



City of Palo Alto

City Council Staff Report

(ID # 8829)

Report Type: Consent Calendar

Meeting Date: 3/5/2018

Summary Title: Amendment of Palo Alto Parks and Open Space Regulation R1-32 to Update the City's Dog Park Rules

Title: Approval of an Amendment to the Palo Alto Parks and Open Space Regulation R1-32 to Update the City's Dog Park Rules

From: City Manager

Lead Department: Community Services

Recommendation

Staff recommends that Council adopt the following amendment to Palo Alto Parks and Open Space Regulations R1-32 (Attachment A) to update the rules relating to dog exercise areas.

Background

Palo Alto has three dog parks: Greer Park, Hoover Park and Mitchell Park and will soon be adding a fourth dog park to Peers Park, as described in the Park Improvement Ordinance adopted by City Council on February 12, 2018.

(<https://www.cityofpaloalto.org/civicax/filebank/documents/62941>).

In preparation for adding the new dog park, staff and the Parks and Recreation Commission Dog Park Ad Hoc Committee initiated a review of the existing rules related to dog exercise areas to determine if updates should be made. The purpose of this review was to ensure that clear rules exist for safe and respectful use of the City's dog parks. On October 10, 2017, staff, the Ad Hoc Committee, and a group of dog park stakeholders developed a list of potential updates to the City's dog park rules.

Discussion

The updated dog park rules are aimed at improving the safety of the City's dog parks, for both dogs and people, and ensuring that the dog park users are respectful of other park visitors and nearby neighbors. Some of the key updates include:

- limiting the number of dogs allowed in the dog park to no more than three per person,

- requiring dog owners to remain in the fenced area and monitor and manage their dogs at all times,
- requiring that aggressive dogs be removed from the dog park immediately, instead of the previous rule that allowed a muzzle to be attached to an aggressive dog, and
- limiting the hours of the dog park from 7:00AM to 9:00PM (the current hours are sunrise to 10:30PM, consistent with normal park hours).

On November 28, 2017, the Park and Recreation Commission (Commission) discussed the potential updates to the dog park rules, and generally supported the proposed rules. Using feedback staff had received from the public and from the Superintendent of Palo Alto Animal Services; the Commission made some minor changes to the proposed updates. These changes include reducing the maximum weight limit that was proposed by staff for the small dog section of the Peers Park dog exercise area from 35 pounds to 25 pounds, and removing the proposed rule regarding reporting dog bites to Palo Alto Animal Services.

The Superintendent of Animal Services explained that Palo Alto has a significant number of toy dogs that typically weigh less than 20 pounds, and that a 25 pounds weight limit for the small dog section would be more appropriate than 35 pounds. He also explained that rather than adding a rule about reporting bites, it would be more helpful to provide the number for Palo Alto Communications on the bottom of the dog park rules sign.

On December 19, 2017, the Commission reviewed the revised draft rules. The Commission made a final change, which was to add language to prohibit the use of prong collars in dog parks, and the Commission voted unanimously to recommend that Council adopt the proposed rules as amended.

Timeline

In spring 2018, new dog park rules signs will be posted at the dog parks at Greer Park, Mitchell Park, Hoover Park, and Peers Park.

Resource Impact

New rules signs will be funded from the Community Services Department's existing operating budget.

Attachments:

- Attachment A: Revised Open Space and Park Regulations 12-19-17

DRAFT REVISED 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; SUBMISSION 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.
- I. Proof of Palo Alto residency may be required for the permit application.
- J. The necessity for street closure in order to hold an event.

The permit application shall be filed with the director by no later than seven (7) days prior to the date of the special event.

R1-5. ACTION ON PERMIT APPLICATION The director shall issue a permit within five (5) 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. If the proposed special event will have more than twenty-five (25) individuals in attendance, involve road closures, traffic control, or the need for inter-departmental review (for example, for a "fun run" or a "live music" event), an additional City-wide special event application from the Police Department may be required for the event. City-wide special event permit applications are not generally required for standard picnic reservations. Completed City-wide special event permit applications may be filed as early as one year before the event, but must be received no later than 30 days before the actual event date, and no later than 90 days before the actual date of the event if the event requires a street closure.
- F. The facilities desired have not been reserved for other use;
- G. Special conditions requested in applications are reasonable and feasible.
- H. The proposed activity will not negatively impact habitat, wildlife, or vegetation in the park or open space area.
- I. 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 required 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 at Cogswell Plaza; no more than ten six-foot tables are permitted at Lytton Plaza; and no more than twenty six-foot tables are permitted at King Plaza. 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. 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 twenty-four inches tall and ten-feet by twelve-feet in maximum area.
- H. As per the Palo Alto Municipal Code, no alcoholic beverages may be served or consumed at these plaza parks.
- I. No barricades or cordoning off areas of the plaza.
- J. No jump/bounce houses are permitted on plaza.
- K. Special event organizers must supply a layout of all items to be placed within plaza and be approved by City staff before the event.
- L. As per Palo Alto Municipal Code 22.04.160, no commercial solicitation or business transactions other than those associated with and supportive of city programs or city-sponsored activities for which a permit has been issued by the director is permitted in parks or plazas.

R1-10B LYTTON PLAZA NOISE REGULATION

- A. No permit application is required of any person in accordance with Palo Alto Municipal Code sections 22.04.040 and 22.04.050 in order to engage in the playing of an amplified musical instrument at Lytton Plaza, which meets the requirements of sections 9.10.050 and 22.04.180, subject to the following: (1) the playing of an amplified musical instrument occurs on a first-come, first-served basis during the following days and times of day: (a) Monday through Thursday, 5:00 PM to 10:00 PM; (b) Friday, 5:00 PM to 11:00 PM; (c) Saturday, noon to 11:00 PM; and Sunday, noon to 10:00 PM. The term "first-come, first-served" means the first person or group of persons to commence playing an amplified musical instrument at Lytton Plaza shall be entitled to play to the exclusion of all others for a period not exceeding three (3) consecutive hours.
- B. A City-wide special event permit application is required of any person seeking to engage in the playing of an amplified musical instrument at Lytton Plaza outside of the days and times of day specified in paragraph A above. No unpermitted amplified musical instrument may be played during the period of time for which a person holds a permit to play an amplified musical instrument.
- C. Paragraph A notwithstanding, a person may file a City-wide special event permit application to play an amplified musical instrument within the time period specified in R1-4. If a City-wide special event permit is issued, the permit holder's right to play any musical instrument at Lytton Plaza will take precedence over any person claiming the right to play under the first-come, first-served basis condition set forth in paragraph A of this Rule.
- D. The director will post or caused to be posted to the department's web site the days and times of days for which reservations to play musical instruments have been secured.

- E. The preceding paragraphs notwithstanding, the playing of any acoustic musical instrument at Lytton Plaza is permitted during posted park use hour or, if no hours are posted, during the regular park use hours.
- F. A City-wide special event permit application shall be filed whenever a group of more than twenty-five (25) persons attends the playing of any musical instrument or musical instruments regardless of whether any instrument is amplified or acoustic.
- G. The noise ordinances set forth in Palo Alto Municipal Code chapters 9.10 and 22.04 shall apply to all persons playing amplified and acoustic musical instruments at Lytton Plaza.

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 (or Little League baseball) 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 or Johnson Parks shall do so according to the following rules:

- A. Drop-in volleyball or related game play is permitted only in the posted area at Johnson Park or 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.

Rules for the safe use of the Rinconada Swimming complex:

1. Children 7 years of age and younger must be directly supervised by a chaperone 16 years of age and older. Chaperones must wear a swimsuit, accompany the child in the water and be within arm's length at all times. Children may not be left unattended in the facility at any time.
2. All swimmers must wear swimsuits. Clothing including undergarments is not permitted. Clean over shirts are permitted for modesty or sun protection as long as they are worn over swimsuits. Infants and toddlers who are not yet toilet trained must wear swim diapers.
3. Flotation devices including water wings, padded swimsuits and inner-tubes are not permitted except US Coast Guard approved lifejackets.
4. Flippers, snorkel masks, and hard balls are not permitted.
5. All persons entering the facility must pay, including those not intending to swim, except children 2 years of age and younger.
6. Patrons must pay again to reenter the facility after leaving.
7. Walk at all times on the pool deck.

8. Bicycles, rollerblades, scooters, and skateboards are not permitted on the pool deck.
9. Dogs, cats and other animals are not permitted on the pool deck.
10. Fighting, roughhousing, chicken fighting, screaming, profane language, and pretending to drown is not permitted in the facility.
11. Patrons are not permitted to sit on guard chairs, lane lines, starting blocks or railings.
12. Barbecues, alcohol and glass/breakable containers are not permitted in the facility.
13. Food and drinks must be consumed at picnic tables, on grass or farther than 10 feet from poolside.
14. Heed instructions from Lifeguards and overhead announcements at all times.
15. Aquatics staff reserves the right to ask anyone who violates these rules to leave the facility.
16. To maintain a safe environment, pool rules are subject to change at any time. Lap Pool:
17. Swimmers must be able to swim competently for at least one lap to enter the deep end and/or use the diving boards. Lifeguards have sole discretion. Please ask for a swim test.
18. Lap swimmers using lap lanes during recreation swim may use flippers, kickboards and snorkels as needed. Flippers, kickboards and snorkels are not permitted outside of the lap swim lanes. Non-lap swimmers are not permitted to swim across lap lanes.
19. Diving boards:
 - One person on the board and ladder at a time.
 - Wait to dive until area is clear.
 - Walk or perform a proper diving approach. Do not run on the diving board.
 - Bounce only once and jump/dive off the end of the board facing forward.
 - Divers may not jump to anyone in the pool and must swim to the wall unassisted.
 - After diving, swim out toward the closest ladder. Do not swim under, between or in front of the diving boards.

Wading Pool:

20. Swimmers must be able to reach the foot pedals to use the "Aquaducks." Pedaling with hands is not permitted.
21. Swimmers may not sit on or otherwise block the water pressure of the fountains.
22. Slide: Swimmers must be no taller than the slide to use it. One person is permitted on the slide and ladder at a time. Form line on the ground. Do not stand, jump or push other swimmers off the top of the slide. Swimmers must go down slide sitting, feet first.

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 (including banners and signage), 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 provide and 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 the 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 public places or any area that is within twenty feet of bleachers, backstops, or play structures or 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. Pursuant to Palo Alto Municipal Ordinance 9.14.010 (i), public places are defined as: "Public places" means enclosed areas within publicly and privately owned buildings, structures, facilities, or complexes that are open to, used by, or accessible to the general public. Public places include, but are not limited to, stores, banks, eating establishments, bars, hotels, motels, depots and transit terminals, theaters and auditoriums, enclosed sports arenas, convention centers, museums, galleries, polling places, hospitals and other health care facilities of any kind (including clinics, dental, chiropractic, or physical therapy facilities), automotive service centers, general business offices, nonprofit entity offices and libraries. Public places further include, but are not limited to, hallways, restrooms, stairways, escalators, elevators, lobbies, reception areas, waiting rooms, indoor service lines, checkout stations, counters and other pay stations, classrooms, meeting or conference rooms, lecture rooms, buses, or other enclosed places that are open to, used by, or accessible to the general public.

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, bearing 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 sunrise or after 10:30 PM, consistent with normal park hours. 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.~~

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Revised R1-32 DOG EXERCISE AREA

- Dogs may be allowed off leash only within the designated dog exercise areas in Hoover Park, Greer Park, Mitchell Park, and Peers Park.
- Dogs must be licensed, vaccinated, and wearing a collar (prong collars not allowed) with ID and license tag.
- Dogs must be leashed until safely inside the dog park and returned to a leash prior to exiting.
- Dog owners must remain in the fenced area and monitor and manage their dogs at all times.
- Dogs behaving aggressively must be removed from the dog park immediately.
- Dog waste must be picked up.
- Children accompanying dog owners must be closely supervised.
- No more than three dogs per person.

- No food or alcohol.
- The small dog section is for dogs 25lb and less. The mixed size dog section is for both large and small dogs. (Applicable at dog parks with this option)
- Dog Park Hours are 7am to 9pm.
- The City of Palo Alto assumes no liability for the users of this area. Use these facilities at your own risk.

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. The Palo Alto Community Garden Program constitutes a completely organic gardening project. Only non-organic pesticides, herbicides, chemical fertilizers, or chemically treated wood products are to be used in any garden site. Violation of this rule will be cause for termination of the Community Garden License Agreement and participation in the garden program.
- B. The City of Palo Alto Open Space, Parks and Golf Division is responsible for all irrigation systems, weed and/or pest control, and maintenance of the perimeter on all garden sites. Gardeners are not allowed to contract for, or perform, any type of electrical or irrigation work without the written permission of the City Community Garden Coordinator.
- C. The garden plot and its maintenance is the responsibility of the Gardener. Plots and walkways shall be kept free of weeds, debris and trash year-round. Any gardener composting is restricted to the confines of his/her 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. Plants that overgrow and block the walkway are to be trimmed back. Wood chips are located at each garden site to help maintain the integrity of the walkways. All plot walkways are to be mulched using wood chips, seed hulls, or dried leaves for garden resident safety and to help vegetation growth.
- E. Each garden site is maintained by the resident Gardener. All gardeners are required to help on at least 2 of the 4 scheduled annual workdays. Each gardener is required to personally contribute a minimum of 2 hours of confirmed communal garden work per work day (i.e fence repair, exterior pathways, etc.) Persons who are not able to participate in work days at their own garden may make arrangements with the City Community Garden Coordinator or Community Garden

Volunteer Liaison to participate in work days at other gardens or to perform a minimum of two hours service by special arrangement with the Community Garden Volunteer Liaison.

- F. The Community Garden Volunteer Liaison is responsible for scheduling garden work days and for confirming gardener participation. If a gardener cannot attend the scheduled workdays, then that gardener must coordinate with the Community Garden Volunteer Liaison to schedule alternate workdays at their community garden or another Palo Alto community garden.
- G. Gardeners who avoid doing their share of community garden work are subject to a written warning, and possible loss of the garden plot. It is not permissible to pay in-lieu of participation in communal work days.
- H. Persons on the waitlist will be invited to participate in communal garden work days by the City Community Garden Coordinator for the sake of gaining gardening experience.
- I. Garden plots are confined to the assigned locations and a Gardener may occupy only one garden plot per his/her household (verified by Utility bill). No Gardener may use a vacant plot or other area in the gardens without the prior written approval from the City Community Garden Coordinator. The City Community 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 transferred, traded, divided, shared, sub-leased, or otherwise changed from the original plot assigned and licensed to the signatory Gardener/Licensee. If any change is desired, contact the City Community Garden Coordinator who maintains a waiting list for plot assignments. All requests will be reviewed and decided on an individual basis. An exchange of plots is an option, but must be approved by the City Community Garden Coordinator before any exchange occurs.
- J. 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.
- K. 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.
- L. Automatic watering systems prevent other gardeners from accessing the community water supply and contribute to low water pressure problems at some sites. Automatic watering systems are not permitted except upon request in unusual circumstances and by specific permission of the City Community Garden Coordinator. The approved systems must be checked on a weekly basis. Any system found leaking will be removed. Please contact the City Community Garden Coordinator for approval before installing any type of watering system.
- M. Plot holders are expected to conduct themselves in a safe, respectful and courteous manner toward other garden residents and the public. Any Gardener taking produce from a plot other than his/her own will be terminated from the garden program and their License Agreement revoked immediately. Garden conflicts should be taken to the Community Garden Volunteer Liaison for resolution. In the event that the Garden Volunteer Liaison cannot resolve the issue, the problem is to be taken to the City Community Garden Coordinator for resolution. Non-compliance with this rule can subject the offending Gardener to immediate dismissal from the garden program and revocation of the License Agreement.
- N. Due to health and safety concerns, 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 City Community Garden Coordinator to request dispensation consideration.
- O. A \$100 refundable cleaning deposit (based on published municipal fee schedule) is required at the time of the signing of the License Agreement. Upon termination, if the City Community Garden Coordinator determines that the garden plot is in an acceptable condition for a new tenant (refer to pictures of garden standards), the deposit will be returned 4-6 weeks after the termination of the License Agreement. In the event the plot is abandoned or neglected, the deposit fee will be used

to cover costs incurred for having the plot cleared, mulched or tarped with black plastic to retard weeds for benefit of the next tenant.

- P. The yearly garden fee is based on the published municipal fee schedule at the time of signing. Invoices for the current year's fees will be mailed in January. The amount of the fee associated with the right to cultivate any plot will be calculated by quarter on a calendar year basis. First year fees will be based on when the garden plot was assigned. Annual plot fees are due within 30 days of invoice date, and a late fee of \$10.00 (ten dollars) will be charged if payment is not received on due date. Gardeners who fail to pay 60 days after the invoice date are subject to revocation of their License Agreement.
- Q. Any gardener who is 60 years of age or older is eligible to receive a 25% discount. The gardener is responsible for informing the City Community Garden Coordinator that he or she is eligible to receive the discount and must provide proof of age.
- R. Low income youth, senior and/or disabled residents may apply for a fee reduction through the City's Fee Reduction Program. Applications are available at Lucie Stern Community Center or in the Enjoy! catalog
- S. Invoices may be paid in person at the Lucie Stern Community Center, 1305 Middlefield Road or by mail to: City of Palo Alto, Community Garden Program, Attention City Community Garden Coordinator, 3201 East Bayshore Road Palo Alto, CA 94303. If on a fee reduction plan, payment must be made in person through Lucie Stern Community Center, 1305 Middlefield Road.
- T. In the event the Licensee decides to terminate the License Agreement to cultivate a plot, the City Community Garden Coordinator is to be notified in writing (email will be accepted) by the Licensee 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. Upon termination of the License Agreement the garden plot will be assigned to the next applicant on either the Johnson Garden, or Eleanor/Main waiting list.
- U. 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 will subject the gardener to a written warning. If a gardener receives a written notice of non-compliance, he/she will have thirty (30) days to correct the situation. Failure to remedy the situation within thirty (30) days will be cause for cancellation of the License Agreement. If the gardener receives a second written notice of non-compliance within the same calendar year, the gardener will have thirty (30) days to correct the situation. Again, failure to remedy the situation within thirty (30) days will be cause to terminate the License Agreement. If a gardener fails to maintain their garden according to established garden maintenance standards and receives a third notice within the same calendar year, the License Agreement will be revoked and the plot will be assigned to the next applicant 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 City 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 March 14, 2011. Revised November 19, 2012 Revised May 20, 2013