

TITLE 9

DIVISION 29: PARK & RECREATION REGULATIONS

CHAPTER 1: PARK USE REGULATIONS

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§ 92901.00 DEFINITIONS.

As used in this chapter:

“County” means the County of Imperial.

“Department” means the department of Planning & Development Services of the County of Imperial, of which Parks & Recreation is a division.

“Director” means the director of the department of Planning & Development Services of the County of Imperial or his or her authorized representative.

“Division” means the Parks & Recreation division within Imperial County Planning & Development Services.

“Facility” or “park facility” means any body of water, land, campsite, recreation area, building, structure, system, equipment, machinery or other appurtenance owned, managed, controlled, or operated by the department. (Prior code § 31100)

“Person in need of Assistance” means a person because of age, physical or mental infirmity, or other physical, mental, or emotional dysfunction, has an impaired ability to provide adequately for the individual’s own care without assistance.

§ 92901.01 PERMIT--APPLICATION CONTENTS.

Whenever a permit is required by provisions in this chapter, an application shall be filed with the director stating:

- A. The name and address of the applicant;
- B. The name and address of the person, group, organization or corporation sponsoring the activity;
- C. The nature of the proposed activity;
- D. The dates, hours, park facility and location within the park for which the permit is desired;
- E. An estimate of number people in attendance;
- F. Any other information which the director, regarding public health, safety, and welfare, finds reasonably necessary to a fair determination as to whether a permit should be issued. (Prior code § 31101)

§ 92901.02 PERMIT--STANDARDS FOR ISSUANCE.

The director may issue a permit hereunder when he or she finds:

- A. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- B. That the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation;
- C. That all conditions, including where applicable the payment of fees, now in existence or hereinafter established, and insurance coverage, are met;
- D. That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- E. That the proposed activity or use will not entail unusual, extraordinary, or burdensome expense or security operation by the department; and
- F. That the facilities desired have not been reserved for other use. (Prior code § 31102)

§ 92901.03 VIOLATION OF REGULATIONS--SANCTIONS.

- A. Violation of any regulations contained in this chapter is a misdemeanor;
- B. The director or his/her designee shall have the authority to revoke a permit upon a finding of violation of other County ordinances or law of this state;

- C. The director or his/her designee shall have the authority to eject from any park facility any person acting in violation of regulations contained in this chapter;
- D. The regulations contained herein shall not prohibit any person authorized by the director from the normal exercise of requested, assigned, or contractual duties. (Prior code § 31103)

§ **92901.04 CLOSURE OF FACILITIES.**

The director shall have the authority to close any park facility or portion thereof and require the exit of all persons therein when he determines that conditions exist in the facility or portion thereof which present a hazard to the facility or to public safety. (Prior code § 31104)

§ **92901.05 FAILURE TO OBTAIN REQUIRED PERMIT.**

No person shall use, occupy, or otherwise remain in any park facility or portion thereof for which a permit is required without first having obtained such permit. (Prior code § 31105)

Anyone caught without required permit shall at a minimum be required to obtain the permit at double the established fee.

§ **92901.06 PRIORITY OF USE.**

Any person using a park facility or portion thereof which may be reserved by obtaining a permit, but who has not obtained such a permit, shall vacate the area when holders of a valid permit present themselves. (Prior code § 31106)

§ **92901.07 EXHIBITING PERMIT.**

No person shall fail to produce and exhibit a permit he or she claims to have upon request of any department employee or any peace officer who shall desire to inspect said permit for the purpose of enforcing compliance with any regulations in this chapter. (Prior code § 31107)

§ **92901.08 PARKS AND RECREATION FEES.**

The following fees shall be charged for parks and recreation services:

| Service | Permit Fee |
|--|--|
| 1. Camping (RV & Trailer) | |
| Per day (dry camp no hookups) Maximum stay 7 days | \$15.00 per day maximum 4-8 occupants per space, \$1.00 per person over 8. |
| Per day (electric and/or water) | \$25.00 per day maximum 4-8 occupants per space, \$1.00 per person over 8. |
| Per day (electric, sewer & water) | \$35.00 per day max 4-8 occupants per space, \$1.00 per person over 8. |
| Monthly Electric and/or water only | \$300.00 per month \$750.00 for 3 months |
| Electric, sewer & water | \$350.00 per month \$900.00 for 3 months |

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| 2. Camping (Tent) | |
| Tent (dry camping) Maximum stay 7 days | \$5.00 per day |
| | |
| 3. R.V. Storage: | |
| In campground (limited) | \$100.00 monthly |
| In defined (unsecured) compound | \$50.00 monthly |
| | |
| 5. Day use permit fee, groups: | |
| Non-profit or private group events (– 40 people) | \$20.00 per day |
| Non-profit or private group events (41-100 people) | \$50.00 per day |
| Non-profit or private group events (101-500 people) | \$300.00 per day |
| Non-profit or private group events (+501 people) | \$700.00 per day |
| | |
| All profit group events (– 40 people) | \$30.00 per day |
| All profit group events (41-100 people) | \$75.00 per day |
| All profit group events (101-500 people) | \$300.00 per day |
| All profit group events (501-1,000 people) | \$500.00 per day |
| All profit group events (+1,000 people) | \$3,000.00 per day |
| | |
| Day permits - park facility | \$200.00 per day staged events per events plus 7% of gross revenues |
| | |
| 7. Boat Launch | \$5.00 per boat/ski trailer per day |
| Annual permit | \$100.00 - January to December |
| Winter permit (1/2 year) | \$50.00 – October to March |
| Summer permit (1/2 year) | \$80.00 – April to September |

Prior code § 31107.5)

§ **92901.09** **SELLING AND ADVERTISING.**

Within the boundaries of any park facility, no person shall sell, vend, peddle, expose, offer for sale, or distribute after sale to the public, any merchandise, service or property or sell tickets for any event, nor shall any person distribute, circulate, give away, throw, or deposit in or on any park facility any handbills, circulars, pamphlets, papers, or advertisements, which material calls for the public attention in any way to any article or service for sale or hire, nor within any park facility

shall any person solicit or collect donations of money or other goods from the public, without express approval of the director, in conjunction with a permit, for such activity within the specific park facility. (Prior code § 31108)

§ **92901.10** **RESTROOMS AND WASHROOMS.**

Male persons shall not enter any restroom or washroom set apart for females, and female persons shall not enter any restroom or washroom set apart for males, except this shall not apply to:

- A. Children under the age of six years who are accompanied by a person who is of the sex designated for that facility and who has reason to be responsible for such child;
- B. An individual of the opposite sex who is assisting a person in need of assistance in the normal use of a restroom or washroom.(Prior code § 31109)

§ **92901.11** **WATER POLLUTION.**

While within the boundaries of any facility, no person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water or in any tributary, stream or drain flowing into such waters, any substance, matter, or thing, liquid or solid, including, but without limitation to particles or objects made of paper, metal, glass, garbage, rubbish, rubber, fuel, food matter, wood fiber and plastics. (Prior code § 31110)

§ **92901.12** **REFUSE.**

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or on any park facility, except that refuse which is incidental to the use of the facility may be deposited in the receptacles provided therefore. For purposes of this section, an incinerator, stove, fire ring, barbeque, or other devices used to contain fires or for cooking is not a proper receptacle for refuse or other waste material. (Prior code § 31111)

§ **92901.13** **SMOKING.**

No person shall smoke any substance in any area designated as a nature trail or nature area or in or on any park facility where smoking is prohibited. (Prior code § 31112)

§ **92901.14** **FIRES.**

- A. Without a permit issued by the director, no person shall ignite, maintain, or use any fire in any place within any park facility except in a barbeque cooker or other cooking device authorized by the director for that purpose;
- B. No person shall ignite or maintain a fire of materials deposited in any can, box, trench, pit, or other receptacle maintained for the purpose of garbage disposal or incineration. (Prior code § 31113)

§ **92901.15** **INTOXICATING LIQUOR.**

It is unlawful for any person to possess or consume any alcoholic beverages within the limits of County Parks. An exception could be made to allow possession and consumption of alcoholic beverages in areas designated within a County Park for special events and only with an approved permit issued by the Director. The Park Rangers are authorized to notify the proper law enforcement agency of any observation of excessive use of alcohol. (Prior code § 31114)

1) General Permit

Small Private, invitation only events (family reunion, company picnic, etc.) that provide alcoholic beverages, beer & wine to attendees of your event **at no cost** and it is again **private**, must apply for an Alcoholic Beverage Permit. The Permit holder shall comply with the following:

- A. Permit is not transferable, nor refundable
- B. Permit is valid for date of event only
- C. Glass beverage containers are not permitted
- D. Persons of legal age are allowed to bring alcoholic beverages into the park for the permitted private event only.
- E. Permit holder is responsible for the conduct of all group members
- F. The applicant must agree to provide sandwiches and other food services at the location during the time of alcohol consumption in an amount sufficient to serve the number of persons anticipated to attend
- G. Area must be left clean
- H. Obnoxious behavior or excessive noise will not be permitted
- I. Park hours must be observed
- J. Permit holder must retain permit and make available upon request by proper park or law enforcement
- K. Issuance of Alcoholic Beverage Permit must accompany a facility reservation
- L. Permit holder will be responsible for assuring that all members of his/her party that consume alcohol are of legal age to drink alcoholic beverages according to State law
- M. Alcoholic beverages are not permitted in parking lots or children's play areas
- N. There shall be no sales of alcoholic beverages
- O. The applicant must sign that he/she understands and agrees to be personally responsible for and may need to provide financial guarantees to ensure cleaning, trash disposal and/or repairs necessary as a result of the event. The amount of the financial guarantee will be determined by the Director
- P. The use of a paid "catering" service for the serving of alcoholic beverages will require proof of an ABC alcoholic beverages license
- Q. Security may be required depending on size of event and in accordance with local law enforcement requirements
- R. Park Rangers are authorized to notify the proper law enforcement agency of any observation of excessive use of alcohol
- S. The County reverses the right to cancel or shut down any event that violates any of the above requirements

2) Special Event Permit:

Public events held by either non-profit and for-profit groups/organizations that provide alcoholic beverages, beer & wine to attendees of the public event **at a cost** (direct or indirect), must apply for an Alcoholic Beverage Permit. The Permit holder shall comply with the following:

- A. Permit is not transferable, nor refundable
- B. Permit is valid for date of event only
- C. Glass beverage containers are not permitted
- D. Prior to the event the Permit holder shall provide proof of a Alcoholic Beverage Licenses from the California Department of Alcoholic Beverage Control (ABC), in accordance with the California Business And Professions Code Section 23300.
 - a. Non-Profit (501c3) organizations are required to get a "Daily Licenses" from ABC for the sale of alcoholic beverages.
 - b. For-Profit groups are required to get a "catering licenses" from ABC for the sale of alcoholic beverages.
- E. Security may be required depending on size of event and in accordance with local law enforcement requirements
- F. Permit holder is responsible for the conduct of all group members
- G. Permit holder will be responsible for verifying age of all persons to whom alcoholic beverages are consumed and/or dispensed under the permit.
- H. The applicant must agree to provide sandwiches and other food services at the location during the time of alcohol consumption in an amount sufficient to serve the number of persons anticipated to attend.
- I. Area must be left clean
- J. Obnoxious behavior or excessive noise will not be permitted
- K. Park hours must be observed
- L. Permit holder must retain permit and make available upon request by proper park or law enforcement
- M. Issuance of Alcoholic Beverage Permit must accompany a facility reservation
- N. Permit holder will be responsible for assuring that all members of his/her party that consume alcohol are of legal age to drink alcoholic beverages according to State law
- O. Alcoholic beverages are not permitted in parking lots or children's play areas
- P. The applicant must sign that he/she understands and agrees to be personally responsible for and may need to provide financial guarantees to ensure cleaning, trash disposal and/or repairs necessary as a result of the event. The amount of the financial guarantee will be determined by the Director
- Q. Park Rangers are authorized to notify the proper law enforcement agency of any observation of excessive use of alcohol

- R. The County reverses the right to cancel or shut down any event that violates any of the above requirements.

§ **92901.16** **FIREWORKS.**

No person shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks as defined and classified in Section 12529 of the California Health and Safety Code at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the director. (Ord. 1341 § 41, 2001: prior code § 31115)

§ **92901.17** **FIREARMS, AIR GUNS AND OTHER WEAPONS.**

No person other than peace officers, rangers, or other duly authorized personnel, in the discharge of their duties shall use, maintain, possess, fire or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, except in areas, at times, and under conditions designated by the director for such use. (Prior code § 31116)

§ **92901.18** **ANIMALS.**

No person shall:

- A. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal within the boundaries of any park facility, nor remove or have in his or her possession the young, eggs, or nest of any such creature;
- B. Abandon any animal, dead or alive, within, any park facility;
- C. Remove any animal not his or her own from within any park facility; exception is made to the foregoing in that in proper season, fish may be fished and removed from areas designated for fishing by licensed persons, and boarded horses may be removed from a park facility upon proper notification to the department;
- D. Bring into or maintain in or upon any park facility any dog, cat, or other animal, unless such animal at all times is kept on a leash and/or under full control of its owner or custodian; provided, however, the director may designate areas and times within which persons may show, demonstrate, or train unleashed animals under full control of their owners or custodians;
- E. Permit cattle, sheep, goats, horses, or other animals owned by him or her or in his or her possession to graze within the boundaries of any park facility without express approval of the board of supervisors;
- F. Ride a horse, pony, mule, burro, or other animal onto or over real property within any park facility other than at times and upon roads or trails designated for riding of animals. (Prior code § 31117)

§ **92901.19** **REAL PROPERTY--APPROPRIATION OR ENCUMBRANCE.**

No person shall deposit any earth, sand, rock, stone, or other substance within any park facility, nor shall he or she dig or remove any such material from within any park facility, nor shall he or

she erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or poles, not in any manner appropriate or encumber any portion of the real property owned, operated, controlled, or managed by the department without a permit from the director. (Prior code § 31118)

§ **92901.20** **USE OF PROPERTY.**

No person shall:

- A. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof;
- B. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof; or
- C. Without a permit from the director, make or place on any tree, plant, shrub, bloom flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, any rope, wire, mark, writing, printing, sign, card, display, or similar inscription or device. (Prior code § 31119)

§ **92901.21** **LOCKS AND KEYS.**

No person other than one acting under the discretion of the director shall duplicate or cause to be duplicated a key used by the department for a padlock or door lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person. (Prior code § 31120)

§ **92901.22** **CHILDREN UNDER AGE OF 14.**

No person shall bring to any park and leave unattended a child or children under the age of 14. No child may use or be within any designated playground equipment without an adult in supervision.

The director or his/her designee may issue a warning, issue a citation, or cause to be evicted from the park any person in violation.

Any child under 10 years found in the park without an adult will be turned over to Child Protective Services.

§ **92901.23** **MOTORIZED VEHICLES.**

- A. While within the boundaries of any park facility, no person shall drive or operate any automobile, motorcycle, motor scooter, trail bike, dune buggy, truck, or other motorized vehicle on roads or trails other than those designated for that purpose without a permit from the director;
- B. While within the boundaries of any park facility, no person shall drive any automobile, motorcycle, motor scooter, truck, or other motorized conveyance, except an authorized emergency vehicle at a rate of speed exceeding fifteen (15) miles per hour, except as may be otherwise posted by the director, or in any case at speeds exceeding safe conditions dictated by prevailing circumstances;
- C. No person shall operate any automobile or other motorized vehicle within the boundaries of any park facility unless such vehicle is currently licensed, except unlicensed vehicles may be operated in areas designated and posted for such use and in accordance with the rules established for such areas;

- D. No person shall park any automobile or other motorized vehicle within any park facility except in areas specifically designated as parking areas. In no case shall any person park a motorized vehicle in a manner that presents a hazard to the public, any vehicle in violation may be towed at owner's expense;
- E. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any park facility during the hours the facility is closed without a permit from the director;
- F. No person shall abandon any motorized vehicle within the boundaries of a park facility. Any vehicles left in the park at the close of the park will be towed at owner's expense;
- G. No person shall wash or repair any automobile or other motorized vehicle within the boundaries of any park facility;
- H. All motorized vehicles within the boundaries of any park facility shall be equipped with a properly installed muffler device which is in constant operation and which prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device. (Prior code § 31121)

§ 92901.24 BICYCLES.

No person shall ride a bicycle on any grassy area, path, or walkway designated exclusively for pedestrian use. A bicyclist shall be permitted to push a bicycle by hand over any such grassy area, path or walkway.

No person shall leave a bicycle in any place or position where other persons may trip over or be injured by it. Bicycles shall be left in a bicycle rack when one is provided and there is space available. (Prior code § 31122)

§ 92901.25 HOURS OF USE.

The director is authorized to promulgate reasonable opening and closing hours for park facilities. No person shall enter, remain in, or camp in or on any park facility during the hours or any part of the hours the facility is closed without a permit from the director. (Prior code § 31123)

§ 92901.26 GAMES.

The playing of rough or comparatively dangerous games such as football, baseball, horseshoe, and soccer or of any other games involving thrown, hit, or otherwise propelled objects such as golf balls, balls of other description, stones, arrows, javelins, or model airplanes is prohibited except in field, courts, or areas specifically provided therefore, or with express permission of the director, in areas compatible to such use. Persons desiring to use a park facility for the specific purpose for which the facility was established shall have priority of use over persons using the facility for another nonproscribed purpose. (Prior code § 31124)

§ 92901.27 MARINE EVENTS.

It is unlawful for any person or organization to conduct or take part in a race of any kind involving the use of boats or watercraft on the waters in the County of Imperial, State of California, unless a written permit for such event designating the area to be used, and the day and hours of such use has been first procured from the director.

- A. For purposes of this section "race" is defined as a competitive trial of speed between two or more vessels, watercraft, or boats in marked courses of a pre-arranged time and place, such race being sponsored or conducted under the auspices of a yacht club, water

ski club, boating association, or other organization or individual interested in promoting trials of speed between watercraft or boats.

- B. Application for Permit. See permit section of this chapter.
- C. Patrol Boats and Operators. The permit shall require the person or organization conducting or sponsoring any marine event regulated hereby to furnish the number of patrol boats and operators determined by the director to be necessary for the safe and effective conduct and control of such marine event or race.
- D. Insurance Coverage. No permit shall be valid unless and until there is on file with the director, satisfactory proof that the person or organization to which the permit is issued has in full force and effect public liability and property damage insurance protecting both the permittee and the Imperial County Board of Supervisors, the Parks & Recreation Commission, each member thereof, and its agents, servants and employees, against any liability arising from the activities of the permittee in connection with the issuance of the permit. (Prior code § 31125)

§ 92901.28 BOATS.

Regulations governing the use of boats within any park facility may be established and posted by the director. The regulations shall promote the safety of swimmers and boaters, the protection of property, and general public enjoyment of the facility. (Prior code § 31126)

§ 92901.29 SWIMMING.

No person shall swim, bathe, or wade in any water or waterways within any park facility when such activity is prohibited and so posted by the director upon his or her finding that use of the water would be dangerous to the user, incompatible with the function of the facility, or inimical to public health. (Prior code § 31127)

No swimming is allowed in Sunbeam Lake. Swimming is restricted to the swimming lagoon adjacent to the Sunbeam Lake.

At Wiest Lake, swimming is allowed within the designated swimming area only.

Swimming at any County park is “at risk”, meaning that no lifeguard may be on duty.

§ 92901.30 REGULATIONS.

The director may establish and post regulations governing the use of park facility which are not inconsistent with the intent of the regulations contained in this chapter and which promote public health and safety and the preservation of property. (Prior code § 31128)

§ 92901.31 SOUND AMPLIFICATION EQUIPMENT.

Within any park facility, no person shall use sound amplification equipment without a permit from the director. (Prior code § 31129)

TITLE 9

DIVISION 29: PARKS & RECREATION REGULATIONS

CHAPTER 2: BOATING AND SWIMMING REGULATIONS

- § 92902.00 WATERSKIING PROHIBITED
- § 92902.01 BATHING, SWIMMING, BOATING, WATERSKIING PROHIBITED - EXCEPTION
- § 92902.02 WATER SKIING AND RELATED ACTIVITIES
- § 92902.03 BOATING SPEED LIMITS

§ 92902.00 WATERSKIING PROHIBITED.

- A. It is unlawful for any person or persons to operate water skis, an aquaplane, or other similar device or to operate a vessel for towing any person or persons on water skis, an aquaplane, or other similar device, at any time upon the waters of the Palo Verde Outfall Drain of the Colorado River, in the County of Imperial, State of California.
- B. Violations. Any person who shall violate any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment in the County jail for a period not to exceed three months, or by both such fine and imprisonment. (Prior code §§ 32100, 32101)

§ 92902.01 BATHING, SWIMMING, BOATING, WATERSKIING PROHIBITED--EXCEPTION.

It is unlawful for any person to bathe, swim, boat, water-ski or otherwise enter into, or upon the surface of the water in any irrigation canal, lateral, ditch, or siphon, in the unincorporated area of the County of Imperial, State of California; provided, however, that the provisions of this chapter shall not apply to that body of water known as the Palo Verde Outfall Drain & Sunbeam Lake Lagoon (boating and fishing only). (Prior code § 32200)

§ 92902.02 WATER SKIING AND RELATED ACTIVITIES.

It is unlawful for any person or persons to operate water skis, an aquaplane, or other similar device or to operate a vessel for towing any person or persons on water skis, an aquaplane or other similar device or means at any time upon the waters of the Oxbow Lagoon adjacent to the Colorado River in the Palo Verde area in the County of Imperial, State of California. (Prior code § 32300)

Boat size = 24 ft. limit

§ 92902.03 BOATING SPEED LIMITS.

- A. Scope. Pursuant to Sections 267 and 268 of the California Harbors and Navigation Code and Section 7003 of Title 14 of the California Administrative Code, and based on a study by the parks and recreation department, the County of Imperial has determined the requirement for a boating speed limit in certain areas of the navigable waterways within the County.

B. Definitions.

As used in this chapter:

“Boat” means every description of watercraft used or capable of being used as a means of transportation on, through, or under water, including, but not limited to rafts, aquaplanes, water skis, jet skis, paddleboards and surfboards, whether propelled manually, mechanically or by means of sail or canvass.

“Person” includes any individual, firm, partnership, corporation, company, association or body politic, except the United States, the State of California, and the County of Imperial and includes any agent, trustee, executor, receiver, assignee or other similar representative thereof.

C. Speeding Regulations.

1. It is unlawful for any person to operate a boat at a speed in excess of five nautical miles per hour within two hundred (200) feet of the California shore of the Colorado River commencing at the mouth of the channel south of Walters Camp and continuing north for a distance of one mile.
 2. It is unlawful for any person to operate a boat at a speed in excess of five nautical miles per hour within two hundred (200) feet of the shore surrounding Squaw Lake.
 3. It is unlawful for any person to operate a boat at a speed in excess of five nautical miles per hour upon Sunbeam Lagoon (lower Sunbeam Lake)
 4. It is unlawful for any person to operate a boat at a speed in excess of five nautical miles per hour upon Wiest Lake within one hundred (100) feet of any pier, now existing or hereinafter constructed.
 5. It is unlawful for any person to operate a boat at a speed in excess of five nautical miles per hour within two hundred (200) feet of any swimming beach, swimming float, swimming platform, swimming lifeline, launching bay, float or dock in Imperial County.
- D. Posting Speed Limits. The director shall cause to be located in the areas described in subsection C of this section, signs or buoys indicating the allowable speed within the area. From and after the location of the signs or buoys in the indicated areas, the speed limits stated in subsection C of this section shall be in full force and effect.
- E. Penalties and Procedures. Any person who violates any provisions of this chapter shall be guilty of a misdemeanor and punishable by imprisonment in the County jail for a term not to exceed six months, or by a fine not exceeding five hundred dollars (\$500.00), or by both such fine and imprisonment. (Ord. 1341 § 42, 2001: prior code §§ 32400--32404)

TITLE 9

DIVISION 29: PARKS & RECREATION REGULATIONS

CHAPTER 3: CAMPING RESTRICTIONS

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| § 92903.00 | SHORT TITLE |
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§ 92903.00 SHORT TITLE.

The short title of this chapter shall be "The Imperial County Camping Ordinance." (Prior code § 51900)

§ 92903.01 DEFINITIONS.

As used in this chapter the following terms are defined.

"Abandoned vehicle" means a vehicle which is inoperative and not currently registered, located other than on the property of its owner, or any other vehicle which is clearly abandoned by its lawful owner.

"Camping" or "camp" means living in, maintaining a residence in, sleeping in or otherwise inhabiting a structure, vehicle or location other than a bona fide residential dwelling or mobilehome.

"Recreational vehicle" means a motor vehicle constructed or permanently modified to act as temporary living quarters for human habitation. Only vehicles currently licensed to operate on the highway as recreational vehicles and which are functional shall be considered recreational vehicles.

"Residential dwelling" means a building permanently constructed in full accordance with zoning, building, and health and safety laws for purposes of human habitation.

"Shanty" or "shack" means a building, lean-to or shelter or shack used for human habitation which is made of various materials in such a manner that it does not qualify as a "residential dwelling." (Prior code § 51901)

§ 92903.02 PROHIBITION.

It is unlawful within the jurisdiction of Imperial County to do any of the following:

- A. To camp in, dwell in, or inhabit any campsite, area, property or structure other than with the written permission of the lawful owner thereof, however, nothing herein shall authorize a private property owner to operate an unauthorized campground, trailer park or recreational vehicle park or grant permission to anyone to camp on their property when such conduct would violate this chapter or any other provision of law;
- B. To construct, maintain, or allow to remain, any shanty, shack or abandoned vehicle used for purposes of human habitation;
- C. To camp in, dwell in, or inhabit an abandoned vehicle;
- D. In addition to subsection A of this section, to park a vehicle, recreational vehicle or mobilehome for purposes of camping in, sleeping in, dwelling in or otherwise inhabiting it in any area or on any property other than a licensed campground, recreational vehicle park, mobilehome park or in a governmentally controlled campground or public use area for which camping is a specifically authorized public use;
- E. Discharging or depositing any sewage, food refuse or other trash or garbage in or on any lands or waters other than in facilities specifically designated for discharge of human waste or for deposit of such trash and garbage;
- F. To camp, or park any vehicle or recreational vehicle within one quarter mile of any posted animal watering hole;
- G. To camp, or park any vehicle or recreational vehicle in or near immediately adjacent to any area or property which is:
 - 1. Designated or posted as a hazardous or dangerous area,
 - 2. Designated or posted as a "No Trespassing" area. (Prior code § 51902)

§ 92903.03 EXEMPT LOCATIONS.

Provisions of this chapter shall not apply to any area or property where an act prohibited is specifically authorized for such location by any lawful federal, state, or local law, regulation or license. The County provides both motorized and unmotorized camping opportunities a number of camping locations. Camping is permitted in the following County Parks: (Prior code § 51903)

- A. Recreational vehicle/ travel trailer camping is permitted at the following county parks only, Wiest Lake, Red Hill Marina, and Palo Verde Park. Sunbeam Lake Park has privately operated Recreational Vehicle Park, therefore there is no recreational vehicle/ travel trailer camping in the public portion of the Park.
- B. Tent camping is permitted at the following county parks only, Sunbeam Lake Park, Wiest Lake Park Red Hill Marina, Palo Verde Park, Ocotillo Park. Individual and/or group tent camping shall not exceed 7 continuous days.
- C. There is no camping of any kind at Pioneers Park.

§ 92903.04 EXEMPT VEHICLES, STRUCTURES AND ACTIVITIES.

Vehicles, structures and camping activities operated or owned by any federal, state, or local governmental entity are exempt. Vehicles, structures and camping activities operated by private individuals on public lands without the knowledge and specific approval of the public agency involved shall not be exempt. (Prior code § 51904)

§ 92903.05 VIOLATION--PENALTY.

- A. A violation of this chapter is a misdemeanor and shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the County jail for not more than six months or both such fine and imprisonment.
- B. Continuance or recurrence of a violation more than twenty-four (24) hours after a previous citation therefore shall be considered a separate violation and shall be cited as such. (Prior code § 51905)

§ 92903.06 PERMIT SYSTEM.

- A. The director may, by appropriate departmental regulation, establish a system for the issuance of permits for camping for periods of more than fourteen (14) days on public and private lands in Imperial County.
- B. Such permit system shall be operated in full conformity with and in support of any federal, state, and local camping, recreation and land use laws and regulations.
- C. The regulations for the permit system may establish an appropriate fee for such permits to cover cost of the program's administration and cost of sanitation and recreational support facilities in the County.
- D. The regulations for the permit system as promulgated by the director shall be subject to the approval and revision of the board of supervisors.
- E. Failure to pay any fee required by the permit system shall be violation of this chapter. (Prior code § 51906)

§ 92903.07 ABATEMENT OF NUISANCES.

- A. Any shanty or other structure found to be involved in or which constitutes a violation of this chapter shall be considered a dangerous building and shall be dealt with in accordance with Chapter 9.272 of this code, or other applicable law.
- B. Any abandoned vehicle involved in a violation of this chapter shall be dealt with in accordance with the Vehicle Code, or other applicable law.
- C. Abatement of this vehicle or structure found to be in violation of this chapter may be undertaken by County employees or agents twenty-four (24) hours after service of the citation. (Prior code § 51907)

§ 92903.08 NOTICE OF CITATION.

- A. If personal service on the individual found to be in violation of this chapter is not possible, service of the citation by firmly affixing a notice of citation to a conspicuous object in the campsite, or to a vehicle or structure shall be considered proper service of the citation.
- B. A notice of citation under this section shall be a tag of durable paper of a red or orange color not less than twenty-four (24) square inches in size which contains all essential elements of the citation.
- C. If service by posting such notice of citation is made, a copy of the citation shall be mailed to any known address, including the registered vehicle address, of the violator. (Prior code § 51908)

§ 92903.09 Enforcement.

Violations of this chapter may be enforced by any federal, state, or local peace officer or ranger with peace officer status, or by any officer or employee of the County of Imperial who may be assigned such duty. (Prior code § 51909)

TITLE 9

DIVISION 29: PARKS & RECREATION REGULATIONS

CHAPTER 4: IMPERIAL SAND DUNES RECREATION AREA

- § 92904.00 PURPOSE
- § 92904.01 PROHIBITIONS
- § 92904.02 EXCEPTIONS
- § 92904.03 POSTING
- § 92904.04 ENFORCEMENT
- § 92904.05 PENALTY

§ 92904.00 PURPOSE.

Whereas the Imperial Sand Dunes Recreation Area (Imperial Sand Dunes) is a year-round recreation area for off highway vehicle enthusiasts. And, whereas, during certain times of the year, including Thanksgiving, New Years, Halloween and other three day weekends, the Imperial Sand Dunes is visited by more than sixty thousand (60,000) recreationists. Unfortunately, the area within the Imperial Sand Dunes generally known as Competition Hill has been designated by local law enforcement as an area of lawlessness at times beyond their control, particularly during nighttime, creating serious concern for their safety as well as the safety of the public in general. For example, while attempting to enforce federal and state laws at Competition Hill, law enforcement has been surrounded by thousands of unruly recreationists threatening physical harm.

In an effort to mitigate this situation, it has been recommended by the Imperial County Sheriff's Department, in cooperation with the Bureau of Land Management that Competition Hill be closed to any and all recreationists during nighttime hours. It is their belief that the closing of Competition Hill during nighttime hours is essential to maintaining a safe area for recreationists. (Ord. 1359, § 1 (part), 2002)

§ **92904.01** **PROHIBITIONS.**

It shall be unlawful for any person to enter the area generally known as Competition Hill within the Imperial Sand Dunes one half hour before sunset until one half hour after sunrise. (Ord. 1359, § 1 (part) 2002)

§ **92904.02** **EXCEPTIONS.**

Notwithstanding the provisions of Section 12.42.020, the provisions of this chapter shall not apply to persons using Competition Hill in an emergency. (Ord. 1359, § 1 (part), 2002)

§ **92904.03** **POSTING.**

The Imperial County Sheriffs Department, in cooperation with the Bureau of Land Management and/or such other agency, as designated by the County or the Bureau of Land Management, shall erect such signs and/or other notices stating the prohibitions contained herein, at such places as deem appropriate. (Ord. 1359, § 1 (part), 2002)

§ **92904.04** **ENFORCEMENT.**

Violations of this chapter may be enforced by any federal, state or local peace officer or ranger with peace officer status, or by any officer or employee of the County who has peace officer training as may be assigned to such duty. (Ord. 1359 (part), § 1)

§ **92904.05** **PENALTY.**

A. A violation of this chapter is a misdemeanor and shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the County jail for not more than six months or both.

B. The continuance or reoccurrence of a violation more than twenty-four (24) hours after a previous citation shall be considered a separate violation and shall be cited as such. (Ord. 1359, § 1 (part), 2002)