prohibited:

- A. No person shall operate a vehicle in a Facility without a valid driver's license.
- B. No person shall operate a vehicle in a Facility unless the vehicle has current registration with the Department of Motor Vehicles.
- C. No person shall drive or operate any automobile, motorcycle, motor scooter, electric bicycle, trail bike, dune buggy, truck, or other motorized vehicle elsewhere other than on the roads or drives provided for such purpose or drive a motor vehicle in an erratic or hazardous manner. The only exception would be electric scooters and electric motorized wheelchairs, which are required for mobility purposes by individuals with disabilities.
- D. While within the boundaries of any Facility, no person shall drive any automobile, motorcycle, motor scooter, electric bicycle, truck, or other motorized conveyance, except an authorized emergency vehicle, at a rate of speed exceeding fifteen miles per hour, except as may be otherwise posted by the District Administrator, or in any case at speeds exceeding safe conditions dictated by prevailing conditions.
- E. No person shall park any automobile or other motorized vehicle within any Facility except in areas specifically designated as parking areas, without a use permit from the District Administrator. In no case shall any person park a motorized vehicle in a manner that presents a hazard to the public.
- F. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any Facility during the hours the Facility is closed, without a use permit from the District Administrator.
- G. No person shall abandon any motorized vehicle within the boundaries of a Facility.
- H. No person shall wash or repair any automobile or other motorized vehicle within the boundaries of any Facility without a use permit from the District Administrator.
- I. All motorized vehicles within the boundaries of any Facility shall be equipped with a properly installed muffler device that is in constant operation and that prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device.
- J. No person shall operate, or permit the operation of, any sound amplification system which can be heard outside the automobile or other motorized vehicle from 50 feet or more, either while being driven, stationary, or while parked in a Facility.
- K. No person shall engage in the activity known as "cruising" in any Facility.
  1. For the purposes of this Section, "cruising" means and is defined as the repetitive driving of any motor vehicle past a traffic-control point in traffic that is congested at or near the traffic-control point.

2. For the purposes of this Section, "congested traffic" means traffic on any public street, alley or highway, or within any Facility which is delayed to the point that:
  - i. Motor vehicles cannot move through a one-hundred-yard approach corridor to an intersection controlled by a traffic light within two complete green light cycles where the delay in forward movement is due to the position of other motor vehicles; or
  - ii. Motor vehicles cannot move through a one-hundred-yard approach corridor to an intersection controlled by a traffic light within a five-minute period of time where the delay in forward movement is due to the position of other motor vehicles; or
  - iii. Motor vehicles cannot readily move forward on portions of public streets, alleys, or highways, or within any Facility between intersections, because traffic speed has slowed to less than five miles per hour, and the delay in movement is due to the position of other motor vehicles.

Determination that a street, alley, or highway, or Facility is congested shall be made by the ranking peace officer on duty within the affected area.

- L. The City traffic engineer shall determine the appropriate placement of stop signs and speed signs on District private roads. No stop sign shall be placed or erected on District roads without the prior approval of the traffic engineer.

### **Section 3.13 Parking Regulations Enforcement.**

The District Board of Directors, pursuant to the authority granted by Section 21107.8 of the Vehicle Code and subject to the conditions and limitations specified in subdivision (b) of that Section, finds that the District-owned and maintained off-street parking facilities are generally held open for public use. As provided in Section 21107.8 of the Vehicle Code, Sections 22350, 22507.8, 23103 and 23109 of the Vehicle Code are hereby made applicable to said parking facilities. Where applicable, associated district-owned and maintained access and perimeter roads shall be considered part of the said parking facilities.

The District Administrator may authorize local law enforcement, District employees, and fire agencies to enforce District, City and/or California State parking regulations and to make arrests and issue citations for violation of such parking regulations when the violation is committed within any Facility.

- A. No person shall park a vehicle in a Facility other than in an area designated for vehicle parking, and within painted stalls when applicable.
- B. No person shall park a vehicle in a Facility except in connection with the person's legal use of the Facility and during the person's visit to the Facility.
- C. No person shall park a vehicle within 15 feet of a fire hydrant.
- D. No person shall park a commercial vehicle greater than 10,000-pound GVW, or any commercial combination vehicle as defined by California Vehicle Code Section

260, or any trailer not attached to a vehicle in a Facility without express written permission or permit from the District Administrator.

E. The District may remove any vehicle which is parked, stored, left or abandoned in violation with this Ordinance or any rule or regulation adopted by the District or as provided by the Vehicle Code. The vehicle owner shall be responsible for all expenses incurred by the District in removing the vehicle.

### **Section 3.14 Bicycle Trails and Bicycles.**

Within the boundaries of a Facility, no person shall:

A. Operate any motorized vehicle, including, without limitation, motorcycles, trail bikes, or motorized bicycles upon any bicycle trail except at street, driveway or access road intersections for the purpose of crossing a bicycle trail, without a permit from the District Administrator:

1. Exception is provided for motorized handicap scooters or motorized wheelchairs used for disabled mobility.
2. Exception is provided for electric bicycles as defined and authorized by California State Law:
  - i. Class 1 Electric Bikes – are low-speed pedal-assisted bicycles equipped with an electric motor that provides assistance only when the rider is pedaling. These vehicles are governed at a top speed of 20 miles per hour. Regardless of the governed speed, no Class 1 electric bike shall be permitted to travel in excess of 15 miles per hour upon any Facility. The exception for Class 1 electric bikes applies on bike paths, bike lanes, bike routes, and protected lanes.
  - ii. Class 2 Electric Bikes – are low-speed throttle-assisted bicycles equipped with an electric motor which may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches a top speed of 20 miles per hour. Regardless of the governed speed, no Class 2 electric bike shall be permitted to travel in excess of 15 miles per hour upon any Facility. The exception for Class 2 electric bikes is valid upon a bike path, bike lane, bike route and protected lane.
  - iii. Class 3 Electric Bikes – are speed pedal-assisted bicycles equipped with an electric motor which provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches a top speed of 28 miles per hour and is equipped with a speedometer. Regardless of the governed speed, no Class 3 electric bike shall be permitted to travel in excess of 15 miles per hour upon any Facility. The exception for Class 3 electric bikes is valid upon a bike lane, bike route and protected lane. The operation of a Class 3 electric bike requires that the rider is a minimum of 16 years old and wears a helmet.

- B. Hold any organized or competitive event on any trail without a permit from the District Administrator.
- C. Ride a bicycle in areas in which posted signs expressly prohibit the riding of bicycles including, but not limited to, on grassy areas, paths, trails or walkways which have been designated by posted signs to be for pedestrian or equestrian use only. A bicyclist shall be permitted to push a bicycle by hand over any such grassy area, path or walkway.
- D. Leave a bicycle in any place or position where other persons may trip over or be injured by it.
- E. Ride a bicycle on a designated off-street trail in excess of 15 miles per hour, or in a manner which is unsafe, or which may be injurious to the rider or other persons, except for permitted competitive events.

### **Section 3.15 Prohibition of Skates, Skateboards and BMX Bikes in Certain Facilities.**

Except as otherwise provided in this Ordinance and in such areas specifically designated for the use of such devices, no person shall ride upon a skateboard, roller skates, in-line skates, roller skis, BMX bikes or a similar device within the boundaries of any Facility where the use of such devices has been prohibited by the posting of a sign. Violation of this section shall be deemed an infraction.

### **Section 3.16 Aircraft.**

No person shall bring, assemble, take off, land, or use any aircraft or any other device capable of carrying a person in the air, including a hot air balloon, hang glider, kite or motorized craft in any Facility without written authorization from the District Administrator.

- A. This Section shall not apply to an emergency landing as defined and controlled by the Federal Aviation Administration ("FAA"). The pilot of the aircraft has the burden of demonstrating, to the satisfaction of the FAA, where applicable, or to the District Administrator, that a real emergency existed that justified the landing.

### **Section 3.17 Unmanned Aerial Systems.**

- A. Except as expressly and directly authorized by applicable law, without a valid permit issued by the District Administrator authorizing such use, no person shall launch, land, fly, operate, or otherwise control any model airplanes, model helicopters, drones, or other device capable of free flight within the boundaries of District Facilities.
  - 1. This Subsection shall not apply to an emergency landing by a model airplane, model helicopter, drone, or other device capable of free flight within any Facility. The owner or operator of the model airplane, model helicopter, drone, or other device capable of free flight has the burden of demonstrating, to the satisfaction of the District Administrator, that a real emergency existed that justified the landing. A person who launches a model airplane, model helicopter, drone, or other device capable of free flight from or within a Facility without a valid permit

from the District Administrator shall not be entitled to claim that a landing within a Facility was an emergency landing.

B. Notwithstanding the provisions of Subsection A, no person shall launch, land, fly, operate, or otherwise control any model airplanes, model helicopters, drones or other device capable of free flight in any Facility while emergency workers are engaged in rendering emergency services.

### **Section 3.18 Swimming.**

No person shall swim, bathe, float or wade in any water or waterways within a Facility when such activity is prohibited and so posted by the District Administrator upon their finding that use of the water would be dangerous to the user, incompatible with the function of the Facility, or detrimental to public health.

### **Section 3.19 Boats.**

- A. Regulations governing the use of boats within a Facility may be established and posted by the District Administrator. Said regulations should promote the safety of swimmers and boaters, the protection of property, and general public enjoyment of the Facility.
- B. Public boating is not allowed within any Facility including but not limited to Elk Grove Park Pond, Emerald Lakes Golf Course lakes and Laguna Creek and its tributaries unless a sign is posted that states boating is allowed. Notwithstanding the foregoing, any person with an applicable use permit from the District may operate a boat in the Facility expressly designated in that use permit. This Section does not apply to District employees in the performance of their described duties.

### **Section 3.20 Sound Amplification Equipment.**

- A. Within any Facility, no person shall use sound amplification equipment without a permit from the District Administrator.
- B. Within any Facility, no amplified outdoor music will be permitted past 9:00 PM without the written permission of the District Administrator.

### **Section 3.21 Marking Substances.**

No person shall possess or use aerosol spray paint cans, paint markers, or other permanent marking device in any Facility without the express written permission of the District Administrator and in compliance with Penal Code Sections 594.1, and 594.2.

### **Section 3.22 Sale of Goods and Services.**

- A. The sale of goods and services, including, but not limited to, food products, apparel, instructional lessons, and entertainment, by natural persons or entities for commercial gain, potentially adversely and seriously impacts the use of parks and facilities by the public for recreational purposes. Any such sales must be regulated

through the use of concession contracts to ensure that the goods and services marketed will promote the beneficial use of the applicable Facilities.

- B. It shall be unlawful for any person or entity to enter on and use any Facility for the purpose of selling goods or services for commercial gain without having first applied for and obtained from the District a concession contract authorizing the sales and otherwise regulating the time, place, and manner of such sales. The violation of this subsection shall be punishable as an infraction as provided in this Ordinance.
- C. The provisions of this section shall not be deemed to apply to the sale or distribution of newspapers, books, pamphlets, or other activity constituting protected speech under the First Amendment of the United States Constitution or comparable protections under the California Constitution.

### **Section 3.23 Behavior within Facilities.**

Persons shall not congregate or assemble in any Facility under such circumstances that a reasonable person would conclude that the person who has entered and remained on such premises is there for the purpose to:

- A. Attempt or commit theft of property from vehicles, buildings or District property:
- B. Engage in the use, sale, exchange or possession of illegal narcotics and/or controlled substances:
- C. Engage in the use, sale, exchange or possession of alcoholic beverages by a person under the legal age of 21:
- D. Engage in the use, sale, exchange or possession of illegal fireworks or explosives:
- E. Engage in illegal activities as prohibited by State or Federal law.
- F. Engage in any lewd conduct.
- G. Assemble for the purpose of threat, assault or battery on another person:
- H. Participate in riotous behavior or hazardous activities in an unruly, destructive or hazardous manner that it disturbs the public peace, or which may intimidate, disturb, or endanger the safety of other park patrons, residences or businesses near a Facility, provided that this prohibition shall not be applied so as to infringe the rights of patrons to engage in speech or other expressive activity to the extent protected by the First Amendment to the Constitution.
- I. Perform any action which contributes to the destruction of a Facility, including actions such as intentionally and maliciously hitting athletic equipment against a Facility, which could cause damage to that Facility or a portion thereof.
- J. Obstruct, block, impede or interfere in any way whatsoever with the District's operations or employees, including but not limited to, gathering, sitting, standing, or lying on any District owned or controlled property, or attempt to do same.
- K. Willfully and maliciously make any unduly loud or unreasonable noise including by way of example, but not limited to, tooting, blowing or sounding any siren, horn, signal or other noise-making device, or making oral or mechanical noises.
- L. The District may expel or refuse to provide service to any person engaging in activities described in this Section.

### **Section 3.24 Extreme Sports Parks**

This Section shall apply to usage of all Extreme Sports Parks. "Extreme Sports Parks" means, without limitation, any skate parks, skate elements, and bike parks owned, operated and/or maintained by the District.

- A. The District does not assume any responsibility for injuries at an Extreme Sports Park. A disclaimer shall be posted at all Extreme Sports Parks, which shall state: "SKATEBOARDING, SKATING and BMX BIKE RIDING MAY CONSTITUTE HAZARDOUS RECREATIONAL ACTIVITIES PURSUANT TO GOVERNMENT CODE SECTION 831.7(B). USE OF THIS FACILITY MAY RESULT IN SERIOUS BODILY INJURY, DISABILITY, OR EVEN DEATH. THE COSUMNES COMMUNITY SERVICES DISTRICT DOES NOT ASSUME ANY RESPONSIBILITY FOR INJURIES. USE AT YOUR OWN RISK." The Disclaimer set forth in this Section may be amended, from time to time, by the District Administrator.
- B. All persons using Extreme Sports Parks must wear a helmet, elbow pads and kneepads. Helmets must have a chin strap, which must be fastened at all times.
- C. While using Extreme Sports Parks, smaller and/or younger users must always be given the right of way by larger and/or older users.
- D. Skate parks and elements are for use with skateboards and skates only. Bicycles, scooters, and motorized vehicles, including but not limited to, motorized scooters and pocket bikes are prohibited unless otherwise expressly authorized by posted signage.
- E. Strap on skateboards and mini toy skateboards are prohibited.
- F. Bike parks are for use with non-motorized bicycles only unless otherwise expressly authorized by posted signage. The District may authorize use of tractors or ATVs for facility maintenance.
- G. No modifications shall be made to extreme sport park features unless authorized by the District Administrator.
- H. Structures, obstacles or other materials (ramps, jumps, etc.) may not be brought into Extreme Sports Parks unless authorized by the District Administrator.
- I. Persons utilizing extreme sports parks for the purposes of teaching or coaching must wear a protective helmet, elbow pads, and kneepads if they are within the Extreme Sports Park.
- J. Spectators are not allowed on extreme sports surfaces, except for persons teaching or coaching users.
- K. Usage of Extreme Sports Parks is only permitted during posted hours of operation.
- L. Food and beverages are prohibited in Extreme Sports Parks.
- M. Glass containers are prohibited in Extreme Sports Parks.
- N. Alcohol, tobacco, and marijuana are prohibited in Extreme Sports Parks.
- O. No person shall cause graffiti, tagging or the placement of stickers or decals on the facilities of any Extreme Sports Park.
- P. The District Administrator reserves the right to close an Extreme Sports Park, or any portion thereof, for any circumstances deemed necessary including

maintenance, repairs, vandalism, graffiti abatement, or unsafe conditions as well as restrict access to the Extreme Sports Park, or to ask persons to leave the Extreme Sports Park if any of the above stated rules are not followed or if unsafe behavior is observed.

- Q. Animals are not allowed in Extreme Sports Parks.
- R. Amplified music is prohibited in Extreme Sports Parks unless the District Administrator has issued a permit.
- S. Any person failing to comply with the requirements set forth in this Section shall be subject to expulsion and/or citation.
- T. Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.

### **Section 3.25 Sports Surfaces**

- A. It is unlawful for any person to engage in any activity other than a racquet sport on racquet courts without a use permit from the District Administrator.
- B. In addition to the rules and regulations found in this Ordinance, the following policies and restrictions shall also apply to the use of soccer fields with artificial turf:
  - 1. The District or City shall, from time to time by adoption of the Book of Fees, establish applicable fees for use of the soccer field.
  - 2. Unless the soccer field is reserved for use in an organized sporting event coordinated by the District, the soccer field shall be available for use by members of the general public on a first-come, first-served basis. Rentals and occupation shall consist of the entire field.
  - 3. It is unlawful for any person or group of persons, who have not reserved the soccer field, to fail or refuse to promptly leave the soccer field following a request to do so by a District employee or peace officer.
  - 4. Hardball sports are prohibited on the field, including by way of example, but not limited to, golfing, softball, and baseball.
  - 5. The primary purpose of the field is for the sport of soccer. In the event of a first-come, first-served scenario where the first occupant upon the field is playing a non-prohibited alternative sport, such as football, on the soccer field. The alternative sporting group shall yield use of the field to members of the public wishing to engage in the sport of soccer.
  - 6. Users must wear molded cleats or other athletic shoes only; metal cleats or "V" cleats are prohibited.
  - 7. Sharp objects, including tent stakes, corner flags, or other objects which can penetrate the surface of the field, are prohibited. Only freestanding field markers and sports equipment may be used on the field.
  - 8. Food items are prohibited on the field, including by way of example, but not limited to, chewing gum, sunflower seeds, chewing tobacco, cigarettes, and sports drinks, although water is allowed.
  - 9. No animals are allowed on the field; and
  - 10. Bicycles or other unapproved vehicles are prohibited on the field.

- C. It is unlawful for any person to organize, host, present, or otherwise assist any organized sporting event on a live-turf sports field between December 1st and January 31st. This is a rest and restoration period for live-turf fields.
- D. Sports surfaces partially or fully submerged in water due to any localized or regional flooding event shall be considered closed regardless of previous rental agreements or field allotments. It is unlawful for any organized sporting event to take place upon a flooded facility surface.
- E. No person shall organize, host, present, or otherwise assist any organized sporting event on a sports surface when closed by the District.
- F. No person shall move sports accessories (i.e. soccer goals, field posts, etc.) without a permit.
- G. No person shall turn on sports field lighting systems (i.e. Musco Lighting Link) without first being issued a permit listing the use of the lighting system as authorized. For the purpose of this subsection, a violation shall also be deemed to have occurred if the lighting schedule is modified to extend hours beyond the times of a permit without first receiving written authorization from the District to extend the hours of the permit.

### **Section 3.26 Dog Parks**

Dog park patrons use the park at your own risk. The District is not responsible for injury or illness to dogs or dog park users. Unless otherwise indicated by posted signage, dog parks are open from dawn until one (1) hour after sunset.

- A. Dogs must be leashed when entering and leaving the dog park.
- B. Dogs that are aggressive, in heat, sick or under the age of four (4) months are not allowed.
- C. All dogs must have current vaccinations and licenses.
- D. Owners are liable for injuries or damage caused by their dogs.
- E. Owners are required to pick up and dispose of their dog's waste in Facilities, including dog parks.
- F. No strollers, carriages, bicycles or children's toys are allowed in the dog park.
- G. Portable swimming pools are prohibited in the dog park.
- H. District-provided water spigots are for drinking purposes only and shall not be used for washing or shampooing dogs unless the area is specifically designated as a "dog wash" area.
- I. Portable water dishes may be used in the park but must be removed upon departure.
- J. Smoking, consumption of alcoholic beverages, or bringing food or dog treats is not allowed in the dog park.
- K. Dogs and minors under the age of 12 must be accompanied and supervised by an adult at all times.
- L. Equipment within the dog park is for dogs only.
- M. No digging is allowed in the dog park, and any digging damage should be repaired as soon as feasible.

- N. Unless otherwise expressly authorized by posted signage, maximum of 3 dogs per adult is allowed in the dog park.
- O. Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.

### **Section 3.27 Security and Officials.**

- A. No person shall wear a uniform, or recognizable components of a uniform such as a badge, patch, identification card, etc., of a security guard within a Facility unless first contracted for official security services by the District and during the discourse of their official duties.
- B. No person shall falsely represent themselves through utterance or articles of clothing as personnel, volunteers, or any other official associated with the District for any reason.

## **SECTION 4. CEQA**

Adoption of this ordinance implements an administrative function and is not considered the approval of a project under the California Environmental Quality Act (“CEQA”) and is exempt from CEQA review. (Pub. Res. Code Sec. 21065; CEQA Guidelines Sec. 15060(c)(2)(3), 15061(b)(3); 15378(a).)

## **SECTION 5. SEVERABILITY**

If any section, subsection, sentence, clause, or phrase in this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court or competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have been passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

## **SECTION 6. EFFECTIVE DATE AND NOTICE**

This ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance, within fifteen (15) days after its passage, a summary of the ordinance shall be published at least once in a newspaper of general circulation published and circulated within the Cosumnes Community Services District.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_202\_\_\_\_ by the following vote:

**AYES:** {Names}  
**NOES:** {Names/None}  
**ABSENT:** {Names/None}  
**ABSTAIN:** {Names/None}

# **Attachment B**

## ORDINANCE NO. 15

### **AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT AMENDING AND RESTATING ORDINANCE NO. 9**

WHEREAS, the Cosumnes Community Services District (“District”) previously adopted Ordinance No. 9, which sets forth the District’s Parks and Recreation regulations; and

WHEREAS, in 2007, the City of Elk Grove (“City”) and District entered into a settlement agreement by which both entities agreed to jointly own and operate certain park facilities located throughout the City of Elk Grove; and

WHEREAS, the District now desires to amend Ordinance No. 9 to, among other things, allow for the collaboration of the District and the City on the use and regulation of City and District owned parks.

NOW, THEREFORE, the Board of Directors of the Cosumnes Community Services District does hereby ordain as follows:

1. **Authority.** The Board of Directors enacts this Ordinance under the authority granted to Community Services Districts by Government Code section 61000 *et seq.*

2. **Amendment.** Ordinance No. 9 is hereby repealed and replaced in its entirety as follows:

#### **Section 1.01 Definitions.**

Unless otherwise indicated, the terms and phrases used in this Ordinance are defined as follows:

- A. “Board of Directors” means the Board of Directors of the Cosumnes Community Services District.
- B. “City” means the City of Elk Grove.
- C. “City Council” means the City of Elk Grove City Council.
- D. “City Manager” means the City of Elk Grove City Manager or his/her authorized representative.
- E. “CSD Administrator” means the Cosumnes Community Services District General Manager, the Cosumnes Community Services District Department of Parks and Recreation Administrator, or their authorized representative.
- F. “District” means the Cosumnes Community Services District.
- G. “Executive Officer” means any of the following, based on the Jurisdiction with ownership over the Facility:
  - (1) The CSD Administrator in regards to Facilities owned or maintained solely by the District;
  - (2) The City Manager in regards to Facilities owned or maintained solely by the City;
  - (3) Either the CSD Administrator or City Manager in regards to Facilities jointly owned or maintained by the District and City.
- H. “Facility” or “Facilities” means any recreation facility, as defined in California Public Resources Code Section 5780.1, or any area, place, structure, arts and crafts room, auditorium, beach, camp, community center, golf course, gymnasium, lake, meeting

place, open space, corridor, trail, park, parkway, playground, playing court, playing field, recreational reservoir, river, swimming pool, aquatics center, building, structure, system, equipment, machinery or other appurtenance owned, managed, controlled or operated by the Cosumnes Community Services District, the City of Elk Grove, or jointly by the Cosumnes Community Services District and the City of Elk Grove.

Any new Facilities constructed after August 15, 2007 within the geographic limits of the City shall be jointly owned by the District and the City except as follows:

- i. District Facilities already in existence as of August 15, 2007, including existing Facilities that may be further developed or renovated by the District;
- ii. District Facilities that have been planned by the District in the East Franklin and Eastern Elk Grove Finance Plan areas, with the exception of Vintara Park within the Eastern Elk Grove Finance Plan area;
- iii. The City's Civic Center;
- iv. New Facilities own, plan, develop, construct, operate, and maintained with monies other than those obtained through development agreements, development impact fees or other fee programs imposed by the City or District, Community Facilities Districts, newly created Lighting and Landscape Districts, or land dedications.

I. "Jurisdiction" means the governing entity who owns or maintains the Facility.

### **Section 1.02 Application of Ordinance.**

- A. Unless otherwise expressly provided, the provisions of this Ordinance apply to all Facilities under the jurisdiction of the Cosumnes Community Services District, the City of Elk Grove, or jointly under the Cosumnes Community Services District and the City of Elk Grove. Notwithstanding the foregoing, the District shall not be required to comply with any restrictions or obligations set forth in this Ordinance that require the District to collaborate with, or obtain the approval of, the City in regards to Facilities jointly owned or maintained by the District and City unless a similar provision is adopted by the City.
- B. Except as otherwise provided by California law, as otherwise expressly indicated in this Ordinance, or by the mutual written agreement of the City and District, the City shall have no rights or obligations in regards to any Facility owned or maintained solely by the District, and the District shall have no rights or obligations in regards to any Facility owned or maintained solely by the City.
- C. Except as otherwise expressly indicated in this Ordinance or by authorization of the Board of Directors, any Facility owned, maintained or operated by the District that is not subject to the joint ownership, maintenance or operation of the City shall be subject to the regulations set forth in this Ordinance but shall not be subject to any regulations adopted by the City.

### **Section 1.03 Regulations.**

The Executive Officer may establish and post regulations governing the use of Facilities which are consistent with regulations contained in this Ordinance and which promote public health and safety and the preservation of property.

### **Section 1.05 Use Permit – Application Contents.**

Whenever a use permit is required by provisions in this Ordinance, an application shall be filed with the Jurisdiction for the desired Facility.

### **Section 1.07 Violation of Regulations – Sanctions.**

- A. Unless otherwise stated in this Ordinance, a violation of any of the provisions of this Ordinance, or failure to comply with any of the regulatory requirements of this Ordinance, is an infraction unless further stipulated as a misdemeanor subject to the procedures described in Sections 19(c) and (d) of the California Penal Code.
- B. The Executive Officer shall have the authority to revoke a use permit upon a finding of violation of any regulation contained in this Ordinance or upon a finding of a violation of any other City ordinance or law of California.
- C. The Executive Officer shall have the authority to eject from a Facility any person acting in violation of regulations contained in this Ordinance.
- D. The regulations contained herein shall not prohibit any person authorized by the Executive Officer from the normal exercise of requested, assigned, or contractual duties.

### **Section 1.10 Penalties.**

- A. Except as otherwise provided in this Ordinance, every violation of this Ordinance constituting an infraction is punishable by:
  1. A fine not exceeding \$50.00 for a first violation;
  2. A fine not exceeding \$100.00 for a second violation of the same Ordinance provision within one year;
  3. A fine not exceeding \$250.00 for each additional violation of the same Ordinance provision within one year.
- B. Except as otherwise provided in this Ordinance, every violation of this Ordinance constituting a misdemeanor is punishable by a fine not in excess of \$1,000.00 or by imprisonment in the County Jail for not more than six months, or by both.
- C. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Ordinance is committed, continued, or permitted by any such person, and shall be punished accordingly.
- D. Malicious injury or destruction of any real or personal property which constitutes vandalism under the provisions of Section 594 of the California Penal Code shall be prosecuted as a violation of Section 594 of the Penal Code and shall be punishable as either a misdemeanor or a felony, and shall pay any applicable fines, as provided in Section 594 of the Penal Code.
- E. Any fine imposed herein is in addition to and not in lieu of expulsion.

### **Section 1.15 Closure of Facilities.**

The Executive Officer shall have the authority to close a Facility, or portion thereof, and require the exit of all persons therein when he/she determines that conditions exist in said Facility or portion thereof which presents a hazard to the Facility or to public safety.

### **Section 1.20 Park, Recreation, and Service Fees – Purpose.**

*Section 61115 of the Government Code of the State of California* provides that a Community Services District may charge for the use of its Facilities or services provided in its Facilities so

long as the charges are reasonable. The purpose of this Section is to provide for reasonable fees to be charged by the District for use of its Facilities or services provided in its Facilities.

*Section 50402 of the Government Code of the State of California* provides that a City may charge for use of its Facilities or services provided in its Facilities so long as the charges do not exceed the cost of service. The purpose of this Section is to provide for fees to be charged for various services and Facilities in amounts reasonably necessary to recover the cost of operating the Facilities and providing the various services and Facilities.

### **Section 1.21 Facility Use Fees – Establishment.**

By resolution adopted by the Board of Directors or City Council, as applicable, each Jurisdiction may establish a schedule of fees for use of that Jurisdiction's Facilities or services, which fees shall be applicable to that Jurisdiction's Facilities during the hours of operation of such Facilities. For Facilities jointly owned by the District and City, all fees for use must be approved by both the Board of Directors and the City Council prior to their application.

### **Section 1.22 Park, Recreation, and Service Fees – Criteria.**

Fees for Facilities and services within those Facilities that have been established pursuant to this Ordinance, on a per person or per vehicle basis, or both, may be charged in amounts reasonably necessary to recover the costs of Facilities, capital improvements, maintenance and operation of the Facilities, enforcement and policing of regulations governing use of the Facilities, and associated administrative costs. Examples of the types of Facilities and services for which fees may be charged include, but are not limited to: parking; swimming; reservation of buildings and other structures for exclusive use; participation in organized athletic and other programs of recreation; and golf greens fees.

### **Section 1.25 Violations.**

- A. Where a fee is required, it is unlawful for any person to enter or remain in any Facility without having paid the required fee. Notwithstanding the foregoing, this subsection shall not apply to vehicle parking fees for any organization or group which is expressly authorized in writing by the Executive Officer to pay such fees following use of the Facility.
- B. Whenever the Executive Officer determines that parking or standing of vehicles in a Facility would be disruptive to the Facility's users or create dangerous conditions, then the Executive Officer shall provide for the erection and posting of signs indicating that the parking or standing of vehicles is prohibited, limited or restricted. It is unlawful for any person to park a vehicle or allow a vehicle to stand in a Facility contrary to the prohibitions of posted signs.

### **Section 1.30 Failure to Obtain Required Use Permit or Contract.**

No person shall use, occupy, or otherwise remain in any Facility or portion thereof for which a permit is required without first having obtained such permit.

### **Section 1.31 Priority of Use.**

Any person using a Facility or portion thereof which may be reserved by obtaining a use permit or contract, but who has not obtained such a permit or contract, shall vacate said area when

holders of a valid permit or contract present themselves.

**Section 1.32 Exhibiting Permit or Contract.**

Any person claiming to have a permit or contract authorizing that person to use a specific Facility shall immediately produce and exhibit said permit or contract upon request of an employee of the Jurisdiction or any peace officer employed or retained by either Jurisdiction who desires to inspect said permit or contract for the purpose of enforcing compliance with any regulations in this Ordinance.

**Section 1.35 Advertising.**

No person shall distribute, circulate, give away, throw, or deposit in or on any Facility any handbills, circulars, pamphlets, papers, or advertisements, which material calls the public attention in any way to any article or service for sale or hire; nor within any Facility shall any person solicit or collect donations of money or other goods from the public, without express approval of the Executive Officer for such activity within the specific Facility.

**Section 1.40 Restrooms and Washrooms.**

- A. Male persons shall not enter any restroom or washroom set apart for females, and female persons shall not enter any restroom or washroom set apart for males, with the exception of children under the age of six years who are accompanied by a person who is of the sex designated for that restroom and who has reason to be responsible for that child. A violation of the provisions of this section is a misdemeanor. Notwithstanding the forgoing, the Jurisdiction's maintenance staff may enter a restroom or washroom facility of the opposite sex in the performance of his/her job duties.
- B. No person shall deposit any human waste material in or on any Facility other than in a public toilet designed to receive such waste material.

**Section 1.45 Water Pollution.**

No person using a Facility shall place, by any means, any substance which will or may result in the pollution of waters within the Facility, or a portion thereof, without a use permit from the Executive Officer.

**Section 1.46 Refuse.**

No person using a Facility shall dump any trash or refuse in or on the Facility but shall place it in the proper receptacles where such are provided. Where receptacles are not provided, waste shall be carried away from the Facility by the person responsible for its presence, and properly disposed of elsewhere.

**Section 1.50 Smoking/Tobacco.**

No person shall smoke any substance, use any tobacco product or discard any tobacco-related waste in any Facility, or within 25 feet of a children's playground or tot lot sandbox area (pursuant to California Health and Safety Code Section 104495(b), as amended from time to time). Signs shall be posted where smoking is prohibited.

### **Section 1.51 Consumption of Alcoholic Beverages.**

- A. No person shall possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which has been partially removed, on or within any Facility, nature trail or nature area which has been posted with signs prohibiting such possession except at events in which alcohol has been authorized by a permit from the Executive Officer.
- B. It shall be unlawful for any person under 21 years of age to be in possession of an alcoholic beverage while such person is in or upon any Facility. Notwithstanding any other provision of this Ordinance to the contrary, violation of the provisions of this Section shall constitute a misdemeanor, and shall be punishable pursuant to the provisions of Section 25132 of the Government Code, as amended from time to time.

### **Section 1.55 Fires.**

- A. Without a permit issued by the Executive Officer, no person shall ignite, maintain, or use any fire in any place within any Facility except in a barbecue cooker or other cooking device authorized by the Executive Officer for that purpose.
- B. No person shall ignite or maintain a fire of materials deposited in any can, box, trench, pit, or other receptacle maintained for the purpose of garbage disposal or incineration, nor shall any person dump any ashes or other burnt materials in or on any Facility.

### **Section 1.56 Fireworks.**

No person using a Facility shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks defined and classified as "safe and sane fireworks" in Sections 12505, 12508, and 12529 of the California Health and Safety Code at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the Jurisdiction and a fire permit has been obtained from the District Fire Department.

### **Section 1.57 Firearms, Air Guns, and Other Weapons.**

No person other than a peace officer in the discharge of his/her duties shall use, maintain, possess, fire, or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, except in areas, at times, and under conditions designated by the Executive Officer, in writing, for such use. A violation of the provisions of this Section is a misdemeanor.

### **Section 1.60 Animals.**

No person shall:

- A. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal within the boundaries of any Facility, nor remove or have in his possession the young, eggs, or nest of any such creature, without the authorization of the Executive Officer;
- B. Abandon any animal, dead or alive, within any Facility;
- C. Remove any animal not his own within any Facility; exception is made to the foregoing in that in proper season, fish may be fished and removed from areas designated for fishing by licensed persons;

- D. Bring into, maintain or allow in or upon any Facility any dog, cat, or other animal, unless such animal at all times is kept on a leash of sufficient strength and durability that it cannot be broken by the animal so leashed, and is under the full and complete physical control of its owner or custodian at all times. The Executive Officer may designate areas and times within which persons may show, demonstrate, or train unleashed animals but under full control of their owners or custodians;
- E. Permit cattle, sheep, goats, horses, or other animals owned by him or in his possession to graze within the boundaries of any Facility without express approval of the Executive Officer;
- F. Ride a horse, pony, mule, burro, or any other animal upon, over or across any Facility, except at times and upon roads or trails designated for the riding of such animals, or as otherwise approved per contract or use permit;
- G. Permit any animal owned by him/her, or in his/her possession, to be brought into or remain upon the premises of any Facility if the Executive Officer has given oral or written notice to remove that animal from such premises. The Executive Officer may give such notice if such animal is known to the Executive Officer to at any time have caused any injury or damage to any person, other animal or property of another while upon the premises of any Facility;
- H. Permit any animal owned by him/her, or in his/her possession, custody, or control, to defecate in or upon any Facility without immediately removing such animal feces, placing said feces in a sealed bag or other sealed container, and placing such bag or container with feces in a proper refuse receptacle. Persons with horses in their possession, custody, or control, at times and upon roads or trails designated for the riding of such animal, and unsighted persons while relying on a guide dog, are exempt from the provisions of this subsection;
- I. A violation of any of the provisions of this section shall be punishable as a misdemeanor.

#### **Section 1.65 Real Property – Appropriation or Encumbrance.**

No person shall deposit any earth, sand, rock, stone, or other substance within any Facility; nor shall they dig or remove any such material from within any Facility; nor shall they erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or piles; nor in any manner appropriate or encumber any portion of the real property owned, operated, controlled, or managed by the Jurisdiction, without a permit from the Executive Officer.

#### **Section 1.66 Property – Use of.**

No person shall:

- A. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof.
- B. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof.
- C. Without the written approval of the Executive Officer, make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or on any portion thereof, any rope, wire, mark, nails, tacks, writing, printing, sign, card, display, or similar inscription or device.

- D. All temporary roadside memorials on public property and rights-of-way shall be disposed of in accordance with the applicable City Municipal Code nuisance provisions, as amended from time to time.

#### **Section 1.70 Locks and Keys.**

No person other than one acting under the direction of the Executive Officer shall duplicate or cause to be duplicated, a key used by the Jurisdiction for a padlock or door lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person.

#### **Section 1.75 Motorized Vehicles.**

- A. No person shall drive or operate any automobile, motorcycle, motor scooter, trail bike, dune buggy, truck, or other motorized vehicle elsewhere other than on the roads or drives provided for such purpose, or to drive a motor vehicle in an erratic or hazardous manner. The only exception would be electric scooters and electric motorized wheelchairs as required by disabled persons for mobility purposes.
- B. While within the boundaries of any Facility, no person shall drive any automobile, motorcycle, motor scooter, truck, or other motorized conveyance, except an authorized emergency vehicle, at a rate of speed exceeding fifteen miles per hour, except as may be otherwise posted by the Executive Officer, or in any case at speeds exceeding safe conditions dictated by prevailing circumstances.
- C. No person shall park any automobile or other motorized vehicle within any Facility except in areas specifically designated as parking areas, without a use permit from the Executive Officer. In no case shall any person park a motorized vehicle in a manner that presents a hazard to the public.
- D. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any Facility during the hours the Facility is closed, without a use permit from the Executive Officer.
- E. No person shall abandon any motorized vehicle within the boundaries of a Facility.
- F. No person shall wash or repair any automobile or other motorized vehicle within the boundaries of any Facility without a use permit from the Executive Officer.
- G. All motorized vehicles within the boundaries of any Facility shall be equipped with a properly installed muffler device which is in constant operation and which prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device.

#### **Section 1.80 Bicycle Trails and Bicycles.**

Within the boundaries of a Facility no person shall:

- A. Operate any motorized vehicle, including, without limitation, motorcycles, trail bikes, or motorized bicycles upon any bicycle trail except at street, driveway or access road intersections for the purpose of crossing a bicycle trail, without a permit from the Executive Officer. The only exception is motorized handicap scooters or motorized wheelchairs used for disabled mobility;
- B. Hold any organized or competitive event on any trail without a permit from the Executive Officer;

- C. Ride a bicycle in areas in which posted signs expressly prohibit the riding of bicycles including, but not limited to, on grassy areas, paths, trails or walkways which have been designated by posted signs to be for pedestrian or equestrian use only. A bicyclist shall be permitted to push a bicycle by hand over any such grassy area, path or walkway;
- D. Leave a bicycle in any place or position where other persons may trip over or be injured by it;
- E. Ride a bicycle on a designated off-street trail in excess of 15 miles per hour, or in a manner which is unsafe or which may be injurious to the rider or other persons, except for permitted competitive events.

#### **Section 1.85 Prohibition of Skates, Skateboards and BMX Bikes in Certain Facilities.**

Except as otherwise provided in this Ordinance and in such areas specifically designated for the use of such devices, no person shall ride upon a skateboard, roller skates, in-line skates, roller skis, BMX bikes or a similar device within the boundaries of any Facility where the use of such devices has been prohibited by the posting of a sign. Violation of this section shall be deemed an infraction.

#### **Section 1.90 Hours of Use.**

The Executive Officer is authorized to adopt reasonable opening and closing hours for all Facilities within his/her Jurisdiction. No person shall enter, remain in, or camp in or on any Facility during the hours or any part of the hours that Facility is closed without a use permit from the Executive Officer.

#### **Section 1.100 Swimming.**

No person shall swim, bathe, float or wade in any water or waterways within a Facility when such activity is prohibited and so posted by the Executive Officer upon their finding that use of the water would be dangerous to the user, incompatible with the function of the Facility, or detrimental to public health.

#### **Section 1.101 Boats.**

- A. Regulations governing the use of boats within a Facility may be established and posted by the Executive Officer. Said regulations shall promote the safety of swimmers and boaters, the protection of property, and general public enjoyment of the Facility.
- B. Public boating is not allowed within any Facility including but not limited to Elk Grove Regional Park Lake, Emerald Lakes Golf Course lakes and Laguna Creek and its tributaries unless a sign is posted that states boating is allowed. Notwithstanding the foregoing, any person with an applicable use permit from the Jurisdiction may operate a boat in the Facility expressly designated in that use permit.

#### **Section 1.110 Sound Amplification Equipment.**

- A. Within any Facility, no person shall use sound amplification equipment without a permit from the Executive Officer.
- B. Within any Facility, no amplified outdoor music will be permitted past 7:00 PM without the express written permission of the Jurisdiction.

### **Section 1.120 Glass beverage containers – Prohibition.**

No person shall possess any cup, tumbler, bottle, jar or other container made of glass within any park or on any body of water or within any other Facility which has been posted with signs prohibiting such possession, except at events or in locations where such containers have been authorized by a permit from the Executive Officer.

### **Section 1.125 Sale of Goods and Services.**

- A. The sale of goods and services, including, but not limited to, food products, apparel, instructional lessons, and entertainment, by natural persons or entities for commercial gain, potentially adversely and seriously impacts the use of parks and facilities by the public for recreational purposes. Any such sales must be regulated through the use of concession contracts to ensure that the goods and services marketed will promote the beneficial use of the applicable Facilities.
- B. It shall be unlawful for any person or entity to enter on and use any Facility for the purpose of selling goods or services for commercial gain without having first applied for and obtained from the Jurisdiction a concession contract authorizing the sales and otherwise regulating the time, place, and manner of such sales. The violation of this subsection shall be punishable as an infraction as provided in this Ordinance.
- C. The provisions of this section shall not be deemed to apply to the sale or distribution of newspapers, books, pamphlets, or other activity constituting protected speech under the First Amendment of the United States Constitution or comparable protections under the California Constitution.

### **Section 1.130 Public nuisance.**

Any violation of the provisions of this Ordinance shall constitute a public nuisance. Any citation, fine or fee issued against any member of the public that is issued pursuant to this Ordinance or applicable provisions of the City Municipal Code shall be valid so long as such citation, fine or fee was issued pursuant to a violation that occurred on or at a Facility.

### **Section 1.131 Behavior within Facilities.**

- A. No person shall use or engage in reckless behavior (including, but not limited to pushing, pulling, or forcible actions that could cause injury) or any activity which could endanger the safety of persons using any Facility.
- B. No person shall perform any action which contributes to the destruction of a Facility. This includes actions such as intentionally and maliciously hitting athletic equipment against a Facility, which could cause damage to that Facility or a portion thereof.
- C. No person or group of persons shall at any time obstruct, block, impede or interfere in any way whatsoever with the Jurisdiction's operations or employees, including but not limited to, gathering, sitting, standing, or lying on any District or City owned or controlled property, or attempt to do same.
- D. No person shall participate in riotous or hazardous activities or behave in such an unruly, destructive or hazardous manner that it disturbs the public peace, or which may intimidate or disturb other park patrons or residences or businesses near a Facility, provided that this prohibition shall not be applied so as to infringe the rights of patrons to engage in speech or other expressive activity to the extent protected by the First Amendment to the Constitution.

E. The Jurisdiction may expel or refuse to provide service to any person engaging in activities described in this Section.

#### **Section 1.132 Congregating.**

Persons shall not congregate or assemble in any Facility under such circumstances that a reasonable person would conclude that the person who has entered and remained on such premises is there for the purpose of: (i) attempting to commit theft of property from vehicles, buildings or District or City property, (ii) engaging in the use, sale, exchange or possession of illegal narcotics and/or controlled substances, (iii) engaging in the use, sale, exchange or possession of alcoholic beverages by a person under the legal age of 21, (iv) engaging in the use, sale, exchange or possession of illegal fireworks or explosives, (v) assembling for the purpose of threat, assault or battery on another person, or (vi) physically causing damage to the Facility.

#### **Section 1.133 Authority to Arrest and Cite.**

A. Employees. Pursuant to Government Code Section 61064, District or City employees that may be designated by either the CSD Administrator or City Manager shall have the authority and immunities of public officers and employees as set forth in Section 836.5 of the Penal Code to issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.6), Title 3, Part 2 of the Penal Code, for misdemeanor violations of the laws of the state of California and ordinances of the City of Elk Grove committed within their presence in a Facility.

B. Park Ranger. Pursuant to authorization granted by subsection (b) of Section 830.31 of the Penal Code, those employees designated Park Rangers by either the CSD Administrator or City Manager shall have the power of peace officers as provided in Section 830.31 of the Penal Code. Such designation as Park Ranger may be made when the employee is regularly employed and paid in that capacity and if the primary duty of the peace officer is the protection of Facilities and the preservation of peace therein.

C. Enforcement. Pursuant to the authorization of Section 61064 of the Government Code, uniformed District or City employees shall have the authority and immunities of public officers and employees as set forth in Section 836.5 of the Penal Code to issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.5), Title 3, Part 2 of the Penal Code, for misdemeanor and infraction violations of State of California law, ordinances of the City of Elk Grove, or District regulations or ordinances, when the violation is committed within a Facility and in the presence of the employee issuing the citation.

D. Delegation. The Board of Directors or City Council may delegate their respective authority to the CSD Administrator or City Manager to designate those employees empowered to issue citations and enforce rules and regulations as provided in this section.

#### **Section 1.134 Parking Regulations Enforcement.**

The CSD Administrator may authorize local law enforcement and fire agencies to enforce District, City and/or California parking regulations and to make arrests and issue citations for violation of such parking regulations when the violation is committed within any Facility.

### **Section 1.135. Extreme Sports Parks**

This Section shall apply to usage of all Extreme Sports Parks. "Extreme Sports Parks" means, without limitation, any skate parks, skate elements, and bike parks owned, operated and/or maintained by the District or City.

- A. The District and City do not assume any responsibility for injuries at an Extreme Sports Park. A disclaimer shall be posted at all Extreme Sports Parks, which shall state: "SKATEBOARDING, SKATING and BMX BIKE RIDING MAY CONSTITUTE HAZARDOUS RECREATIONAL ACTIVITIES PURSUANT TO GOVERNMENT CODE SECTION 831.7(B). USE OF THIS FACILITY MAY RESULT IN SERIOUS BODILY INJURY, DISABILITY, OR EVEN DEATH. THE COSUMNES COMMUNITY SERVICES DISTRICT AND CITY OF ELK GROVE DO NOT ASSUME ANY RESPONSIBILITY FOR INJURIES. USE AT YOUR OWN RISK." The Disclaimer set forth in this Section may be amended, from time to time, by the Executive Director.
- B. All persons using Extreme Sports Parks must wear a helmet, elbow pads and kneepads. Violators of this rule will be cited and asked to leave. Helmets must have a chin strap, which must be fastened at all times.
- C. While using Extreme Sports Parks, smaller and/or younger users must always be given the right of way by larger and/or older users.
- D. Skate parks and elements are for use with skateboards and skates only. Bicycles, scooters, and motorized vehicles, including but not limited to, motorized scooters and pocket bikes are prohibited unless otherwise expressly authorized by posted signage.
- E. Strap on skateboards and mini toy skateboards are prohibited.
- F. Bike parks are for use with non-motorized bicycles only unless otherwise expressly authorized by posted signage. The Jurisdiction may authorize use of tractors or ATV's for facility maintenance.
- G. No modifications shall be made to extreme sport park features unless authorized by the Jurisdiction's personnel.
- H. Structures, obstacles or other materials (ramps, jumps, etc.) may not be brought into Extreme Sports Parks.
- I. Persons utilizing extreme sports parks for the purposes of teaching or coaching must wear a protective helmet, elbow pads, and kneepads if they are within the Extreme Sports Park.
- J. Spectators are not allowed on extreme sports surfaces, except for persons teaching or coaching users.
- K. Usage of Extreme Sports Parks is only permitted during posted hours of operation.
- L. Food and beverages are prohibited in Extreme Sports Parks.
- M. Glass containers are prohibited in Extreme Sports Parks.
- N. Alcohol and tobacco are prohibited in Extreme Sports Parks.
- O. No person shall cause graffiti, tagging or the placement of stickers or decals on the facilities of any Extreme Sports Park.
- P. The Executive Officer reserves the right to close an Extreme Sports Park, or any portion thereof, for any circumstances deemed necessary including maintenance, repairs, vandalism, graffiti abatement, or unsafe conditions as well as restrict access to the Extreme Sports Park, or to ask persons to leave the Extreme Sports Park if any of the above stated rules are not followed or if unsafe behavior is observed.
- Q. Animals are not allowed in Extreme Sports Parks.

- R. Amplified music is prohibited in Extreme Sports Parks unless the Executive Director has issued a permit.
- S. Any person failing to comply with the requirements set forth in this Section shall be subject to expulsion and/or citation.
- T. Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.

### **Section 1.140 Tennis Courts**

It is unlawful for any person to engage in any activity other than tennis on tennis courts without a use permit from the Executive Director.

### **Section 1.145 Dog Parks**

- A. Dog park patrons use the park at your own risk. The District and City are not responsible for injury or illness to dogs or dog park users.
- B. Unless otherwise indicated by posted signage, dog parks are open from dawn until 1 hour after sunset.
- C. Dogs must be leashed when entering and leaving the dog park.
- D. Dogs that are aggressive, in heat, sick or under the age of 4 months are not allowed.
- E. All dogs must have current vaccinations and license.
- F. Owners are liable for injuries or damage caused by their dogs.
- G. Owners are required to pick-up and dispose of their dog's waste in Facilities, including dog parks.
- H. No strollers, carriages, bicycles or children's toys are allowed in the dog park.
- I. Smoking, consumption of alcoholic beverages, or bringing food or dog treats is not allowed in the dog park.
- J. Dogs and children must be accompanied and supervised by an adult at all times.
- K. Equipment within the dog park is for dogs only.
- L. No digging is allowed in the dog park.
- M. Unless otherwise expressly authorized by posted signage, maximum of 3 dogs per adult is allowed in the dog park.
- N. Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.

### **Section 1.150 Placement of Signs on District and/or City Property**

Placement of signs, other than those posted by the applicable Jurisdiction, are not allowed on or in any Facility.

### **Section 1.160 Possession of Aerosol Spray Paint Cans by Minors Prohibited**

No person shall possess aerosol spray paint cans in any Facility without the express written permission of the Executive Director and in compliance with Penal Code Section 594.1.

### **Section 1.170 Bounce Houses, Tents, Awnings, Stages. Water Slides**

No person shall erect or contract to any other party to erect any bounce house, tent, awning, stages, water slide or other ground covering device on a Facility without obtaining written approval from the Executive Director. A Jurisdiction's employees may remove any bounce

house, tent, awning, stage, water slide or other ground covering device in violation of this section.

3. **Effective Date and Notice.** This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after its passage, this ordinance or a summary thereof shall be published at least once in a newspaper of general circulation published and circulated within the Cosumnes Community Services District.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Cosumnes Community Services District, held on the 1<sup>st</sup> day of August 2012, by the following vote, to wit:

AYES: Albiani, Brewer, Lozano, Orrock, Rutter  
NOES: None  
ABSENT: None  
ABSTAIN: None



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Guy Rutter  
President

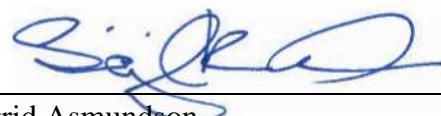
ATTEST:



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Jeff Ramos  
Secretary to the Board

APPROVED AS TO FORM:



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Sigrid Asmundson  
General Counsel