



**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**

Regular Meeting Agenda  
May 30, 2017, 6:30 pm  
Municipal Center - 421 Main Street, Council Chamber

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*Materials related to an item on this Agenda are available for public inspection in the Park Division Office at 411 Main Street during normal business hours or online at <http://www.chico.ca.us/>.*

**1. REGULAR COMMISSION MEETING**

1.1. Call to Order

1.2. Roll Call

**2. CONSENT AGENDA**

All matters listed under the Consent Agenda are to be considered routine and enacted by one motion.

2.1. APPROVAL OF MEETING MINUTES

**Action:** Approve minutes of BPPC meeting held on 3/27/17 and 4/24/17.

2.2. APPLICATION FOR WEDDING CEREMONY AT REDWOOD GROVE, PICNIC SITE #37 (10/21/17)

Applicant Jenna Tubbs would like to reserve Redwood Grove, Picnic Site #37, in Lower Bidwell Park for her wedding ceremony. **Recommendation:** *Conditional approval.*

**ITEMS REMOVED FROM CONSENT – IF ANY**

**3. NOTICED PUBLIC HEARINGS - NONE**

**4. REGULAR AGENDA**

4.1. REVIEW AND CONSIDERATION OF TRANSITIONING NON-SWORN PARK RANGERS TO SWORN STATUS

The City is considering empowering Park Rangers as sworn, armed Park Rangers and changing the reporting structure from Public Works to the Chico Police Department. The Commission will discuss several alternative options for City Council consideration.

**Recommendation:** City staff requests the Commission:

- 1) Provide their thoughts, perspectives, concerns, or any other input on the proposed Hybrid Program recognizing that it is only conceptual and recently considered; and
- 2) Provide their perspective on the three potential options below.

**Option 1 Full Conversion:** The existing three Park Ranger positions would convert to sworn Park Ranger status and be moved into the Police Department effective July 1, 2018.

**Option 2 Hybrid:** Two existing Park Rangers would be converted to sworn Park Rangers and moved into the Police Department effective July 1, 2018. One Park Ranger would be retained within Public Works to coordinate all park ranger activity between Police and Public Works and to oversee a

Reserve Park Ranger program which will predominately provide non-enforcement related education, interpretation, and service to the parks and greenways.

**Option 3 No Change:** No change to current Park Ranger Program.

#### 4.2. PRIORITIZATION OF CHICO MUNICIPAL CODE REVISIONS

The Bidwell Park and Playground Commission (BPPC) is being provided copies of certain Chico Municipal Code (CMC) regulations pertaining to City Parks and trees that may be in need of revision. Review of CMC Chapters 12.08 and 12R.10 regarding Park reservations have already been approved by the Commission as part of its annual Work Plan. The Commission is asked to review the other regulations provided by staff for areas of concern and potential revisions.

***Recommendation:*** Interim Park & Natural Resource Manager recommends that the Commission:

- 1) Forward Chapters 12R.08 and 12R.10 to the Policy Advisory Committee for review and recommendation, and
- 2) Each provide to Staff by June 15, 2017 top priority CMC topics they would like to review over the next fiscal year for discussion at the June BPPC meeting.

#### 5. BUSINESS FROM THE FLOOR

Members of the public may address the Commission at this time on any matter not already listed on the agenda; comments are limited to three minutes. The Commission cannot take any action at this meeting on requests made under this section of the agenda.

#### 6. REPORTS AND COMMUNICATION

Items provided for the Commission's information and discussion. No action can be taken on any of the items unless the Commission agrees to include them to a subsequent posted agenda.

6.1. Parks and Tree Division Report

6.2. Park & Natural Resource Manager Report (***Verbal Report–Linda Herman, Interim Park and Natural Resource Manager***)

#### 7. ADJOURNMENT

Adjourn to the next regular meeting on **June 26, 2017 at 6:30 p.m.** in the Council Chamber of the Chico Municipal Center building (421 Main Street, Chico, California).



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Please contact the Park Division Office at (530) 896-7800 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. This request should be received at least three working days prior to the meeting.

**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**  
Minutes of  
March 27, 2017 Regular Meeting

**1. REGULAR COMMISSION MEETING**

**1.1. Call to Order**

Chair Stoller called the meeting to order at 6:30 pm.

**1.2. Roll Call**

**Commissioners present:**

Jeff Glatz  
Aaron Haar  
Alberto Hernandez  
Elaina McReynolds  
Tom Nickell  
Valerie Reddemann  
Marisa Stoller

**Commissioners absent:** None

**Staff present:** Linda Herman, (Interim Park and Natural Resource Manager), Erik Gustafson (Public Works Director), and Shane Romain, (Park Services Coordinator).

**2. CONSENT AGENDA**

**2.1. Permit Earthbound Skills Homeschool Events, (4/11/17-4/14/17)**

Joni Mitchell (Applicant) would like to reserve the Council Ring for multiple days for various outdoor activities, including teaching children how to build a camp fire. Applicant would like to secure a fire permit. Recommendation: Conditional approval.

**2.2. Permit for Multiple AA Meetings, (4/16/17 – 10/8/17)**

Craig Bilsborough (Applicant) - God Squad AA is a support group that would like to meet every Sunday at the Council Ring. Recommendation: Conditional approval.

**2.3. Permit Vineyard of Chico to hold a Sunrise Service in Middle Park on Easter (4/16/17)**

Jessica Ordaz (Applicant) with Vineyard of Chico requests a permit to hold an Easter Sunrise service at the cross near Parking Area B in Middle Park. Recommendation: Conditional approval.

**2.4. Permit Valley Oak Children's Services Annual Children's Faire, (4/29/17)**

Connie Roberson (Applicant) with Valley Oak Children's Services, would like to host the 31th Annual Children's Faire in City Plaza. During their event, they are requesting to have a petting zoo. Recommendation: Conditional approval

**2.5. Permit Hooked on Fishing Not on Drugs, 5/20/17)**

Pete Giampaoli (Applicant) requests a permit to host a free fishing derby (Hooked on Fishing Not on Drugs), for children ages 4-12 years old, held in Middle Park at Horseshoe Lake. This event will also

need the approval to stock Horseshoe Lake with approximately 8,000 pounds of catfish. Recommendation: Conditional approval.

2.6. Permit a Wedding at Picnic Site #37 (10/10/17)

Emily Damm and Seth Jones (Applicants) would like to reserve Picnic Site #37 (Redwood Grove), which is a non-intensive use site, for their wedding ceremony. Recommendation: Conditional Approval

**MOTION:** Approve Item 2.1 the consent agenda as submitted as submitted. **MADE BY:** Reddemann. **SECOND:** Nickell. **AYES:** 7 (Haar, Stoller, Hernandez, McReynolds, Reddemann, Nickell, and Glatz). **NOES:** 0. **ABSENT:** 0

**3. ITEMS REMOVED FROM CONSENT – IF ANY**

**4. NOTICED PUBLIC HEARINGS - NONE**

**5. REGULAR AGENDA**

5.1. Permit for Multiple Earthbound Skills Campfire Storytelling Meetings, (4/8/17 – 10/7/17)

Applicant (Deva Daniel) would like to host campfire storytelling events. The Applicant would like to secure a fire permit for all the requested dates. **Recommendation:** *Conditional Approval of the permit for the site reservation for all dates, and, due to high fire danger, approve the fire permit for only the months of April, June and October.*

**MOTION:** Approve Item 5.1 – Permit for Multiple Earthbound Skills Campfire Storytelling Meetings, (4/8/17 – 10/7/17) **MADE BY:** Nickell. **SECOND:** Reddemann. **AYES:** 7 (Stoller, Haar, Hernandez, McReynolds, Reddemann, Nickell, and Glatz). **NOES:** 0. **ABSENT:** 0 **DISQUALIFIED:** 0

5.2. Permit Happy Acres Forest School LLC for a Daily Environmental Program in Various Locations of Bidwell Park (9/2017 through 6/2018)

Brian Kehoe (Applicant) is requesting a Special Use Permit bring children 3 -5 years old, on a daily basis, into various locations in Bidwell Park, from 8:30 AM – 1:30 PM, Monday through Friday, beginning September 2017 thru June, 2018 for an environmental education program. **Recommendation:** *Conditional Approval*

**MOTION:** Approve Item 5.1 – Permit Happy Acres Forest School LLC for a Daily Environmental Program in Various Locations of Bidwell Park (9/2017 through 6/2018). **MADE BY:** Reddemann. **SECOND:** Nickell. **AYES:** 7 (Stoller, Haar, Hernandez, McReynolds, Reddemann, Nickell, and Glatz). **NOES:** 0. **ABSENT:** 0 **DISQUALIFIED:** 0

**6. BUSINESS FROM THE FLOOR**

Bob Jones; Spoke on his desire to volunteer and provide volunteers for trail maintenance in Upper Bidwell Park. Casey Quinn; Echoed comments made by Jones.

## 7. **REPORTS**

Items provided for the Commission's information and discussion. No action can be taken on any of the items unless the Commission agrees to include them to a subsequent posted agenda.

### 7.1. Parks and Street Trees Division Report – Linda Herman, Interim Park and Natural Resource Manager.

- a. Upper Park Road – Pacific Watershed Associates has completed the survey and in process of completing the final report that should be submitted within the next couple weeks. A survey will follow to determine the next courses of action.
- b. Street Trees – Crew has been busy planting several trees.
- c. Urban Forest Manager (UFM) – Public Works Director Erik Gustafson informed the Commission that the applicant pool has been selected.

Commissioners Haar and Glatz questioned whether the position has been funded or if it is still under budget review. Gustafson said that the position was approved for funding for the 2016-17 year by moving contractual funds to salaries. He continued that the salary savings in the unfilled UFM position has provided the ability to hire an hourly tree worker to help with tree work.

- d. Storm Damage – Under a cooperative agreement with CARD, recruitment for lifeguards for this year's swimming season has begun.
- e. Greenways - Comanche Creek Greenway a grant application was submitted to continue improvements to the area.
- f. Caper Acres Renovation/Donations – Romain informed the Commission that the Chico Noon Rotary has been working on the interpretive walking path, The Tackle Box raised approximately \$800.00 for Caper Acres with a live band benefit concert and the Caper Acres website is nearing completion.
- g. Volunteers – Romain provided information about the upcoming spring volunteer orientation and major volunteer days.

## 8. **ADJOURNMENT**

Adjourned to the next regular meeting on April 24, 2017 at 6:30 p.m. in the Council Chamber of the Chico Municipal Center building (421 Main Street, Chico, California).

Date Approved:   /  /  .

Prepared By:

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Shane Romain, Park Services Coordinator

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Date

**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**

Minutes of  
April 24, 2017 Regular Meeting

**1. REGULAR COMMISSION MEETING**

**1.1. Call to Order**

Chair Stoller called the meeting to order at 6:30 pm.

**1.2. Roll Call**

**Commissioners present:**

Aaron Haar  
Alberto Hernandez  
Elaina McReynolds  
Tom Nickell  
Valerie Reddemann  
Marisa Stoller

**Commissioners absent:** Jeff Glatz

**Staff present:** Assistant City Manager Chris Constantin (ACM), Interim Park & Natural Resource Manager (P&NRM) Linda Herman, Public Works Director- Operations and Maintenance Erik Gustafson, Urban Forest Manager Richie Bamlet, and Park Services Coordinator Shane Romain).

**2. INTRODUCTION – New Urban Forest Manager**

Erik Gustafson introduced Richard Bamlet, the new Urban Forest Manager. Richard expressed gratitude for the opportunity to serve such a great community. He outlined his experience and background and is excited to get the Urban Forest plan back up and running.

**3. CONSENT AGENDA.**

**3.1. Approval of Meeting Minutes**

**Action:** *Approve minutes of Bidwell Park and Playground Commission meeting held on 02/27/17.*

**3.2. Earthbound Skills Summer Day Camp (June 20, 2017 – August 23, 2017)**

Applicant Joni Mitchell from Earthbound Skills would like to host a summer day camp on several Tuesdays and Wednesdays from June through August. This day camp is for children ages 6 - 14. **Recommendation:** *Conditional approval.*

**3.3. Permit Application for the Vacation Bible Experience at Children's Playground (6/26/17 – 6/30/17)**

Applicant Christie Harrington from the Bidwell Presbyterian Church, requests a permit to hold the 11th Annual Vacation Bible Experience at Children's Playground. This program is for 5 consecutive days at Children's Playground. The Applicant has requested use of lawn areas for the event and anticipates 150 attendees daily. **Recommendation:** *Conditional approval.*

At the request of the Interim P&NRM, Chair Stoller pulled item 3.2

**MOTION:** Approve items 3.1 and 3.3 on the consent agenda as submitted **MADE BY:** Hernandez **SECOND:** Reddemann **AYES:** 6 (Haar, Stoller, Hernandez, McReynolds, Reddemann and Nickell). **NOES:** 0. **ABSENT:** 1 (Glatz)

#### 4. ITEMS REMOVED FROM CONSENT – IF ANY

##### 3.2 Earthbound Skills Summer Day Camp (June 20, 2017 – August 23, 2017)

Applicant Joni Mitchell from Earthbound Skills would like to host a summer day camp on several Tuesdays and Wednesdays from June through August, 2017. This day camp is for children ages 6 - 14. Item was removed from consent because the applicant would like to change the days to Wednesdays and Thursdays, and the event from a private to a public event. Interim P&NRM added that this change would require the applicant to obtain insurance, and pay an additional \$140 in park fees. **Recommendation:** *Conditional approval.*

**MOTION:** Approve items 3.2 **MADE BY:** Hernandez **SECOND:** McReynolds **AYES:** 6 (Haar, Stoller, Hernandez, McReynolds, Reddemann and Nickell). **NOES:** 0. **ABSENT:** 1 (Glatz)

#### 5. NOTICED PUBLIC HEARINGS - NONE

#### 6. REGULAR AGENDA

##### 6.1. Consideration of A Request From the Chico Area Park and Recreation District (CARD) For Funding For Renovation of The Humboldt Neighborhood Skatepark.

*Commissioners Reddemann and Haar recused themselves from this item.*

Staff report delivered by Linda Herman; CARD is requesting that the City consider allocating Community or Neighborhood Park Development Impact Fee Funds toward the cost to expand the Humboldt Neighborhood Park (Skatepark). CARD is requesting \$375,000 for the expansion. Currently, Community Park funds are earmarked for DeGarmo park, but the City is in the process of updating its Nexus Study to reclassify the Skate park as a Community Park.

Ann Willman, General Manager for CARD gave a presentation on efforts being performed to renovate the skate park.

Public comment; There were 6 speakers from Chico Skatepark Solutions who provided information about the need for funding of the project and plans. There were also several audience members that were in attendance to support the project, stating that many travel out of town to neighboring communities to skate in better skate parks than Chico's.

**Recommendation:** *Due to the limited funds in the Neighborhood Park fund, the Commission is requested to recommend that CARD wait until the Nexus Study update is complete so that Community Park funding could be considered by the City Council for renovation of the skatepark.*

**MOTION:** to approve recommendation **MADE BY:** Nickell **SECOND:** McReynolds **AYES:** 4 (Stoller, Hernandez, McReynolds, and Nickell). **NOES:** 0. **DISQUALIFIED:** 2 (Haar, Reddemann) **ABSENT:** 1

##### 6.2 Review and Update Regarding the Proposal to Transfer the Park Rangers to the Police Department

Erik Gustafson and Chris Constantin provided an update on the proposal to transfer the Park Ranger positions to the Police Department, with the intent that the positions become sworn rangers by July 2018. **Recommendation:** *None, this is an informational item only.*

Public comment; There were 19 speakers on the topic who were all opposed to the Park Rangers becoming armed, sworn, law enforcement. Some voiced their concern of the nationwide problem of police brutality, and the need for less police and de-escalation training for the rangers and all police officers.

In response to the public's opposition, ACM Constantin said that that the Council has not yet finalized its decision, and the plan is to review the conversion proposal in more detail. He emphasized that the Ranger decision will be conducted outside of the City's 2017-18 budget approval process.

When asked by the Commissioners if the May BPPC Ranger agenda item will be an action item, ACM Constantin confirmed that the Commission will be allowed to discuss the item in a public forum, and make recommendations to the City Council. He added that this decision may transpire over several BPPC meetings, if needed.

## **7. BUSINESS FROM THE FLOOR**

Rita Craddock- Made comment on how she felt that Bidwell Park is in desperate need of maintenance, stating in particular the downed trees on Vallombrosa Avenue.

Rain Scherr- Made comment on different ideas of land management.

## **8. REPORTS AND COMMUNICATIONS**

The following items are provided for the Commission's information only. No action or public comment can be taken on any of the items unless the Commission agrees to include them on a subsequent posted agenda.

### **8.1. Park & Street Tree Division Reports**

8.1.a. February Division Report

8.1.b. March Division Report

8.2. **Park & Natural Resource Manager Report** – ***Verbal Report - Interim Park and Natural Resource Manager Linda Herman; No items to report on verbally.***

## **9. ADJOURNMENT**

Adjourn to the next regular meeting on **May 30, 2017 at 6:30 p.m.** in the Council Chamber of the Chico Municipal Center building located at 421 Main Street, Chico, California. ***Please note this meeting is on a Tuesday due to the Memorial Day holiday.***

Date Approved:     /     /    .

Prepared By:

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Shane Romain, Park Services Coordinator

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Date





# BPPC Staff Report

Meeting Date 5/30/17

DATE: 5/16/17  
TO: Bidwell Park and Playground Committee (BPPC)  
FROM: Theresa Rodriguez, Administrative Assistant  
SUBJECT: Jenna Tubb Wedding Ceremony at Picnic Site 37, (10/21/17)

### REPORT IN BRIEF:

Applicant (Jenna Tubbs) would like to reserve Redwood Grove, Picnic Site #37, in Lower Bidwell Park for her wedding ceremony. Picnic site 37 is not designated as an exclusive use reservation area per 12R.10 of the Chico Municipal Code and Commission approval is therefore required for a private reservation permit request. Staff does not anticipate any major conflicts, issues, or damage associated with the applicant's requests. Other than the conditions mentioned below, no other requirements are recommended.

**Recommendation:** Conditional approval.

### Event Details

Date of Application	5/16/2017
Date of Event	10/21/2017
Time of Event	2:00 P.M. – 6:00 P.M.
Event Name	Wedding Ceremony
Applicant Name	Jenna Tubbs
Location	Redwood Grove, Picnic Site #37
Description	Wedding Ceremony
New Event?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No. Years?
# Participants	55
Reason for Consideration?	Not an intensive use area.

### Conditions

Staff recommends the following conditions:

- Continued adherence to all park rules.
- Not attach or hang signs or decorations on any City structures, trees, tree barriers, or vegetation.
- Park vehicles in designated parking areas only or shuttle people in or park along Vallombrosa Ave.

**Attachments:** Application and Permit for Park Use

**Distribution:** Jenna Tubbs



# City of Chico

## APPLICATION & PERMIT FOR PARK USE

Public Works Department - Park Division

Type of Event:

PUBLIC

PRIVATE

### SECTION 1 - APPLICANT INFORMATION

Must be 18 or older to submit and application • No glass containers • Application fee due upon submittal •

THIS RESERVATION IS NOT VALID UNTIL APPROVED BY THE PARK DIVISION.

PLEASE PRINT:

Jenna Tubbs

Wedding ceremony

Name of Applicant/Contact Person needed)

Description of Event: (family BBQ, walk/run, describe below if

October 21st, 2017

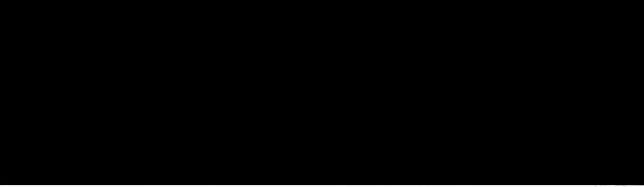
Day and Date of Event:

From: 2 To: 6

Total Time Needed for Set-up, Event, and Clean-up

From: 4:00 To: 4:30 55

Organization Name (if applicable)



Contact Phone #

Alternate Phone #

E-mail address

Note: Park gates will not remain closed beyond normal opening time for any event with less than 1,000 people. All races with less than 1,000 people at One Mile must start before 8:30 am. Street closure(s) subject to approval.

#### AREA REQUESTED: (Please check if requested)

- Bidwell Bowl Amphitheater
  - Electricity (15 amp)
- Note: Special conditions apply for amplified sound (12R.08.263 CMC)
- Cedar Grove Picnic Area
  - Electricity (15 amp)
  - tables, restroom area (circle)
- Children's Playground
  - Electricity (15 amp)-Pick up key on: \_\_\_\_\_ Mon - Fri 8:00 - 3:30
  - Water (public events only)
- City Plaza (Additional fees may apply)
  - Electricity (15 amp)
  - Event Restrooms
  - Fountain - On
  - Meter Bags # \_\_\_\_\_
- Meadow
  - 100 amp Electrical Service
  - Water (public events only)
- 100 amp Electrical Service
- 100 amp Electrical Service
- Water (public events only)
- Fountain - Off
- Sound Curtain

- Council Ring
  - Fire Permit
- Five Mile Picnic Area
- One Mile Picnic/Barbeque Area - Water available, no hose bib
- Oak Grove A
  - Sycamore Way Parking Lot Closure-Public Events ONLY
  - Electricity (15 amp) parking area, restroom area (Pick up key)
  - Band Stand (15 amp)
  - BBQ-Pick up key on: \_\_\_\_\_ Mon - Fri 8:00 AM - 3:30 PM
- Oak Grove B
- Depot Park
  - Electricity (15 amp)
- Lower Bidwell Park (public events only): \_\_\_\_\_
- Upper Bidwell Park (public events only): \_\_\_\_\_
- Other (specify) (public events only): Picnic area 37 (Redwood Grove)
- Early Entrance Needed (public events only)  Yes  No

Additional Description of the Event: Modest wedding ceremony, no amplified music, no vendors

FOR PARK RANGER ASSISTANCE during the event, CALL 530-897-4900 (Police Department Dispatch)

### SECTION 2 - PERMIT FEES

Call Park Office at 896-7800 for availability of park areas and fee schedule 80.020

- Application Fee \$ 19.00 (Non-Refundable)
- Reservation Fee \$ 11.00 (\$11.00 minimum, please call for quote)
- Insurance Fee \$ \_\_\_\_\_ (\$40.00 to process outside insurance)
- Vendor Fee # \_\_\_\_\_ \$ \_\_\_\_\_ (\$6.00 per vendor)
- Damage Deposit \$ \_\_\_\_\_ (\$100.00 refundable)
- Early Entrance Fee \$ \_\_\_\_\_ (\$32.50/hr. public events only)
- Additional Park Use Fees \$ \_\_\_\_\_ (see fee schedule)

#### Additional fees for City Plaza use:

Event Restrooms \_\_\_\_\_ x (\$95.00) = \$ \_\_\_\_\_  
#days

100 amp Electrical \_\_\_\_\_ x (\$30.00) = \$ \_\_\_\_\_  
(electrician required) #days

Park Fee Total: \$ 30.00

Convenience Fee: \$ 1.83

Total Fee Required: \$ 30.83

Credit Card and DEBIT payment will be assessed a 2.75% convenience fee.

Fees due upon submittal of application ~ Make Checks Payable to: City of Chico ~

City of Chico Cash Receipt No. CR420144 Payment Method: CC 0855 Date: 5/16/17 Received By: TR

Office Distribution:	Permit File (original) Park Field Supervisor	Park Ranger 1 Park Ranger 2	Senior Park Ranger Landscape Inspector	Applicant 920 Fund	BPPC DCBA	Cleaning Service Risk Management (e-mail)
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## SECTION 3 - CONDITIONS FOR PARK USE

### You Are Responsible for Knowing the Park Rules. Please Observe the Following:

- Alcohol** Alcohol is not permitted in any City Park or Playground.
- BBQ's** Portable BBQ's may only be used next to existing BBQ's in Lower Bidwell Park and Five Mile Recreation Areas.
- Bicycles** Must observe all California vehicular codes including one-way streets. Riders are expected to be courteous and yield to equestrian and pedestrian traffic. Helmets must be worn at all times in Upper Park, except when on pavement. Riders must stay on designated trails. Bicycle riding is not allowed in Caper Acres or on the Sycamore pool deck.
- Bounce Houses** Bounce houses and other similar play equipment are only permitted with a reservation and upon approval by the Park Division. The operators of this equipment must provide proof of insurance. Bounce houses are not allowed in Caper Acres.
- Campfires** No campfires allowed.
- Camping** No overnight camping allowed. Bidwell Park is a "day use park" only.
- Clean up** Permittee is required to completely clean up area at the conclusion of event. Additional garbage bags may be obtained from the General Services Department at time of reservation. (12R.04.180 CMC)
- Damages** Any damage to City property as a result of this event will be repaired at permittee's expense.
- Dogs** Dogs may be off leash from 5:30 AM until 8:30 AM in Lower Park -- All other times **dogs must be on a leash**. Along the north side of Upper Park Road, dogs may be "off leash" anytime. While "off leash," dogs must remain under control via master's voice. **Dogs are not allowed in Caper Acres, One-Mile or Five-Mile swimming areas, or designated swimming holes in Upper Park.**
- Electrical** All power extension cords, sound amplification equipment, and staging to be supplied by permittee. Permittee shall provide "tripping" prevention devices over power cords crossing any pathway.
- Fishing** Big Chico Creek: Check California Fish and Game Regulations, <http://www.dfg.ca.gov/regulations/>, Freshwater Sport Fishing, Alphabetical List of Waters with Special Fishing Regulations, (20) Big Chico Creek. Horseshoe Lake: Age 14 and over - license, catch and release; Under 14 - no license, catch and keep.
- Gate Closures** Upper Park gate at parking area E is closed on Sundays and Mondays and during wet periods. Gates can be closed for approved special events. See [www.ci.chico.ca.us/general\\_services\\_department/park\\_division/gate\\_closing\\_hours.asp](http://www.ci.chico.ca.us/general_services_department/park_division/gate_closing_hours.asp)
- Glass** No glass containers allowed in any City Park or Playground.
- Horses** Horses must stay on designated trails. Horses are not allowed in One-Mile or Five-Mile Recreation Areas. Horses must cross the creek at approved crossings. Safe and courteous riding is the Park standard.
- Noise** No loud or unusual noises are allowed, including: radios and headsets that can be heard over 50' away. Music/Amplified Sound at One-Mile Recreation Area, please, face all speakers away from Woodland Ave.
- Park Closures** Lower Park is closed from 12:00 am (midnight) until 5:00 am every day, unless directly and actively proceeding to a destination outside of the park. Upper Park is closed at **9:00pm, October – March and 11:00pm, April - September** unless posted otherwise.
- Signs/Defacing** Defacing of trees, benches, tables, any park fixtures, open ground, or paved roads/paths with markings, staples, tacks, or signs is prohibited. No pinatas, or accessories shall be affixed to trees. Only barricades, cones, or self standing devices may be used for these purposes.
- Smoking** Smoking is not permitted in any City Park or Playground.
- Swimming** While in the 1-Mile swim area compliance with lifeguards is required for public safety. Pool is open and lifeguards are on duty from Memorial Day through Labor Day.
- Vegetation** No taking, cutting or injury of any vegetation in the Park is allowed.
- Vehicle Traffic**
- While gates are closed, limited use of vehicles to set up for event is permitted. Vehicles must be in compliance with the one-way designation of the roadway, must yield to all other activities (walking, jogging, bicycling, and horseback riding), must travel with flashers on and may not exceed ten (10) miles per hour.
  - Permittee shall provide adequate signs and supervision to avoid conflicts between vehicles, bicycles, equestrians, and general public.
  - Only emergency vehicles will be allowed access through the area of South Park Drive which has been closed to motor vehicles.
  - No vehicles are permitted to travel or park on grass areas.

\*I have read and agree to conform to the above rules and conditions:

X  
Signature of Applicant

**SECTION 4 – INSURANCE**

(to be determined by Park Office)

**INSURANCE REQUIREMENTS ARE APPLICABLE TO:**

Insurance Required

Not Required

- (1) All Public Events per Title 12R.08.240, and/or
- (2) All Events Public or Private where:
  - (a) Amplified sound is used -or- (b) The number of people participating amount to 101 or more.

For Insurance questions for your event, please contact the Risk Management office at 530-879-7910 or email at [risk-management@chicoca.gov](mailto:risk-management@chicoca.gov)

For liability coverage purposes, it is \_\_\_\_\_'s intent (applicant) and the City of Chico's intent (hereinafter referred to as the "Parties"), that this permit is a written contract between the Parties. Pursuant to the insurance policy related to this permit/written contract, and consistent with the Certificate of Liability Insurance and Additional Insured Endorsements, the Parties hereby attach and incorporate by this reference, the Certificate of Liability Insurance and Additional Insured Endorsements, which are further expressly made a material part of the said permit/written contract between the Parties.

If insurance is required, Certificate of Insurance, meeting City standards must be received by: \_\_\_\_\_  
Organization Named on Certificate of Insurance \_\_\_\_\_

Permittee shall supply, at least two (2) weeks in advance of the scheduled event, a Certificate of Insurance issued by a company licensed to do business in California with a Best's Insurance Guide rating of "B" or better ("A" rated if Company is unlicensed) which provides evidence of comprehensive and general liability coverage in the amount of \$1,000,000 combined single limit, with policy endorsements as follows:

- (1) Identification of permit applicant, identification of event, date of event.

**NOTE: NUMBERS 2 AND 3 MUST BE SEPARATE ENDORSEMENTS:**

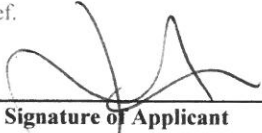
- (2) The City of Chico, its officers, boards and commissions, and members thereof, its employees and agents are covered as additional insureds as respects to any liability arising out of the activities of the named insured.
- (3) The insurance coverages afforded by this policy shall be primary insurance as respects to the City of Chico, its officers, employees, or agents. Any insurance or self-insurance maintained by the City of Chico, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to it.
- (4) An unqualified statement that "The insurer will provide the City at least ten (10) days prior notice of cancellation or material change in coverage", standard Certificate of Insurance cancellation language is not acceptable

**Please Note:** Your reservation may be cancelled if the insurance is not approved at least two weeks prior to the scheduled event

**SECTION 5 - ACCEPTANCE OF CONDITIONS**

In signing this Permit, I agree to indemnify and hold the City of Chico and/or the Bidwell Park and Playground Commission free and clear of all claims of damage for injury to persons or property occurring in, upon or about Bidwell Park, and arising from my use of the park as noted above, and to defend any action against the City of Chico resulting from any such claim, without cost to the City.

\*I certify that I have read this application thoroughly, followed any and all instructions, understand its contents, will comply with the attached "Conditions for Park Use", will adhere to any additional conditions set forth by this permit, and supplied true and correct information herein to the best of my knowledge and belief.

X   
Signature of Applicant

X 5/14/17  
Date

**RETURN THIS FORM TO:**

City of Chico - Park Division  
965 Fir Street  
Chico, CA 95928  
email to [Parkinfo@chicoca.gov](mailto:Parkinfo@chicoca.gov)

THIS RESERVATION IS NOT VALID UNTIL APPROVED BY THE PARK DIVISION.  
A copy of the approved application will be returned to you.

**SECTION 6 – GENERAL SERVICES DIRECTOR AUTHORIZATION**

I certify that I have carefully reviewed this application pursuant to Title 12 and 12R of the Chico Municipal Code and hereby recommend that this permit be:

- Approved.
- Approved subject to listed additional condition(s) \_\_\_\_\_
- Denied by the General Services Director. Reason: \_\_\_\_\_
- Application fee waived (12R.08.100 CMC). Reason: \_\_\_\_\_
- Reservation fee waived (12R.08.250 CMC). Reason: \_\_\_\_\_
- Vendor fee waived (12R.08.250 CMC). Reason: \_\_\_\_\_
- Insurance fee waived (12R.08.240 CMC). Reason: \_\_\_\_\_
- Damage deposit fee waived (12R.08.260 CMC). Reason: \_\_\_\_\_
- Application approved by the Bidwell Park & Playground Commission. Date: \_\_\_\_\_
- Application denied by the Bidwell Park & Playground Commission. Reason: \_\_\_\_\_

Signature of Park and Natural Resources Manager

Date

## EVENT INFORMATION

Please answer the following questions by circling "Yes" or "No"

Is this an annual event? How many years have you been holding this event? _____	Yes	No <small>x</small>
Is there a patron admission, entry, or participant fee(s) required for your event?	Yes	No <small>x</small>
Will there be amplified sound/music at event? (Please see 'Conditions For Park Use') Specify type (microphone, band, radio, PA system etc): _____	Yes	No <b>X</b>
When will amplified sound/music be heard? Time from: _____ until: _____ amps needed (15 or 100) _____ <small>Note: 100 amp electrical service requires a certified electrician to operate.</small>		
Will there be any entertainment apparatus? (Operator to provide proof of insurance) <input type="checkbox"/> Bounce house <input type="checkbox"/> Climbing wall <input type="checkbox"/> Ropes Course <input type="checkbox"/> Other: _____ Name of Operator: _____	Yes	No <b>X</b>
Will there be any vendors at this event? (No glass or alcohol permitted) If "yes" please note the number of vendors anticipated: _____ (submit a, separate, complete list) Does your event include food concession and/or preparation areas? If yes, please describe how food will be served and/or prepared: _____	Yes	No <b>X</b>
Will event require that any part of the Park remain closed beyond the normal time of opening? <small>Note: Park gates will not remain closed beyond normal opening time for any event with less than 1,000 people. All races with less than 1,000 people at One Mile must start before 8:30am.</small> <b>(Subject to approval by the General Services Department Director and/or Senior Park Ranger.)</b> If "yes" please state which gate(s): _____ Time of closure from: _____ until: _____	Yes	No <b>X</b>
Will there be early entrance into the Park for setup? If "yes" when will monitors be at their position(s)? Time from: _____ until: _____ <small>Note: Gate Monitors are required at the entrances and exits for early Park entrance. An additional fee may be charged for early entrance</small>	Yes	No <b>X</b>
Will event require over night camping for security purposes? (authorized for a maximum of two people, 12R.04.340 CMC) If "yes" how many security personnel will be required?	Yes	No <b>X</b>
<b>Portable Restrooms:</b> You are required to provide portable restroom for events with 200+ participants at your event, in the immediate area of the event site which will be available to the public during your event. Restroom Company _____ Phone Number _____ Location of portable restrooms _____ <small>Note: Restrooms shall be removed within 24 hours after conclusion of event.</small>	Yes	No <b>X</b>
<b>Sanitation and Recycling:</b> As an event organizer, you must properly dispose of waste and garbage throughout the term of your event and immediately upon conclusion of the event the area must be returned to a clean condition. <b>For events with 200+ participants, additional trash and recycling cans are required.</b> Number of Trash Cans _____ Number of Recycling Containers _____ Sanitation Company _____ Phone Number _____ <small>Note: Sanitation containers shall be removed within 24 hrs after conclusion of event.</small>	Yes	No <b>X</b>
Will your event include the use of any signs, banners or decorations? (Please see 'Conditions For Park Use') If yes, please describe type and location: <small>Sign to indicate ceremony site, bridal arch</small> _____ <small>Note: All signs and banners shall be free standing and not affixed to Park property.</small>	Yes <b>X</b>	No
Will water be needed during your event? Please provide your own hose and on/off switch. No hose bib is available at One Mile Recreation Area. <small>Note: Please request a water coupler key for City Plaza, Children's Playground, and Cedar Grove.</small>	Yes	No <b>X</b>
Do you request irrigation to be turned off before and during your event?	Yes	No <small>x</small>
<b>CITY PLAZA ONLY:</b> Vehicles are not allowed in City Plaza. Loading and unloading must occur from the streets. Meter bags for unloading and loading <b>only</b> may be obtained from the City by calling (530) 896-7800.		
Will vendors be placed on the perimeter sidewalks? If yes, a Vend, Peddle, Hawk permit must be obtained from the Engineering Division at 411 Main St, Chico, (530) 879-6900.	Yes	No
Will City street closure(s) be needed? <small>A separate permit must be obtained from the Engineering Division at 411 Main Street, Chico, (530) 879-6900.</small>	Yes	No



**TO: Commissioners**

**FROM: Chris Constantin, Assistant City Manager  
Erik Gustafson, Public Works Director - Operations**

**RE: Review and Consideration of Transitioning Non-Sworn Park Rangers to Sworn Status**

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**REPORT IN BRIEF:**

The City is considering empowering Park Rangers as sworn, armed Park Rangers and changing the reporting structure from Public Works to the Chico Police Department. The Public Works and Police Department would enter into an agreement which codifies how operations, assignments, and activities occur to ensure that the transition does not degrade the current and future activities required within the parks and greenways. An alternative option would transition two Park Rangers to a sworn status but would leave a non-sworn Park Ranger within Public Works to manage a volunteer Reserve Park Ranger program focused on education, interpretation, and other maintenance services. Discussion of the alternative option would be beneficial in further refining the option for City Council consideration.

**Recommendation:**

- 1) City staff request the Commission provide their thoughts, perspectives, concerns, or any other input on the proposed Hybrid Program recognizing that it is only conceptual and recently considered; and
- 2) City staff request the Commission to provide their perspective on the three potential options below.

**Potential Option:**

**Option 1 Full Conversion:** The existing three Park Ranger positions would covert to sworn Park Ranger status and be moved into the Police Department effective July 1, 2018.

**Option 2 Hybrid:** Two existing Park Rangers would be converted to sworn Park Rangers and moved into the Police Department effective July 1, 2018. One Park Ranger would be retained within Public Works to coordinate all park ranger activity between Police and Public Works and to oversee a Reserve Park Ranger program which will predominately provide non-enforcement related education, interpretation, and service to the parks and greenways.

**Option 3 No Change:** No change to current Park Ranger Program.

## **FISCAL IMPACT:**

The first option is estimated to cost about \$40,000-\$50,000 to implement due to the increase in cost and benefits related to sworn positions versus Public Works Park Ranger positions. The second option is estimated to cost about \$25,000-\$35,000 to implement the sworn conversion and about \$15,000-\$25,000 in equipment, uniform, and training costs for the Reserve Park Rangers.

## **BACKGROUND:**

Since 2013-14, the City's financial crisis necessitated the City to reduce staffing across all departments and to reduce ongoing expenditures. The result was to severely impact the ability for departments to perform any function with an adequate or desired level of staffing. Consequently, the City has had to adjust and improvise to provide basic services to Chico residents. In adjusting and improvising, City departments are always on the look-out for more efficient and effective ways to leverage limited resources in providing services to the public.

In reviewing operations within the Public Works Department, it appeared that changes to the Park Ranger program would further the City Council's priority for providing increased public safety capacity within the parks and greenways. One option includes converting non-sworn Park Rangers to sworn Park Rangers and providing them with the ability to enforce a broader range of public laws, similar to police officers. A second option would convert only two Park Rangers to sworn and provide a Park Ranger to conduct overall program coordination for the three rangers and the activities of a newly formed Reserve Park Ranger program focused on education, interpretation and park service. The Reserve Park Ranger program would open the opportunity to provide community members a higher level of training and ability in providing much needed education, interpretation and park service.

### *Chico Park Rangers*

Current Chico Park Rangers (rangers) are provided for City parks and greenways. The reporting structure of the rangers places them within the Public Works – Operations department. Rangers provide valuable services including activities such as, but not limited to visitor assistance, general patrol of properties, opening gates/restrooms citywide, coordinating events, inspecting facilities/equipment, issuing citations, performing janitorial and maintenance duties, assisting in volunteer efforts and much more. Rangers are also authorized to enforce various codes, while specifically enforcing park rules and regulations adopted under Chapter 12R of the Chico Municipal Code.

### *Chico City Council Priority*

The Chico City Council has identified their primary priority as public safety, and more specifically, sworn police officer staffing. While the City has made movement in replacing lost positions, the City is not able to fully staff all sworn activities to adequate levels. Sworn officers respond to parks and greenways as needed by rangers as well as in response to reactive and proactive patrol activity. As the rangers are not sworn and do not possess all the training and skills of a Chico Police Officer, the Police Department, in certain cases, is required to send not one but two officers to deal with situations called in by rangers. This results in a reduction of service to the remaining City where the proposed conversion to sworn ranger status would reduce the need of two regular Chico Police Officers to one or none depending on the ranger staffing level in the park or greenway. However, rangers remain primarily responsible for activities within the parks and greenways, and as such, they become the first line of defense in any public safety related activity.

### *Park Ranger Activity Changed in 2013*

The City faced significant cutbacks and layoffs in 2013. Consequently, many services were slashed or reduced. According to City staff, the cutbacks also resulted in rangers spending a much higher percentage of their time focusing on patrol safety and enforcement related activities. Maintenance activity in the parks and greenways are also nowhere near the level seen prior to 2013. While City staff perform admirably, the services provided today do not match the services seen before and a return to pre-2013 levels are not likely for the foreseeable future without a significant resource increase into Public Works – Operations.

Currently, three rangers serve the City's parks and greenways. Ranger staffing fell below three as one position was not full-time. In 2014, the City found the ability to restore the position bringing the rangers up to three full-time equivalent positions. However, their job duties continued under the new reality of a higher focus on enforcement and patrol related activities. The parks and greenways have also changed over the past four years resulting in rangers working closely with Police Department staff.

### **DISCUSSION:**

Rangers in California and the United States are both sworn and non-sworn, carry more advanced tools such as weapons and handheld machinery, and a variety of them have enforcement powers while some do not. The concept to better train and arm park rangers is not a new concept, but it does represent a change in the current practice of Chico. Current discussion heavily centers around the lessening of the education, interpretation and maintenance work performed by Chico Park Rangers by converting them to armed officers and placing them under the management of the Chico Police Department. While the concern is valid, the current reality requires the City to explore options to allow existing employees to be able to do a broader range of activities. The conversion option allows for that, but in order to protect against a further change in the scope of ranger activity, the Public Works and Police Department would sign an agreement defining reporting structures, duties, assignment and other key areas needed for Public Works to ensure activity in the park and greenways stays consistent.

#### *Rangers Enforce the Law but Receive Little Training*

Rangers are authorized to enforce laws and regulations and all three rangers receive the appropriate basic training to legally make arrests. However, they only received a small portion of the training provided to typical law enforcement officers. The additional training also provides many scenario-based exercises intended to prepare officers for what may occur in the real world, extensive emergency vehicle operations training, and additional arrest control techniques training.

While rangers are equipped with Conducted Energy Devices and pepper spray, they do not possess adequate arrest control techniques training (hand-to-hand defensive tactics and handcuffing), do not carry a baton, or have not received the appropriate ongoing training for the equipment they currently carry. Some of the training needs were specifically identified as needed for the rangers over several years where it wasn't addressed. Further, the rangers have acknowledged that they are called "deputy" or "officer" and that some have mistaken them as a law enforcement officer due to the uniform, badge, and duty vest they wear even when the uniform is an olive brown instead of the Chico Police blue. The lack of tools, training, and obvious look of a police officer raises the risk incurred when the rangers engage in their daily work. Although, the last assault on a ranger was about a year ago, the presence of the continued risk would be further reduced with training provided to law enforcement officers. What is worse is that the lack of these tools and training may lead a ranger not to act to protect when the



expectation would dictate otherwise or to engage in a matter that may escalate or increase beyond the capabilities of the ranger – neither being a desired outcome.

Public Works staff is working with the Chico Police Department to obtain the appropriate ongoing training. However, annual training alone does not substitute for the more comprehensive academy training provide by Butte College or the ongoing and regular oversight by supervisors with sufficient knowledge, skills, and abilities in the tools used by rangers, to provide more frequent development opportunities as events unfold. Currently, none of the ranger chain of command possess these knowledge, skills, and abilities, but the Chico Police Department does.

#### *Ranger Supervision Needs Improvement*

Park Rangers serve either alone, with overlap of one other ranger, or in few cases, overlap with two other rangers. This results from the low staffing level within the Public Works Park Division and the seven days a week operations required in the parks and greenways. Further, while a supervisor is available at some times, the manager and director do not provide continuous monitoring of ranger activity, nor is there a supervisor on duty for all hours rangers are deployed in the field. This differs from the model implemented by the Chico Police Department that requires a supervisor to monitor operations, and at time to respond to officer locations for any time an officer is on duty.

The ability for rangers to take enforcement action, use force, or respond Code 3 (lights and sirens) increases risk exposure when a supervisor is not readily available or monitoring/responding to ranger activities. While rangers operate on the police radio which allows the police supervisors to listen on ranger operations, the lack of a chain of command, responsibility for managing, and a feeling that rangers are not part of their operations, police supervisors do not replace the need for proper ranger supervision. A change of reporting structure would resolve this deficiency.

#### *Ranger Nature Resources Capabilities are Limited*

While rangers spend much of their time doing patrol and enforcement related activities, rangers do participate in education and interpretation type activities. In reviewing the current rangers training files, only one possesses formal training within the Natural Resources area. The others have gained knowledge through on the job training and do not regularly attend formal trainings within the Natural Resources area. The question that arises which has not been defined by Public Works is the level of training and expertise within Natural Resources that each ranger must have or obtain – current job descriptions would allow for one with no training to serve.

Any conversion in status would necessitate rangers to attend the law enforcement academy. Since Butte College operates the State Park Ranger Academy, which includes the 664 hour law enforcement modules but also includes 8 weeks of park specific training, the City has the opportunity to send rangers through the State Park Ranger Academy which will make them a more versatile and adaptable force within parks and greenways. This training would also provide a more consistent skill set for all rangers in the areas of park related operations as well as further align their abilities to those of the City's sworn law enforcement officers.

#### *Concerns Related to Potential Change*

With any change involving Bidwell Park, there are passionate views and perspectives provided for how the ranger program should operate. The following table highlights a few of the key issues and how each of the three proposed options address the issues.

**Exhibit 1 Matrix of Key Issues**

<b>Issue</b>	<b>1 Full Conversion</b>	<b>2 Hybrid</b>	<b>3 No Change</b>
<b>Emphasis will change to more enforcement less education/interpretation</b>	Agreement signed by Public Works and Police would define the level of service and priorities of the Rangers with input driven by Public Works. It is expected that Target Team and Rangers will more frequently coordinate park and greenway activities.	Agreement similar to Option 1. Additionally, one ranger within Public Works will still define activity of all rangers and new Reserve Park Rangers. Reserve Program will increase education and interpretation activities from post-2013 levels.	No Change. Program will remain heavily enforcement and patrol related as has existed since 2013.
<b>Mindset of Officers versus Rangers are different and will impact services</b>	Rangers will attend the State Parks Ranger Academy and not the Police Officer academy. Given the focus on park operations, a balance of enforcement and education should still exist. Potential to include Public Works Parks Manager on selection panel.	Rangers will attend the State Parks Ranger Academy and not the Police Officer academy. Given the focus on park operations, a balance of enforcement and education should still exist. Potential to include Public Works Parks Manager on selection panel. Public Works Ranger and Reserve Rangers will possess or receive a much higher level of education in Natural Resources.	No Change
<b>Decision will be made by untrained Police Officers</b>	Agreement will specify Public Works as the driver of the overarching priorities of the sworn rangers.	Agreement will specify Public Works as the driver of the overarching priorities of the sworn rangers. Public Works ranger will be overseeing ranger activities and will be responsible for educating key police staff of mission in Public Works.	No Change
<b>Costs are higher with a conversion</b>	Yes, salaries and benefits will be nominally higher, yet less than police officers. However, it is not easy to measure the cost-savings from reducing risk (training, supervision, etc.) as well as the benefit to better coordination between Parks and Police.	Yes, salaries and benefits will be nominally higher, yet less than police officers. There will be additional cost for a Reserve Ranger Program. However, volunteer hours offset the cost, and the change in mission of the Public Works Ranger from primarily enforcement to more education and interpretation will add value to a primary purpose of having rangers.	No Change
<b>Rangers will be spread too thin with new duties</b>	No. The change will enhance their capabilities but should not change their mission. Agreement will define levels of service and expectations. Sworn status should reduce the need to pull patrol officers from the rest of the City resulting in a lesser need to pull rangers from the park (although the current	No. The change will enhance their capabilities but should not change their mission. Agreement will define levels of service and expectations. Sworn status should reduce the need to pull patrol officers from the rest of the City resulting in a lesser need to pull rangers from the park (although the current	No Change.

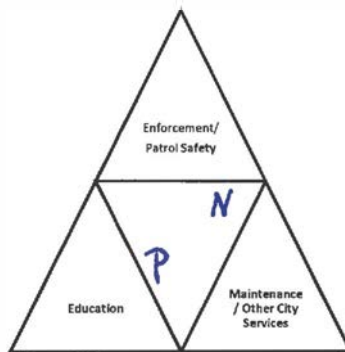
Issue	1 Full Conversion	2 Hybrid	3 No Change
	practice of using rangers for certain activities may continue).	practice of using rangers for certain activities may continue).	
<b>More training alone should fix any concerns about risk</b>	Training will match the higher level provided to existing officers (664+ hours, plus monthly training). Rangers will have constant supervision with on-duty personnel.	Training will match the higher level provided to existing officers (664+ hours, Field Training, and monthly training). Two rangers will have constant supervision with on-duty personnel. Public Works ranger will not require same training and supervision due to focus on education and interpretation.	Training does not resolve the supervision needs and foundational training provided during academy and Field Training.

*Focus of Park Ranger Program is Already Heavily Enforcement/Patrol Safety*

There has not been discussion regarding the overarching purpose of the Park Ranger program. City staff primarily define operating requirements for line staff. In some cases, while Chico Municipal Code or actions taken by the City Council or commissions have a bearing on some operations, the managers and directors overseeing the functions ultimately make the call on how to deploy their limited resources.

In Exhibit 2 below, the three key functional areas for rangers are placed within the triangle. The middle-inverted triangle is the space where you can demonstrate where the focus of the ranger program is today – the closer to one edge of the inner triangle, the more emphasis is placed on that functional responsibility. In the case of the rangers, the change in 2013 placed rangers quite heavily towards the enforcement/patrol and maintenance/other services side as depicted by the “N”. Option 1 would retain today’s focus and would provide a written agreement specifying that requirement. Option 2 would retain today’s focus similar to Option 1 for the two sworn rangers. For the remaining Public Works ranger and Reserve Park Ranger force, the new focus would be far closer to Education and Maintenance/Other Services as depicted by the “P” – a change more aligned with activities of the past.

**Exhibit 2 Activities Triangle**



*More discussion and input is needed on the potential Hybrid Option #2*

The idea for the Hybrid Option #2 came initially from an idea provided by a current ranger and expanded upon by City staff. Considering that this is also a new potential option, more discussion and input from the Bidwell Park and Playground Commission (Commission) is appreciated.

The idea is to have a bifurcated program where one side continues the current enforcement/patrol type activity while the other moves towards more of education, maintenance and other services. This would allow the City to improve upon the City Council’s priority related to public safety but also increase the

level of education, information, and other services in the park for a nominal cost. Exhibit 3 provides a comparison between the current ranger program and the proposed Hybrid program.

**Exhibit 3 Comparison of Current and Hybrid Program**

<b>Key Aspects</b>	<b>Today</b>	<b>Hybrid</b>
<b>Staffing</b>	3 Non-sworn Rangers	<ul style="list-style-type: none"> <li>• 2 Sworn Rangers in PD</li> <li>• 1 Non-Sworn Ranger in Public Works</li> </ul>
<b>Supplemental Staffing</b>	None	<ul style="list-style-type: none"> <li>• Creation of Reserve Park Ranger program (up to 20)</li> </ul>
<b>Focus</b>	Mostly enforcement/patrol with addition of education and maintenance	<ul style="list-style-type: none"> <li>• PD Rangers: Continue with current focus</li> <li>• PW Ranger: Focus on overall ranger activities and oversee education and maintenance program</li> <li>• PW Reserve Ranger Program providing predominately education, information, and other activities</li> </ul>
<b>Candidate Selection</b>	Public Works staff	<ul style="list-style-type: none"> <li>• PD Rangers: Police and PW staff</li> <li>• PW Ranger: PW staff</li> <li>• Reserve Rangers: PW staff</li> </ul>
<b>Job Description Requirements: Education</b>	No specific education level in Natural Resources required	<ul style="list-style-type: none"> <li>• PD Rangers: State Parks Academy attendance required</li> <li>• PW Ranger: Natural Resources background required or strongly preferred</li> <li>• Reserve Rangers: Prefer Natural Resources background but not required</li> </ul>
<b>Job Description Requirements: Supervision</b>	Public Works	<ul style="list-style-type: none"> <li>• PD Rangers: Police Department with Direction from Public Works</li> <li>• PW Ranger: Public Works</li> <li>• Reserve Rangers: Public Works</li> </ul>

While this information is a starting point, the Commission’s questions and input on the potential option would assist staff in refining the option for future consideration by the City Council. Additional work is required if the Hybrid Program is a viable option.

**CONCLUSION:**

City staff request the Commission provide their thoughts, perspectives, concerns, or any other input on the proposed Hybrid Program recognizing that it is only conceptual and recently considered. Further, City staff request the Commission provide input on the three Options provided at the beginning of this report.

**ATTACHMENTS:**

Exhibit A – Example Job Descriptions for Option 1

**CITY OF CHICO ● CLASSIFICATION PLAN ● JOB DESCRIPTION**

DATE ADOPTED BY CITY MANAGER: <b>DRAFT</b>	COMP CODE: <b>9420</b>	SERVICE: <b>Classified Non-Exempt</b>	JOB TITLE: <b>SENIOR PARK RANGER</b>
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**Definition:**

Under general supervision, to plan, direct and supervise Park Rangers and perform varied and routine sworn Ranger work with emphasis on park patrol, crime prevention, park protection and maintenance; to perform related record keeping and research; to perform related work as required.

**Typical Duties:**

- Plan, direct and supervise and participate in the patrolling and monitoring of various City parks and recreation areas to enforce applicable laws, rules and regulations; \*
- Opens and closes City facilities, including park gates and public restrooms; \*
- Issue citations and verbal warnings; \*
- Prepare reports of a complex nature; \*
- Conducts investigations, writes incident and arrest reports, compiles and tabulates data, and provides reports to the applicable authorities; \*
- Manages encampment cleanups in greenways and park; coordinates with applicable agencies and personnel; \*
- Provides information to the public about park use and permit requirements, resolves customer and/or park use disputes- reviews and approves park use permits; \*
- Coordinate with or assist Police and Fire Department personnel regarding incidents and investigations involving City parks; may direct vehicular and pedestrian traffic; \*
- Provides hazmat response as necessary, coordinate with regulatory agencies as assigned; \*
- Collects and documents evidence, books evidence independent or in conjunction with a Police Officer; \*
- Interviews and locates witnesses, apprehend suspects on foot, detain and/or arrest suspects until suspect can be transported by Police Department; \*
- Utilizes physical restraints such as handcuffs, spray irritant, taser, or baton, when deemed necessary; \*Manages interpretive signage; \*
- Oversees and coordinates lifeguard personnel at One Mile Pool; monitor pool active and maintenance needs; \*
- Routinely assess and make recommendations for trail and road closures due to inclement weather or unsafe conditions.
- May testify in court and respond to requests for crime prevention services;
- May perform routine park maintenance responsibilities;
- May attend community and departmental staff meetings;
- May perform research and coordination responsibilities for park related projects and programs;
- May develop, conduct and present park interpretive programs for the public;
- 
- Develop and present information for City boards and commissions relating to Park Department activities; \*
- Interpret and apply City policies, Municipal Code provisions and other pertinent regulations; \*
- Participate in budget preparation and administration; \*
- Supervise, train and evaluate subordinates; \*
- Perform other park related work as assigned.

**CITY OF CHICO ● CLASSIFICATION PLAN ● JOB DESCRIPTION**

DATE ADOPTED BY CITY MANAGER: <b>DRAFT</b>	COMP CODE: <b>9420</b>	SERVICE: <b>Classified Non-Exempt</b>	JOB TITLE: <b>SENIOR PARK RANGER</b>
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**Tools and Equipment Used:**

Vehicle or pickup truck, police radio, pager, first aid equipment.

**Physical Demands:**

While performing the duties of this job, the employee is frequently required to sit and talk and hear. The employee is occasionally required to stand; walk; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell.

The employee must occasionally lift and/or move more than 100 pounds with assistance. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

**Work Environment:**

While performing the duties of this job, the employee frequently works in outside weather conditions. The employee occasionally works near moving mechanical parts in high, precarious places, and is occasionally exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, and vibration. The noise level in the work environment is usually moderate.

**Knowledge, Skills, and Abilities:**

Knowledge of: Principles and practices of effective park patrol and monitoring; correct English usage, spelling, grammar and punctuation, including the writing of reports; applicable laws, park rules and regulations; CPR and first aid procedures; evidence collection and documentation techniques; and park geology and biology.

Ability to: Direct, supervise and train subordinates; communicate clearly and concisely, both orally and in writing; maintain records and prepare reports and recommendations; deal tactfully and effectively with individuals and groups of a diverse nature; answer questions regarding and explain park policies and regulations; interpret written and oral instructions; present effective park interpretive programs to the public; write clear and accurate reports; perform mathematical computations; operate radio, four-wheel drive pick-up, and bicycle; work effectively and safely without direct supervision; analyze situations and take effective action; successfully complete formal training courses on job-related responsibilities.

**Minimum Qualifications:**

Experience/Education: High school graduation or equivalent preferably supplemented by the successful completion of college level courses in natural resources, park administration, law enforcement or other related subject. Four years of increasingly responsible experience in park patrol or law enforcement, including some supervisory experience.

**CITY OF CHICO ● CLASSIFICATION PLAN ● JOB DESCRIPTION**

DATE ADOPTED BY CITY MANAGER: <b>DRAFT</b>	COMP CODE: <b>9420</b>	SERVICE: <b>Classified Non-Exempt</b>	JOB TITLE: <b>SENIOR PARK RANGER</b>
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Certificates:

- Possession of, or ability to obtain, an American Red Cross Cardiopulmonary Resuscitation (CPR) certificate and a Standard First Aid certificate;
- Possession of, or ability to obtain, a level three P.C. 832 Peace Officers Standards and Training (P.O.S.T) certificate within six (6) months of appointment;

Additional Requirement: Possession of a valid class “C” California Motor Vehicle Operator’s Driver License.

**CITY OF CHICO ● CLASSIFICATION PLAN ● JOB DESCRIPTION**

DATE ADOPTED BY CITY MANAGER: <b>DRAFT</b>	COMP CODE: <b>9420</b>	SERVICE: <b>Classified Non-Exempt</b>	JOB TITLE: <b>PARK RANGER</b>
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**Definition:**

Under general supervision, to perform varied and routine sworn Ranger work with emphasis on park patrol, crime prevention, park protection and maintenance; to perform related record keeping and research; to perform related work as required.

**Typical Duties:**

- Patrols the various City parks and public recreation areas to enforce applicable laws, rules and regulations; \*
- Opens and closes City facilities, including park gates and public restrooms;\*
- Issue citations and verbal warnings; \*
- Provides information to the public about park use and permit requirements, resolves customer and/or park use disputes – review and approves park use permits; \*
- Conducts investigations, writes incident and arrest reports, compiles and tabulates data, and provides reports to the applicable authorities; \*
- Manages encampment cleanups in greenways and park; coordinates with applicable agencies and personnel; \*
- Coordinates with or assist Police and Fire Department personnel regarding incidents and investigations involving City parks; \*
- Provides hazmat response as necessary; \*
- Collects and documents evidence, books evidence independent or in conjunction with a Police Officer; \*
- Interviews and locates witnesses, apprehend suspects on foot, detain and/or arrest suspects until suspect can be transported by Police Department;\*
- Utilizes physical restraints such as handcuffs, spray irritant, taser, or baton, when deemed necessary; \*
- Oversees and coordinates lifeguard personnel at One Mile Pool; monitor pool active and maintenance needs; \*
- Manage interpretive signage; \*
- Routinely assess and make recommendations for trail and road closures due to inclement weather or unsafe conditions.
- May direct vehicular and pedestrian traffic;
- May testify in court and respond to requests for crime prevention services;
- May perform routine park maintenance responsibilities;
- May attend community and departmental staff meetings;
- May perform research and coordination responsibilities for park related projects and programs;
- May develop, conduct and present park interpretive programs for the public;
- Perform other park related work as assigned.

**Tools and Equipment Used:**

Vehicle or pickup truck, police radio, pager, first aid equipment.



**CITY OF CHICO ● CLASSIFICATION PLAN ● JOB DESCRIPTION**

DATE ADOPTED BY CITY MANAGER: <b>DRAFT</b>	COMP CODE: <b>9420</b>	SERVICE: <b>Classified Non-Exempt</b>	JOB TITLE: <b>PARK RANGER</b>
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**Physical Demands:**

While performing the duties of this job, the employee is frequently required to sit and talk and hear. The employee is occasionally required to stand; walk; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell.

The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

**Work Environment:**

While performing the duties of this job, the employee frequently works in outside weather conditions. The employee occasionally works near moving mechanical parts; in high, precarious places; and is occasionally exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, and vibration. The noise level in the work environment is usually moderate.

**Knowledge, Skills, and Abilities:**

Knowledge of: Correct English usage, spelling, grammar and punctuation, including the writing of reports; applicable laws, park rules and regulations; evidence collection and documentation techniques; CPR and first aid procedures; and park geology and biology.

Ability to: Deal tactfully and effectively with individuals and groups of a diverse nature; answer questions regarding and explaining park policies and regulations; interpret written and oral instructions; present effective park interpretive programs to the public; write clear and accurate reports; perform mathematical computations; operate radio, four-wheel drive pick-up, and bicycle; work effectively and safely without direct supervision; analyze situations and take effective action; successfully complete formal training courses on job-related responsibilities.

**Minimum Qualifications:**

Experience/Education: High school graduation or equivalent preferably supplemented by the successful completion of college level courses in natural resources, park administration, law enforcement or other related subject.

Certificates:

- Possession of, or ability to obtain, an American Red Cross Cardiopulmonary Resuscitation certificate (CPR) and a Standard First Aid certificate;
- Possession of, or ability to obtain, a level three P.C. 832 Peace Officers Standards and Training (P.O.S.T) certificate within six (6) months of appointment;

Additional Requirement: Possession of a valid class “C” California Motor Vehicle Operator’s Driver License.

**CITY OF CHICO ● CLASSIFICATION PLAN ● JOB DESCRIPTION**

DATE ADOPTED BY CITY MANAGER: <b>DRAFT</b>	COMP CODE: <b>9420</b>	SERVICE: <b>Classified Non-Exempt</b>	JOB TITLE: <b>PARK RANGER</b>
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DATE: 5/23/17  
TO: Bidwell Park and Playground Commission  
FROM: Linda Herman, Interim Parks and Natural Resource Manager  
SUBJECT: CONSIDERATION AND PRIORTIZATION OF POTENTIAL REVISIONS TO PARK RELATED CHICO MUNICIPAL CODE PROVISIONS.

## REPORT IN BRIEF:

The Bidwell Park and Playground Commission (BPPC) is being provided copies of certain Chico Municipal Code (CMC) regulations pertaining to City Parks and trees that may be in need of revision. Review of CMC Chapters 12.08 and 12R.10 regarding Park reservations have already been approved by the Commission as part of its annual Work Plan. The Commission is asked to review the other regulations provided by Staff for areas of concern and potential revisions.

**Recommendation:** Interim Park & Natural Resource Manager recommends that the Commission:

- 1) Forward Chapters 12R.08 and 12R.10 to the Policy Advisory Committee for review and recommendation; and
- 2) Each provide to the P&NRM by June 15, 2017 their top priority CMC topics they would like to review over the next fiscal year for discussion at the June BPPC meeting.

**FISCAL IMPACT:** None at this time

## BACKGROUND:

CMC Title 12R entitled "Rules and Regulations of Bidwell Park and Other Parks and Playgrounds" provides rules and regulations governing the use of the City's parks, playgrounds and open spaces. Title 12R further provides that the Public Works Director ("Director") be primarily responsible for administering the rules and regulations, but provides for an appeal process to be aggrieved by the BPPC is necessary. A copy of Title 12R is attached as Attachment A for the Commission's information.

CMC Chapter 14.40 entitled "Street Trees" establishes regulations controlling and governing the planting, removal and maintenance of trees and shrubs on city-owned property and right-of-way. A copy of Chapter 14.40 is attached as Attachment B.

CMC Chapter 16.66 entitled "Tree Preservation Regulations" provides for the protection of City and private trees during the development process. A copy of Chapter 16.66 is attached as Attachment C.

## DISCUSSION:

As part of its 2016-17 Work Plan, the BPPC approved the review of park policies and rules as a one of the priority tasks for the Commission. In particular, the Commission was interested in reviewing the provisions related to park reservations and fees, and pets in City parks.

In addition, several of the new Commissioners have requested the review of other park-related provisions. The Urban Forest Manager is also interested in reviewing Chapters 14.40 and 16.66 regarding tree regulations. Title 12R contains a broad spectrum of rules and regulations regarding a variety of park related functions and operations. With this in mind, Staff has identified the following CMC Chapters and Sections that may need revision:

### 1. Chapter 12R.04 – "Rules- Generally"

Potential areas of review:

- a. Article IV. - Rules for Dogs
- b. Article V. - Rules for Healthy, Safety and Environment
- c. Article VII Other Rules, Restrictions and Prohibited Acts

**2. Chapters 12R.08 – “Permits Authorizing Public Events and Chapter 12R.10 - Reservations of Facilities in City Parks and Playgrounds”**

Potential areas of review:

- a. Thresholds for BPPC vs Director approvals
- b. Designation of additional areas as intensive use
  - i. Lower Bidwell Park Picnic Site #37
  - ii. Five Mile Recreation Area - table areas west of restrooms on south side of creek & tables on north side of creek
- c. Establishment of Special Use Permits for educational or resource activities, weddings etc.
- d. Fees for Services

**3. Chapter 14.40 – “Street Trees”**

Potential areas of review:

- a. Tree elevation requirements
- b. Potential of combining with CMC 16.66
- c. Fees for non-compliance

**4. Chapter 16.66 – “Tree Preservation Regulations”**

Potential areas of review:

- a. Review and revise for clarity, if needed
- b. Review for continuity and contradictory with Chapter 14.40
- c. Fees for non-compliance

Since the topic of reviewing and revising the Park Reservations and fees was already approved by the Commission and is of interest to Staff as well, the Commission is requested to consider forwarding Chapters 12R.08 and 12R.10 to the BPPC Policy Advisory Committee for review and recommendations.

In addition, each Commissioner is asked to review the above CMC sections or any other sections they see need revising and develop a list of their top priority CMC topics they would like to discuss over the next fiscal year. The Commission is asked to please submit the list the P&NRM by June 15, 2017. The lists will be compiled and provided to the Commission as an agenda item for the June BPPC meeting, at which time the Commission will review, prioritize, and provide further direction to Staff on how to proceed.

**Attachments:**

- A: CMC Title 12R – Rules and Regulations
- B: CMC Chapter 14.40
- C: CMC Chapter 16.66

## ATTACHMENT A - CMC TITLE 12R

Print

Chico, CA Code of Ordinances

# Title 12R RULES AND REGULATIONS OF BIDWELL PARK AND OTHER PARKS AND PLAYGROUNDS<sup>1</sup>

### Chapter:

**12R.02 Administration and Enforcement of Park Rules and Regulations**

**12R.04 Rules Generally**

**Article I General Provisions**

**Article II Rules for Alcoholic Beverages**

**Article III Rules for Bicycles**

**Article IV Rules for Dogs**

**Article V Rules for Health, Safety and the Environment**

**Article VI Rules for Waterways**

**Article VII Other Rules, Restrictions and Prohibited Acts**

**12R.08 Permits Authorizing Public Events Conducted in City Parks and Playgrounds**

**12R.10 Reservation of Facilities in City Parks and Playgrounds**

**12R.16 Caper Acres Playground Area - Bidwell Park**

**12R.17 Humboldt Neighborhood Park**

**12R.20 Swimming Pools and Swimming Areas - Bidwell Park**

**12R.32 Vehicle Use in Parks and Playgrounds**

**Exhibits: (Exhibits following Chapter 12R.04)**

**A Children's Playground/Bidwell Bowl Amphitheater**

**B Bidwell Park**

**C Cedar Grove**

**D City Plaza**

**E Depot Park**

**F Five-Mile Recreation Area**

**G Greenways**

**H Lower Bidwell Park**

**I Middle Bidwell Park**

## ATTACHMENT A - CMC TITLE 12R

**J One-Mile Recreation Area**

**K Park**

**L Upper Bidwell Park**

NOTE: Footnotes are numbered throughout the text and are located at the end of this title.

### **Chapter 12R.02 ADMINISTRATION AND ENFORCEMENT OF PARK RULES AND REGULATIONS**

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**Section:**

**12R.02.005 Director - Defined**

**12R.02.010 Administrative responsibilities of director.**

**12R.02.020 Appeals to Bidwell Park and Playground Commission from a determination or action of the director.**

**12R.02.030 Appeals to the city council from a determination or action of the Bidwell Park and Playground commission.**

**12R.02.040 Enforcement by park rangers.**

**12R.02.045 Resisting park rangers or police officers in the performance of their duties - Unlawful.**

**12R.02.050 Exemptions from park rules and regulations.**

**12R.02.060 Violations.**

**12R.02.005 Director - Defined**

As used in this Title, “director” means the public works director or any designee of the director.

(Res. No. 31-13 §3)

**12R.02.010 Administrative responsibilities of director.**

The **director** shall be primarily responsible for administering the park rules and regulations adopted in this title. In carrying out such responsibilities, the duties of the **director** shall include, but not be limited to, the issuance of permits authorizing the conduct of public events in the city's parks and playgrounds and the approval of reservations authorizing the exclusive use of portions of the city's parks and playgrounds in the manner provided for by this title, the granting of any other authorization or permission required by this title, and supervising the park rangers in the enforcement of the park rules and regulations adopted by this title.

(Res. No. 153 92-93 §1 (part)) (Res. No. 31-13 §1)

## ATTACHMENT A - CMC TITLE 12R

### **12R.02.020 Appeals to Bidwell Park and Playground commission from a determination or action of the director.**

A. Right of Appeal. Any person aggrieved by a determination or action of the director under the park rules and regulations adopted in this title, including a determination or action of the director on any application for a permit authorizing the conduct of a public event in a city park or playground or any application for a reservation authorizing the exclusive use of a portion of a city park or playground, may appeal such determination or action to the Bidwell Park and Playground commission.

B. Notice of Appeal. Appeals to the Bidwell Park and Playground commission from a determination or action of the director shall be made by filing a notice of appeal with the director not later than 15 days following the date the director serves the aggrieved person with a written notice of such determination or action in a manner required by this chapter or otherwise first informs the aggrieved person of such determination or action. Such notice of appeal shall be in a form prescribed by the director, shall contain a brief statement of the reasons why the person filing the appeal believes that the determination or action of the director does not comply with the provisions of this title, and shall set forth the relief requested by such person from such determination or action.

C. Appeals Procedures. Appeals to the Bidwell Park and Playground commission from a determination or action of the director shall be heard and decided by the commission at the first regular or adjourned regular meeting of the commission on or after the tenth day following the filing of the notice of appeal, and shall be conducted by the commission in accordance with the procedure for the conduct of appeals by the city council as prescribed in Title 2 of this code.

(Res. No. 153 92-93 §1 (part), Res. No. 3 94-95) (Res. No. 31-13 §1)

### **12R.02.030 Appeals to the city council from a determination or action of the Bidwell Park and Playground commission.**

Any person aggrieved by a determination or action of the Bidwell Park and Playground commission under the park rules and regulations adopted in this title, including a determination or action of the commission on any application for a permit authorizing the conduct of a public event in a city park or playground or any application for a reservation authorizing the exclusive use of a portion of a city park or playground, may appeal such determination or action to the city council, all in the manner provided for by Title 2 of this code.

(Res. No. 153 92-93 §1 (part))

### **12R.02.040 Enforcement by park rangers.**

The park rangers shall be primarily responsible for enforcing the park rules and regulations adopted in this title, subject to the direction and control of the **director**. However, the park rangers, shall, from time to time, be assisted in enforcing the park rules and regulations adopted in this title by city police officers.

(Res. No. 153 92-93 §1 (part)) (Res. No. 31-13 §1)

### **12R.02.045 Resisting park rangers or police officers in the performance of their duties - Unlawful.**

## ATTACHMENT A - CMC TITLE 12R

No person shall resist, delay, obstruct, or provide false information to a park ranger or a police officer in the discharge or attempt to discharge any duty of the office or when active within the scope of employment in any park or playground in the city.

(Res. No. 19 93-94 §1, Res. No. 02 03-04) (Res. No. 31-13 §4)

### **12R.02.050 Exemptions from park rules and regulations.**

Except as otherwise specifically provided in this title, the park rules and regulations adopted in this title shall not apply to or restrict any city officer, employee, or agent when carrying out the duties and responsibilities of the office or when otherwise acting within the course and scope of employment or agency.

(Res. No. 153 92-93 §1 (part), Res. No. 02 03-04)

### **12R.02.060 Violations.**

A violation of the park rules and regulations adopted in this title shall be an infraction punishable by a fine in the manner provided for by Section 1505 of the Charter of the City of Chico.

(Res. No. 153 92-93 §1 (part), Res. No. 150 96-97)

## **Chapter 12R.04 RULES GENERALLY**

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### **Section:**

#### **ARTICLE I. GENERAL PROVISIONS**

**12R.04.010 Application of chapter.**

**12R.04.020 Definitions.**

#### **ARTICLE II. RULES FOR ALCOHOLIC BEVERAGES**

**12R.04.030 Alcoholic beverages - Manufacture and sale - Prohibited.**

**12R.04.040 Alcoholic beverages - Gift - Prohibited.**

**12R.04.050 Alcoholic beverages - Possession or Consumption - Prohibited.**

**12R.04.055 Alcoholic Beverages - Municipal Golf Course**

#### **ARTICLE III. RULES FOR BICYCLES**

**12R.04.060 Bicycles - Helmets required for off-road use in Middle and Upper Bidwell Park.**

**12R.04.070 Bicycles - Other restrictions in Bidwell Park.**

**12R.04.080 Bicycles - Reckless operation - Prohibited.**

**12R.04.090 Bicycles - Use in Caper Acres Playground Area - Prohibited.**



## ATTACHMENT A - CMC TITLE 12R

**12R.04.095 Bicycles - Use in Children's Playground - Restricted.**

**12R.04.100 Bicycles - Use near banks of pools or swimming areas and in creeks - Prohibited - Exception.**

### ARTICLE IV. RULES FOR DOGS

**12R.04.105 Dogs - Definitions.**

**12R.04.110 Dogs - Leash requirements.**

**12R.04.115 Leash requirements - Exception - Dog Off-leash Areas.**

**12R.04.120 Dogs - Leash requirements - Exception - Special Use Dogs.**

**12R.04.125 Dogs - Prohibited areas.**

**12R.04.130 Rules for Dogs - Construction.**

### ARTICLE V. RULES FOR HEALTH, SAFETY AND THE ENVIRONMENT

**12R.04.140 Destruction, injury, cutting, alteration or removal of public property or any natural condition of the landscape - Prohibited.**

**12R.04.150 Glass containers - Prohibited - Exception.**

**12R.04.160 Equestrian use - Prohibitions.**

**12R.04.165 Control of Animals.**

**12R.04.170 Fires - Restrictions - Permit required for open fires at other than regularly established places.**

**12R.04.175 Fountains - Prohibition.**

**12R.04.180 Rubbish and garbage - Disposition in established receptacles required - Prohibited disposition.**

**12R.04.185 Feeding of animals.**

**12R.04.190 Unreasonable noises - Prohibited - Exception.**

**12R.04.195 Signs.**

**12R.04.200 Commercial advertising - Prohibited - Exception.**

**12R.04.210 Hunting - Prohibited - Exception - Permit required.**

**12R.04.220 Firearms or Other Projectile Weapon - Possession and use - Prohibited- Exception.**

**12R.04.230 Smoking - Prohibited in designated areas from May 1st to November 1st annually. (Repealed by Res. No. 31-13 §19)**

**12R.04.235 Smoking - Prohibited in City-owned Parks, Greenways, Open Spaces and Preserves.**

**12R.04.240 Fireworks - Prohibited.**

**12R.04.250 Hang-gliding and para-gliding.**

**12R.04.260 Entering or using designated restoration areas - Prohibited.**

## ATTACHMENT A - CMC TITLE 12R

**12R.04.275 Ball field lighting curfew - Wildwood Park.**

### ARTICLE VI. RULES FOR WATERWAYS

**12R.04.280 Big Chico Creek - Use of boats - Prohibited - Exception.**

**12R.04.290 Big Chico Creek - Use prohibited within designated area - Municipal Golf Course vicinity - Exception.**

**12R.04.300 Horseshoe Lake - Use of motorized equipment - Prohibited.**

**12R.04.310 Horseshoe Lake - Fishing restrictions.**

**12R.04.320 Pollution of waterways - Construction of dams - Prohibited.**

**12R.04.330 Fishing from bridges and banks of swimming pools and areas - Prohibited.**

### ARTICLE VII. OTHER RULES, RESTRICTIONS AND PROHIBITED ACTS

**12R.04.340 Camping - Prohibited - Exception - Permit required.**

12R.04.350 Night closing of certain areas - Exception - Permit required. *(Repealed by Res. No. 31-13 §22)*

**12R.04.360 Animals for Hire - Designated area - Prohibitions.**

**12R.04.370 Closure of parks.**

**12R.04.380 Coasting Devices - Prohibitions**

## ARTICLE I. GENERAL PROVISIONS

### **12R.04.010 Application of chapter.**

The rules set forth in this chapter shall govern all persons using the parks and playgrounds within the city, and shall apply to all areas of such parks and playgrounds, unless otherwise specifically provided in the remaining chapters of this title.

(Res. No. 19 93-94 §2 (part))

### **12R.04.020 Definitions.**

Unless the contrary is stated or clearly appears from the context, the following definitions shall govern the construction of the words and phrases used in this chapter.

A. Alcoholic Beverages. For purposes of this chapter, the term “alcoholic beverages” shall include alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, liquor, wine or beer and which contains,  $\frac{1}{2}$  of 1% or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.

B. Bidwell Bowl Amphitheater. The term “Bidwell Bowl Amphitheater shall include all that area South of Sowilleno Avenue, North of Children’s Playground and East of California State University, Chico. Exhibit “A” entitled “Children’s Playground/Bidwell Bowl Amphitheater,” attached to this chapter and incorporated herein by this reference (Exhibit “A”).

## ATTACHMENT A - CMC TITLE 12R

C. Bidwell Park. The term “Bidwell Park” shall specifically include Upper Bidwell Park, Middle Bidwell Park, and Lower Bidwell Park. Exhibit “B” entitled “Bidwell Park,” attached to this chapter and incorporated herein by this reference (Exhibit “B”).

D. Cedar Grove. The term “Cedar Grove” shall include an area of Lower Bidwell Park located from where the western portion of the World of Trees borders the adjacent residential area, south of South Park Drive, North of East 8<sup>th</sup> St and includes Cedar Grove Way and the gravel parking lot. Exhibit “C” entitled “Cedar Grove,” attached to this chapter and incorporated herein by this reference (Exhibit “C”).

E. Children’s Playground. The term “Children’s Playground” shall include all that area which is bounded on the north by Big Chico Creek, on the south by Shasta Way, on the east by The Esplanade and on the west by the Bidwell Presbyterian Church, excluding the Bidwell Bowl Amphitheater seating area. Exhibit “A” entitled “Children’s Playground/Bidwell Bowl Amphitheater,” attached to this chapter and incorporated herein by this reference (Exhibit “A”).

F. City Plaza. The term “City Plaza” shall include all that area west of Main Street, east of Broadway Street, north of 5<sup>th</sup> Street and south of 4th Street. Exhibit “D” entitled “City Plaza,” attached to this chapter and incorporated herein by this reference (Exhibit “D”).

G. Depot Park. The term “Depot Park” shall include all that area west of the railroad, east of Cedar Street, north of 3<sup>rd</sup> Street and south of 5th Street. Exhibit “E” entitled “Depot Park,” attached to this chapter and incorporated herein by this reference (Exhibit “E”).

H. Five-Mile Recreation Area. The term “Five-Mile Recreation Area” shall include an area of Middle Bidwell Park located east of the diversion structure on both sides of the Big Chico Creek to the eastern edge of the south parking lot, including the north gravel parking lot off of Five Mile Way. Exhibit “F” entitled “Five-Mile Recreation Area,” attached to this chapter and incorporated herein by this reference (Exhibit “F”).

I. Greenway. The term “Greenway” shall include all areas adjoining Big Chico Creek, Little Chico Creek, Lindo Channel, Comanche Creek, Edgar Slough, Sycamore Creek, Dead Horse Slough or any other stream or watercourse which has been acquired or which is hereafter acquired by the city, either in fee title or by way of an easement which authorizes public use of the easement area. Exhibit “G” entitled “Greenways,” attached to this chapter and incorporated herein by this reference (Exhibit “G”).

J. Lower Bidwell Park. The term “Lower Bidwell Park” shall include all that area of Bidwell Park located from where the Esplanade bridge crosses the Big Chico Creek (the eastern end of both sides of Lost Park) all the way to Manzanita Avenue. The area also includes Lost Park, Annie’s Glen, Camellia Way, One-Mile Recreation Area and Cedar Grove. Exhibit “H” entitled “Lower Bidwell Park,” attached to this chapter and incorporated herein by this reference (Exhibit “H”).

K. Middle Bidwell Park. The term “Middle Bidwell Park” shall include all that area of Bidwell Park located east of Manzanita Avenue to the gate on Upper Park Road just east of Parking Area E and includes the Bidwell Golf Course, the Five-Mile Recreation Area and Hooker Oak Recreation Area. Exhibit “I” entitled “Middle Bidwell Park,” attached to this chapter and incorporated herein by this reference (Exhibit “I”).

L. One-Mile Recreation Area. The term “One-Mile Recreation Area” shall include an area of Lower Bidwell Park located east of Pine St to the eastern edge of the Caper Acres Playground. The area also includes the Sycamore Pool, Campfire Council Ring and the Caper Acres Playground. Exhibit “J” entitled “One-Mile Recreation Area,” attached to this chapter and incorporated herein by this reference (Exhibit “J”).

M. Open Space. The term “Open Space” shall mean land that is maintained in a primarily natural state, or primarily without structures other than facilities in support of outdoor recreation.

## ATTACHMENT A - CMC TITLE 12R

N. Park. The term "Park" shall mean any area on public property designated in Chapter 12.04 of Title 12 of the Chico Municipal Code as a park, greenway, or open space, including, but not limited to, the playground areas, sitting areas, parking areas, landscape areas, planter strips, trails, paths, roadways, streams, and pools, within the boundaries of such park, greenway, or open space. Exhibit "K" entitled "Park," attached to this chapter and incorporated herein by this reference (Exhibit "K").

O. Upper Bidwell Park. The term "Upper Bidwell Park" shall include all that area of Bidwell Park located east of the Upper Park Road gate at parking Area E on the north side of Big Chico Creek to the eastern park boundary and on the south side of Big Chico Creek the area east of Bidwell Golf Course up to the eastern boundary, established by Highway 32. Exhibit "L" entitled "Upper Bidwell Park," attached to this chapter and incorporated herein by this reference (Exhibit "L").

(Res. No. 19 93-94 §2 (part)) (Res. No. 31-13 §5)

## ARTICLE II. RULES FOR ALCOHOLIC BEVERAGES

### **12R.04.030 Alcoholic beverages - Manufacture and sale - Prohibited.**

No person shall make or sell alcoholic beverages of any kind or variety in any park or playground in the city.

(Res. No. 19 93-94 §2 (part), Res. No. 9 95-96 §1)

### **12R.04.040 Alcoholic beverages - Gift - Prohibited.**

No person shall give away any alcoholic beverage in any park or playground of the city.

(Res. No. 19 93-94 §2 (part), Res. No. 9 95-96 §2)

### **12R.04.050 Alcoholic beverages - Possession or Consumption - Prohibited.**

No person shall possess an open container of an alcoholic beverage or consume an alcoholic beverage of any kind or variety in any park or playground in the city.

(Res. No. 19 93-94 §2 (part), Res. No. 9 96-96 §3, Res. No. 20-01-02)

### **12R.04.055 Alcoholic beverages - Municipal Golf Course.**

Notwithstanding sections 12R.04.030 and 12R.04.050 above, any person may sell alcoholic beverages at the Municipal Golf Course pursuant to a valid license issued by the California Department of Alcoholic Beverage Control and any person over the age of 21 years may possess or consume alcoholic beverages at the Municipal Golf Course.

(Res. No. 2-14)

## ARTICLE III. RULES FOR BICYCLES

## ATTACHMENT A - CMC TITLE 12R

### **12R.04.060 Bicycles - Helmets required for off-road use in Middle and Upper Bidwell Park.**

No one shall ride a bicycle off-road in Middle or Upper Bidwell Park unless wearing a bicycle helmet for head protection. "Off-road," as used in this section, shall be construed to mean not on pavement.

(Res. No. 19 93-94 §2 (part)) (Res. No. 31-13 §6)

### **12R.04.070 Bicycles - Other restrictions in Bidwell Park.**

Bicycle use in Bidwell Park shall be permitted only on the roads and trails, except that bicycles shall not be permitted on Yahi Trail. No bicycle use shall be permitted on the trails whenever the director determines that damage is likely due to wet weather conditions and closes the trails or portions thereof. Roads closed, permanently or temporarily, to motor vehicles are trails for the purpose of this section.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03) (Res. No. 31-13 §7)

### **12R.04.080 Bicycles - Reckless operation - Prohibited.**

No person shall operate a bicycle within a city park or playground, whether on- or off- road, in a reckless or unsafe manner so as to endanger the safety and well-being, or interfere with the use and enjoyment of park or playground facilities by other users.

(Res. No. 19 93-94 §2 (part))

### **12R.04.090 Bicycles - Use in Caper Acres Playground Area - Prohibited.**

Bicycle use shall be prohibited inside of the Caper Acres Playground.

(Res. No. 19 93-94 §2 (part))

### **12R.04.095 Bicycles - Use in Children's Playground - Restricted.**

No person shall ride a bicycle within Children's Playground, except on a sidewalk or such other portion of Children's Playground specifically designated as a bike path.

(Res. No. 19 93-94 §2 (part)) (Res. No. 31-13 §8)

### **12R.04.100 Bicycles - Use near banks of pools or swimming areas and in creeks - Prohibited - Exception.**

Bicycle use is prohibited within 100 feet of the banks of any swimming pool or swimming area in Bidwell Park, except where established roads for vehicle traffic or bicycle paths are situated at a closer distance. Bicycle use is also prohibited within Big Chico Creek except when permission is granted by the park director or the Bidwell Park and Playground Commission.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03)

## ARTICLE IV. RULES FOR DOGS

## ATTACHMENT A - CMC TITLE 12R

### **12R.04.105 Dogs - Definitions.**

A. "Effective Control" means that the dog is trained to respond to the owner or handler, who is capable of exercising such control, so that the dog is not allowed to commit any nuisance as defined in Section 7.08.130.

B. "Leash" means a restraint not exceeding six (6) feet in length. Retractable leashes that can extend beyond six (6) feet are not allowed in any city park or playground.

C. "Special Use Dog" means any guide dog, signal dog, service dog, or search and rescue dog, trained, or being trained, to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items, or trained, or being trained, to do work or perform tasks for the purpose of search, rescue, and disaster relief in accordance with the standards of the State Office of Emergency Services or local disaster agencies.

D. "Swimming Area" or "Swimming Pool" shall mean the One-Mile Recreation Area, as delineated in Exhibit "J," and those areas in Upper Bidwell Park commonly known as Alligator Hole, Bear Hole, Brown's Hole, Day Camp, Diversion Dam, and Salmon Hole.

(Res. No. 39 02-03) (Res. No. 31-13 §9)

### **12R.04.110 Dogs - Leash requirements.**

No person shall take or allow any dog into any park or playground in the city unless the dog is kept and maintained on a leash under the control of a competent person and restrained by a leash not exceeding six (6) feet in length, or as permitted under Sections 12R.04.130.

(Res. No. 39 02-03)

### **12R.04.115 Dogs - Leash requirements - Exception - Dog Off-leash Areas.**

A. A dog may be off-leash in Bidwell Park if the dog is under the effective control of its owner or specifically in these areas:

1. In Lower Park each day between 5:00 a.m. and 8:30 a.m., Pacific Time, as delineated on Exhibits "H" and "J".

2. Northerly of the Upper Park Road in Middle and Upper Park, as delineated on Exhibits "I" and "L", each day between 5:00 a.m. and thirty (30) minutes after sunset.

B. The dog exercise areas delineated in this section do not include any portion of the Upper Bidwell Park Road, the shoulders thereof, or the unpaved extension of such road and shoulders thereof.

C. Off-leash privileges provided herein shall not apply in areas posted with signs prohibiting dogs or in areas that dogs are otherwise prohibited.

(Res. No. 39 02-03) (Res. No. 31-13 §10)

### **12R.04.120 Dogs - Leash requirements - Exception - Special Use Dogs.**

## ATTACHMENT A - CMC TITLE 12R

A. Within written permission from the park director, Special Use Dog handlers shall be permitted to conduct off-leash training of Special Use Dogs in Bidwell Park, so long as such dogs are under the effective control of their handlers at all times.

B. During any off-leash training, dog handlers and their dogs shall wear visible identification indicating that the dog is being trained as a special use dog.

(Res. No. 39 02-03)

### **12R.04.125 Dogs - Prohibited areas.**

A. No person shall allow any dog owned by or under control of such person to go into:

1. Any swimming pool or swimming area, except that they may travel on leash across the foot bridges at the Five-Mile and One-Mile Recreation Areas and the access routes thereto, as delineated on Exhibit "F" and "J" of this chapter.

2. Any restroom facility in any city park or playground.

3. Caper Acres Playground.

4. The sports playing fields at Wildwood Park.

B. The prohibitions in this section do not apply to special use dogs.

(Res. No. 39 02-03, Res. No. 02 03-04) (Res. No. 31-13 §11)

### **12R.04.130 Rules for Dogs - Construction.**

This Article is supplemental to Chapter 7.08 of this code entitled, "Dog Licenses and Regulations" and all provisions of that chapter apply except as specifically modified by the designation herein of dog exercise areas.

(Res. No. 39 02-03)

## **ARTICLE V. RULES FOR HEALTH, SAFETY AND THE ENVIRONMENT.**

### **12R.04.140 Destruction, injury, cutting, alteration or removal of public property or any natural condition of the landscape - Prohibited.**

No person shall destroy, injure, cut, alter or remove any park facility or infrastructure, historical or archeological feature, including, but not limited to, tables, fencing, signs, parking lots, walls, restrooms, or play structures, or natural condition of the landscape, including, but not limited to, flowers, shrubbery, plants, vines, trees, grass, wood, or rocks, in or from any city park or playground except with written permission of the director.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03) (Res. No. 31-13 §12)

### **12R.04.150 Glass containers - Prohibited - Exception.**

## ATTACHMENT A - CMC TITLE 12R

No person shall possess any glass container in any park or playground within the city except that the sponsor of an organized public event may obtain permission from the director to possess glass containers, provided that the containers remain under the sponsor's control and are not distributed to participants of the event.

(Res. No. 19 93-94 §2 (part)) (Res. No. 31-13 §13)

### **12R.04.160 Equestrian use - Prohibitions.**

Equestrian use shall be permitted on all roads and trails within city parks except that equestrian use is prohibited in any city playground, in the One-Mile Recreation Area, on turf areas in any city park, on the Yahi Trail in Bidwell Park, and on accessible trails in any city park. No equestrian use shall be permitted on the trails whenever the director determines that damage is likely due to wet weather condition and closes the trails or portions thereof. Roads closed, permanently or temporarily, to motor vehicles are trails for the purpose of this section. Equestrians shall cross creeks flowing through city parks only at regularly established trail or vehicular crossings. Equestrians shall not tie or hitch any horse within 100 feet of any established swimming pool, picnic ground, or picnic table. Equestrians shall not ride in a reckless or unsafe manner within a city park, whether on- or off-road or trail.

(Res. No. 39 02-03) (Res. No. 31-13 §14)

### **12R.04.165 Control of Animals.**

Except as otherwise provided under Article IV of this Chapter as related specifically to dogs, no person shall bring any wild or domesticated animal into any park or playground in the city unless the animal is penned, caged or kept and maintained on a leash under the effective control of the owner or handler and restrained by a leash not exceeding six (6) feet in length.

(Res. No. 31-13 §15)

### **12R.04.170 Fires - Restrictions - Permit required for open fires at other than regularly established places.**

Except as herein otherwise provided, it is unlawful to make any fire at any point in any park in the city, except at regularly established places for such purposes. "Regularly established places" are defined to be masonry, concrete or metal constructed fireplaces, pits or grills. Fires at the Campfire Council Ring and open fires at other locations within any park in the city, may be authorized by a permit issued by the director, who shall notify the fire department of each permit issued. Such permitted fires shall not be left unattended and must be completely extinguished prior to the permittee's departure.

(Res. No. 19 93-94 §2 (part))(Res. No. 31-13 §16)

### **12R.04.175 Fountains - Prohibition.**

No person shall discard or discharge any solid or liquid substance into the waters of any fountain in any park in the city.

(Res. No. 31-13 §17)



## ATTACHMENT A - CMC TITLE 12R

### **12R.04.180 Rubbish and garbage - Disposition in established receptacles required - Prohibited disposition.**

No person shall throw, dump or otherwise place or cause to be placed, or leave, either directly or indirectly, any rubbish, garbage, sewage or waste matter, or any trash or refuse of any kind or character, in any public park or playground of the city, other than in receptacles established and maintained for such purposes. No person shall bring, or cause to be brought, any rubbish, garbage, sewage, waste matter, trash or refuse of any kind into any public park or playground of the city for the purpose of disposing of same therein either in the receptacles described herein or at any other place.

(Res. No. 19 93-94 §2 (part))

### **12R.04.185 Feeding of animals.**

A. Except as provided in subsection B, below, no person shall feed or cause the feeding of any wild or domestic animals within Bidwell Park. No person shall leave food or containers of food for the purpose of feeding any animals within Bidwell Park.

B. Unless otherwise prohibited by this chapter, feeding of fowl at Horseshoe Lake and the Deer Pen, and feeding of a domestic animal by its owner or handler, while under the owner or handler's control, is permitted.

(Res. No. 12 97-98, Res. No. 39 02-03)

### **12R.04.190 Unreasonable noises - Prohibited - Exception.**

No person shall cause a loud or excessive noise within a city park or playground which unreasonably disturbs the peace and quiet of any neighborhood, the quiet enjoyment of property, or any reasonable person of normal sensitivity residing or working in the area, unless such noise is emanating from a public event for which a permit has been issued by the director or Bidwell Park and Playground Commission, in which case the conditions of such permit as to noise shall apply.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03) (Res. No. 31-13 §1)

### **12R.04.195 Signs.**

No person shall post a sign in a city park or playground or leave a sign unattended in a city park or playground unless the sign is posted or placed in the park or playground as part of a public event authorized by a permit issued pursuant to Chapter 12R.08 of this title. However, with prior approval of the director, unattended signs which are not part of such a public event may be placed in a city park or playground by a public agency for the purpose of informing the public of a public event sponsored by that agency. Such sign shall not remain in a park or playground for a duration exceeding seven days.

This section shall not preclude a person from bringing a sign into a city park or playground for purposes of displaying the sign to members of the general public provided the sign is continually maintained in such person's immediate custody and control and is not affixed to any tree, building, or other vegetative growth or structure within the park or playground.

(Res. No. 34 94-95, Res. No. 02 03-04) (Res. No. 31-13 §1)

## ATTACHMENT A - CMC TITLE 12R

### **12R.04.200 Commercial advertising - Prohibited - Exception.**

No person shall display or post any commercial advertising in any city park or playground unless such advertising is posted or displayed as part of a public event authorized by a permit issued pursuant to Chapter 12R.08 of this title or unless such advertising has been approved by the Bidwell Park and Playground Commission.

(Res. No. 19 93-94 §2 (part))

### **12R.04.210 Hunting - Prohibited - Exception - Permit required.**

No person shall hunt, injure, harass or take any wildlife including, but not limited to, wild game, animals, birds, or eggs in any city park or playground except with written permission of the director, which permission shall be given solely for the protection of life or property or the preservation of wildlife. All applicable federal, state, or municipal statutes, regulations, or ordinances including, but not limited to, any park rule or regulation now or hereafter adopted by the city, shall have full force and effect in city parks and playgrounds.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03) (Res. No. 31-13 §18)

### **12R.04.220 Firearms or Other Projectile Weapon - Possession and use - Prohibited - Exception.**

A. No person shall take or discharge any firearm or other projectile weapon upon, through, across, or within any city park or playground except by special permission from the director.

B. All applicable federal, state, or municipal statutes, regulations, or ordinances related to firearms or other projectile weapons including, but not limited to, any park rule or regulation now or hereafter adopted by the city shall have full force and effect in city parks and playgrounds.

C. Notwithstanding the above, a person may take a firearm or other projectile weapon in Upper Bidwell Park while going to or coming from the Chico Rod and Gun Club facility. Such persons may only discharge a firearm or other projectile weapon in Upper Bidwell Park within the Chico Rod and Gun Club facility.

D. For the purposes of this section, “firearm or other projectile weapon” includes, but is not limited to, any pistol, revolver, rifle, gun, flare gun, paint ball gun, zip gun, spring gun, air gun, BB or pellet gun, rocket, rocket launcher, rocket propelled projectile launcher, slingshot, wrist rocket, bow and arrow, or crossbow or compound bow designed to propel an arrow.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03) (Res. No. 31-13 §1)

### **12R.04.230 Smoking - Prohibited in designated areas from May 1st to November 1st annually.** *(Repealed by Res. No. 31-13 §19)*

(Res. No. 19 93-94 §2 (part))

### **12R.04.235 Smoking - Prohibited in City-owned Parks, Greenways, Open Spaces and Preserves.**

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No person shall light or carry any lighted cigar, pipe, cigarette or other smoking device within any city-owned park, greenway, open space or preserve, or on the sidewalks adjacent to and surrounding City Plaza. This section shall not apply to the Bidwell Park Municipal Golf Course.

(Res. No. 68-09) (Res. No. 31-13 §20)

### **12R.04.240 Fireworks - Prohibited.**

No person shall possess or discharge any fireworks in any city park or playground.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03)

### **12R.04.250 Hang-gliding and para-gliding.**

A. Hang-gliding. No person shall participate in the sport of hang-gliding within the boundaries of any city park or playground.

B. Para-gliding. Para-gliding in Bidwell Park is permitted as follows:

1. No person shall para-glide in Bidwell Park without first obtaining a permit from the director. Permit applications shall be filed in the office of the director. The director shall issue permits only to pilots who provide evidence of current membership in the United States Hang Gliding and Para-gliding Association (USHPA) and possess, at a minimum, a USHPA intermediate rating of Para 3. A permit may also be issued to a pilot who is a member of USHPA and has a beginner rating of Para 2, subject to the condition that a pilot with a Para 2 rating may only para-glide in Bidwell Park when accompanied by another pilot who possesses a rating of Para 3 or greater and who has also been issued a permit by the director. An applicant for a para-gliding permit must agree in writing to comply with the permit conditions set forth in paragraph 2., below, prior to issuance of a permit. A permit shall be valid for a period of one year from the date of issuance.

2. All para-gliding permits shall be subject to the following conditions:

- a. All pilots shall fly with a reserve parachute.
- b. Para-gliding shall occur only from those designated launching and landing locations delineated in Exhibit "L" of this chapter.
- c. Only one pilot launching and one pilot setting up shall be permitted on each launch site at any one time.
- d. Pilots shall make every effort to minimize their effect on the launch site by not digging, removing or moving rocks, or removing any vegetation.
- e. Motorized para-gliding is prohibited.
- f. Para-gliding acrobatics are prohibited.
- g. Pilots shall avoid flying over or around horses.
- h. All pilots with a Para 2 rating must be accompanied by a pilot with a Para 3, or greater, rating who also has a permit issued by the director.
- i. The director may apply additional conditions if necessary to protect the natural resources of Bidwell Park.

(Res. No. 19 93-94 §2 (part), Res. No. 36-09 §3 (part)) (Res. No. 31-13 §21)

## ATTACHMENT A - CMC TITLE 12R

### **12R.04.260 Entering or using designated restoration areas - Prohibited.**

No person shall enter into or use a designated restoration area which has been appropriately signed and fenced as such within the boundaries of any city park or playground. For the purposes of this section, "designated restoration area" means an area within a city park or playground requiring special renovation or reconstruction in order to protect and/or restore the animal or plant life within it, or to refurbish its natural terrain features, and which requires the exclusion of public use for an appropriate and necessary time period to accomplish such end.

(Res. No. 19 93-94 §2 (part))

### **12R.04.275 Ball field lighting curfew - Wildwood Park.**

Ball field lighting in Wildwood Park located east of Manzanita Avenue and north of Wildwood Avenue shall be restricted to no later than 10:00 p.m

(Res. No. 134 94-95)

## ARTICLE VI. RULES FOR WATERWAYS

### **12R.04.280 Big Chico Creek - Use of boats - Prohibited - Exception.**

A. Big Chico Creek, as it travels through Bidwell Park, is primarily dedicated to the uses of swimming, bathing, or otherwise playing in the waters. No person shall place, use or operate any nonmanually-powered boat, watercraft, or other floatation device in Big Chico Creek. No person shall place, use or operate any manually-powered boat, watercraft, or other floatation device in Big Chico Creek except as provided in subsection B.

B. The following boats, watercrafts, or other floatation devices shall be permitted:

1. Pneumatically-inflated air mattresses, tubes, and other floatation devices used primarily in aid of swimming, bathing, or otherwise playing in the waters;
2. Kayaks, whitewater rafts, and whitewater canoes during the period of November 1 through April 30; and
3. Any other boat, watercraft, or other floatation device, after receiving the written permission of the park director.

(Res. No. 19 93-94 §2 (part), Res. No. 57 98-99)

### **12R.04.290 Big Chico Creek - Use prohibited within designated area - Municipal Golf Course vicinity - Exception.**

No person shall make any use of that portion of Big Chico Creek and its adjacent banks which lies within 200 yards upstream of the footbridge located in the municipal golf course except that kayaks, whitewater rafts, and whitewater canoes may use this portion of Big Chico Creek during the period of November 1 through April 30. Uses of such area which are incidental to the use of the municipal golf course are excluded from the prohibition of this regulation.

(Res. No. 19 93-94 §2 (part), Res. No. 57 98-99)

## ATTACHMENT A - CMC TITLE 12R

### **12R.04.300 Horseshoe Lake - Use of motorized equipment - Prohibited.**

No person shall place, use or operate any motor boat, or other motorized equipment in or upon the reservoir in Bidwell Park, commonly known as Horseshoe Lake, except with written permission of the director.

(Res. No. 19 93-94 §2 (part)) (Res. No. 31-13 §1)

### **12R.04.310 Horseshoe Lake - Fishing restrictions.**

Fishing in the reservoir in Bidwell Park, commonly known as Horseshoe Lake, shall be allowed only as follows:

A. Children 14 years of age and younger may catch and keep fish in accordance with the rules and regulations of the state of California Department of Fish and Game.

B. Persons over the age of 14 years may fish in Horseshoe Lake only on a catch-and- release basis.

(Res. No. 19 93-94 §2 (part))

### **12R.04.320 Pollution of waterways - Construction of dams - Prohibited.**

A. No person shall contaminate or pollute, or cause to be contaminated or polluted, any water of any creek flowing through or any reservoir located within any park in the city, or deposit or cause to be deposited any refuse, rubbish or other waste matter of any kind or character, in such waters, or wash or clean automobiles or other vehicles in the waters of any creek or reservoir.

B. No person shall construct a dam, or otherwise obstruct or divert, any creek flowing through any park in the city.

(Res. No. 19 93-94 §2 (part))

### **12R.04.330 Fishing from bridges and banks of swimming pools and areas - Prohibited.**

Fishing from any bridge over Big Chico Creek or the bank of any swimming pool or area in Bidwell Park is prohibited.

(Res. No. 19 93-94 §2 (part))

## **ARTICLE VII. OTHER RULES, RESTRICTIONS AND PROHIBITED ACTS**

### **12R.04.340 Camping - Prohibited - Exception - Permit required.**

No person or group of persons shall camp overnight or remain or stay overnight within any city park or playground unless such overnight camping or stay is undertaken for the purpose of making preparations for a public event or for the purpose of providing overnight security for equipment and structures utilized in such public event, and the overnight camping or stay is authorized by a permit issued for the public event pursuant to Chapter 12R.08 of this title.

(Res. No. 19 93-94 §2 (part))

## ATTACHMENT A - CMC TITLE 12R

### **12R.04.350 Night closing of certain areas - Exception - Permit required.** *(Repealed by Res. No. 31-13 §22)*

(Res. No. 19 93-94 §2 (part), Res. No. 11 96-97 §3)

### **12R.04.360 Animals for Hire**

#### A. Definitions.

1. "Animals for Hire" shall mean those animals, including, but not limited to, goats, sheep, llamas, horses, cattle, or any other animal approved by the park director, that may be hired by the city from time to time to aid in vegetation management of a city park.

2. "Designated Area" shall mean an area within a city park which is being grazed by animals for hire, and which requires the exclusion of public use while such grazing is occurring.

B. No person shall, or allow an animal owned by or under the control of such person to, enter a designated area which has been signed and fenced for animals for hire within the boundaries of any city park.

C. No person shall, or allow an animal owned by or under the control of such person to, harass, disturb, or injure any animals for hire within any city park.

D. No person shall, or allow an animal owned by or under the control of such person to, harass, disturb, or injure the handlers of the animals for hire or any personal property, fencing, or signage thereof in or near a designated area for animals for hire within any city park.

(Res. No. 39 02-03)

### **12R.04.370 Closure of parks.**

A. Unless authorized by permit issued by the city of Chico, it is unlawful for any person to be present in any of the parks set forth in subsection B, below, during the hours the park is closed. Closing hours will be posted at all parks subject to this section.

B. The following parks shall be closed between the hours of 12:00 a.m. (midnight) and 5:00 a.m., Pacific Time:

1. Lower Bidwell Park;
2. Children's Park;
3. Bidwell Bowl Amphitheater;
4. Depot Park;
5. Ringel Park;
6. All city-owned Greenways;
7. Wildwood Park; and
8. All city-owned neighborhood parks.

C. Middle and Upper Bidwell Park shall be closed between the hours of 11:00 p.m. and 5:00 a.m. of the following day, Pacific Time.

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D. City Plaza shall be closed between the hours of 2:00 a.m. and 5:00 a.m., Pacific Time.

E. The following exceptions shall apply to this section, if the person is:

1. Directly and actively proceeding to a destination outside of the parks listed in subsection B, above; or

2. A duly authorized city employee or persons participating in city activities or other activities for which the city has provided written permission to utilize a park beyond the closing time.

F. The director may temporarily close any park or a portion of any park within the city whenever the director determines that such closure is necessary for the protection of public safety or public property. It is unlawful for any person to be present in any park or portion of any park within the city that has been temporarily closed by the director.

(Res. No. 95-06, Res No. 105-08) (Res. No. 31-13 §23)

### **12R.04.380 Coasting Devices - Prohibitions**

No person shall use or ride upon a coasting device on any sidewalk, ramp or other surface within City Plaza. "Coasting Device" is defined in Chapter 10.45 entitled "Coasting Devices - Public Areas" of the Chico Municipal Code.

(Res. No. 31-13 §24)

## **EXHIBITS**

Note: Exhibits A-L are available in PDF format. Click EXHIBIT A-L to view

### **A Children's Playground/Bidwell Bowl Amphitheater**

## ATTACHMENT A - CMC TITLE 12R

- 12R.08.050 Permit requirements.
- 12R.08.060 Exceptions to permit requirements.
- 12R.08.070 Park director permits authorizing public events conducted in city parks and playgrounds.
- 12R.08.080 Applications for a director permit - Place and time of filing.
- 12R.08.090 Applications for a director permit - Form and content.
- 12R.08.100 Applications for a director permit - Application fee.
- 12R.08.110 Applications for a director permit - Review by chief of police.
- 12R.08.120 Action on applications for a director permit - Time for taking action.
- 12R.08.130 Action on applications for a director permit - Approval and issuance of permit.
- 12R.08.140 Action on applications for a director permit - Permit alternatives.
- 12R.08.150 Action on applications for a director permit - Denial of permit.
- 12R.08.160 Park commission permits authorizing public events conducted in city parks and playgrounds.
- 12R.08.170 Applications for a park commission permit - Place and time of filing.
- 12R.08.180 Applications for a park commission permit - Form and content.
- 12R.08.190 Applications for a park commission permit - Application fee.
- 12R.08.200 Applications for a park commission permit - Review by chief of police, fire chief or director of public works.
- 12R.08.210 Action on applications for a park commission permit - Time for taking action.
- 12R.08.220 Action on applications for a park commission permit - Approval or denial of permit.
- 12R.08.230 General permit conditions - Indemnification agreement.
- 12R.08.240 General permit conditions - Liability insurance.
- 12R.08.250 General permit conditions - Basic park use fees.
- 12R.08.260 General permit conditions - Additional park use fees.
- 12R.08.263 General permit conditions - Bidwell Bowl.
- 12R.08.270 Special conditions of permits.
- 12R.08.280 Revocation of permits.
- 12R.08.290 Emergency suspension of a public event.
- 12R.08.300 Interference with public events.



## ATTACHMENT A - CMC TITLE 12R

### 12R.08.310 Compliance by permittee with other city laws and regulations.

#### 12R.08.010 Purpose.

This chapter is adopted pursuant to Chapter 12.16 of this code for the purpose of regulating public events conducted in city parks and playgrounds in order to ensure that such events are carried out in a safe manner, in a manner that does not unreasonably interfere with the use of such parks and playgrounds by other members of the general public not participating in the events, and in a manner which does not damage park or playground property including, in particular, park and playground landscaping or natural vegetation, and in order to require persons sponsoring or conducting a public event to pay a park use fee based on a fair share of that part of the cost of operating and maintaining the city's parks and playgrounds which is reasonably attributable to the use of the parks and playgrounds for such public event.

(Res. No. 153 92-93 §3 (part))

#### 12R.08.020 Findings.

The Bidwell Park and Playground commission finds as follows:

A. That it is in the public interest to regulate the use of the city's parks and playgrounds for public events in order to ensure that such events are carried out in a safe manner, in a manner that does not unreasonably interfere with the use of such parks and playgrounds by other members of the general public not participating in the public event, and in a manner which does not damage park and playground property including, in particular, park and playground landscaping or natural vegetation, and in order to require persons utilizing the city's parks and playgrounds for a public event to pay a park use fee based on a fair share of that part of the cost of operating and maintaining such parks and playgrounds which is reasonably attributable to the use of the parks and playgrounds for the public event;

B. That in regulating the use of the city's parks and playgrounds for public events, recognition must be given to the fact that certain city parks and playgrounds or portions of such parks and playgrounds have been historically used for such events or are particularly suited to be used for the events, including, in particular, events involving the exercise of free speech rights, and that by reason thereof, the conduct of public events in city parks and playgrounds or portions of such parks and playgrounds designated in this chapter as "intensive use areas," can best be regulated through the expeditious issuance of ministerial permits authorizing such events by the **director** where the public event does not exceed 10 hours in duration, except in those cases in which there are specific grounds for denying such permits, all as hereinafter provided for by this chapter;

C. That in regulating the use of the city's parks and playgrounds for public events, recognition must also be given to the fact that certain parks and playgrounds or portions of such parks and playgrounds, such as portions of Bidwell Park and city's creekside greenways, have historically been used as open space, dedicated to passive recreational uses requiring peace, quiet and tranquillity, or dedicated to recreational uses which may be incompatible with the conduct of certain public events, and that by reason thereof, the conduct of public events in city parks and playgrounds or portions of such parks and playgrounds, described in this chapter as "non-intensive use areas," can best be regulated by providing for the issuance of discretionary permits authorizing such events by the Bidwell Park and Playground commission in those cases in which the commission finds that approval of the event is in the public interest and will not unreasonably interfere with the use of such non-intensive use areas of the city's parks and playgrounds by other members of the general public not participating in the event, also in the manner hereinafter provided by this chapter;

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D. That in regulating the use of the city's parks and playgrounds for public events, further recognition must be given to the fact that even in an intensive use area of a city park or playground, such events conducted in such intensive use area for extended periods of time in excess of ten hours might unreasonably interfere with the use of intensive use areas by other members of the general public not participating in the event and, that by reason thereof, events in intensive use areas exceeding ten hours in duration can best be regulated by providing for the issuance of discretionary permits authorizing such event by the Bidwell Park and Playground commission in those cases in which the commission finds that approval of the event is nevertheless in the public interest, also in the manner hereinafter provided for by this chapter; and

E. That in regulating public events in which persons participating in or viewing the event are charged a fee or solicited for a donation or which include the sale of food, beverages or merchandise and/or the rental of equipment or other things, the **director** should be vested with authority to issue a ministerial permit for such public event only in those cases in which the event is conducted by a nonprofit organization providing a service of benefit to the Chico community, and that the Bidwell Park and Playground commission should retain sole authority to issue a discretionary permit authorizing the event in those cases in which the event is not conducted by a nonprofit organization providing a service of benefit to the Chico community.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.030 Definitions.**

Unless the contrary is stated or clearly appears from the context, the following definitions shall be given the construction of the words and phrases used in this chapter:

A. Exercise of Free Speech Rights. The phrase “exercise of free speech rights” means the articulation of a verbal statement, distribution of literature and/or the conduct of some other activity, the purpose of which is to convey a religious, political, philosophical or ideological message to others.

B. Public Event. The term “public event” means any activity undertaken in a city park or playground or portion of a city park or playground which is participated in or open to participation by members of the general public or a particular segment of the general public. Such activities shall include, but not be limited to, any activity in a city park or playground which is publicized prior to the date or time of the activity in a manner intended to invite attendance or participation in the activity by members of the general public or a particular segment of the general public; any activity in a city park or playground which is carried out in a manner intended to attract the attention of any members of the general public or a particular segment of the general public; any activity in which the persons participating in or viewing the activity are charged a fee or solicited for donations; and any activity which includes the sale of food, beverages or merchandise and/or the rental of equipment or other things.

(Res. No. 153 92-93 §3 (part))

### **12R.08.040 Designation of park and playground areas as intensive use areas.**

A. Initial Designation of Intensive Use Areas. For purposes of this chapter, the following city parks and playgrounds, or portions of such parks and playgrounds are initially designated as intensive use areas:

1. The following portions of Bidwell Park as delineated in Exhibits “C, F, and J” attached to Chapter 12R.04 of this Title:

a. The One-Mile Recreation Area,

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- b. The Campfire Council Ring area,
  - c. The Cedar Grove area,
  - d. The Five-Mile Recreation Area.
2. The following roads or portions of roads within Bidwell Park:
    - a. Petersen Memorial Drive.
    - b. South Park Drive from 4th Street east to Centennial Avenue.
    - c. Upper Park Road from Wildwood Avenue east to end of the road.
  3. The following additional parks and playgrounds as delineated in Exhibits “A, D, and E” attached to Chapter 12R.04 of this Title:
    - a. Children's Playground,
    - b. City Plaza,
    - c. Depot Park,
    - d. Bidwell Bowl Amphitheater.

B. Additional Designation of Intensive Use Areas. Whenever a new park or playground is acquired by the city, or whenever there is a substantial change in the character or use of an existing city park or playground or portion thereof, the Bidwell Park and Playground commission shall designate such park or playground or portion thereof as an intensive use area unless the commission finds:

1. The city park or playground or portion of such park or playground has been dedicated as open space to remain in its natural state, or has been dedicated to a passive recreational use requiring peace, quiet and tranquillity, and, by reason thereof, the regular use of such park or playground or portion thereof for public events would normally be incompatible with such dedicated use; or
2. The city park or playground or portion of such park or playground has been dedicated to an active recreational use, but the regular use of such park or playground or any portion thereof for certain public events would substantially interfere with such active recreational use and/or threaten the safety of those persons engaged in such use.

C. Nonintensive Use Areas. For purposes of this chapter any city park or playground or portion of such park or playground not designated as an intensive use area in the manner provided by this section shall be deemed a nonintensive use area.

(Res. No. 153 92-93 §3 (part), Res. No. 52 97-98) (Res. No. 31-13 §26)

### **12R.08.050 Permit requirements.**

Except as otherwise provided in this chapter, it is unlawful for any person to sponsor or conduct a public event in a city park or playground unless authorized by a permit issued by the **director** or the Bidwell Park and Playground commission in the manner hereinafter provided by this chapter.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.060 Exceptions to permit requirements.**

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Notwithstanding the provisions of this chapter to the contrary, a permit shall not be required for the following public events conducted in a city park or playground:

A. Any public event conducted in a city park or playground or portion of such park or playground which is sponsored or carried out by another public agency, a private organization or an individual pursuant to a lease or other agreement between the city and such public agency, private organization or individual;

B. Any public event conducted in a city park or playground in which the agency, organization or individual operating the Chico Creek Nature Center is the sole organizer and sponsor of the public event and in which the predominant purpose of the public event is the observation of park vegetation, wildlife, streams and/or geological formations.

(Res. No. 153 92-93 §3 (part))

### **12R.08.070 Director permits authorizing public events conducted in city parks and playgrounds.**

The director shall issue each permit required by this chapter for all public events conducted in a city park or playground or portion of a city park or playground which is designated as an intensive use area and runs for a period of time not exceeding 10 hours in length, except for any such event, other than an event conducted by a nonprofit organization providing a service of benefit to the Chico community, which includes the sales of food, beverages or merchandise and/or the rental of equipment or other things, and/or in which persons participating in or viewing the public event are charged a fee or solicited for a donation.

(Res. No. 153 92-93 §3 (part))

### **12R.08.080 Application for director permit - Place and time of filing.**

Applications for a director permit authorizing a public event in a city park or playground, should be filed in the office of the director at least 57 days prior to the date of such event in order to ensure adequate time for an appeal of the director's action on such application to the Bidwell Park and Playground commission in the manner provided for by Chapter 12R.02 of this title, and at least 107 days prior to the date of the event in order to ensure adequate time for appeal of the director's action on the application to the commission, as well as a further appeal from the decision of the commission thereon to the city council, also in the manner provided for by Chapter 12R.02 of this title.

Nevertheless, applications for a director permit authorizing a public event in a city park or playground shall be acted upon by the director if filed in the office of the director at least 7 days prior to the date of such event. Moreover, the time for filing an application for a director permit authorizing a public event may be waived by the director if the director determines that sufficient time remains to review and act on the application in the manner hereinafter required by this chapter prior to the date of such event. However, where an application for a director permit authorizing a public event is not filed at least 57 days prior to the date of such event, any right to appeal the action of the director on such application to the Bidwell Park and Playground Commission shall be deemed waived if there is insufficient time for such appeal, and where an application for a director permit authorizing a public event is not filed at least 107 days prior to the date of such event, any right to appeal the action of the director on such application to the commission, and to further appeal the decision of the commission thereon to the city council shall be deemed waived if there is insufficient time for such appeals.

Under no circumstances shall an application for a director permit authorizing a public event in a city park or playground be filed more than 1 year prior to the proposed date of such event.

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(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.090 Applications for a director permit - Form and content.**

Applications for a director permit authorizing a public event in a city park or playground shall be filed by a natural person who is 18 years of age or older, shall be in a form prescribed by the director, and shall contain all of the following information:

- A. The name, home and business address, and home and business telephone number of the person filing the application;
- B. If the event is to be conducted by an organization, the name, address and telephone number of the organization, the name, home and business address, and home and business telephone number of the president, leader or other head of the organization, and documentation of the authority under which the applicant is applying for the permit on behalf of the organization;
- C. The name, home and business address, and the home and business telephone number of the person who will be present at and in charge of the event on the day of the event;
- D. The name, home and business address, and home and business telephone number of any persons assigned to monitor the event;
- E. The nature of the event;
- F. The proposed date and estimated starting and ending time of the event;
- G. The proposed location of the event;
- H. The estimated number of persons conducting, participating in and/or viewing the event;
- I. The type of any equipment or facility to be used in the event, including, but not limited to, any sound amplification equipment;
- J. The parking requirements for the event;
- K. The amount of any fee to be charged or donation to be solicited from those persons participating in or viewing the event;
- L. The type and number of any vendors who will sell food, nonalcoholic beverages or merchandise as part of or incident to the event; and
- M. Any other information which the director finds reasonably necessary, given the nature of the event, to determine whether a permit authorizing the event should be approved in the manner hereinafter provided by this chapter or whether such permit should be issued subject to any special conditions, also in the manner hereinafter provided for by this chapter.

(Res. No. 153 92-93 §3 (part), Res. No. 11 96-97 §4) (Res. No. 31-13 §1)

### **12R.08.100 Application for a director permit - Application fee.**

Application Fee Requirements. Applications for a director permit authorizing a public event in a city park or playground shall be accompanied by an application fee which shall be in the amount established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council, based on the estimated administrative costs incurred by the city for processing such applications and issuing such permits.

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Waiver of Application Fee. The application fee required by this section shall be waived by the director whenever an application is filed for a public event in which the dominant purpose of the event is the exercise of free speech rights and the applicant establishes that the applicant does not have the financial resources to pay such fee by filing with the director financial statements demonstrating such inability to pay, and by filing with the director a declaration executed by or on behalf of applicant under penalty of perjury attesting to such inability to pay.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.110 Applications for a director permit - Review by chief of police.**

Applications for a director permit authorizing a public event in a city park or playground shall be referred by the director to the chief of police for the chief's review and recommendations whenever the director determines that the chief's review and recommendations will assist the director in acting on the application. Upon receipt of such a referral, the chief of police shall consider such application, conduct any investigation necessary to evaluate the application, and report back to the director the chief's recommendations on the action to be taken by the director on the application, including, but not limited to, the chief's recommendations in regard to any special conditions of the permit issued pursuant to the application, all prior to the date the director is required to act on the application. In the report of the chief of police on an application for a director permit authorizing a public event in a city park or playground, the chief shall also set forth the number, type and estimated hours of employment of police department personnel, if any, which will be required to monitor such event in order to enable the director to compute any additional park user fees to be assessed and levied incident to the issuance of the permit for the event in the manner hereinafter provided for by Section 12R.08.260 of this chapter.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.120 Action on applications for a director permit - Time for taking action.**

Following the filing of a completed application for a director permit authorizing a public event in a city park or playground, the director shall act on such application by approving or disapproving the application not later than 7 days from the date of filing the application, or as soon as practicable prior to the date of such event where the director has waived the time for filing the application in the manner hereinbefore provided by this chapter.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.130 Action on applications for a director permit - Approval and issuance of permit.**

Where the director determines that a completed application has been filed for a director permit authorizing a public event in a city park or playground in the manner required by this chapter, that there is no reason for proposing approval of a permit authorizing such event on alternative dates and times and/or at alternative locations in the manner hereinafter provided by this chapter, and that there are no grounds for denying such permit as hereinafter provided for by this chapter, the director shall approve the permit subject to all of the general conditions hereinafter required by this chapter, plus any special conditions authorized by this chapter and determined by the director to be necessary in order to protect the health and safety of those persons participating in the event as well as members of the general public using city park or playground facilities in and around the site of the event but not participating in the event, and/or in order to prevent damage to park or playground property in and around the site of the event. Upon approving an application for a director permit authorizing a public event in a city park or playground, the director shall promptly cause a notice of such action to be served on the permit applicant

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and, where appropriate, shall provide a copy of such notice to the chief of police. Thereafter, the director shall issue a permit authorizing the public event to the person or organization designated as the permittee in the application at such time as the permittee has executed the indemnification agreement, provided the liability insurance and paid the park use fees required as a general condition of such permit, and has also fulfilled all special conditions of the permit which must be complied with prior to issuance of the permit.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.140 Action on applications for a director permit - Permit alternatives.**

Where, following the filing of an application for a director permit authorizing a public event in a city park or playground, the director determines that there are grounds for denying such application, but that such grounds would not exist if there was a change in the date, time and/or location of such event, or the director determines that the event will substantially endanger public safety, but that such endangerment could be eliminated or significantly reduced by changing the date, time and/or location of the event in a manner which does not unreasonably interfere with the exercise of free speech rights, the director shall propose approval of a permit authorizing the event at such alternative dates or times and/or at such alternative locations. Promptly following such action, the director shall cause a notice proposing such permit alternatives to be served on the permit applicant, and shall also provide copies of such notice to the city attorney, and where appropriate, the chief of police. In such notice, the director shall state the reasons for the director's determination not to approve a permit for the public event proposed by the application on the date and time or at the location set forth therein and shall set forth the right of the applicant to appeal such determination in the manner provided for by Chapter 12R.02 of this title.

Any applicant desiring to accept such permit alternative shall file a written notice of acceptance with the director not later than 5 days after service of the notice of permit alternatives. In the event the applicant fails to accept such permit alternatives in the manner and within the time provided for herein, then the permit application shall be deemed denied.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.150 Action on applications for a director permit - Denial of permit.**

A. Grounds for Denial. The director shall deny an application for a director permit authorizing a public event in a city park or playground if the director determines that:

1. The person applying for the permit has failed to provide additional information requested by the director pursuant to subsection M of Section 12R.08.090, or has otherwise failed to complete the application;
2. The information contained in the application, including any additional information requested by the director in the manner provided for by subsection M of Section 12R.08.090, is found to be false in any material respect;
3. The application is filed for a public event at a location, date and time which would cause such event to conflict or interfere with another public event which was authorized or will be authorized by a permit issued pursuant to an application filed prior in time, or will conflict or interfere with the exclusive use of city park and playground facilities reserved by a person or group of persons in the manner provided for by Chapter 12R.10 of this title where the application for such reservation was also filed prior in time;
4. The nature and size of the public event will require a diversion of city police officers to monitor the public event which is so great in number as to cause police protection in the rest of the city to be

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seriously jeopardized; provided, however, that nothing herein authorizes the denial of a permit because of the need to protect persons conducting the event from the actions of others if reasonable permit conditions can be imposed to allow for adequate protection of persons conducting the event given the number of city police officers available to monitor the event;

5. The nature or size of the public event threatens to cause significant damage to city park or playground property, including, but not limited to, park or playground landscaping or natural vegetation; provided, however, that nothing herein authorizes the denial of a permit by reason of threatened damage to park or playground property caused by the actions of persons not conducting such event; or

6. The location of the public event will substantially interfere with construction or maintenance work previously scheduled to take place in or around the site of such event.

B. Notice of Denial. Where the director determines to deny an application for a director permit authorizing a public event in a city park or playground, the director shall promptly cause a notice of such determination to be served on the permit applicant and shall provide copies of such notice to the city attorney and, where appropriate, the chief of police. In such notice, the director shall state the reasons for the director's determination not to approve a permit for the public event proposed by the application and shall set forth the right of the applicant to appeal such determination in the manner provided for by Chapter 12R.02 of this title.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.160 Park commission permits authorizing public events conducted in city parks and playgrounds.**

The Bidwell Park and Playground commission may issue any permit required by this chapter whenever the permit authorizes a public event which is conducted in a city park or playground or portion of a city park or playground not designated as an intensive use area, authorizes a public event which will exceed ten hours in length or authorizes a public event, other than an event conducted by a nonprofit organization providing a service of benefit to the Chico community, which includes the sale of food, beverages or merchandise and/or the rental of equipment or other things, and/or in which persons participating in or viewing the event are charged a fee or solicited for a donation.

(Res. No. 153 92-93 §3 (part))

### **12R.08.170 Applications for a park commission permit - Place and time of filing.**

Applications for a park commission permit authorizing a public event in a city park or playground should be filed in the office of the director at least 85 days prior to the date of such event in order to ensure adequate time for an appeal of a decision of the Bidwell Park and Playground commission on such application to the city council in the manner provided for by Chapter 12R.02 of this title.

Nevertheless, applications for a park commission permit authorizing a public event in a city park or playground shall be considered and acted upon by the Bidwell Park and Playground commission if filed in the office of the director at least 35 days prior to the date of such event. In addition, applications for a park commission permit authorizing a public event in a city park or playground may be considered and acted upon by the park commission if filed in the office of the director less than 35 days prior to the date of such event where the park commission waives the 35-day filing time for good cause shown. However, where an application for a park commission permit authorizing the public event in a city park or playground is not filed at least 85 days prior to the date of such event, any right to appeal the decision of the Bidwell Park and Playground commission on such application to the city council shall be deemed waived if there is insufficient time for such appeal.



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Under no circumstances shall an application for a park commission permit authorizing a public event in a city park or playground be filed more than 1 year prior to the proposed date of such event.

(Res. No. 153 92-93 §3 (part), Res. No. 95 96-97 §1) (Res. No. 31-13 §1)

### **12R.08.180 Applications for a park commission permit - Form and content.**

Applications for a park commission permit authorizing a public event in a city park or playground shall be in a form prescribed by the director and shall contain the following information:

A. The application shall contain all of the information required in the case of an application for a director permit authorizing a public event in a city park or playground, as provided for by Section 12R.08.090 of this chapter.

B. Where the application is for a public event in a city park or playground or portion of such park or playground not designated as an intensive use area, the application shall contain a statement of the reasons why such event cannot be conducted in an intensive use area of a city park or playground, except in those cases in which the event consists of a bicycle or foot race in Bidwell Park which will utilize park roads.

C. Where the application is for a permit authorizing a public event in a city park or playground or portion of such city park or playground designated as an intensive use area which exceeds ten hours in duration, the application shall contain a statement of the reasons for the extended duration of such event.

D. Where the application is for a permit authorizing a public event in which persons participating in or viewing such event are charged a fee or solicited for donations or which includes the sale of food, beverages or merchandise and/or the rental of equipment or other things and the event will not be conducted by a nonprofit organization providing a service of benefit to the Chico community, the application shall contain a statement of the reasons why approval of a permit authorizing the event would be in the public interest.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.190 Applications for a park commission permit - Application fee.**

Applications for a park commission permit authorizing a public event in a city park or playground shall be accompanied by an application fee in an amount established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council based on the estimated administrative costs incurred by the city for processing and reviewing such applications.

(Res. No. 153 92-93 §3 (part))

### **12R.08.200 Applications for a park commission permit - Review by chief of police or fire chief.**

Applications for a park commission permit authorizing a public event in a city park or playground shall be referred by the director or Bidwell Park and Playground commission to the chief of police and/or fire chief for their review and recommendations whenever the director or commission determines that review and recommendations by the chief of police, fire chief and/or will assist the commission in acting on the application. Upon receipt of such a referral, the chief of police and/or fire chief shall consider such application, conduct any investigation necessary to evaluate the application, and report to the Bidwell Park and Playground commission their recommendations on the action to be taken by the commission on the application, including, but not limited to, their recommendations in regard to any special conditions

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of a permit issued pursuant to such application, all prior to the date the commission acts on the application. In their reports on an application for a park commission permit authorizing a public event in a city park or playground, the chief of police and/or fire chief shall also set forth the number, type and estimated hours of employment of city personnel, if any, which will be required to monitor or otherwise render services in connection with such event in order to enable the Bidwell Park and Playground commission to compute any additional park user fees to be assessed and levied incident to the issuance of a permit for the event in the manner hereinafter provided for by Section 12R.08.260 of this chapter.

(Res. No. 153 92-93 §3 (part), Res. No. 150 96-97) (Res. No. 31-13 §27)

### **12R.08.210 Action on applications for a park commission permit - Time for taking action.**

Following the filing of a completed application for a park commission permit authorizing a public event in a city park or playground, the Bidwell Park and Playground commission shall consider the application at its first regular or adjourned regular meeting after the tenth day following filing of the application, provided, however, that the commission may defer acting on such application to a subsequent meeting or meetings when the commission determines that additional information must be obtained in order to properly evaluate such application, or where the commission determines there is likely to be sufficient public interest in the application to justify holding a public hearing on the application at a subsequent meeting. Notice of all meetings of the Bidwell Park and Playground commission on an application for a park commission permit authorizing a public event in a city park or playground shall be given to the permit applicant at least ten days prior to the date of such meeting, and where action on such permit is deferred by the commission to a subsequent meeting in order to permit a public hearing on such application, notice of the time and date of such hearing shall be published at least once in a newspaper of general circulation within the city at least ten days prior to the date of the hearing.

(Res. No. 153 92-93 §3 (part))

### **12R.08.220 Action on applications for a park commission permit - Approval or denial of permit.**

After considering an application for a park commission permit authorizing a public event in a city or playground in the manner hereinbefore provided by this chapter, the Bidwell Park and Playground commission shall approve such permit if the commission determines that approval of such event is in the public interest and will not unreasonably interfere with the use of the nonintensive use areas of the city's parks and playgrounds by other members of the general public not participating in the event. If the Bidwell Park and Playground commission fails to approve the application after considering same, then the application shall be deemed denied.

(Res. No. 153 92-93 §3 (part))

### **12R.08.230 General permit conditions - Indemnification agreement.**

As a condition precedent to the issuance of a permit authorizing a public event in a city park or playground, the permittee shall enter into an agreement with the city which shall be in a form approved by the city attorney and which shall set forth the undertaking of the permittee to indemnify the city, hold the city harmless and reimburse the city from and for any liability, damage or loss occurring during the course of such event where such liability, damage or loss is proximately caused by the negligent or intentional act or omission of the permittee or any person who is under the permittee's legal control. In addition, such agreement shall provide that where a claim is made against the city by suit or otherwise, whether the same be groundless or not, arising out of such negligent or intentional act or omission, then

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the permittee shall defend the city and shall indemnify the city for any judgment rendered against it or any sums paid out in settlement or otherwise. Such agreement shall be filed with the director prior to the issuance of the permit.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.240 General permit conditions - Liability insurance.**

A. Insurance Requirements. As a condition precedent to the issuance of a permit authorizing a public event in a city park or playground the permittee, in addition to executing the indemnity agreement hereinbefore required by this chapter, shall also obtain comprehensive general liability insurance from an insurance company licensed to do business in the state of California and having a financial rating in Best's Insurance Guide of at least "B," which provides insurance coverage against liabilities for any death, personal injury or property damage arising out of or in any way connected with such event.

Such insurance shall be in a form approved by the city's risk manager, shall name the city and city's officers, employees and agents as additional insureds under the coverage afforded, shall be primary with respect to any other insurance available to city, and shall include a severability of interest (cross-liability) clause. In the case of a director permit authorizing a public event in a city park or playground, such insurance shall be in the amount of at least \$1,000,000.00, combined single limit. However, in the case of a Bidwell Park and Playground commission permit authorizing a public event in a city park or playground, such insurance shall be in an amount related to the city's likely exposure to risks arising out of such event as determined by the Bidwell Park and Playground commission based on the recommendations of the city's risk manager, but shall not be in an amount less than \$1,000,000.00.

Proof of insurance, in a form approved by city's risk manager, shall be filed with the director prior to issuance of a permit, and such insurance shall be maintained in full force and effect throughout the course of the public event authorized by the permit.

B. Waiver of Insurance Requirements. The insurance required by this section shall be waived by the director for any permit authorizing a public event in a city park or playground or portion of a city park or playground designated as an intensive use area which does not exceed ten hours in length where the director determines that the dominant purpose of the event is the exercise of free speech rights.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.250 General permit conditions - Basic park use fees.**

A. Fee Requirements. As a condition precedent to the issuance of a permit authorizing a public event in a city park or playground, the permittee shall pay to the city a basic park use fee in an amount established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council based on a fair share of that part of the overall cost of operating and maintaining the city's parks and playgrounds reasonably attributable to the permittee's use of city park facilities pursuant to such permit.

B. Waiver of Fees by the director for Free Speech Events. The basic park use fees required by this section shall be waived by the director for any permit authorizing a public event in a city park or playground or portion of a city park or playground designated as an intensive use area which does not exceed ten hours in length where the dominant purpose of such event is the exercise of free speech rights, and the permittee establishes that the permittee does not have the financial resources to pay such basic park use fee by filing with the director financial statements demonstrating such inability to pay, together with a declaration, executed by or on behalf of the permittee under penalty of perjury, attesting to such inability to pay.

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C. Waiver or Refund of Fees by the Bidwell Park and Playground Commission for Events Conducted by Public Agencies and Non-Profit Organizations. The basic park use fees required by this section may be waived by the Bidwell Park and Playground Commission for a permit authorizing an event in any city park or playground where the permittee is a public agency and the event is being conducted by such public agency in furtherance of its powers and purposes. In addition, where the permittee is a non-profit organization which is conducting an event primarily for the purpose of raising funds for the benefit of the City's parks and playgrounds, the Bidwell Park and Playground Commission may refund that portion of the fee which is equal to the difference between the amount of the funds raised at the event for the benefit of the City's parks and playgrounds and the amount of the fee, or the entire fee where the amount of such funds exceeds the amount of the fee.

(Res. No. 153 92-93 §3 (part), Res. No. 95 96-97 §2) (Res. No. 31-13 §1)

### **12R.08.260 General permit conditions - Additional park use fees.**

A. Additional Park Fee Requirements. As a condition precedent to the issuance of a permit authorizing a public event in a city park or playground, the permittee shall also pay to the city an additional park use fee in an amount equal to the city's total estimated cost for providing city personnel and/or equipment, if any, which are necessary in order to monitor such event or otherwise provide city services for or in connection with the event. Such additional park use fee shall be determined by the director based upon a schedule of additional park use fees and rates established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council and based on the estimate of the chief of police and/or fire chief as to the number and hours of employment of city personnel necessary to control the public event or otherwise provide city services for or in connection with the such event.

B. Waiver of Fee. The additional park use fees required by this section shall be waived by the director for any permit authorizing a public event in a city park or playground or portion of a city park or playground designated as an intensive use area which does not exceed ten hours in length where the purpose of such event is the exercise of free speech rights, and the permittee establishes that the permittee does not have the financial resources to pay such use fee by filing with the director financial statements demonstrating such inability to pay together with a declaration, executed by or on behalf of the permittee under penalty of perjury, attesting to such inability to pay.

(Res. No. 153 92-93 §3 (part), Res. No. 95 96-97 §3, Res. No. 150 96-97) (Res. No. 31-13 §28)

### **12R.08.263 General permit conditions - Bidwell Bowl.**

All events conducted in that part of Children's Playground known as the Bidwell Bowl pursuant to a permit issued in the manner provided by this chapter shall comply with the following additional requirements:

A. All events shall be carried out only during the following times:

1. Monday through Thursday during the months of September through and including May: 5:00 p.m. - 8:00 p.m.
2. Monday through Thursday during the months of June through and including August: 8:00 a.m. - 8:00 p.m.
3. Fridays during the months of September through and including May: 5:00 p.m. - 10:00 p.m.
4. Fridays during the months of June through and including August: 8:00 a.m. - 10:00p.m.

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5. Saturdays: 9:00 a.m. - 10:00 p.m.

6. Sundays: 9:00 a.m. - 9:00 p.m.

B. Amplified sound shall comply with and be subject to the following limitations:

1. Amplified music shall be permitted during the event if and only if it is played during the event for a cumulative period of time not exceeding more than 20 minutes in length.

2. Events utilizing amplified sound shall be limited to one per weekend and a total of three other times during the week.

3. Monday through Friday, amplified sound shall be permitted only between 5:00 p.m. and 9:00 p.m.

4. Saturday and Sunday, amplified sound shall be permitted only between 10:00 a.m. and 9:00 p.m.

5. All speakers shall be directed in a southerly direction towards the audience.

(Res. No. 95 96-97 §4)

### **12R.08.270 Special conditions of permits.**

When acting on a permit authorizing a public event in a city park or playground, the director or Bidwell Park and Playground commission may condition such permit or the issuance thereof on the permittee's compliance with reasonable requirements concerning the conduct of such event which are necessary to ensure that the event is carried out in a manner that will not threaten the health and safety of those persons participating in the event and in a manner which will not damage park or playground property including, but not limited to, park or playground landscaping or natural vegetation; provided, however, that such requirements shall not unreasonably restrict the exercise of free speech rights. Such conditions may include, but shall not be limited to, requirements concerning the following:

A. Accommodations for the parking of vehicles used by those persons attending or participating in the public event;

B. Accommodations for pedestrian traffic in and around the site of the event;

C. Inspections and approval by city personnel of structures and equipment to be used in the event to ensure that such structures have been safely constructed and that such equipment can be safely operated;

D. Provision of electrical power to be utilized during the event;

E. Provision of signage and barricades as may be necessary in order to avoid conflicts between persons participating in the event and other persons using park facilities in and around the site of the event or which may be necessary to protect park or playground landscaping or natural vegetation in and around site of the event;

F. Provisions of monitors and security personnel as may be necessary to safely carry out the public event;

G. Access to the site of the event through park gates at times when such gates are normally closed in order to prepare for such event or to clean up and remove equipment and structures at the conclusion of the event;

H. Overnight camping by persons engaged in preparing for the event or providing overnight security for equipment and structures utilized in such event;

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- I. Provision and operation of first aid stations and/or sanitary facilities, including handicapped-accessible sanitary facilities;
- J. Provision and use of garbage containers, and the cleanup and restoration of the site of the event at the conclusion of such event;
- K. Use of sound amplification equipment during the course of the event; and
- L. Provision of a notice of permit conditions to event participants.

(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.280 Revocation of permits.**

A. **Grounds for Revocation.** The director may revoke a director permit or park commission permit authorizing a public event in a city park or playground at any time the director determines that such event is being conducted in violation of the terms and conditions of such permit, or persons conducting the event have violated or threatened to violate any applicable law or regulation. In addition, the director may revoke any director permit authorizing a public event in a city park or playground whenever the director determines that there were grounds for denying such permit in the manner hereinbefore provided by this chapter which were first disclosed or otherwise made known to the director after issuance of the permit; provided, however, that nothing herein shall authorize the director to revoke a permit because of the need to protect persons conducting a public event authorized by such permit from the actions of others; provided, further, that the director shall not revoke a permit unless and until the director advises the permittee and/or the responsible persons of the grounds for such permit revocation and provides the permittee and/or responsible persons a reasonable opportunity to correct same.

B. **Notice of Revocation.** Where the director determines to revoke a director permit or park commission permit authorizing a public event in a city park or playground, the director shall promptly cause written notice of such action to be served on the permittee and shall provide copies of such notice to the park commission and to the city attorney, as well as to the chief of police and/or fire chief where the chief of police or fire chief are charged with monitoring such event and/or otherwise providing city services in connection with the conduct of the event. However, where the director determines to revoke a permit authorizing a public event on the day of the event, the director shall announce such action to the persons conducting or otherwise participating in such event, those city officers and employees actually engaged in monitoring the event or providing services in connection with the conduct thereof, and to any person in charge of the event where such person can be located at the site of the event. Thereafter, the director shall cause written notice of such action to be served on the permittee and shall provide a copy of the notice to the park commission and the city attorney. In such written notice, the director shall set forth, with particularity, the reasons for such action.

(Res. No. 153 92-93 §3 (part), Res. No. 150 96-97) (Res. No. 31-13 §29)

### **12R.08.290 Emergency suspension of a public event.**

The director, chief of police, fire chief, a park ranger or a sworn peace officer employed by the city may temporarily suspend a public event in any city park or playground which is authorized by a director permit or a park commission permit issued in the manner hereinbefore provided by this chapter whenever there is an emergency which requires the event to be temporarily suspended to protect public health or safety. Whenever a public event is temporarily suspended for this reason, the permittee and all other persons participating in such event shall immediately comply with the suspending officer's instructions.

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(Res. No. 153 92-93 §3 (part)) (Res. No. 31-13 §1)

### **12R.08.300 Interference with public events.**

No person shall knowingly obstruct, impede, hamper or otherwise interfere with a public event in any city park or playground which is authorized by a permit issued in the manner herein before provided by this chapter, nor with any person participating in such event.

(Res. No. 153 92-93 §3 (part))

### **12R.08.310 Compliance by permittee with other city laws and regulations.**

The issuance of a permit authorizing a public event in the manner provided by this chapter shall not release the permittee from the obligation of complying with the provisions of Chapter 3.32 of code, which prohibits persons from transacting and carrying on any business in this city without procuring and obtaining the business license provided for therein, from complying with the provisions of Chapter 5.38 of this code, which prohibits persons from operating or maintaining a food facility within the city without a food facility permit issued by the health officer pursuant to that chapter, from complying with the park rules provided for in this title and/or from complying with any other state or city law or regulation applicable thereto.

(Res. No. 153 92-93 §3 (part))

## **Chapter 12R.10 RESERVATION OF FACILITIES IN CITY PARKS AND PLAYGROUNDS**

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### **Section:**

**12R.10.010 Purpose.**

**12R.10.020 Findings.**

**12R.10.030 Designation of park and playground areas as exclusive use areas.**

**12R.10.040 Approval of the reservation of park facilities by the director.**

**12R.10.050 Applications for the reservation of park facilities which may be approved by the director.**

**12R.10.060 Action on applications for the reservation of park facilities which may be approved by the director.**

**12R.10.070 Approval of the reservation of park facilities by the Bidwell Park and Playground commission.**

**12R.10.080 Applications for the reservation of park facilities which must be approved by the Bidwell Park and Playground commission.**

**12R.10.090 Action on applications for the reservation of park facilities which must be approved by the Bidwell Park and Playground commission.**

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**12R.10.095 Application for the reservation of park facilities - Application fee.**

**12R.10.100 Park reservation fees.**

**12R.10.110 Liability insurance.**

**12R.10.120 Notice of the reservation of park facilities.**

**12R.10.130 Interference with persons occupying and using reserved park facilities.**

### **12R.10.010 Purpose.**

This chapter is adopted pursuant to Chapter 12.16 of this code in order to authorize and establish a procedure for reserving facilities within the city's parks and playgrounds for the exclusive use of a person or group of persons requesting reservation of same.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

### **12R.10.020 Findings.**

The Bidwell Park and Playground commission finds as follows:

A. That the reservation of facilities within the city's parks and playgrounds for the exclusive use of a person or group of persons is appropriate and should be permitted in those situations where the exclusive use of the reserved facilities would not unreasonably interfere with the right of the general public to the use and enjoyment of the city's parks and playgrounds;

B. That in establishing procedures to be followed by persons seeking to reserve city park and playground facilities for their exclusive use, it would be proper to delegate to the park director authority to approve such reservations in those cases in which the facilities to be reserved are within that portion of the city's parks and playgrounds previously determined by the commission to be particularly suitable for such use and where the reserved facilities are to be used for a period of time not exceeding ten hours in length, all in the manner hereinafter provided by this chapter; and

C. That in establishing the procedures to be followed by persons seeking to reserve city park and playground facilities for their exclusive use, it would also be proper for the commission to retain the exclusive right to approve such reservations in those cases in which the facilities to be reserved are not located within that portion of the city's parks and playgrounds previously determined by the commission to be particularly suitable for such use and/or where the reserved facilities will be used for a period of time which does exceed ten hours in length, provided that the commission also finds, in each such case, that reservation of such facilities is in the public interest and will not unreasonably interfere with the general public's use and enjoyment of the city's parks and playgrounds

(Res. No. 153 92-93 §4 (part))

### **12R.10.030 Designation of park and playground areas as exclusive use areas.**

A. Initial Designation of Exclusive Use Areas. For purposes of this chapter, the following portions of Bidwell Park, as more particularly delineated in Exhibits "C, F, and J" attached to Chapter 12R.04 of this Title, are initially designated as exclusive use areas:

1. The group picnic areas within the One-Mile Recreation Area;



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2. The Birthday Ring within the Caper Acres Playground Area;
3. The group picnic area within the Cedar Grove Area;
4. The meadow within the Cedar Grove Area;
5. The group picnic area within the Five-Mile Recreation Area; and
6. The Campfire Council Ring Area.

B. The following additional parks and playgrounds as delineated in Exhibits “A” and “E” attached to Chapter 12R.04 of this Title:

1. Bidwell Bowl Amphitheater; and
2. Depot Park.

C. Additional Designation of Exclusive Use Areas. Whenever a new park or playground is acquired by the city or whenever there is a substantial change in the character or use of an existing city park or playground, the Bidwell Park and Playground commission shall designate a portion of such park or playground as an exclusive use area whenever the commission finds that such designation would be in the public interest.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §30)

### **12R.10.040 Approval of the reservation of park facilities by the director.**

The director is authorized to approve the reservation of city park and playground facilities for the exclusive use of a person or a group of persons where such facilities are located within that portion of a city park or playground designated as an exclusive use area and where the use of the facilities will not exceed ten hours in length.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

### **12R.10.050 Applications for the reservation of park facilities which may be approved by the director.**

Applications for the reservation of city park and playground facilities which are located within that portion of a city park or playground designated as an exclusive use area and which request exclusive use of such facilities for a period of time not exceeding ten hours in length shall be made at the office of the director at least two days prior to the date such reservation is to be in effect. Such applications shall describe the city park and playground facilities to be reserved, shall set forth the dates and times such facilities are sought to be reserved, and shall otherwise be in the form and include such other information as may be required by the director. In addition, such applications shall be accompanied by an application fee in an amount determined by the Bidwell Park and Playground commission and approved by resolution of the city council based on the estimated administrative costs incurred by the city for processing such applications.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

### **12R.10.060 Action on applications for the reservation of park facilities which may be approved by the director.**

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Upon receipt of an application for the reservation of city park and playground facilities which are located within that portion of a city park or playground designated as an exclusive use area and which requests the exclusive use of such facilities for a period of time not exceeding ten hours in length, the director shall approve the application and make the reservation unless the director finds that the city park and playground facilities sought to be reserved have already been reserved pursuant to another application filed prior in time, that the reservation of such facilities will conflict with a public event conducted under a permit issued in the manner provided for by Chapter 12R.08 of this title where the application for such event was also filed prior in time, or where the reservation of such facilities will conflict with construction or maintenance of work previously scheduled to take place in or around the facility sought to be reserved.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

### **12R.10.070 Approval of the reservation of park facilities by the Bidwell Park and Playground commission.**

The Bidwell Park and Playground commission shall have exclusive authority to approve the reservation of city park and playground facilities for the exclusive use of a person or group of persons where such facilities are located within any portion of a city park or playground not designated as an exclusive use area and/or where the use of such facilities will exceed ten hours in length.

(Res. No. 153 92-93 §4 (part))

### **12R.10.080 Applications for the reservation of park facilities which must be approved by the Bidwell Park and Playground commission.**

Applications for the reservation of city park and playground facilities which are located within any portion of a city park or playground not designated as an exclusive use area and/or which request the exclusive use of such facilities for a period of time which exceeds ten hours in length shall be filed in the office of the director at least 35 days prior to the date such reservation is to be in effect. Such applications shall be in writing, shall describe the city park and playground facilities sought to be reserved, shall set forth the date and times such facilities are sought to be reserved, and shall otherwise be in the form and contain such other information as may be required by the director. In addition, such applications shall be accompanied by an application fee in an amount established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council based on the estimated administrative costs incurred by the city for processing such application.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

### **12R.10.090 Action on applications for the reservation of park facilities which must be approved by the Bidwell Park and Playground commission.**

Upon the filing of an application for the reservation of city park and playground facilities which are located within any portion of a city park or playground not designated as an exclusive use area and/or which requests the exclusive use of a reserved area for a period of time exceeding ten hours in length, the Bidwell Park and Playground commission shall consider the application at its first regular or adjourned regular meeting after the tenth day following the filing of the application. Thereafter, the Bidwell Park and Playground commission may approve the application and authorize the reservation if the commission determines that exclusive use of the park and playground facilities sought by the applicant at the place, on the date and at the time set forth in the application is in the public interest and will not unreasonably interfere with the general public's use and enjoyment of the city's parks and playgrounds.

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(Res. No. 153 92-93 §4 (part))

### **12R.10.095 Application for the reservation of park facilities - Application fee.**

Applications for the reservation of city park and playground facilities within designated exclusive use areas shall be accompanied by an application fee which shall be in the amount established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council, based on the estimated administrative costs incurred by the city for processing such applications and issuing such permits.

### **12R.10.100 Park reservation fees.**

Incident to and as a condition of the approval of an application for the reservation of city park and playground facilities for the exclusive use of a person or group of persons, the applicant for such reservation shall pay to the city a park reservation fee in an amount established by resolution of the Bidwell Park and Playground commission and approved by resolution of the city council based on a fair share of that part of the overall cost of operating and maintaining the city's parks and playgrounds reasonably attributable to the applicant's use of such facilities pursuant to such authorization.

(Res. No. 153 92-93 §4 (part))

### **12R.10.110 Liability insurance.**

Incident to and as a condition of the approval of an application for the reservation of city park and playground facilities for the exclusive use of a group of persons which number 100 persons or more, the applicant shall obtain comprehensive general liability insurance from an insurance company licensed to do business in the state of California and having a financial rating in Best's Insurance Guide of at least "B," which provides insurance coverage against liabilities for any death, personal injuries or property damage arising out of or in any way connected with the use of such facilities.

Such insurance shall be in a form approved by the city's risk manager, shall name the city and the city's officers, employees and agents as additional insureds under the coverage afforded, shall be primary with respect to any other insurance available to city and shall include a severability of interest (cross-liability) clause. In the case of an application for reservation of city park and playground facilities located within a portion of a city park or playground designated as an exclusive use area and which requests exclusive use of such facilities for a period of time not exceeding ten hours in length, such insurance shall be in an amount of at least \$1,000,000.00 combined single limit. However, in the case of an application for the reservation of city park and playground facilities which are not located in that portion of a city park or playground designated as an exclusive use area and/or which requests exclusive use of such facilities for a period of time exceeding ten hours in length, such insurance shall be in an amount related to the city's likely exposure to risks arising out of the exclusive use of such facilities as determined by the Bidwell Park and Playground commission based on the recommendations of the city's risk manager, but in no event shall such insurance be in an amount less than \$1,000,000.00.

Proof of such insurance in a form approved by the city's risk manager shall be filed in the office of the city's park director prior to undertaking the use of the reserved facilities and shall be maintained in full force and effect at all times throughout the use of the reserved facilities.

(Res. No. 153 92-93 §4 (part))

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### **12R.10.120 Notice of the reservation of park facilities.**

Where the reservation of city park and playground facilities has been approved by either the director or the Bidwell Park and Playground commission in the manner provided by this chapter, the director shall provide the applicant for such reservation with a written authorization to reserve park facilities which describes the facilities to be reserved as well as the date and times such facilities are reserved. In addition, at least 24 hours prior to the time the reservation is to be in effect, the director shall endeavor to cause a notice to be posted at or near the site of the reserved facilities which advises the general public of the date and times such facilities are reserved, as well as the name of the person or organization for which such facilities are reserved.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

### **12R.10.130 Interference with persons occupying and using reserved park facilities.**

No person shall knowingly impede, hamper or interfere with any other person occupying and using city park and playground facilities where such other person is entitled to the exclusive use of such facilities pursuant to a reservation of park facilities approved either by the director or the Bidwell Park and Playground commission in the manner provided by this chapter, or is part of a group of persons entitled to the exclusive use of such facilities pursuant to the reservation of city park facilities approved either by the director or the Bidwell Park and Playground commission in the manner provided by this chapter.

(Res. No. 153 92-93 §4 (part)) (Res. No. 31-13 §1)

## **Chapter 12R.16**

### **CAPER ACRES PLAYGROUND AREA - BIDWELL PARK**

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#### **Section:**

**12R.16.010 Violation of rules - Additional penalty - Violator subject to removal.**

**12R.16.020 Age limitation.**

**12R.16.030 Days and hours of operation.**

**12R.16.040 Closure.**

**12R.16.050 School activities - Prior notice required.**

**12R.16.060 Playing on fences and gates - Prohibited.**

**12R.16.070 Smoking - Prohibited.**

### **12R.16.010 Violation of rules - Additional penalty - Violator subject to removal.**

Violation of the rules of this chapter shall, in addition to other penalties provided by law, subject the violator to removal from the Caper Acres playground area upon order of the park director or by any authorized employee or officer of the city. Persons refusing to remove themselves upon such order shall be in violation of this section. Removal, if ordered, includes exclusion from such area for a 24-hour period.

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(Res. No. 19 93-94 §3 (part))

### **12R.16.020 Age limitation.**

Persons 13 years of age and older shall not enter Caper Acres playground area, except when accompanying a child of less than 13 years of age.

(Res. No. 19 93-94 §3 (part))

### **12R.16.030 Days and hours of operation.**

The Caper Acres playground area shall be open daily, except Monday, from 9:00 a.m. to 9:00 p.m. during the months of May, June, July, August and September, and from 9:00 a.m. to 5:00 p.m. the remainder of the year. If Monday falls on a holiday, the area shall be open on that day, but closed the Tuesday immediately following. No person shall be allowed inside of the Caper Acres playground area while it is closed.

(Res. No. 19 93-94 §3 (part))

### **12R.16.040 Closure.**

The park director may close the Caper Acres playground area any time that the park director feels it is necessary for the protection of public property or public safety.

(Res. No. 19 93-94 §3 (part), Res. No. 02 03-04)

### **12R.16.050 School activities - Prior notice required.**

Caper Acres playground area may be used for activities organized and supervised by a public or private school only when such school has given the park director reasonable prior notice of the date and time of such activity.

(Res. No. 19 93-94 §3 (part))

### **12R.16.060 Playing on fences and gates - Prohibited.**

No person shall play about or climb upon any of the fences or gates surrounding Caper Acres playground area, nor shall any person play upon or make any other use of the bridge at the entrance to Caper Acres playground area other than for the purpose of entering or leaving Caper Acres playground area. No person shall enter or be in, for any purpose, the planting areas adjacent to the entrance to Caper Acres playground areas, including the moat area. No person shall play with, or otherwise move, the wooden gate which is a part of the decor of the entrance to Caper Acres playground area.

(Res. No. 19 93-94 §3 (part))

### **12R.16.070 Smoking - Prohibited.**

No person shall smoke inside of the Caper Acres Playground.

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(Res. No. 19 93-94 §3 (part))

### **Chapter 12R.17 HUMBOLDT NEIGHBORHOOD PARK**

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#### **Section:**

**12R.17.010 Violation of rules - Additional penalties -Violator subject to removal.**

**12R.17.020 Days and hours of operation - prohibition.**

**12R.17.030 Closure.**

**12R.17.040 Safety.**

**12R.17.050 Uses.**

**12R.17.060 Amplified sounds prohibited.**

**12R.17.070 Smoking - Prohibited.**

**12R.17.080 Tagging, graffiti and defacing.**

#### **12R.17.010 Violation of rules - Additional penalties - Violator subject to removal.**

Any person who violates the rules of this chapter shall, in addition to other penalties provided by law, be subject to removal from the Humboldt Neighborhood Park upon order of the director or any authorized employee or officer of the city or Chico Area Recreation District. Failure to leave the park when ordered to do so is a violation of this section. Removal, if ordered, includes exclusion from such area for a 24-hour period.

(Res. Nos. 121 98-99) (Res. No. 31-13 §32)

#### **12R.17.020 Days and hours of operation - prohibition.**

The Humboldt Neighborhood Park skateboard track shall be open daily at 8:00 a.m. to 5:30 p.m. during January, 6:00 p.m. during February, 6:30 p.m. during March, 8:00 p.m. during April, 8:30 p.m. during May, 9:00 p.m. during June and July, 8:30 p.m. during August, 7:30 p.m. during September, 7:00 p.m. during October, 5:00 p.m. during November and December. It is unlawful for any person to be present in the fenced area of the skateboard track or on the skateboard track when the park is closed.

(Res. Nos. 121 98-99 and 39 99-00) (Res. No. 31-13 §33)

#### **12R.17.030 Closure.**

The director may close the Humboldt Neighborhood Park skateboard track whenever the director determines that such closure is necessary for the protection of public property or public safety.

(Res. No. 121 98-99) (Res. No. 31-13 §1)

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### **12R.17.040 Safety.**

Every person using the skateboard track shall wear a helmet, wrist supports, elbow pads and knee pads at all times. No food or drink are allowed within the skateboard track surface area. Additional obstacles or other materials (ramps, jumps or lights) may not be brought into the skateboard track by any person at any time.

(Res. No. 121 98-99)

### **12R.17.050 Uses.**

Only persons using skates and skateboards are allowed on the track. Bicycles are not allowed within the skateboard track.

(Res. No. 121 98-99)

### **12R.17.060 Amplified sounds prohibited.**

Amplified sound is not permitted in the Humboldt Neighborhood Park. No person shall wear any headset or earplugs while skating.

(Res. No. 121 98-99)

### **12R.17.070 Smoking - Prohibited.**

No person shall light matches or smoke cigars, pipes, cigarettes or any other smoking device in Humboldt Neighborhood Park.

(Res. No. 121 98-99)

### **12R.17.080 Tagging, graffiti and defacing.**

Tagging, graffiti and or any other form of defacing park property is not permitted.

(Res. No. 121 98-99)

## **Chapter 12R.20 SWIMMING POOLS AND SWIMMING AREAS - BIDWELL PARK**

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### **Section:**

**12R.20.010 Definitions - Swimming pool or area.**

**12R.20.020 Violation of rules - Additional penalty - Violator subject to removal.**

**12R.20.030 Proper swimming attire.**

**12R.20.040 Sycamore Pool - Use restrictions.**

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**12R.20.050 Obedience to lifeguard - Required.**

**12R.20.060 Skating in pool areas - Prohibited.**

**12R.20.070 Running and scuffling - Prohibited.**

**12R.20.080 Loitering or playing on bridges or spillways - Prohibited.**

**12R.20.090 Picnicking - Restricted to established areas.**

**12R.20.100 Bathing by diseased persons - Prohibited.**

### **12R.20.010 Definitions - Swimming pool or area.**

The terms “swimming pool” or “swimming area” in Bidwell Park include not only the established swimming facilities at Sycamore Pool and Hooker Oak swimming areas, but also includes all portions of Big Chico Creek commonly used for swimming, bathing, or otherwise playing in the waters thereof.

(Res. No. 19 93-94 §4 (part))

### **12R.20.020 Violation of rules Additional penalty - Violator subject to removal.**

Violation of the provisions of this chapter shall, in addition to other penalties provided by law, subject the violator to removal from the swimming pools and areas in Bidwell Park by order of any lifeguard on duty, the **park director** or any authorized employee or officer of the city. Persons refusing to so remove themselves upon such order shall be in violation of this section. Removal, if ordered, includes exclusion from park pools or swimming areas for a 24-hour period.

(Res. No. 19 93-94 §4 (part))

### **12R.20.030 Proper swimming attire.**

Swim trunks, swim suits, teeshirts and cutoffs that do not extend below the knee shall be considered proper swimming attire for any person swimming in any established swimming pool or swimming area in Bidwell Park.

(Res. No. 19 93-94 §4 (part))

### **12R.20.040 Sycamore Pool - Use restrictions.**

No person shall enter Sycamore Pool in Bidwell Park while it is empty or being emptied, or while it is being filled, except where the water has attained a depth of at least 2 feet. Entrance shall be limited to the ladders and steps until the pool is completely filled.

(Res. No. 19 93-94 §4 (part))

### **12R.20.050 Obedience to lifeguard - Required.**

No person shall disobey or resist any lawful order of any employed lifeguard on duty at the Sycamore Pool or the Hooker Oak swimming areas.



## ATTACHMENT A - CMC TITLE 12R

(Res. No. 19 93-94 §4 (part))

### **12R.20.060 Skating in pool areas - Prohibited.**

Persons on skates and skateboards shall be prohibited from skating on any swimming pool deck or swimming area deck or on any sidewalk adjacent to a swimming pool deck or swimming area deck.

(Res. No. 19 93-94 §4 (part))

### **12R.20.070 Running and scuffling - Prohibited.**

No person using any swimming pool or swimming area in Bidwell Park shall participate in running or scuffling of any kind.

(Res. No. 19 93-94 §4 (part))

### **12R.20.080 Loitering and playing on bridges or spillways - Prohibited.**

No person shall loiter, play, sit on, dive or jump from any bridge or spillway facility located at or near a swimming pool or area in Bidwell Park.

(Res. No. 19 93-94 §4 (part))

### **12R.20.090 Picnicking - Restricted to established areas.**

Picnicking shall be permitted in established picnic areas only.

(Res. No. 19 93-94 §4 (part))

### **12R.20.100 Bathing by diseased persons - Prohibited.**

No person afflicted with any contagious or infectious disease or bearing any open cut or skin infections shall enter the waters of any creek or bathing area, in any park in the city.

(Res. No. 19 93-94 §4 (part))

## **Chapter 12R.32 VEHICLE USE IN PARKS AND PLAYGROUNDS**

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### **Section:**

**12R.32.010 Vehicle code and Title 10 CMC applicable.**

**12R.32.015 Vehicle - Defined.**

**12R.32.020 Maximum speed limit - Adoption of lesser speed limits authorized.**

**12R.32.025 Reckless operation - Prohibited.**

## ATTACHMENT A - CMC TITLE 12R

**12R.32.030 Commercial vehicles - Prohibited - Exception - Permit required.**

**12R.32.040 Use of roads required - Exceptions.**

**12R.32.050 Parks closed to vehicles - Prohibited - Exception.**

**12R.32.060 Blocking of entrances and exits to bike paths and trails - Prohibited.**

**12R.32.070 Petersen and South Park Drive - One-way traffic.**

**12R.32.080 Vehicle parking in Upper Park.**

### **12R.32.010 Vehicle code and Title 10 CMC applicable.**

The provisions of the Vehicle Code of the state of California and of Title 10 Vehicles and Traffic of this code are applicable to all roads in Bidwell Park which are open to the public for vehicular traffic, whether paved or unpaved, to the same extent that they would be so applicable in the absence of this rule.

(Res. No. 19 93-94 §7 (part))

### **12R.32.015 Vehicle - Defined.**

“Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power, devices used exclusively upon stationary rails or tracks, and motor-driven wheelchairs or similar devices used by a physically handicapped person.

(Res. No. 31-13 §35)

### **12R.32.020 Maximum speed limit - Adoption of lesser speed limits authorized.**

No person shall operate or drive any vehicle or bicycle within any park or playground within the city at a greater speed than twenty-five miles per hour. Whenever it appears appropriate, reasonable and necessary, this maximum speed limit may be reduced on any park road, or portion thereof, pursuant to the provisions of and in the manner provided by the Vehicle Code.

(Res. No. 19 93-94 §7 (part)) (Res. No. 31-13 §36)

### **12R.32.025 Reckless operation - Prohibited.**

No person shall operate any vehicle in any park in the city in a careless, negligent or reckless manner which may endanger public safety or public property.

(Res. No. 31-13 §37)

### **12R.32.030 Commercial vehicles - Prohibited - Exception - Permit required.**

No person shall operate commercial vehicles, either motorized or horse-drawn, including, but not limited to, delivery cars, trucks, trailers and wagons, while engaged in the performance of a business or

## ATTACHMENT A - CMC TITLE 12R

occupation, over any road in or through or across any park or playground or any part thereof, in the city, without first having obtained a permit therefor in writing from the Bidwell Park and Playground commission except in the following cases:

A. Passenger vehicles for hire, other than those engaged in park tours;

B. Delivery vehicles delivering merchandise and supplies to concession operators lawfully engaged in operating concessions in any park under permit or contract with the Bidwell Park and Playground commission;

C. Vehicles delivering merchandise, supplies and equipment to the Bidwell Golf Course in Bidwell Park.

(Res. No. 19 93-94 §7 (part))

### **12R.32.040 Use of roads required - Exceptions.**

Vehicles operated in any park or playground in the city shall be operated only upon:

A. Paved or gravel surfaced roads which are not closed to use by the public for vehicular traffic;

B. Dirt or unimproved roads marked or otherwise designated for vehicular traffic;

C. Paved, graveled or otherwise designated picnic or parking areas with operation limited in such areas to parking and ingress to and egress from such areas for picnic or parking purposes;

D. Other areas designated in written permit issued by the director.

(Res. No. 19 93-94 §7 (part)) (Res. No. 31-13 §38)

### **12R.32.050 Parks closed to vehicles - Prohibited - Exception.**

A. No owner, operator or person in control of any motor vehicle shall permit any such vehicle to remain in any city park during the hours when such park, or any area thereof, has been designated as closed, either permanently or temporarily, to vehicular traffic.

B. This section shall not apply to vehicles delivering merchandise, supplies and equipment to the Bidwell Golf Course in Upper Bidwell Park.

(Res. No. 19 93-94 §7 (part)) (Res. No. 31-13 §39)

### **12R.32.060 Blocking of entrances and exits to bike paths and trails - Prohibited.**

No vehicle shall block the entrance to or exit from any bike path or trail located in any park or playground.

(Res. No. 19 93-94 §7 (part))

### **12R.32.070 Petersen and South Park Drive - One-way traffic.**

All motor vehicle and bicycle traffic on Petersen and South Park Drive shall be restricted to one-way traffic. This restriction shall be construed to include bicycle traffic on that portion of South Park Drive which is closed to motor vehicles.

## ATTACHMENT A - CMC TITLE 12R

(Res. No. 124 93-94 §2) (Res. No. 31-13 §40)

### **12R.32.080 Vehicle parking - Off road parking - Prohibited - Exception.**

A. Vehicle parking in city parks and playgrounds shall be permitted only within those areas specifically designated and marked as parking areas.

B. No person shall park and leave unattended any vehicle in violation of an official sign prohibiting the stopping or parking of vehicles and giving notice that such vehicle may be removed.

C. Vehicles left unattended in any city park or playground, except in specifically designated parking areas, for seventy-two (72) hours may be removed by the city. Removal and storage costs shall be charged to and paid by the owner prior to release of the vehicle.

D. This section shall not apply to individuals who have received written permission from the director to park in non-designated parking areas in any city park or playground.

(Res. 105 01-02 §1) (Res. No. 31-13 §41)

## **TITLE 12R FOOTNOTES**

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1. This title was initiated by Resolution 1 75-76 of the playground commission, passed April 26, 1976, approved by the city council May 4, 1976, as Resolution 132 75-76, and repealed and replaced in its entirety by Resolution 19 93-94. For additional provisions concerning municipal parks and park regulations, see Title 12 of this code.

## ATTACHMENT B - CMC CHAPTER 14.40

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Chico, CA Code of Ordinances

**Chapter 14.40  
STREET TREES4**

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**Section:****ARTICLE I. GENERALLY**

- 14.40.010 Short title.**
- 14.40.020 Regulations generally.**
- 14.40.030 Adoption of street tree plan.**

**ARTICLE II. DEFINITIONS**

- 14.40.040 Generally.**
- 14.40.050 Commission.**
- 14.40.055 Director.**
- 14.40.060 Enforcing authority.**
- 14.40.070 Planting area.**
- 14.40.080 Street tree list.**
- 14.40.090 Street tree plan.**
- 14.40.100 Superintendent.**
- 14.40.110 Property owner.**

**ARTICLE III. PLANTING OR REMOVING**

- 14.40.120 Permit - Required.**
- 14.40.130 Permit - Application.**
- 14.40.140 Permit - Fee.**
- 14.40.150 Permit - Conditions upon issuance.**
- 14.40.160 Permit - Conditions imposed deemed order by commission.**
- 14.40.170 Removal by city - City's expense.**
- 14.40.180 When property owner responsible for cost of removal.**
- 14.40.190 Cost of planting generally.**

**ATTACHMENT B - CMC CHAPTER 14.40****14.40.200 Neglect of property owner to perform work - Action by city.****14.40.210 Manner of sending notice for cost of work - Hearing.****14.40.220 Notice of lien - Preparation and filing.****14.40.230 Special assessment.****14.40.240 Delinquency - Amount to be added to taxes.****14.40.250 Collection of amount of lien - Manner.****ARTICLE IV. ADDITIONAL REGULATIONS****14.40.260 Advanced deposit on work performed by city.****14.40.270 Power of authority to act independently for removal.****14.40.280 Persons convicted for chapter violations not exempt from charge or debt payment.****14.40.290 Nuisances declared.****14.40.300 Branches to be trimmed.****14.40.310 Maintenance.****14.40.320 Unlawful acts.****14.40.325 Violation - Penalty.****ARTICLE V. HEARING - APPEAL****14.40.330 Hearing.****14.40.340 Appeal.****14.40.350 Failure of commission to act on permit - Action by council.****ARTICLE I. GENERALLY****14.40.010 Short title.**

This chapter may be officially referred to and cited as the “Tree Law of the City of Chico.”  
(Prior code § 23.50 (Ord. 852 §10))

**14.40.020 Regulations generally.**

The commission may adopt by resolution, such standards, specifications and other regulations controlling and governing the planting, removal and maintenance of trees and shrubs as are not inconsistent with other provisions of this code and as are necessary or convenient for carrying

## ATTACHMENT B - CMC CHAPTER 14.40

out the purposes of this chapter. Such standards, specifications and regulations so adopted shall be kept on file in the office of the public works department and in the office of the community development department.

(Prior code § 23.51 (Ord. 852 §11, Ord. 2364 §155), Ord. 2439 §91)

### **14.40.030 Adoption of street tree plan.**

The commission shall adopt as a resolution a city-wide street tree plan controlling and governing the planting of trees and shrubs in public areas. Such plan shall specifically set forth the several species of trees or shrubs which may be planted or placed in the specified areas or locations in the city. Copies of such plan shall be filed in the office of the public works department and in the office of the community development department. Copies of such plan shall at all times be made available in such offices to property owners within the city.

(Prior code § 23.51-1 (Ord. 852 §12, Ord. 2364 §156), Ord. 2439 §92)

## ARTICLE II. DEFINITIONS

### **14.40.040 Generally.**

For the purposes of this chapter, the words and phrases defined in Sections 14.40.050 to 14.40.110 shall have the meanings respectively ascribed to them in such sections.

(Prior code § 23.49 (Ord. 852 §2))

### **14.40.050 Commission.**

“Commission” shall mean Bidwell Park and Playground commission of the city.

(Prior code § 23.49 (Ord. 852 §2))

### **14.40.055 Director.**

“Director” shall mean the director of the public works department.

(Ord. 2364 §157, Ord. 2439 §93)

### **14.40.060 Enforcing authority.**

“Enforcing authority” shall mean Bidwell Park and Playground commission, acting through the director.

(Prior code § 23.49-2 (Ord. 852 §4, Ord. 2364 §158))

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### **14.40.070 Planting area.**

The phrase “planting area” shall include (A) all public rights-of-way; (B) the area between the private property line and the adjacent street curbing; if no curbing exists, then “curbing” shall mean the line where a curb would be installed under existing regulations of the city; (C) other public areas and ways set aside for planting.

(Prior code § 23.49-3 (Ord. 852 §5, Ord. 2364 §159))

### **14.40.080 Street tree list.**

“Street tree list” shall mean a list of species of trees or shrubs adopted by the Bidwell Park and Playground commission pursuant to this chapter, available for planting in different areas of the city in accordance with the street tree plan. Copies of such list shall be kept on file in the office of the public works department and the office of the community development department.

(Prior code § 23.49-4 (Ord. 852 §6, Ord. 2364 §160), Ord. 2439 §94)

### **14.40.090 Street tree plan.**

“Street tree plan” shall mean a uniform city-wide plan for street tree planting of shrubs or trees, as adopted by the Bidwell Park and Playground commission, pursuant to this chapter, a copy of which shall be filed with the general services department and the office of the building and development services department. Such plan may consist of several parts adopted at different times for different sections of the city.

(Prior code § 23.49-5 (Ord. 852 §7, Ord. 2364 §161))

### **14.40.100 Superintendent.**

*Repealed by Ord. 2364 §162*

(Prior code § 23.49-6 (Ord. 852 §8))

### **14.40.110 Property owner.**

“Property owner” shall mean the owner of property abutting the planting area upon which the removal or planting is to be performed. In case of doubt, the owner shall be deemed to be the person or persons shown to be the owner of such property upon the last equalized assessment roll of the county unless, in case of actual transfer, notice containing the name and address of the new owner or owners shall have been received by the city.

(Prior code § 23.49-7 (Ord. 852 §9))

## **ARTICLE III. PLANTING OR REMOVING**



## ATTACHMENT B - CMC CHAPTER 14.40

### **14.40.120 Permit - Required.**

No trees or shrubs shall be planted in or removed from any planting area in the city unless:

A. A written permit therefor is authorized by the commission or the city council and is issued by the director; or

B. Such planting or removal is required by order of the commission or the city council.

The director shall bring all applications for permits to the attention of the commission and shall issue such written permit when and as directed by the commission or the city council.

The planting of a tree or shrub in conformity to the street tree plan as adopted and amended by the commission shall be deemed to be authorized by the commission and no further authorization for the granting of a permit shall be necessary.

(Prior code § 23.52 (Ord. 852 §13, Ord. 2364 §163))

### **14.40.130 Permit - Application.**

Every person required to have a permit pursuant to Section 14.40.120, shall apply to the director, using the appropriate forms as prescribed by the city manager. As relates to such tree or shrub, only those defined as a property owner, a public utility, or a person acting in a governmental capacity shall apply.

(Prior code § 23.53 (Ord. 852 §14, Ord. 2268, Ord. 2364 §164))

### **14.40.140 Permit - Fee.**

At the time of making such application the applicant shall pay to the city such fees, if any, as may be determined by the commission and adopted by resolution thereof.

(Prior code § 23.53-1 (Ord. 852 §15))

### **14.40.150 Permit - Conditions upon issuance.**

All regulations adopted by the commission pursuant to this chapter are conditions upon the issuance of any permit, unless specifically waived by the commission, or the council. The director may impose upon the granting of such permit such additional conditions as the director deems reasonable. Among others, the director may require, as such a condition upon the granting of a removal permit, the replanting of a tree or shrub in place of that removed. The director shall, when removal is being permitted for convenience of owner to make way for construction, require, as a condition, that the removal shall not take place until the work of construction is commenced, unless otherwise authorized by the commission or the council.

(Prior code § 23.53-2 (Ord. 852 §16, Ord. 2268, Ord. 2364 §165))

**ATTACHMENT B - CMC CHAPTER 14.40****14.40.160 Permit - Conditions imposed deemed order by commission.**

The imposition, by the director, of conditions upon the granting of a permit, shall be deemed to be an order of the commission for the purposes of Section 14.40.330.

(Prior code § 23.53-3 (Ord. 852 §17, Ord. 2364 §166))

**14.40.170 Removal by city - City's expense.**

Whenever, pursuant to a permit granted or commission order, a tree or shrub is to be removed, such removal shall be by the city and at city expense, unless the commission shall find that such tree or shrub is not dead or dying and its continued existence does not create a dangerous or defective condition upon public property, in which case its removal shall be deemed to be for the convenience of the property owner.

(Prior code § 23.54 (Ord. 852 §18))

**14.40.180 When property owner responsible for cost of removal.**

Whenever removal is for the convenience of the property owner, the work of removal shall be done by the property owner at such property owner's expense. However, the city may perform such work at the request of property owner and charge the cost thereof to the property owner.

(Prior code § 23.54-1 (Ord. 852 §19, Ord. 2268))

**14.40.190 Cost of planting generally.**

All planting or replanting, pursuant to this chapter, shall be done by the city or at city expense, except when replanting has been a condition of the granting of a permit. In the latter case, the city shall perform such work either at the request of the property owner or after such property owner's neglect to perform, the cost of such work to be charged to the property owner as herein provided. The terms "work" and "cost of such work" as used herein include not only labor but the supplying of the tree or shrub to be planted. This section shall not apply to planting required pursuant to the subdivision law of the city.

(Prior code § 23.54-2 (Ord. 852 §20, Ord. 2268))

**14.40.200 Neglect of property owner to perform work - Action by city.**

Should the property owner be required, as a result of any conditions imposed pursuant to this chapter, to perform work as defined in Section 14.40.190, and neglect to perform such work for a period of sixty days after the removal for which this planting is a condition, then the director, shall, upon order of the commission, cause such work to be performed by the city and charge the property owner the cost thereof.

(Prior code § 23.54-3 (Ord. 852 §21, Ord. 2364 §167))

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### **14.40.210 Manner of sending notice for cost of work - Hearing.**

In all cases wherein the work of removal, planting, or replanting is performed by the city and at the expense of the property owner, upon completion of such work, the finance director shall cause a notice of the cost of such work, which shall include the cost of any tree or shrub or other materials used, to be given by mailing a postcard to the property owner at such property owner's last known address, as the same appears on the last equalized assessment roll pursuant to which city taxes were last assessed, or the name and address of the person owning such property as is shown on the records in the office of the city clerk. The notice shall specify the following:

A. An itemized statement of the costs being so charged to the property owner; and

B. The day, hour and place when the commission will hear and pass upon the report of the director of the cost of such work, together with any objections or protests, if any, which may be raised by any property owner liable to be assessed for the cost of such work, and any other interested person.

At such hearing, the commission, after hearing all objections and protests made, shall have the power to finally fix and determine the amount required to be paid by such property owner. The amount so determined to be owed by such property owner, shall be due and payable and shall constitute a lien against such property from and after 10 days after the conclusion of such hearing and the making of such determinations. However, if this hearing shall be deemed to be a hearing pursuant to Section 14.40.330 and the property owner shall have a right to appeal to the council pursuant to Section 14.40.340. If such appeal shall be brought pursuant to Section 14.40.340, then such amount as determined by the commission shall not become due nor shall a lien be imposed as hereinabove set out. Upon such council's determination of the matter as provided in Section 14.40.340, the amount so determined by such council to be owed by such property owner shall be thereafter forthwith due and payable and shall constitute a lien against such owner's property abutting the planting area in which such work was done.

(Prior code § 23.54-4 (Ord. 852 §22, Ord. 2113 §1, Ord. 2268, Ord. 2364 §168))

### **14.40.220 Notice of lien - Preparation and filing.**

Within ten days after the amount determined to be owed shall have become due and payable and shall have constituted a lien, the director shall cause to be prepared and filed with the city finance director, a notice of the amount determined to be due and owing to the city from the property owner. Such notice shall set forth the name of the owner, the property to be assessed, the amount of the cost of work owed by such owner.

(Prior code § 23.54-5 (Ord. 852 §23, Ord. 2113 §1, Ord. 2364 §169))

### **14.40.230 Special assessment.**

If the amount determined to be due and owing shall not have been paid within ten days after its determination by the commission or city council (if appeal was made) then it shall constitute a special assessment against the parcel of property which abuts the planting area in which the work was done.

**ATTACHMENT B - CMC CHAPTER 14.40**

(Prior code § 23.54-6 (Ord. 852 §24))

**14.40.240 Delinquency - Amount to be added to taxes.**

The finance director, after receiving the notice provided for in Section 14.40.220 and ascertaining that the same has not been paid within ten days required in Section 14.40.230, shall add the amount of the assessment to the next regular bill for taxes levied against such parcel of land. If city taxes are collected by the county officials, a notice of the lien shall be delivered to the county auditor, or such other county officer performing the duties of a county auditor, pursuant to an agreement between the city and the county.

(Prior code § 23.54-7 (Ord. 852 §25, Ord. 2113 §1))

**14.40.250 Collection of amount of lien - Manner.**

Thereafter, the amount of the lien shall be collected at the same time in the same manner as ordinary city taxes are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary city taxes. All laws applicable to the levy, collection and enforcement of city taxes and county taxes are hereby made applicable to such special assessment taxes.

(Prior code § 23.54-8 (Ord. 852 §26))

**ARTICLE IV. ADDITIONAL REGULATIONS****14.40.260 Advanced deposit on work performed by city.**

Notwithstanding provisions in this chapter to the contrary, whenever the cost of any work to be performed by the city is to be paid for by a property owner, the finance director may require the property owner to deposit with the city the amount of the estimated cost of such work prior to its performance. If the actual cost of such work exceeds the deposit, the difference shall be collected as hereinabove provided. If the deposit exceeds the actual cost of such work, the difference shall be refunded to the property owner. No interest shall be payable on any such refund.

(Prior code § 23.55 (Ord. 852 §27, Ord. 2113 §1))

**14.40.270 Power of authority to act independently for removal.**

The director, and the city manager shall each, independently, have the authority to remove a tree or shrub, without the authorization or direction of either the commission or the council, and regardless of the issuance or nonissuance of a permit, if any of such three persons determines that the immediate removal of such tree or shrub is necessary for the maintenance of public safety. In making this determination, such officer shall consider all other means available to

## ATTACHMENT B - CMC CHAPTER 14.40

maintain public safety. Such officer shall incur no civil or criminal liability as a result of any determination such officer makes hereunder regardless of the correctness thereof.

Such officer shall report to the commission upon any removal made pursuant to this section at its next regular meeting following such removal. The report may be submitted in writing without the appearance of such officer unless the commission otherwise requests.

(Prior code § 23.56 (Ord. 852 §28, Ord. 2268, Ord. 2364 §170))

### **14.40.280 Persons convicted for chapter violations not exempt from charge or debt payment.**

Conviction and punishment of any person under the terms of this chapter shall not exempt or excuse such person from the payment of a charge or a debt against such person created pursuant to the provisions of Sections 14.40.180 and 14.40.190.

(Prior code § 23.57 (Ord. 852 §29))

### **14.40.290 Nuisances declared.**

Any tree or shrub growing or standing in the public area fronting private property which, in the opinion of the commission, creates a dangerous or defective condition or endangers the security or usefulness of any public street, sewer or sidewalk is hereby declared to be a public nuisance.

(Prior code § 23.58 (Ord. 560 §10))

### **14.40.300 Branches to be trimmed.**

It shall be unlawful for any person in the city to permit branches of trees or shrubs growing or being on private property to extend within ten feet from the ground over any portion of the sidewalk or street.

(Prior code § 23.59 (Ord. 224 §211))

### **14.40.310 Maintenance.**

The director shall propagate, plant, replant, remove, prune, care for, and maintain the trees and shrubbery on the streets, along the sidewalks and in the parking areas of the city, except as in this chapter such duty is imposed on a property owner. The director shall report to the commission from time to time regarding work done pursuant to this section. Such work shall, at all times, be subject to the control and direction of the commission.

(Prior code § 23.59-1 (Ord. 852 §30, Ord. 2268, Ord. 2364 §171))

### **14.40.320 Unlawful acts.**

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No person shall damage, cut, carve upon, transplant or remove any tree or plant, or injure the bark or pick the flowers or seeds of any tree or plant; nor shall any person attach any rope, wire or other contrivance to any tree or plant; nor climb any tree; nor walk, stand or sit upon monuments, vases, fountains, railings, fences or upon any other property not designated or customarily used for such purposes. A person shall not dig in or otherwise disturb grass areas or in any other way injure or impair the natural beauty or usefulness of any area.

(Prior code §23.60 (Ord. 224 §213, Ord. 355 §213, Ord. 560 §11), Ord. 2479 §17)

### **14.40.325 Violation - Penalty.**

A. Except as otherwise provided in Section 14.40.325(B), any person violating any of the provisions of this chapter of this code shall be deemed guilty of a misdemeanor or an infraction and may be enforced by the filing of a criminal action by the city attorney or the issuance of an administrative citation in accordance with the provisions of Chapter 1.15 of this code.

B. Notwithstanding Section 14.40.325(A), a violation of Section 14.40.320 shall be a misdemeanor and may be enforced by the filing of a criminal action by the city attorney or the issuance of an administrative citation in accordance with Chapter 1.15 of this code.

(Ord. 2479 §§16, 18)

## ARTICLE V. HEARING - APPEAL

### **14.40.330 Hearing.**

Should any person be aggrieved by reason of any order of the commission made pursuant to this chapter, such person shall be entitled to a hearing before the commission in person and with counsel, if desired. Such hearing shall be granted upon written request made within 10 days from receipt of notice of the order of the commission. The commission shall set and hold such a hearing within 35 days from the date of such request. Such request shall be in writing and signed by the person requesting the hearing and shall set forth the reasons or grounds for protest against the commission order. No special form of request shall be required. The commission shall make a final determination upon such hearing within 35 days of the date upon which such hearing was terminated.

(Prior code § 23.61 (Ord. 852 §31), Ord. 2268)

### **14.40.340 Appeal.**

Any person aggrieved by any order of the commission or of the director, made pursuant to this chapter (except any order made pursuant to Section 14.40.270) shall have the right to appeal such determination to the city council pursuant to the provisions contained in Chapter 2.80 of this code. A person aggrieved is a person who is significantly affected by the action appealed from. Significant effect refers to an effect significantly greater than the effect that the action appealed from has generally upon all citizens of the city.

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There is no right to appeal from any action taken pursuant to the provisions of Section 14.40.270 of this code, nor is there any right to appeal with respect to an application of the kind referred to in Section 14.40.350 of this code.

(Prior code § 23.62 (Ord. 1072 §2, Ord. 2004 §14, Ord. 2364 §172))

### **14.40.350 Failure of commission to act on permit - Action by council.**

Notwithstanding other provisions of this code to the contrary, when the director or some other authorized officer of the public works department, makes application under the provisions of this chapter for the removal of trees or shrubs for the purpose of making way for public works, that application shall be brought before the commission at its next regular meeting following the making of such application. The commission may either authorize and direct the granting of such permit as applied for (including the imposition of waiving of conditions as requested in the application) or the commission may make its recommendations concerning such application and cause the same to be transmitted to the city council. The city council shall consider such application and such recommendations of the commission at its next regular meeting. The city council shall thereafter take such action as it deems appropriate. If the commission shall fail within thirty-five days after its first regular meeting following the making of the application to either grant such permit or make its recommendations and transmit them to the city council, then the city council may deem such failure as a recommendation of denial and may proceed to act upon such application as it deems appropriate. No determination or order made by the commission under this section shall be appealable.

(Prior code § 23.63 (Ord. 852 §3, Ord. 2364 §173), Ord. 2439 §96)

## ATTACHMENT C - CMC CHAPTER 16.66

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Chico, CA Code of Ordinances

## Chapter 16.66 TREE PRESERVATION REGULATIONS

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**Section:**

- 16.66.010 Title.**
- 16.66.020 Purpose and intent.**
- 16.66.030 Applicability.**
- 16.66.040 Exemptions.**
- 16.66.050 Definitions.**
- 16.66.060 Tree removal permit required.**
- 16.66.070 Tree removal permit application.**
- 16.66.080 Tree removal permit review.**
- 16.66.085 Tree replacement.**
- 16.66.090 Appeals.**
- 16.66.100 Protection of trees during construction.**
- 16.66.110 Protection plan required prior to issuance of permit.**
- 16.66.120 Enforcement.**
- 16.66.130 Violation—penalty.**
- 16.66.140 Additional provisions.**

**16.66.010 Title.**

This chapter shall be known as the Tree Preservation Regulations.  
(Ord. 2286)

**16.66.020 Purpose and intent.**

The propagation, maintenance, and preservation of trees enhances the scenic beauty, increases property values, encourages quality development, prevents soil erosion, counteracts pollution in the air, and helps to maintain the climatic balance within the city. The council finds that



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establishing regulations controlling the removal of and the preservation of trees within the city will further the maintenance and advancement of these public values. In establishing these regulations, it is the city's intent to preserve as many trees as possible consistent with the reasonable use and enjoyment of private property, to provide for a healthy urban forest, and to absorb carbon dioxide to help reduce urban impacts on global warming.

(Ord. 2286, Ord. 2402)

### **16.66.030 Applicability.**

This chapter applies to (a) all undeveloped private property within the city which is 10,000 square feet or greater in size and (b) all property that requires discretionary approval of a land use entitlement.

(Ord. 2286, Ord. 2402)

### **16.66.040 Exemptions.**

The following shall be exempt from the provisions of this chapter:

- A. Cemetery, public school, university, and city property; and
- B. Tree work performed by public utilities in public utility easements or public rights of way.

(Ord. 2286)

### **16.66.050 Definitions.**

For the purposes of this chapter:

A. "Arborist" means a certified arborist who is registered with the International Society of Arboriculture, or a member in good standing with the American Society of Consulting Arborists.

B. "Damage" means:

1. "Minimal Damage" means any intentional action or gross negligence which causes injury to or disfigurement of a tree that will not result in the destruction of the tree, as certified by the urban forest manager or an arborist.

2. "Major Damage" means any intentional action or gross negligence which causes injury to, disfigurement, destruction, or effective removal of a tree as certified by the urban forest manager or an arborist

C. "Development" means any improvement of real property which requires the approval of grading permits, building permits, encroachment permits, parcel or tentative subdivision maps, planned development permits, or use permits.

D. "Diameter at breast height" or "DBH" means the diameter of a tree at four and one-half feet above adjacent ground.

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- E. “Director” means the director of the public works department or a designee.
- F. “Drip line” means the area within a circle defined by a radius measured from the trunk to the outermost branch, plus an additional 10 feet.
- G. “Effectively remove” includes, but is not limited to, any extreme pruning that is not consistent with standard arboriculture practices for a healthy tree and that results in the tree’s permanent disfigurement, destruction, or removal pursuant to this chapter.
- H. “Private property” means property owned by a private person or entity. “Private property” does not include property owned by the state or federal government, or by any local public agency.
- I. “Protect” means the protection of an existing tree from damage and stress such that the tree is likely to survive and continue to grow normally in a healthy condition, through measures that avoid or minimize damage to branches, canopy, trunk, and roots of the tree. Such measures may include, but are not limited to, installation of tree protective fencing, mulching and watering of roots, supervision of work by an arborist, installation of aeration or drainage systems, root pruning, and use of nondestructive excavation techniques.
- J. “Remove” or “removal” means cutting a tree to the ground, extraction of a tree, or killing of a tree by spraying, girdling, damaging the roots of a tree, or any other means.
- K. “Tree” or “trees” means any of the following:
1. Any live woody plant having a single perennial stem of 18 inches or more in diameter, or multistemmed perennial plant greater than 15 feet in height having an aggregate circumference of 40 inches or more, measured at four feet six inches above adjacent ground;
  2. Any tree that meets the following criteria:

<p><b>12-inch DBH or greater</b></p> <p>All Oaks (<i>Quercus</i>)</p> <p>Sycamores (<i>Platanus racemosa</i>)</p> <p>Oregon ash (<i>Fraxinus latifolia</i>)</p> <p>Big leaf maple (<i>Acer macrophyllum</i>)</p>	<p><b>6-inch DBH or greater</b></p> <p>Blue oak (<i>Q. douglassii</i>)</p> <p>Canyon live oak (<i>Q. chrysolepsis</i>)</p> <p>Interior live oak (<i>Q. wislizenii</i>)</p> <p>California buckeye (<i>Aesculus californica</i>)</p> <p>Madrone (<i>Arbutus menziessii</i>)</p> <p>Toyon (<i>Heteromeles arbutifolia</i>)</p> <p>Redbud (<i>Cercis occidentalis</i>)</p> <p>California bay (<i>Umbellularia californica</i>)</p> <p>Pacific dogwood (<i>Cornus nuttallii</i>)</p>
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  3. Any tree or trees required to be preserved as part of an approved building permit, grading permit, demolition permit, encroachment permit, use permit, tentative or final subdivision map; or

## ATTACHMENT C - CMC CHAPTER 16.66

4. Any tree or trees required to be planted as a replacement for an unlawfully removed tree or trees.

L. "Tree" or "trees" does not include the following tree species: Ailanthus, Chinese Tallow, Fremont Cottonwood or Poplar, Privet, Box Elder, Silver Wattle, Black Acacia, English Hawthorn, Russian Olive, Olive, Red Gum, Tasmanian Blue Gum, Edible Fig, English Holly, Cherry Plum, Black Locust, Peruvian Peppertree, Brazilian Peppertree, Western Catalpa, Chinese Elm or Winged Elm; or the following fruit and nut trees: Almonds, Apples, Apricots, Avocados, Cherries, Chestnuts, Mandarins, Nectarines, Olives, Oranges, Peaches, Pears, Pecans, Persimmons, Pistachios, Plums or English Walnuts.

(Ord. 2286, Ord. 2364 §336, Ord. 2402, Ord. 2439 §113)

### **16.66.060 Tree removal permit required.**

A. No person shall remove, cause to be removed, or effectively remove any tree from any property which is subject to this chapter without obtaining a permit from the director.

B. Emergency exception. A permit is not required for removal of a tree that presents an immediate hazard to life or property, as determined by the city manager, director, police chief, fire chief, public works director, community development director, urban forest manager, code enforcement officer, public utility companies, or their designees.

(Ord. 2286, Ord. 2364 §337, Ord. 2402, Ord. 2439 §114)

### **16.66.070 Tree removal permit application.**

A. Any person wishing to remove one or more trees shall apply to the director for a permit. The application for a permit shall be made on forms provided by the public works department and shall include the following:

1. A drawing showing all existing trees six inches or larger that may be affected by tree removal, and the location, type, and size of all tree(s) proposed to be removed;
2. A brief statement of the reason for removal;
3. If the tree(s) are proposed for removal because of a failing condition, an arborist's determination of the state of health of the tree(s) may be required;
4. Written consent of the owner of record of the land on which the tree(s) are proposed to be removed;
5. A tree removal permit fee in amount established by resolution by the city council to cover the cost of permit administration. An additional deposit may be required by the director to retain an arborist to assist the city in assessing the condition of the tree(s); and
6. Other pertinent information as required by the director.

B. Any person submitting a tree removal application in conjunction with an application for any development shall provide to the director the plan specifying the precise location, size, species, and drip-line of all existing trees on or adjacent to the property. The plan shall also

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show existing and proposed grades and the location of proposed and existing structures. The plan submitted shall be the same plan approved by the body having final authority over the development application.

(Ord. 2286, Ord. 2364 §338, Ord. 2402, Ord. 2439 §115)

**16.66.080 Tree removal permit review.**

A. The director shall inspect the property and evaluate each application which is not in conjunction with development. In deciding whether to issue a permit, the director shall base the decision on the following criteria:

1. The condition of the tree or trees with respect to health, imminent danger of falling, proximity to existing or proposed structures, and interference with utility services or public works projects;
2. The necessity to remove the tree or trees for reasonable development or improvement of the property;
3. The topography of the land and the effect of the removal of the tree on erosion, soil retention, and diversion or increased flow of stream waters; and
4. Availability of reasonable or feasible alternatives.

B. The director shall render a decision regarding an application that is not associated with an application for development, within 10 working days after the receipt of a complete application, or within 10 working days of the completion of the review under the California Environmental Quality Act (CEQA).

C. The director shall issue a permit if:

1. The tree is determined to be dead;
2. The tree is dying or diseased and removal is recommended by an arborist;
3. The tree presents a danger to health and safety;
4. The tree presents a danger to property improvements or structures;
5. The tree interferes with public utilities in a manner that does not allow pruning as an option; or
6. The tree interferes with the development or improvement of the property and there are no feasible alternatives available.

D. If an application to remove a tree is being requested in conjunction with development, then the decision on the tree removal permit shall be rendered simultaneously with the decision on the development and shall be made by the body having final authority over the development application after consideration of the recommendation of the director. In deciding whether to approve a tree removal permit under this subsection, the body having final authority over the development application shall consider the criteria set forth in subsection C, above.

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E. The director may refer any application to any city department for review and recommendation.

(Ord. 2286, Ord. 2402)

### **16.66.085 Tree Replacement.**

If the director or the body having final authority over a development application grants a tree removal permit, then the director or body shall include a condition that the removed trees be replaced as follows:

A. On-site. For every six inches in DBH removed, a new 15 gallon tree shall be planted on-site. Replacement trees shall be of similar species, unless otherwise approved by the urban forest manager, and shall be placed in areas dedicated for tree plantings. New plantings' survival shall be ensured for three years after the date of planting and shall be verified by the applicant upon request by the director. If any replacement trees die or fail within the first three years of their planting, then the applicant shall pay an in-lieu fee as established by a fee schedule adopted by the City Council.

B. Off-site. If it is not feasible or desirable to plant replacement trees on-site, payment of an in-lieu fee as established by a fee schedule adopted by the City Council shall be required.

Replacement trees shall not receive credit as satisfying shade or street tree requirements otherwise mandated by this code. Removal of a Heritage Tree that has been so designated by the City Council pursuant to Chapter 16.68, that is removed pursuant to a tree removal permit, shall be exempt from this section.

(Ord. 2402)

### **16.66.090 Appeals.**

A. Any decision of the director, pursuant to this chapter, may be appealed to the council. Appeals shall be in writing, shall be signed by the applicant, shall state the reasons the appeal is made, and be filed with the city clerk within 10 calendar days of written notification of the decision by the director. Any appeal shall be accompanied by an appeal fee in the amount established by resolution of the council.

B. Appeals shall be conducted in accordance with the procedures set forth in this code. The decision of the council shall be final.

(Ord. 2286)

### **16.66.100 Protection of trees during construction.**

All applicants for demolition permits, grading permits, building permits, use permits, planned development permits, or parcel or tentative subdivision maps, on property containing one or more trees shall prepare a tree protection plan pursuant to Section 16.66.110. The tree protection

## ATTACHMENT C - CMC CHAPTER 16.66

plan shall comply with the city's "Best Practices Technical Manual: Tree Preservation Measures," as amended, and the approved parcel or tentative subdivision map, if applicable.

(Ord. 2286, Ord. 2402)

### **16.66.110 Protection plan required prior to issuance of permit.**

A. A plan to protect trees as described in Section 16.66.100 of this chapter shall be submitted to the director prior to the issuance of demolition permits, grading permits, building permits, use permits, planned development permits, or parcel or tentative subdivision maps. The plan shall ensure that the tree(s), including the root system, will be adequately protected from potential harm during demolition, grading, and construction that could cause damage to the tree(s). Such harm may include excavation and trenching, construction and chemical materials storage, storm water runoff and erosion, and soil compaction. The plan shall be submitted by the applicant and approved by the director. The director may refer the plan to a city-selected arborist for review and recommendation. The cost of this review shall be borne by the applicant requesting a permit.

B. The director may require that an arborist be present on the project site during grading or other construction activity that may impact the health of the tree(s) to be preserved. The director may also require that an arborist review and inspect projects and certify that the tree protection plan has been properly implemented. The cost of the review, inspection and certification shall all be borne by the permittee.

C. Minimal or major damage to any tree(s) during construction shall be immediately reported to the director so that proper treatment may be administered. The director may consult with a city-selected arborist to determine the appropriate method of repair for any damage. The cost of any treatment or repair shall be borne by the permittee. Failure to notify the director of damage to tree(s) may result in the issuance of a stop work order.

D. The permittee shall remain responsible for the health and survival of all trees under the tree protection plan within the development for a period of three years following acceptance of the public improvements of the development.

E. The director may waive the requirement for a tree protection plan if the director determines that the demolition, grading, or construction activity is minor in nature and that the proposed activity will not significantly modify the ground area within or immediately surrounding the drip line of the tree(s).

(Ord. 2286, Ord. 2402)

### **16.66.120 Enforcement.**

The director shall be responsible for the enforcement of this chapter.

(Ord. 2286)

### **16.66.130 Violation—Penalty.**

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A. Any person who unlawfully removes, destroys, or causes major damage to any tree shall pay a civil penalty equal to twice the amount of the appraised value of each tree or \$5,000.00 per tree, whichever is greater. For purposes of calculating the penalties for each tree, the current edition of the "Guide for Establishing Values of Trees and Other Plants," as amended, by the Council of Tree and Landscape Appraisers shall be presumed to provide the appropriate basis for determining penalties.

B. Any person who unlawfully causes minimal damage to any tree shall pay a civil penalty of \$1,000.00 for each tree damaged.

C. If any person commits three minimal damage violations within a 24-month period, all subsequent minimal damage violations within such 24-month period shall be penalized as major damage violations.

D. In addition to the abovementioned penalties, any person violating any portion of this chapter that results in the loss of a tree, shall be required to replace said tree with a new tree and/or additional plantings, of the same species, or other species as may be determined by the director. The director shall determine the size and location of replacement tree(s). The director may refer to the recommendation of a city-selected arborist.

(Ord. 2286)

### **16.66.140 Additional Provisions.**

The provisions of this chapter shall supplement but not supplant other provisions of this code relating to the preservation of trees.

(Ord. 2286)



DATE: 5/25/17  
TO: Bidwell Park and Playground Commission (BPPC)  
FROM: Linda Herman, Interim Park and Natural Resource Manager  
SUBJECT: Parks, Street Trees, and Public Landscapes Report

## NARRATIVE

### 1. Updates

- a. Comanche Creek Grant Applications– Staff was notified that the City's application to the Housing Related Park Grant Program to continue the Phase 1 project on the south side of the creek west of the new bridge was not approved for funding because it did not meet the Park Deficient bonus and minimum \$75,000 grant amount threshold. However, the City's Engineering Division included this portion in its Urban Greening Grant application that will, if funded, include the completion of the Class 1 Bike path to run southeast to the intersection of Midway & Hegan, and a path from the bridge on the north side of the creek to Estes Road

### 2. Administrative and Visitor Services

- a. Park Reservations Administrative staff was busy processing park permit applications for not only the upcoming summer season, but also booking reservations for the numerous runs/walks and other public events for the 2018 calendar year.

### 3. Planning/Monitoring

- a. Peregrine Point Disc Golf– Interim P&NRM and the Chair of the ORAI completed the photo monitoring of the disc golf course for the 2017 reporting year, and also reviewed the modified monitoring plan that will be presented to the Commission at a future meeting.
- b. Butte County CalFire Agreement – An agreement with the Butte County CalFire Conservation Camp Program was executed to provide crews to help work on trail maintenance throughout the year. Butte Fire and Chico Velo's Trailworks work day to work on the Maidu trail is planned for May 12, 2017. Chico Velo is paying for the CalFire crews.

### 4. Park Maintenance Program

Staff continues daily cleaning and safety inspections of all recreation areas including: grounds, playgrounds, picnic sites, roads and paths, coupled with daily cleaning and re-supplying of all open park restrooms. Maintenance and repair of park fixtures, daily opening of gates, posting reservations, unauthorized camp clean up and the constant removal of graffiti from all park infrastructure.

- a. Lower Park: Mowing season has started along with elevation work to all areas. Volunteer support at Caper Acres
- b. Middle Park: Down tree cleanup.
- c. Upper Park: Graffiti and trash removal when possible.
- d. Greenway Parks: Weekly checks and garbage clean up at Comanche creek. Re-rolling of the ADA paths at Comanche Creek along with continued volunteer support. In collaboration with Street trees to remove and trim the entrances to the Ceres street bridge in preparation for the upcoming deck replacement.
- e. Upcoming projects: Opening Sycamore pool when the water flow drops to a workable level. Continued volunteer support at Caper Acres. Comanche creek trail; Valeen to Wrex, Teichert ponds trail, Peregrine point disc golf alternative hole placement, Start to install the replacement PAR course equipment along exiting course.



## 5. Ranger and Lifeguard Programs

- a. Lifeguards– CARD has hired a contingent of guards for the summer season anticipated to start June 9<sup>th</sup>. The opening of the pool has been delayed this year due to high water levels. In-service training at Sycamore Pool occurs for several days prior to the opening. Water temperature remain unseasonably cool with late snow melts making their way down into the valley.
- b. Rangers are wrapping up a busy event season and transitioning into summer mode. With the up and down weather of this spring, rangers have assisted many patrons and pets dealing with acclimatization to the heat. Rangers are cognizant of the particular hazards this time of year brings and dutifully remind the public about ticks, snakes, mosquitoes, poison oak, sun exposure, hydration and swift water.  
Rangers continue to address homeless camps in the park and greenways and are seeing an uptick in camps given the good weather. Rangers and police are working together on a sweep of the park for illegal campers during predawn hours.
- c. Significant Incidents – In April, three separate incidents of bicycle accidents were reported in Lower and Middle Park requiring medical aid and/or transport to Enloe. A hip injury, broken hand, lacerations and abrasions were the injuries reported. All three accident victims were elderly and one accident was attributed to dehydration and hypoglycemia.

## 6. Natural Resource Management

- a. Spanish Broom Control – Under the City's master Service Provider Agreement, community partner, Friends of Bidwell Park, retained Dempsey Vegetation Management to treat Spanish Broom in Upper Bidwell Park. Work will continue through June.

## 7. Outreach and Education

- a. Park Safety– On April 20 and 21 at Cedar Grove, Park Rangers delivered programs on Park safety and the Park Ranger profession to a total of 60 preschool students from Mi Esquelita Maya.
- b. Caper Acres Outreach- Event Coordinator Intern, Heidi Chervet along with CAVE volunteers on 3 occasions in April spent time at community events promoting the Caper Acres Fun Run and renovation.

## 8. Street Trees

- a. Arbor Day – CSUC Students assisted with planting at W 2nd St next to the student parking lot.
- b. Urban Forest Manager – Richie Bamlet started on 4/24. He spent his first week on orientation. He met staff in Public Works O&M, Public works Engineering and Planning. He also started discussions with members of Chico Tree Advocates as well as representatives from utility contractors operating in city ROW's. Richie was also able to start getting familiar with Chico's tree inventory.

## 9. Landscapes

- a. Seasonal Irrigation Checks - With the upcoming warm weather, the landscape contractor was busy inspecting all of the irrigation systems in City parks and right-of-way.
- b. Annual Backflow Tests– As required by CalWater, the Landscape Inspector and City contractor were busy testing and documenting the annual backflow preventer tests to meet the June 1 deadline.

## 10. Volunteer and Donor Program

- a. Spring Kick off! – April was an incredible month for volunteer activities! There was a total of 2,246 volunteer hours contributed to Chico's Parks and Greenways!
- b. Caper Acres– The Chico Sunrise Rotary is moving forward with plans for a re- landscape of the entrance and replacement of the bridge at Caper Acres. Work is anticipated to start in June.
- c. Upcoming Volunteer Opportunities –
  - i. Make a Difference Day– Planning for Make a Difference Day in October is already underway.
  - ii. Volunteer Calendar – Check in to see all the upcoming volunteer opportunities on the [Bidwell Park](#) webpage!

## MONTHLY SUMMARY TABLES

**Table 1. Monthly Volunteer Hours**

<b>Park and Greenway Volunteer Activities, April 2017</b>						
<b>Date</b>	<b>Location</b>	<b>Agency</b>	<b>Task</b>	<b># of Volunteers</b>	<b>Total Hours</b>	<b>Leader</b>
All of April	Bidwell Park	Park Watch	Park Ambassadors	112	962	Shane Romain
various	Bidwell Park	Parks Div	Gen. Cleanup	1	13	Susan Mason
various	Memorial Way	Parks Div	Vegetation Mgmt	1	2	Susan Mason
various	CCG	FCCG	Gen. Cleanup	1	37	Liz Stewart
various	various	FCCG	Outreach	4	8	various
4/1/2017	Lindo Channel	CCW	Gen. Cleanup	23	69	Dan Bringolf
4/1/2017	Caper Acres	Chico Noon Rotary	Renovation	48	192	Pat Conroy
4/8/2017	Teichert Ponds	BEC	Gen. Cleanup	46	138	Lorilei Angle
4/9/2017	Comanche Creek Greenay	FCCG	Gen. Cleanup	12	38	Susan Mason
4/13/2017	CCG	FCCG	Planning	1	1	Emily Alma
4/15/2017	Upper Park	Trailworks	Trail Work	23	69	Thad Walker
4/22/2017	Lower Park	Stream Team	Renovation	8	24	Timmarie Hammil
4/22/2017	Lower Park	Parks Div	Gen. Cleanup	130	390	Shane Romain
4/22/2017	Nature Center	Parks Div	Outreach	3	9	Heidi Chervet
4/22/2017	Upper Park	Trailworks	Trail Work	14	42	Steven Clipperton
4/22/2017	CCG	FCCG	Gen. Cleanup	18	62	Janet /Susan
4/23/2017	CCG	FCCG	Gen. Cleanup	8	23	Susan Mason
4/25/2017	CCG	FCCG	Gen. Cleanup	5	16	Susan Mason
4/25/2017	Lower Park	Social Stewards	Gen. Cleanup	4	12	Aaron Gomez
4/27/2017	City Plaza	Parks Div	Outreach	7	21	Heidi Chervet
4/27/2017	Lower Park	Parks Div	Gen. Cleanup	4	12	Shane Romain
4/29/2017	City Plaza	Parks Div	Outreach	9	27	Heidi Chervet
4/29/2017	CCG	FCCG	Gen. Cleanup	7	23.5	Susan Mason
4/28/2017	CCG	FCCG	Veg. Mgmt.	3	10	Susan Mason
4/30/2017	CCG	FCCG	Veg. Mgmt	15	46	Susan Mason
				<b>TOTAL HRS</b>	<b>2246</b>	

**Table 2. Monthly Public Events**

<b>Monthly Public Permits - April</b>				
<b>Date</b>	<b>Location</b>	<b>Organization</b>	<b>Event</b>	<b>Participant #</b>
04/01/17	1 Mile	The Yellow Door	6th Annual Walks for Autism	1,000
04/02/17	1 Mile	Remi Vista	5K Run/Easter Egg Hunt/Lunch	199
04/06/17	City Plaza	DCBA	Thursday Night Market	300
04/08/2017	1 Mile	Butte Humane Society	Bidwell Bark 2017	1,000
04/08/2017	City Plaza	Chico Toy Museum	Spring Yo-Yo Contest	50
04/10/2017	Children's Playground	Bidwell Presbyterian Church	Easter Eggstravaganze	249
04/15/2017	Caper Acres	CARD	Easter Egg Hung	1,500
04/15/2017	1 Mile	Enloe Medical Center	Growing Healthy Children Run/Walk	750
04/16/2017	1 Mile	CSU Stufent Veteran Organization	5K Run	100
04/16/2017	Council Ring	God Squad AA	Group Meeting	55
04/16/2017	Easter Crosses	Vineyard of Chico	Sunrise Service	50
04/21/2017		CSU Chico-First-Year Experience	Chico Great Debate	250
04/22/2017	City Plaza	Disability Action Center	Walk	250
04/22/2017	1 Mile	Enloe Medical Center	Heart & Sole: Run for Wellness	500
04/23/2017	1 Mile	Katrina Chesterman Memorial Clinic	5K/10K Fun Run/Walk	100
04/29/2017	City Plaza	Valley Oak Children's Services	Annual Children's Faire	700
04/29/2017	1 Mile	Women's Resource Clinic	Walk For Life	175
04/30/2017	1 Mile	National MS Society	Walk MS Fundraiser	250
<b>Totals</b>			<b>18</b>	<b>7,478</b>

**Table 3. Monthly Private Permits**

<b>Monthly Private Permits - April</b>		
<b>Type</b>	<b># Permits</b>	<b># Participants</b>
Private	19	905
Caper Acres	25	555
<b>Totals</b>	<b>44</b>	<b>1460</b>

**Table 4. Monthly Park Maintenance Hours.**

Category	Staff Hours	% of Total	% Change from Last Month	2017 Trend
1. Safety	150	26.8%	18.6%	
2. Infrastructure Maintenance	95	17.0%	69.6%	
3. Vegetation Maintenance	120	21.4%	60.6%	
4. Admin Time/Other	195	34.8%	145.0%	
Monthly Totals	560	100%	44.0%	

**Table 5. Monthly Street Tree Productivity.**

Category	Staff Hours	% of Total	% Change from Last Month	Trend
<b>Tree Crew Hours</b>				
1. Safety	38	6.9%	135.7%	
Establishment, and Maintenance)	302.5	54.9%	82.0%	
3. Special Projects	12	2.2%	-	
4. Admin Time/Other	199	36.1%	93.0%	
Monthly Totals	551.5	100.0%	90.3%	

Item	Values	% Change from Last Month	Trend
<b>5. Productivity</b>			
<b>Calls</b>			
Call Outs	56	151.4%	□□□□
Service Requests: Submitted	0	-	
Service Requests: Completed	44	75.9%	□□□□
Sub Total	100	105.3%	□□□□
<b>Trees</b>			
Planted: Trees	15	20.8%	□□.
Pruned	19	95.0%	□ □
Removed: Trees (smaller)	6	-	□□ □
Removed: Stumps	0	-	□
Removed: Trees	0	-	
Sub Total	40	43.5%	□□□.
<b>Tree Permits (#)</b>			
Submitted	0	-	
Approved	1	25.0%	□□□
Denied	0	-	
Total	1	25.0%	□□□
<b>6. Contracts</b>			
Expenditures (\$)	\$ 36,840	905.2%	□□□□
<b>Trees (#)</b>			
Planted	0	-	
Pruned	1	#VALUE!	□ □
Removed: Trees (smaller)	0	-	
Removed: Stumps	0	-	□
Removed: Trees	26	866.7%	□ □
Total	27	#VALUE!	□ □

**Table 6. Monthly Ranger Incidents**

04/12/2017	Lindo Channel	Possession of Drug Paraphernalia	Arrest
04/14/2017	City Plaza	Possession of Drug Paraphernalia	Arrest
04/17/2017	City Plaza	Drunk in Public	Arrest

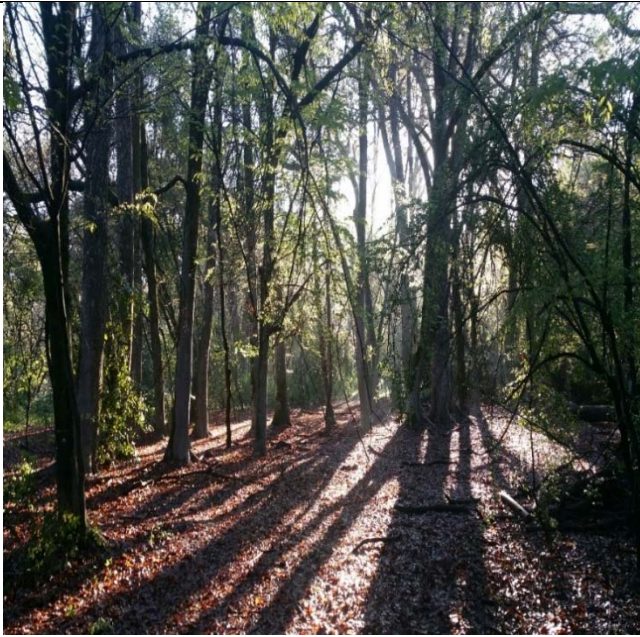
**Table 7. Monthly Citations and Warnings**

Ranger Report - Citations 2017						
	Monthly			Annual		
Violation - Citations	Total Citations	%	Rank	Total Citations	%	Rank
Alcohol	1	4%	3	2	2%	6
Animal Control Violations	0	0%	5	7	7%	4
Bicycle Violation	0	0%	5	7	7%	4
Glass	0	0%	5	1	1%	9
Illegal Camping	1	4%	3	10	10%	3
Injury/Destruction City Property	0	0%	5	0	0%	10
Littering	0	0%	5	2	2%	6
Other Violations	2	8%	2	16	16%	2
Parking Violations	22	85%	1	50	52%	1
Resist/Delay Park Ranger	0	0%	5	0	0%	10
Smoking	0	0%	5	2	2%	6
<b>Totals</b>	26	100%		97	100%	

**Ranger Report - Warnings 2017**

Ranger Report - Warnings 2017						
	Monthly			Annual		
Violation - Warnings	Total Warnings	%	Rank	Total Warnings	%	Rank
Alcohol	2	5%	6	11	5%	6
Animal Control Violations	7	18%	3	47	20%	2
Bicycle Violation	0	0%	8	14	6%	5
Glass	1	3%	7	4	2%	8
Illegal Camping	6	16%	4	87	36%	1
Injury/Destruction City Property	0	0%	8	1	0%	10
Littering	0	0%	8	4	2%	8
Other Violations	3	8%	5	8	3%	7
Parking Violations	9	24%	2	23	10%	4
Resist/Delay Park Ranger	0	0%	8	0	0%	11
Smoking	10	26%	1	41	17%	3
<b>Totals</b>	38	100%		240	100%	

**PHOTOGRAPHS**



**Sun setting on the World of Trees**



**Wildflowers in Upper Park**



**Ranger with preschoolers at Cedar Grove**



**Park Watchers ready to help Earth Day volunteers**



Arbor Day with CSUC. Students assisted with planting at W 2nd St next to the student parking lot.



Installing root barriers.



Students breaking ground and digging a hole for a tree on Normal Ave off W 2nd St.



The last tree of the day was planted on Normal Ave next to the CSUC Parking structure.



Watering new Live Oak tree at Caper Acers.



5 new Live Oaks were planted around the playground area at Caper Acers.