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Skatepark Sum
08/25/06



SUMMARY

ORDINANCE NO. _____

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

To promote the public peace and the health, safety, and welfare of residents of El Dorado County, the County is establishing regulations for the use of skateparks owned or operated by El Dorado County. El Dorado County has implemented many ordinances aimed at promoting public peace, health, safety, and welfare. This Ordinance will assist the County in that effort.

This proposed ordinance adds Chapter 9.47 to the El Dorado County Ordinance Code. Among other things, Chapter 9.47 requires any person entering, using, or remaining in a skatepark owned or operated by El Dorado County to wear proper safety equipment and to comply with all skatepark rules and regulations. Noncompliance with the ordinance provisions subjects the party to potential penalties.

A full and complete copy of the full text of the proposed ordinance is available for viewing in the office of the Clerk of the Board of Supervisors at 330 Fair Lane, Placerville, California.

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ORDINANCE NO. _____

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:**

Section 1. Chapter 9.47 entitled "Skateparks" of Title 9 of the El Dorado County Ordinance Code is hereby added as follows:

9.47.010. Title. This chapter shall be known as the County Skatepark Ordinance.

9.47.020. Purpose. The purpose of this Ordinance is to promote the public peace and the health, safety, and welfare of residents of El Dorado County by establishing regulations for the use of skateparks owned or operated by El Dorado County. This ordinance does not preclude other civil or criminal actions in regard to conduct proscribed herein.

The El Dorado County Board of Supervisors hereby declares that skateboarding, roller-skating, in-line skating, and trick bicycling are hazardous recreational activities. Individuals using a skatepark owned or operated by El Dorado County shall assume all risk of injury or loss.

9.47.030. Safety Equipment. Any person entering, using, or remaining in a skatepark owned or operated by El Dorado County shall wear proper safety equipment, including, but not limited to, a secure helmet, knee pads, and elbow pads. All safety equipment shall be functional, properly sized, and in good repair. Helmets shall conform to state standards relating to bicycle safety helmets.

9.47.040. Regulations. All persons entering, using, or remaining in any skatepark owned or operated by El Dorado County shall comply with the following rules and regulations:

A. The skatepark shall have fixed hours of use, which shall be posted at the skatepark. No person shall use the skatepark at times other than those posted at the skatepark. The County may close the skatepark whenever it determines that such closure is necessary, such as during inclement weather or following vandalism, graffiti, or a gross violation of the rules and regulations. The skatepark shall be closed during the El Dorado County Fair and during other special events. In addition to other penalties specified herein, use of the skatepark after posted hours or during a time of closure may result in a trespassing citation and denial of future use of the skatepark.

B. The skatepark may be used by bicyclists, skateboarders, roller skaters, and in-line skaters on the days designated for that particular use and only in accordance with the schedule of use, which shall be posted at the skatepark.

C. All persons entering, using, or remaining in any skatepark must wear a shirt while on skatepark property.

D. No person may bring structures, obstacles, or other materials, such as ramps or jumps, into the skatepark.

E. Smoking, tobacco, drugs, and alcoholic beverages are prohibited anywhere at or near the skatepark.

F. It shall be unlawful to engage in graffiti, tagging, or other defacing (such as the placing of stickers or decals) of skatepark property or the property of others, as more specifically proscribed in the County Graffiti Abatement Ordinance.

G. Except for authorized guide dogs and service animals, animals are prohibited in the skatepark.

H. Glass containers are prohibited anywhere at or near the skatepark.

I. Recklessness, horseplay, foul language, vandalism, and disrespect to staff and/or other skatepark users is prohibited.

J. No person shall skate or bicycle on curbs, fences, railings, walls, benches, tables, and/or driveways of the County-owned area surrounding the skatepark. Skatepark users shall be considerate of nearby business and residents in the surrounding neighborhood.

K. No skating or bicycling is allowed at the skatepark when the skatepark surfaces are wet.

L. All injuries, whether major or minor, suffered at the skatepark are to be reported to County Parks and Recreation Staff at (530) 621-5330.

M. El Dorado County shall not be responsible for any personal belongings lost or stolen at the skatepark.

N. Amplified music and sound systems are prohibited at the skatepark.

O. Climbing on or over the skatepark fence is prohibited.

9.47.050. Enforcement.

A. Any violation of these rules and regulations will result in immediate expulsion from the skatepark and County Fairgrounds property. Three violations shall result in a one-year expulsion from the skatepark.

B. Any person who violates any of these rules and regulations shall, in the discretion of the enforcing authority, be guilty of an infraction or a misdemeanor and, pursuant to Section 1.24.020 of this Code, may be subject to a fine of not more than five hundred dollars (\$500) and/or imprisonment not to exceed six (6) months.

C. In addition to authorized law enforcement agencies, County Parks and Recreation staff shall have authority to enforce these rules and regulations, issue citations for violations of these rules and regulations, and confiscate personal property as provided herein.

Ordinance No. _____

Page 3

9.47.060. Notice. A sign or signs shall be posted at all skatepark facilities providing notice that the violation of the skatepark's rules and regulations shall subject the violator to the penalties described in Section 9.47.050.

9.47.070. Negligence Per Se. Any person who fails or refuses to comply with the provisions of this Ordinance and who is injured while using the skatepark shall be deemed negligent per se.

Section 2. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the ____ day of _____, 2006, by the following vote of said Board:

Ayes:

ATTEST
CINDY KECK
Clerk of the Board of Supervisors

Noes:
Absent:

By _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____
ATTEST: CINDY KECK, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk