

Attachment A

PARK AND OPEN SPACE REGULATIONS

R1-1. DEFINITIONS

The following words and phrases, whenever used in these regulations, shall be construed as defined in these regulations.

- A. "city" means the City of Palo Alto.
- B. "department" means the Department of Community Services of the City.
- C. "facility" or "park facility" means any body of water, land, campsite, garden, trail, levee, recreation area, building, structure, system, equipment, machinery or other appurtenance owned, managed, controlled or operated by the Community Services Department.
- D. "director" means the Director of Community Services of the City.

R1-2. APPLICABILITY

The provisions of these regulations apply to all facilities under the jurisdiction of the Community Services Department.

R1-3. CLOSURE OF FACILITIES-AUTHORITY

The director shall have the authority to close any park facility or portion thereof and require the exit of all persons therein when he or she determines that conditions exist in said facility or portion thereof which presents a hazard to the facility or to public safety. No person shall use, enter or remain in any facility, park or open space which has been posted as being closed under this authority.

- A. The Open Space, Parks and Golf Division Manager shall have the authority to close open space trails which have been designated as "seasonal trails" when weather conditions predispose the trail or surrounding habitat to damage or erosion. Such trail closures will be posted on park bulletin boards and at the affected trail junction.
- B. The Open Space, Parks and Golf Division Manager shall have the authority to temporarily close open space trails or facilities when the damage of flora or fauna are threatened by humans or their pets. Such facility closures will be posted on park bulletin boards and at affected trail junctions or facilities.

R1-4. CONTENTS OF PERMIT APPLICATION

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

- A. The name of each applicant, sponsoring organization and the person(s) who is in charge of or responsible for the proposed activity;
- B. The address and telephone numbers of each person and/or entity named in subsection (A);
- C. The name of the park, open space land, building, field or tennis courts requested for the activity, specifically identifying the location of the activity within the park or room within the building;
- D. The date and starting time of the proposed activity, together with the anticipated arrival time of guests;
- E. The finish time of the proposed activity, including cleanup;
- F. The number of persons expected to attend the activity;
- G. Additional City facilities requested, such as personnel, tables, chairs, etc;
- H. The nature of the proposed activity or activities, including equipment and vehicles to be brought into the park or open space lands; nature and duration of the use of such equipment; nature and duration of the use of any amplified sound; whether fees or donations for service will be solicited or collected; and whether alcohol will be served.

R1-5. ACTION ON PERMIT APPLICATION

The director shall issue a permit within five business days after submission of a completed application if:

- A. The proposed activity or use of the facility will not unreasonably interfere with or detract from the general public enjoyment of the facility;
- B. A facility with the required occupancy load capacity is available

- C. All conditions, including, where applicable, the payment of fees, approval of the Director of Community Services and insurance coverage, security deposits and/or requirements are met;
- D. The proposed activity or use will not entail unusual, extraordinary or burdensome expense or security operation by the department;
- E. The facilities desired have not been reserved for other use;
- F. Special conditions requested in applications are reasonable and feasible.
- G. The proposed activity will not negatively impact habitat, wildlife, or vegetation in the park or open space area.
- H. Residency requirements, if any, have been satisfied.

R1-6. Foothills Park Residency Requirements

Admittance and use of park facilities within Foothills Park have additional residency requirements. Only residents of the city and regular or part-time City employees, members of their households related by blood, marriage, domestic partnership, or adoption, and their accompanied guests are entitled to enter and remain in Foothills Park. An "accompanied guest" is one who enters Foothills Park in the presence of a resident of the city or a regular or part-time City employee or members of their household as described above. A special use permit will not be granted until these special requirements have been satisfied:

- A. In the case of Foothills Park Wedding Use Permits, one member of fifteen guests of the guest list must be Palo Alto residents.
- B. In the case of Foothills Park Day Use Reservations for the Oak Grove Group Area or the Interpretive Center, or Foothills Park Towle Camp Reservations, one member of fifteen guests of the guest list must be a Palo Alto resident. A guest list which includes the home address of the guests must be received one week prior to the proposed activity or activities.
- C. In the case of Foothills Park Special Use/Group Permits or for groups of more than 24 persons, one member of fifteen guests seeking admittance to the park accompanied by the permit applicant must be a Palo Alto resident. (A guest list is not accepted for this type of permit.)

R1-7. PERMIT--EXHIBITION

No person shall fail to produce and exhibit a permit he or she claims to have upon request of any department employee, contracted park ranger or any public or peace officer who desires to inspect the permit for the purpose of enforcing compliance with any regulations of this chapter.

R1-8. HOURS OF PARK CLOSURE

For purposes of enforcement of the park and open space closure restrictions promulgated in Title 22 of the Palo Alto Municipal Code, the terms "sunset" and "sunrise" are defined with reference to a table of times that is determined annually and posted at open space facilities.

Closure times specified in Title 22 as implemented by this regulation shall be posted prominently at each park or open space facility and shall be posted on the City's web site..

R1-9. HAZARDOUS GAMES OR ACTIVITIES

The playing of games and/or activities involving propelled or thrown objects which are sharp or heavy (such as stones, shot puts, arrows or javelins) are prohibited except when a permit is issued by the director in areas compatible for such use. Except in designated areas of Mitchell Park where inflatable structures can be used by City staff or designated contractors as part of a City-sponsored program, inflatable structures, miniature trains designed or used for passengers, pony rides, and dunking tank attractions are prohibited in parks or open space areas. (Revised 6/28/04)

R1-9A. USE OF METAL DETECTORS IN PARKS

Metal detectors for the purpose of scavenging can only be used within park facilities in such a fashion where turf or landscaped areas are not disturbed, cut or dug into.

R1-10. PICNIC SITE USAGE

Group picnic site reservations at Foothills Park Oak Grove; Mitchell Park Arbor, East Meadow, Pine Grove and Redwood areas; and Rinconada Park Sequoia area are available to Palo Alto residents only. No more than 60 individuals shall occupy a group picnic site at Mitchell Park Arbor, East Meadow and Redwood areas; 100 individuals at the Pine Grove picnic area; 75 individuals at Rinconada Park Sequoia

picnic area; or 150 individuals at Foothills Park Oak Grove. No more than 15 individuals shall occupy any table in an individual picnic site at Mitchell Park and Rinconada Park. With the exception of the two table/one barbecue at individual picnic sites of Mitchell Park, each group of participants shall not occupy more than one individual site. (Revised 6/28/04)

R1-10A LYTTON, COGSWELL AND KING PLAZA

- A. Use of tables: For permitted events and activities, no more than four six-foot tables are permitted at one time. Tables shall not be arranged in a configuration longer than twelve-foot wide span and there must be a minimum of three-feet between sets.
- B. The City shall be compensated the full cost of replacement of any chair, tables or other furnishings damaged by the event or special use.
- C. Special event organizers must cover existing trash receptacles and provide their own waste stations (compost/recycle/trash) that they will then be responsible for removing after the event.
- D. Damage deposits may be required for any special event or use at the discretion of City staff.
- E. No tables, tents or other structures shall be set up closer than ten-feet from the nearest structure.
- F. No tents are allowed. Shade canopies may be authorized in a permit so long as the shade structure measures ten-foot by ten-foot, or less.
- G. Stage platforms shall be no higher than sixteen-inches tall and eight-feet by ten-feet in maximum area.
- H. No light trusses or overhead structures are allowed
- I. As per the Palo Alto Municipal Code, no alcoholic beverages may be served or consumed at these plaza parks.
- J. No barricades or cordoning off areas of the plaza.
- K. No jump/bounce houses are permitted on plaza.
- L. Special event organizers must supply a layout of all items to be placed within plaza and be approved by City staff before the event.
- M. As per Palo Alto Municipal Code, no commercial solicitation or business transactions is permitted in parks or plazas.

R1-11. TENNIS COURT USAGE

Any person or group using a City tennis court shall do so according to the following rules:

- A. No person shall operate, drive or ride a bicycle, unicycle, roller skates, roller blades, skateboard or other coasting device on City owned tennis courts.
- B. No person shall provide or offer tennis lessons for compensation on City owned tennis courts except as part of a City-sponsored program, class or camps.
- C. City owned tennis courts may be reserved for City programs and tournament play only.
- D. All players must use the court control board to determine which court they shall play on and their playing position.
- E. No individual person can occupy a court by him or herself if other persons are waiting to play.
- F. Unleashed dogs are not permitted within tennis courts.
- G. No person shall play a sport other than tennis on City-owned tennis courts unless expressly allowed via permit issued by the City's Recreation Division. (Revised 6/28/04)

R1-12. ATHLETIC FIELD USE

Any person or group using a City athletic field shall do so according to the following rules:

- A. No activity other than softball is permitted at El Camino Park softball field unless expressly allowed by permit.
- B. No activity other than baseball is permitted at Baylands Athletic Center Baseball Field unless expressly allowed by permit.
- C. No activity other than softball is permitted at Baylands Athletic Center Softball Field unless expressly allowed by permit.
- D. No person shall use an athletic field which is posted (on-site, on-line, or by voice message) as being closed, whether the closure is for excess rainfall or for field maintenance or other reason.
- E. Field markings applied to athletic fields shall be allowed by permit only and must follow City of Palo Alto Open Space, Parks and Golf Division guidelines.

- F. Soccer goals must be anchored at all times when located on the playing fields. When goals are not being utilized for play, they must be secured off the playing fields in a manner which will not permit tipping or any hazardous condition that might cause injury to any person. When a field is being utilized for multiple purposes, goals that interfere with the intended use of the field shall be provided by the user groups that require the use of a soccer goal. These goals must be assembled and disassembled before and after each event. The storage of these goals can be coordinated with the Recreation Division. Any goal left on site will be removed and stored until a removal/storage fee of \$75.00 is paid.

R1-13. PEERS PARK AND JOHNSON PARK VOLLEYBALL USE

Any person or group playing volleyball or related game at Peers Park shall do so according to the following rules:

- A. Drop-in volleyball or related game play is permitted only in the posted area on the north end of Peers Park.
- B. The volleyball area may be reserved for volleyball play, by permit, only on the first Saturday and first Thursday of each month. The director may make additional weekend days available for reservation during the months of June, July and August.

R1-14. SKATEBOARD FACILITY

The Skateboard Facility, located in John Lucas Greer Park, is for skateboard use only. Use of roller blades, scooters, bicycles, or any other equipment, other than skateboards is prohibited. Any person using or playing upon the skateboard facility shall do so according to the following rules:

- A. Each person skateboarding in the Skateboard Facility must wear a helmet, elbow pads and knee pads.
- B. Use of roller blades, scooters, bicycles, or any other equipment, other than skateboards is prohibited.
- C. No more than seven persons shall skate in the bowl at any given time.
- D. No person shall do a body flip while riding a skateboard.
- E. No person shall ride a skateboard facing entirely backwards.
- F. Two or more persons may not ride on the same skateboard.
- G. No person shall ride a skateboard on their knees.
- H. No person shall cause a skateboard to shoot out away from their feet or body.
- I. No persons shall skateboard in tandem within three feet in front or behind another rider.
- J. No glass containers are allowed in the facility.
- K. No skateboarding is allowed when the facility is wet or while it is raining.
- L. Trash receptacles are to be used to dispose of waste or any other unwanted items.

No person shall use, remain in or enter the Skateboard Facility outside of regular park hours (between 10:30 PM AND SUNRISE (pamc 22.04.320)

No person shall enter or remain in the Skateboard Facility when that facility is posted as being closed, whether such closure is because of excess moisture or hazard or for any other reason.

R1-15. GOLF COURSE

Any person or group using or playing upon the golf course shall do so according to the following rules:

- A. No person shall use the golf course, or any portion thereof, without first having obtained a receipt or other written authorization in due form so to do.
- B. No golf player shall cut in on, or double back over, any portion of the course, or to play upon the course without a receipt duly issued for the round being played.
- C. No golf player shall refuse to or fail to show such golf receipt or other written authorization to any employee connected with the municipal golf course, when requested to do so.
- D. No person shall willfully or maliciously injure any turf on the golf course or in any way destroy or injure property thereon, or remove property or equipment from the golf course.
- E. Privately owned power golf carts are not allowed to be used on the municipal golf course.

R1-16. 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.

No person shall use, remain in or enter the Rinconada Pool facility between the hours listed as follows:

January 1 through June 15 9 p.m – 6 a.m.

June 16 through December 31 10 p.m. – 6 a.m.

R1-17. BOAT USE

- A. The dock at Foothills Park and the sailing platform at the Baylands Nature Preserve is intended for the hand launching of canoes, kayaks, small inflatable boats and boats less than sixteen feet in length. The launching of any larger vessel is prohibited. While hand carts may be used to carry boats from the parking lot to the dock or sailing platform, hand carts or other personal equipment may not be used on the docks or left unattended in the immediate vicinity of the dock or sailing platform. Items left unattended will be impounded by a park ranger or police officer.
- B. Sail boards, sail craft and motorized boats are prohibited on Boronda Lake in Foothills Park.

R1-18. BICYCLES, SKATEBOARDS AND ROLLER SKATES

- A. Bicycles are prohibited on unpaved trails of Foothills Park. Skateboards, roller skates or blades, or other coasting devices are prohibited in Foothills Park.
- B. Bicycles are prohibited on unpaved trails of open space parks and preserves, unless designated for bike access within the Pearson-Arastradero and Baylands Preserves. Skateboards, roller skates or blades, or other coasting devices are prohibited in open space parks and preserves, except on paved, multi-use bike paths.
- C. Helmets: No person shall operate a bicycle or similar device on parks or open space preserves without wearing an A.N.S.I. or Snell-approved bicycle helmet for head protection. No parent or guardian shall allow any child under the age of 18 to ride a bicycle without a helmet.
- D. Unsafe operation: No person shall operate a bicycle in a reckless or negligent manner so as to endanger public property, or the life, limb, or property of any person or animal. No person shall ride in or upon a portion of a bicycle not intended for passengers. No person shall operate a bicycle while wearing earphones that interfere with hearing ambient noise.
- E. No person shall leave a bicycle, scooter or skateboard in any place or position where other persons may trip over or be injured by it.

R1-19. HUMAN FLIGHT

No person shall hang-glide, parachute, parasail or engage in any human flight on, over, or into park or open space, except by written permit in designated areas.

R1-20. TRAIL USE SPEED LIMIT

The maximum speed for all trail uses is 15 miles per hour, unless a lesser maximum speed is posted, and no person shall exceed the maximum speed on any trail; however, no person shall operate a bicycle, or ride a horse or other such animal at a speed greater than is reasonable, prudent, or safe. Bicyclists and equestrians are required to slow to 5 miles per hour when passing others or approaching blind turns.

R1-20A. USE OF DESIGNATED TRAILS, PATHS AND RECREATIONAL LAWN AREAS IN OPEN SPACE LANDS

No person other than authorized City staff or other persons specifically authorized by City staff shall walk, run or tread in any open space lands except on designated trails, paths, recreational lawn areas or roads, unless expressly permitted to do so pursuant to park regulations or a special use permit. "Designated trails" is defined as those trails which appear on current City of Palo Alto park maps, planning documents, trail guides and/or those trails marked with City directional signs. (Adopted 6/28/04)

R1-21. COMMERCIAL ACTIVITIES AND SOLICITATION

Commercial activities, commercial solicitation, and solicitation for donations, not associated with and supportive of City programs or City-sponsored activities for which a permit has been issued by the director, are prohibited.

R1-21A. COMMERCIAL PHOTOGRAPHY AND FILMING

No person shall operate a still, motion picture, video, or other camera for commercial purposes on City lands except pursuant to a permit authorizing such activity or except for those activities associated with and supportive of City programs or City-sponsored events. This section shall not apply to the commercial operation of cameras as part of the bona fide reporting of news. (Adopted 6/28/04)

- A. Applications shall be submitted not less than ten (10) working days before the proposed use.
- B. No sound amplification equipment, which will disturb the peace, may be used in connection with any photo shoot, except when used by City employees or safety officers for purposes of crowd control.
- C. No permit shall be granted for any event between the hours of 8:00 pm and 9:00 am without the prior approval of the Director.
- D. No permit shall be granted when the closure would result in hampering prompt access to an area or location by emergency vehicles.
- E. Wherever appropriate, the City will require the applicant to erect barricades according to City specifications for public safety. The person or persons making the application shall be responsible for placing and dismantling all barricades. All barricades shall be removed within one-half (1/2) hour of the ending time of the event. Barricades shall also be immediately removed upon request of any authorized officer or employee of the City. In some situations, the Permittee may be required by the City to provide traffic control and a qualified flag person if City streets or parking lots are involved.

R1-22. RESTROOMS

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 persons with special needs or their accompanying attendants or children under the age of six years old who are accompanied by a person who is of the sex designated for that facility and who has reason to be responsible for such person.

R1-23. UNAUTHORIZED USE OF KEYS OR LOCKS

No person other than one acting under the direction 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. No person, other than one acting under the direction of the director, shall use a key to access any park and/or open space facilities. The director may issue keys to user groups. Said user groups must use the keys for permitted activity only and return issued keys to the City upon completion of the activity. No person shall place a lock upon any gate or fence in any park or open space area without prior permission from the Director.

R1-24. WATER POLLUTION

While within the boundaries of any park 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, plant material, food matter, fiber and plastics.

R1-25. HARMFUL SUBSTANCES

No person shall possess, place, or apply any substance harmful to any person, property, wildlife, or vegetation on park or open space lands.

R1-26. LITTERING

Depositing refuse or other waste on or into fire rings, barbecues or other devices used to contain fires or for cooking is prohibited.

R1-27. DISPOSAL OF EFFLUENT

No person shall deposit waste water, sewage or effluent from sinks, portable toilets, or other fixtures upon or into the ground or water.

R1-28. SMOKING

No person shall smoke any substance in any area designated as a playground, nature trail or nature area or in or on any park facility where smoking is posted as being prohibited.

R1-29. FIREWORKS

No person shall possess, give, sell, discharge, set off, or cause to be discharged, on or into any portion of park or open space lands any firecrackers, missiles, rockets, fireworks, or explosives.

R1-30. ANIMALS

No person other than public or peace officers, rangers, city naturalists, animal control officers in the discharge of their duties 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 nor have in his 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 own from within any park facility; exception is made to the foregoing in that proper season, fish may be fished and removed from areas designated for fishing by licensed persons, in accordance with the California Fish and Game Code and other related laws, 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 under full control of its owner or custodian; provided, however, the director may designate areas and times within which persons may exercise, show, demonstrate or train unleashed animals under full control of their owners or custodians. No person shall allow a dog, cat, or domesticated animal, even if leashed, to disturb, chase, molest, injure, or take any kind of native wildlife, whether living or dead, or remove, destroy, or in any manner disturb the natural habitat of any animal on parks or open space land.
- E. Permit cattle, sheep, goats, pigs, or other animals owned by him/her or in his/her possession to graze within the boundaries of any park facility without express approval of the director;
- F. No person shall keep or raise cattle, horses, sheep, or other livestock on park or open space land, unless pursuant to a lease, license, or other entitlement of use granted by the City of Palo Alto.
- G. Ride or lead a horse, pony, mule, burro or other animal onto or over any park facility, other than at times and upon roads or trails designated for riding of animals; except with approval of the director.
- H. No person owning or having custody or control of any dog shall permit such dog to defecate on any public street, sidewalk, park or parkway without immediately removing the resulting excrement at the time of occurrence. The excrement so removed shall not be disposed of on any property listed in this chapter except in public refuse receptacles. Persons using Seeing-Eye dogs are exempt from this section.
- I. No person owning or harboring any dog or other animal shall allow or permit such dog or animal to swim, bathe or wade in any water or waterways within any park facility when such activity is prohibited and so posted by the director.

R1-31. NUISANCE DOGS

No person shall allow or have on park or open space land a dog that is threatening or a nuisance to people, other animals, or property. This includes, but is not limited to growling, barking, baring of teeth, or challenging in any manner, people, animals, or property.

R1-32. DOG EXERCISE AREA

Dogs may be allowed off leash in the dog exercise areas, designated as such, in Herbert Hoover Park, John Lucas Greer Park and Mitchell Park. No person, with or without a dog, shall be in a dog exercise area before 8:00 a.m. nor any later than one half hour after sunset. City employees performing their assigned duties are exempt from this restriction. No dog is to be left unattended in any dog exercise area. A muzzle shall be securely attached over the mouth of all aggressive dogs. Any person with a dog in the dog exercise area shall properly dispose of any dog fecal matter by placing it in the provided receptacles.

All dogs shall be placed on a leash upon leaving any dog exercise area. Violations of these regulations may result in a citation and /or limiting the use of the dog exercise area.

R1-33. UNAUTHORIZED CONSTRUCTION ACTIVITIES

No person shall deposit any earth, sand, rock, stone or other substance within any park facility, nor shall he/she dig or remove any such material from within any park facility, nor shall he/she erect or attempt to erect any building, wharf or structure of any kind by driving or setting up posts or piles, nor in any manner appropriate or encumber any portion of the real property owned by, operated, controlled or managed by the department without a permit from the director.

R1-34. USE OF UTILITIES

- A. Electrical, phone, data communication, and cable receptacles in parks and open space spaces may only be used or accessed for private use within the terms of a special use permit granted by the Community Services Department.
- B. Gas fixtures, water faucet spigots and irrigation water outlets that require a key or opening device in parks and open space spaces may only be used or accessed for private use within the terms of a special use permit granted by the Community Services Department.
- C. Sanitary sewers or storm drains in parks or open space areas may not be used for the clean-out of personal septic systems under any circumstances.

R1-35. GATHERING WOOD IN OPEN SPACE AREAS

Gathering wood from or possessing wood that has been gathered from Open Space areas is not permitted.

R1-36. PARKING RESTRICTIONS

No person shall park a motor vehicle, except an authorized emergency vehicle, or when in compliance with the directions of a peace officer, ranger, or City employee, in any of the following places:

- A. In areas where prohibited by "NO PARKING" or "FIRE LANE - DO NOT BLOCK" signs.
- B. On any fire trail.
- C. On any equestrian or hiking trail.
- D. In such a place or manner as would block or obstruct any gate, entrance, or exit.
- E. In such a place or manner as to take up more than one marked parking space in any authorized parking area.
- F. In such a place or manner as to block or obstruct the free flow of traffic.
- G. Within 15 feet of a fire hydrant.
- H. Adjacent to any curb painted red.
- I. In any park or open space land after sunset except pursuant to a written permit.
- J. In areas signed for permit parking on park or open space land without a written permit.
- K. In any other place on park or open space land not designated by the City as an authorized area.
- L. The gravel parking lot at the Towle Campground at Foothills Park may only be used for parking by persons with camping reservations. There is a limit of 2 vehicles for the eight person campsites and 4 vehicles for sixteen person campsites. The parking area is restricted to passenger vehicles and small trucks. Recreational vehicles, trailers or other self-contained vehicles (regardless of size, weight or number of axles) are not allowed in the Towle Campground parking lot or beyond the gate at the edge of Orchard Glen Picnic Area. Recreation vehicles or other self-contained vehicles may not be parked in Foothills Park over-night. Non-camping guests should park in the available day-use parking lots.

R1-37. OPERATION OF MOTOR VEHICLES

No person shall operate, propel, or leave standing any motor vehicle on park or open space land, except:

- A. Emergency vehicles operated within the scope of official use.
- B. Upon roads, trails, or paths, which may from time to time be set aside and posted by the City for the use of specifically designated vehicles.
- C. Upon roads and parking areas open to the public during regular open hours.
- D. Motor vehicle includes, but is not limited to, any vehicle as defined by section 415 and/or 670 of the California Vehicle Code, motorcycles, off-road vehicles, "dirt bikes", and similar vehicles.

- E. This section shall apply to all motorized bicycles, carts, scooters and electric personal assistive mobility devices (Segway or similar device) except those devices used by handicapped persons.

R1-37A. VEHICLE WEIGHT LIMIT ON BAYLANDS ROADS AND PARKING LOTS

No person shall operate or park any vehicle in excess of 6,000 pounds weight on Harbor Road or within any parking lot of the City-owned Baylands or John Fletcher Byxbee Recreational Areas. (Adopted 6/28/04)

R1-38. VIOLATION - PENALTY

- A. The director shall have authority to revoke a permit upon a finding of violation by the permittee or persons acting under the permit of any regulation contained in this chapter or upon a finding of violation of other City ordinance or law of this state in the exercise of the permit.
- B. The director or designee shall have the authority to eject from any park facility any person acting in violation of regulations contained in this chapter.

R1-39. COMMUNITY GARDEN

The City of Palo Alto provides, subject to a license agreement, space for Palo Alto residents to enjoy organic gardening on a first-come, first serve basis as space allows. The Palo Alto Community Gardens are designated for the use of Palo Alto residents only. Gardeners and prospective gardeners must provide sufficient proof of residency (i.e., utility bill in the name of the gardener, driver's license, etc.) and sign a license agreement with the City. A post office box will not be accepted as a resident address.

- A. No non-organic pesticides, herbicides, chemical fertilizers, or chemically treated wood products are to be used in any garden site. Any gardener installing wood borders or planters may be required to show proof that the wood has not been chemically treated. Violation of this rule will be cause for termination of the Community Garden License Agreement and participation in the garden program.
- B. Gardeners shall not contract for, or perform, any type of electrical or irrigation work without the written permission of the Garden Coordinator.
- C. Plots and walkways shall be kept free of weeds, debris and trash year-round. Any gardener composting is restricted to the confines of their assigned plot. The entire garden plot must be cultivated and contain an average planting density when it is not being mulched. A chair or small bench is acceptable for use as a resting place, but no patio sets, furniture, tables, bar-b-ques, sheds, or other structures or furnishings are allowed.
- D. Gardeners are to keep one-half of the width of all the walkways around their garden plot free of weeds and vegetation. .
- E. All gardeners are expected to help on scheduled workdays. The Community Garden Volunteer Liaison is responsible for scheduling garden workdays. The number of workdays per year will vary according to size of the garden and the amount of maintenance required to keep the garden site well groomed. Gardeners are required to attend at least two workdays per year. Those gardeners who consistently avoid doing their share of community garden work are subject to verbal or written warning, and possible loss of the garden plot.
- F. Garden plots are confined to the assigned locations and a gardener may occupy only one garden plot. No person may use a vacant plot or other area in the gardens without the prior written approval from the Community Garden Coordinator. The Garden Coordinator may make exceptions in unusual circumstances (i.e., extremely small plot or sunlight has deteriorated due to shade trees). No garden plot shall be traded, divided, shared, sub-leased, or otherwise changed from the original plot assigned and licensed to the signatory gardener. If any change is desired, contact the Community Garden Coordinator. All requests will be reviewed and decided on an

individual basis. An exchange of plots is an option, but must be approved by the Community Garden Coordinator before any exchange occurs.

- G. Only vegetables, flowers, berries and herbs may be grown in the plots. Produce from the plot shall not be used for commercial profit. Tall plants, such as corn, berries and tall vines should be located so that they do not produce shade on adjacent plots, and do not extend into pathways. Permanent plants (i.e., rose bushes) are not to be over 5' in height. Berries are to be trimmed and maintained. Fruit trees and bushes are not permitted because of their invasive roots and shading potential.
- H. In the interest of water conservation, gardeners are required to remain in the vicinity of their plots while watering and are requested to turn off faucets at unattended plots.
- I. Automatic watering systems prevent other gardeners from accessing the community water supply and contribute to low water pressure problems at some sites. Therefore, automatic watering systems are not permitted unless each plot in the garden has a designated water faucet. Automatic watering systems (drip systems preferred) will be allowed in some instances upon request and only by the written permission of the Community Garden Coordinator. The approved systems must be checked on a weekly basis and any system found leaking will be removed. Please contact the Garden Coordinator for written approval before installing any type of watering system.
- J. Plot holders are expected to conduct themselves in a safe, respectful and courteous manner toward other garden residents. Garden conflicts should be taken to the Garden Liaison for resolution. In the event that the Garden Liaison cannot resolve the issue, the problem is to be taken to the City's Garden Coordinator for resolution. Non-compliance with this rule may subject the offending gardener to immediate expulsion from the garden program and termination of license agreement.
- K. Dogs are not allowed inside any Community Garden site, either on or off a leash. Dispensation will be granted in special cases (i.e., handicapped, blind, etc.). Please contact the Community Garden Coordinator for dispensation consideration.
- L. The amount of the fee associated with the right to cultivate any plot will be calculated by quarter on a calendar year basis. If a garden plot is assigned during the year, payment will be made for the remaining quarters and the remaining initial quarter, if the plot is assigned during the first 44 days of the quarter. If the plot is assigned after the first 44 days of the quarter, only the remaining quarters in the calendar year will be charged.
- M. Any gardener who is 60 years of age or older, is eligible to receive a 25% discount. The gardener is responsible for informing the Community Garden Coordinator that he or she is eligible to receive the discount. The gardener must provide proof of age.
- N. Invoices for the current year's fees will be mailed in January. Fees are due within 30 days of receiving the invoice. Bills will be considered past due 60 days after the invoice date and a late fee of \$10.00 (ten dollars) will be charged. Gardeners who fail to pay are subject to revocation of their license to garden.
- O. In the event of early termination of the License Agreement to cultivate a plot, the Community Garden Coordinator is to be contacted in writing by the gardener and a refund will be issued for the remaining quarter(s) of the calendar year. No refunds will be given for a part of a quarter (3 months) and no refunds of less than \$10.00 (ten dollars) will be issued. In the event of early termination of the license agreement (even if no refund is made) the garden plot will be available for reassignment to the next applicant on the waiting list.

- P. Pursuant to Palo Alto Municipal Code 22.04.320, no person shall use, remain in or enter any Community Garden (Main Garden; Eleanor Pardee Garden, Johnson Park Garden) between 10:30 p.m. and sunrise. Closure times specified in Title 22 as implemented by this regulation shall be posted prominently at each garden.

Violation of any Community Garden Rule may subject the gardener to a verbal or written warning and/or possible revocation of his/her license to use a garden plot. If sufficient improvement is not demonstrated on an on-going basis, the plot will be posted as abandoned, and the license to garden the plot will be revoked. The plot will be issued to the next person on the waiting list. Any items remaining in the plot will be given to the person taking the plot.

The good faith judgment of the Community Garden Coordinator will be sufficient cause for enforcement of the Community Garden Rules, including revocation of the license to garden.

Adopted by City Council June 24, 2002; Revised June 28, 2004; Revised January 24, 2005. Revised February 3, 2006. Revised April 14, 2008. Revised October 22, 2010.