

ORDINANCE NO. 2007-001

**AN ORDINANCE OF THE ISLA VISTA RECREATION AND
PARK DISTRICT ESTABLISHING PARK HOURS AT
CHILDREN'S PARK
(As amended November 8, 2012)**

THE BOARD OF DIRECTORS OF THE ISLA VISTA RECREATION AND PARK DISTRICT DOES ORDAIN AS FOLLOWS:

Section 1. Short Title.

This ordinance shall be known and may be cited as the "Children's Park Hours of Operation Ordinance."

Section 2. Definitions.

For the purpose of this Ordinance, the following definitions shall govern unless the context clearly requires otherwise:

"Park District" means the Isla Vista Recreation and Park District.

"Person" means any individual, firm, partnership, association, corporation, company or organization of any kind.

"Children's Park" means the recreation facility known as Children's Park located at 810 Camino Del Sur, Isla Vista, California.

Section 3. Park Hours Established.

- (a) Except as otherwise set forth in paragraph (b), Children's Park is closed from sunset to sunrise of the following day. No person shall be present in or remain in or upon Children's Park during the hours the property is closed.
- (b) This section shall not apply to:
 - (i) District personnel.
 - (ii) Persons attending activities or events otherwise allowed by a permit obtained from the Park District.
 - (iii) Persons attending a recreation activity, meeting, or other event or similar activity provided that the activity, meeting or event is sponsored or co-sponsored by the Park District.
- (c) Persons attending activities or events as set forth in paragraph (b) (2) and (3) shall exit Children's Park immediately after the conclusion of the activity or event.

Section 4. Removal of Violators.

When it reasonably appears that a person has violated this ordinance, the General Manager of the Isla Vista Recreation and Park District, or any other person authorized to enforce this ordinance, may direct said person to leave the park and to remain out of all District parks for a period of 48 hours. A second violation of this ordinance may result in said person being directed to remain out of all District parks for a period of up to one year. Refusal to leave, or returning to District parks within the time prescribed is a violation of this ordinance and the violator may be subject to arrest. This section is not intended to replace or supersede Section 148 of the California Penal Code.

Section 5. Penalty.

Violation of this Ordinance is a misdemeanor with a fine of one hundred dollars (\$100.00) or the maximum allowed by law at the time of the violation.

Section 6. Enforcement.

The District park ranger, any peace officer, including but not limited to, members of the Isla Vista Foot Patrol, Santa Barbara County Sheriff's Department, California Highway Patrol and University of California Campus Police, shall have the authority to enforce this Ordinance. Furthermore, at the direction of the General Manager, District staff shall have the authority to deny use of District parks, facilities and programs to individuals and groups who violate this ordinance.

Section 7. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The Board of Directors of the Isla Vista Recreation and Park District hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 8. Effective Date.

This Ordinance will be effective thirty (30) days from the date of adoption or publication, whichever date occurs last.

PASSED, APPROVED AND ADOPTED this 8th day of November, 2012

Leif Dreizler, Chairperson

ATTEST:

Rodney Gould, Secretary of the Board

I, Rodney Gould, Board Secretary of the Isla Vista Recreation and Park District, do hereby certify that the foregoing Ordinance No. 2007-001 relating to the park hours at Children's Park was duly adopted and passed at a regular meeting of the Isla Vista Recreation and Park District City Council on the 8th day of November, 2012 by the following vote:

AYES: DREIZLER, WARFIELD, LAGERQUIST, MURDOCK

NOES:

ABSTAIN:

ABSENT: NEUSHUL