

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS,
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA
AMENDING CHAPTER 26 OF THE SANTA BARBARA CODE**

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1

As to those sections hereinafter set forth, and only as to those sections, chapter 26 of the county code is hereby amended to read as follows (additions herein indicated by underline, deletions by ~~striketrough~~):

Sec. 26-1. Definitions.

As used in this chapter, the following terms shall have the meanings as designated:

"County park" means an area dedicated to public recreational use and designated by the county board of supervisors as a county park.

"County recreation area" or "recreation area" means any area of the county dedicated for park, recreation, trails or open space use, or subject to an easement for active or passive public recreational use, including without limitation, any county park, trail, open space, lake, beach and beach access easement.

"County beach" or "public beach" means any area adjoining a body of water which is subject to public recreation use, including active and passive uses, and including the area of water one hundred yards out from shore, and including, also, any area of such body of water as is marked and identified as a special use area.

"Director" shall mean the Director of Community Services or his/her designee.

Sec. 26-2. Enforcement of rules and regulations.

The Community Services Department is authorized to enforce the provisions of this chapter and to provide for regulations, as required, for the safe, healthful, and orderly use of recreation areas; to prevent the misuse of such areas; and to protect the peace, health, safety and welfare of the general public and park resources as the director and staff of the Community Services Department determine to be necessary.

Sec. 26-3. Public Officers - Citations.

The Community Services Director, any deputy director, any park operations manager, ~~any park ranger~~ any agent employed or contracted for to provide lifeguard services, or any other person designated by the Community Services Director, are public officers as identified in Penal Code Section 836.5.-, These public officers are specifically authorized to enforce the laws and ordinances necessary for the orderly use of parks and recreation areas, for the protection of public property, and the health, safety and property of park visitors while within property owned or leased by the county, or over which the county has an easement or dedication for recreation purposes, or over which the county exercises responsibilities for recreation by arrangement with the owner. Such public officers are authorized to issue citations requiring an appearance to answer charges whenever the officer has reasonable cause to believe that a person has committed an act or offense within the officer's presence which is a violation of this chapter, or is a public offense, within or in the immediate vicinity of and which affects the use, benefits and/or enjoyment of property owned or leased by the county; or over which the county has an easement or dedication for recreational purposes; or over which the county exercises responsibility for recreation uses or services by arrangement with the owner.

Sec.26-3.1 Park Rangers

Any person designated by the County as a park ranger and regularly employed and paid in that capacity, including park rangers regularly employed by another local agency and authorized pursuant to a contract between that local agency and the County for the performance of municipal services, are peace officers as identified in Penal Code Section 830.31. These peace officers are specifically authorized to enforce the laws and ordinances necessary for the orderly use of parks and recreation areas, for the protection of public property, and the health, safety and property of park visitors while within property owned or leased by the county, or over which the county has an easement or dedication for recreation purposes, or over which the county exercises responsibilities for recreation by arrangement with the owner. Such park rangers shall have the authority described at Penal Code Section 830.31. Furthermore, such park rangers are specifically authorized to issue citations requiring an appearance to answer charges whenever the officer has reasonable cause to believe that a person has committed an act or offense within the officer's presence which is a violation of this chapter, or is a public offense, within or in the immediate vicinity of and which affects the use, benefits and/or enjoyment of property owned or leased by the county; or over which the county has an easement or dedication for recreational purposes; or over which the county exercises responsibility for recreation uses or services by arrangement with the owner.

Sec. 26-4. Revoking permits.

Community Services Department personnel are authorized to revoke any permit, certificate or decal which has been unlawfully or erroneously issued; or if such employee has reasonable grounds to believe that the person exercising it or the person to whom it was issued has violated any provision of this chapter or of any applicable law, rule or regulation, in which case the person may also be expelled from the recreation area.

Sec. 26-5. Public use fees.

User fees shall be established by the Board of Supervisors, by ordinance or resolution. When fees are required, it is unlawful for any person to enter a county recreation area or other applicable area without first paying the appropriate fees and/or obtaining the appropriate permits. The Board of Supervisors, upon recommendation by the Community Services Director, may ~~release~~, modify or waive required fees.

Sec. 26-6. Penalty; Continuing violation.

(a)

Any entry into or use of a county recreation area, requiring a fee established pursuant to this chapter, which is made without paying or receiving a modification of that fee; and any use or entry in violation of the terms of any permit required for such use or entry; and any violation of any provision of this chapter is a crime. Unless otherwise provided in this Code, the offense may be filed as either an infraction or as a misdemeanor, at the discretion of the district attorney of the county, or deputy.

(b)

A person shall upon conviction be guilty of a separate and distinct offense for each and every day or portion thereof during which any violation of this chapter is committed, continued or permitted. If filed as an infraction and upon conviction thereof, the crime shall be punishable by:

(1)

~~A fine not exceeding one hundred dollars for a first violation;~~

(2)

~~A fine not exceeding two hundred dollars for a second violation of a provision of this chapter within one year; and~~

(3)

~~A fine not exceeding five hundred dollars for each additional violation of this chapter within one year.~~

(c)

~~Unless otherwise provided in this Code, if the offense is filed as a misdemeanor and upon conviction thereof, the punishment shall be a fine not exceeding five hundred dollars, or imprisonment for a term not exceeding six months, or both such fine and imprisonment.~~

(d)

Any violation of the provisions of this chapter by any person is also subject to administrative remedies as provided in Chapter 24A of this code.

(e)

The remedies or penalties provided by this Code are cumulative to each other and to other remedies or penalties available under all other laws of this state and shall not be construed to restrict any remedy provided by law.

Sec. 26-7. Ejection of violators.

The ~~County~~ Director of Community Services, any Deputy Director, any park operations manager, ~~and~~ any park ranger, any agent employed or contracted to provide lifeguard services, or any other person designated by the Community Services Director, shall have the authority to eject from any county recreation area any person who is in violation of any of the provisions of this chapter or of any use or entry restrictions applicable to the area, or where necessary to protect safety or property. A person ejected may not return to the recreation area for a minimum of twenty-four hours next following the ejection. The Director of Community Services, any Deputy Director ~~and~~ any park operations manager may extend the time during which a person ejected may not return to the recreation area. It shall be unlawful for any person who has been ejected from a county recreation area to return to that recreation area in violation of the provisions of this section or within the time limits provided, or that may be provided pursuant to this section.

Sec. 26-8. Confiscation of property.

The ~~County~~ Director of Community Services, ~~and~~ any Deputy Director, any park operations manager, any park ranger, any agent employed or contracted to provide lifeguard services, ~~or any~~ and other person designated by the Community Services Director, shall have the authority to seize and confiscate or impound any property, vehicle, thing or device in the park used or maintained in violation of this chapter.

Sec. 26-9. Reserved or special use areas.

The ~~County~~ Director of Community Services is authorized to provide for reservations of special permits for portions of county recreation areas as the director may specify. No person shall obstruct or interfere with the use of those specified areas by the person or persons to which a reservation or special permit has been issued.

Sec. 26-10. Park hours of operation.

County park facilities will be open for public use no later than 8:00 a.m. in the morning and will be closed at sunset. The ~~County~~ Director of Community Services is authorized to establish such other hours of operation as may be determined appropriate by the Director of Community Services. It shall be unlawful for any person to use park facilities outside of the hours of operation posted within or at the entry of a county park.

Sec. 26-11. Prohibited area.

The personnel of the ~~County~~ Community Services Department may declare an area within a county recreation area to be a restricted area, not open to public use, not open for vehicle use, or may close facilities, to protect against contact with sanitary hazards, construction activities, maintenance activities, dangerous or unsafe conditions; to protect recreational features or facilities; to conserve resources; or for other cause. It shall be unlawful for a person to enter an area signed, posted or marked as restricted, not open to public use, closed to public use or closed; or to operate a vehicle within an area in violation of posted restrictions.

Sec. 26-12. Vandalism prohibited.

No person shall commit any act of vandalism, defacement or malicious mischief in any portion of any county recreation area, including, without limitation, defacing or damaging any vegetation, equipment, signs, vehicles, buildings, landscaping features, or other public or private property.

Sec. 26-13. Disorderly, offensive conduct prohibited.

- (a) No person shall use any loud, boisterous, abusive, insulting, threatening or indecent language or gesture, or engage in any disorderly conduct or behavior tending to be a breach of the peace within the county recreation area.
- (b) No person shall display, possess, furnish, use or bring within any county recreation area, any drug, substance or object restricted under any provision of the California Penal Code, California Health and Safety Code or California Business and Professions Code unless properly licensed or authorized for such possession or activity.
- (c) No person shall urinate or defecate or dispose of garbage, trash or other unsightly or offensive material within a recreational area other than in appropriate facilities provided for such purpose.
- (d) Smoking is prohibited and/or regulated as set forth in County Ordinance Chapter 37Sec.

Sec. 26-14. Interference with public use of restrooms prohibited.

No person shall occupy or use any public restroom within any county recreation area for a period of time in excess of thirty minutes during any consecutive three-hour period. No person shall accost, annoy or solicit another person in any recreation area.

Sec. 26-15. Trespassing.

No person shall enter or remain in any portion of a county recreation area that is demarcated with ~~which is posted within~~ signs stating "No Entry," "Keep Out," "No Trespassing," "Closed" or other prohibition of entry. No person shall enter or remain in any portion of any county recreation area outside of the hours of operation posted at or in such recreation area.

Sec. 26-16. Soliciting prohibited.

No person shall solicit, sell, hawk, offer or provide in a commercial context, any goods, wares, services, merchandise, liquids or food; or advertise or distribute any written or printed material within any county recreation area except by concession agreement or upon the specific authorization of the ~~County~~ Director of Community Services or Deputy. No person shall offer, conduct or deliver lessons, services or amusements within any recreation area except by concession agreement or authorization of the ~~County~~ Director of Community Services or deputy.

Sec. 26-17. Sale or use of alcoholic beverages.

- (a) No person shall sell or offer in a commercial context any alcoholic beverage in any county recreation area except by concession agreement or written authorization from the ~~County~~ Director of Community Services or Deputy Director.
- (b) No person who has not attained the age of twenty-one years shall use or possess any alcoholic beverage within any county recreation area.
- (c) The Board of Supervisors may, by resolution, designate any county recreation area as an area in which the possession of any open container or use of alcohol is prohibited. Upon passage of such a resolution, the Community Services Director shall cause signs to be posted in the area subject to the prohibition. After the posting of signs, no person shall use or possess an open container of alcohol in a county recreation area designated pursuant to this section.
- (d) The Board of Supervisors may, by resolution, designate any county recreation area as an area in which the possession of an open container or use of alcohol without a permit is prohibited. Upon passage of such a resolution, the Community Services Director shall cause signs to be posted in the area subject to the prohibition. After the posting of signs, no person shall use or possess an open container of alcohol in a county recreation area designated pursuant to this section except by permit.
- (e) The Community Services Director, or designee, may establish conditions and issue event permits for the possession and consumption of alcoholic beverages by designated persons within areas designated pursuant to subsections (c) and (d).
- (f) Violation of section 26-17(c) or (d) is an infraction, ~~the fine for which shall not exceed one hundred dollars. and the amount of the fine is determined by the~~ the fine for which shall be assessed in accordance with Cal. Gov. Code Section 25132.

Sec. 26-18. Interfering with park employees personnel.

Threatening, resisting, intimidating, or interfering with ~~a park employee including~~ anyone authorized to enforce park rules pursuant to the Chapter in the performance of his official duties is unlawful.

Sec. 26-19. Discharge of fireworks prohibited.

No person shall discharge or set off within any portion of any county recreation area, any firecracker, torpedo, rocket, fireworks, or other pyrotechnic device of any kind.

Sec. 26-20. Restriction on use of sound-amplifying equipment.

No person shall willfully or continue to make an excessively loud or unnecessary noise which unreasonably disturbs the peace or enjoyment of a park, thereby causing substantial discomfort or annoyance to any reasonable person of normal sensitivities that are present in the park or in its immediate proximity. use any sound amplifying equipment, radio, live music, instrument, amplifying device or other audio instrument in a manner or under circumstances which will tend to annoy, disrupt or interfere with the peace or the enjoyment of any county recreation area by any visitor or user.

The Director of Community Services and any Deputy Director, any park operations manager, any park ranger, any agent employed or contracted to provide lifeguard services, or any other person designated by the Community Services Director, shall have the authority to determine appropriate level of sound for the purposes of enforcing this section.

Sec. 26-21. Restriction on audio devices by park personnel.

After once being notified to restrict or reduce the use of, or refrain from the use of any audio device of any nature within any county recreation area by anyone authorized to enforce park rules pursuant to this chapter ~~Community Services Department employee~~, it shall be unlawful to use, maintain or employ the use of such device except in conformity with the restriction imposed.

Sec. 26-22. Landing aircraft.

No person shall land, launch or operate any aircraft, including, without limitation, any balloon designed to carry passengers, airplane, hang glider, ultralight airplane, glider, drone or flying apparatus on or within any county recreation area except in case of emergency or with the prior written permission of the ~~County~~ Director of Community Services or Deputy.

Sec. 26-22.1. Model aircraft.

No person shall land, launch or operate any model aircraft, whether gas-powered or electric or other propulsion, within any county recreation area except in posted designated areas or with prior written permission of the ~~County~~ Director of Community Services or Deputy Director.

Sec. 26-23. Construction prohibited without permit.

No person shall construct any structure, conduct any excavation, or place any device or fixture, in any permanent or temporary fashion within any county recreation area without the ~~consent~~ approved permit or permission in writing ~~consent~~ of the Director of Community Services or Deputy Director.

Sec. 26-24. Guy wires prohibited.

No guy wire, guy rope or exterior brace or support shall be connected, fastened or maintained between any permitted tent or structure or part thereof which creates an unsafe environment or walkway area within any county park.

Sec. 26-25. Gathering plants, wood, or any other vegetation is ~~Picking flowers, injuring trees, etc.,~~ prohibited.

No person shall ~~gather pick~~ flowers, foliage, berries, herbs, ~~or~~ fruit, ~~gather~~ seeds, or cut, break, dig up or in any way mutilate, injure, or transplant any tree, shrub, plant, fern, grass, turf, landscaping, natural feature, railing, seat, fence, equipment, structure or other object or device within any county recreation area, except by permit of the ~~County~~ Director of Community Services, or Deputy Director.

Sec. 26-26. Injuring, killing or molesting animals.

No person shall injure, take, kill or molest any bird, mammal, reptile or other animal or disturb its habitat in any county recreation area except by permit of the ~~County~~ Director of Community Services, or Deputy Director.

Sec. 26-27. Campfires and open fires ~~limited to fire ring.~~

No person shall build, use or maintain any open fire within any recreation area that is deemed to be unsafe by individuals defined in section 26-3. This includes ~~No person shall build, maintain or use~~ any fire within any county recreation area during a period of time declared to be a time of high fire hazard by Park Division personnel, except as specifically permitted by the Director of Community Services, or Deputy Director. Public notices of high fire hazard shall be posted within the recreation area when applicable. Bonfires/open flames, BBQ's are prohibited on County beaches, unless approved by the Director of Community Services or designee or it is a camping park designated fire pit. ~~It is unlawful to leave a fire unattended for any reason and must be extinguished upon vacating. Campfires are allowed only in county provided designated fire pits or grills unless approved by the Director of Community Services or designee.~~

Sec. 26-28. Removing materials.

No person shall dig up or remove any dirt, stones, sand, rocks or other materials or substance whatever, or make any excavation, quarry any stone or lay or set off any blast or explosion or cause or assist in doing any such activity within any county recreation area without the prior written permission or license of the Director of Community Services, or Deputy Director.

Sec. 26-29. Littering prohibited.

No person shall dump or deposit any trash, refuse, garbage, litter or other kind of waste materials in any county recreation area except in approved containers specifically placed and designated to receive such waste material.

Sec. 26-30. Water pollution prohibited.

No person shall contaminate or pollute the waters of, or introduce any noxious, flammable, hazardous, poisonous or offensive substance within any lake, slough, creek, stream or other body of water within or adjoining any county recreation area.

Sec. 26-31. Garbage containers for park use.

No person shall bring waste material or garbage or other offensive or surplus material onto the premises of any county recreation area for the purpose of dumping it, leaving, placing or abandoning it within the recreation area without the express consent of the ~~County~~ Director of Community Services, or Deputy Director.

Sec. 26-32. Abandoned vehicles prohibited.

No person shall bring, place or leave any vehicle or equipment or other personal property within a county recreation area for a period exceeding seventy-two hours, or for the purpose of disposing of it, or to abandon it.

Sec. 26-33. No wastewater, oil or sewage on ground.

No person shall permit or cause to be placed any wastewater, sewage, effluent, discharge from sinks or toilets or other plumbing fixtures, oil, fuel or other hazardous, obnoxious or offensive substance upon or into the ground or water within any county recreation area.

Sec. 26-34. Use of restrooms.

No person shall deposit any bodily waste within any county recreation area except into receptacles provided and suitable for the deposit made.

Sec. 26-35. Posting of signs prohibited.

No person shall post, place or erect any paper, notice, advertising material, sign or similar structure or publication within any county recreation area without the specific consent of the County Director of Community Services, or Deputy Director.

Sec. 26-36. Public nudity.

(a)

No person shall appear in any county recreation area or exposed to public view within a county recreation area, including specifically a view from any residence or any portion of the real property in the immediate vicinity of such residence, whether such place is publicly or privately owned, unclothed or in such a state of undress as to expose, in the case of a female, any portion of her breast or breasts below the areola thereof, or in the case of any male or female, any part of his or her pubic, genital, or anal region.

(b)

The provisions of this shall not apply to any acts which take place wholly within the privacy of a tent, boat and/or recreation vehicle which are not exposed to public view; ~~and nothing contained herein shall be construed to prohibit any act or acts which are expressly authorized by the Penal Code of the state.~~

(c)

A violation of this section shall be an infraction, ~~punishable by a fine~~ the fine for which shall be assessed in accordance with Cal. Gov. Code Section 25132. ~~The sum of fifty dollars for a first violation; a fine in the sum of one hundred dollars for a second violation of this section within one year after the first violation; and by a fine in the sum of two hundred fifty dollars for each additional violation within one year after such second violation of this section.~~

Sec. 26-37. Firearms, weapons, etc.

Except as may be required of peace officers, or as may be authorized in writing by the Director of Community Services for purposes of allowing bow fishing in accordance with state law, no person shall bring any firearm, air powered, gas- or spring-propelled

weapon, slingshot, bow, cross-bow, blowgun or other device designed, intended or customarily used to harm, threaten or damage any person, animal or thing into any county park or county beach. Cutlery, utensils, saws and hatchets, properly used in context with the preparation of food, shall be excepted from this prohibition. The Community Services Director or designee may issue permits authorizing the possession of bow fishing equipment and use of such items under conditions and limitations deemed appropriate by the Director.

Sec. 26-38. Camping prohibited.

No person shall camp; conduct any housekeeping; or stay overnight in any county recreation area except in designated camp sites in accordance with the rules, regulations and entry requirements required for said campsites.

Sec. 26-38.1 Unlawful Use of Vehicle/Recreation Vehicle

(a)

It is unlawful for any person to use any vehicle or recreational vehicle or trailer for the purposes of sleeping or human habitation or camping purposes in any County Recreation Area unless otherwise provided for or pursuant to a valid lease from the County or by specific written permission or authorization from the board of supervisors;

(b)

Oversized Vehicles in Recreation Area Parking Lots.

All vehicles over twenty (20) feet in length are prohibited from entering or using any Parking Lot, excepting those vehicles exempted by the Director of Community Services.

(c)

Oversized Vehicles in Beach Park Parking Lots.

All vehicles over thirty three (33) feet in length are prohibited from entering or using any beach Parking Lot, excepting those vehicles exempted by the Director of Community Services.

(d)

Oversized Vehicles in Designated Beach Park Parking Lots.

The Director of Community Services shall designate parking spaces in Parking Lots, including a limited number of oversize parking spaces, by signs, pavement stripes or other means of designation.

(1)

Parking in Designated Parking Stalls Only. No vehicle shall be stopped, left standing or parked in any Parking Lot, other than within a single marked stall designated for that size of vehicle.

(2)

Parking in Marked Stalls Only. No vehicle shall be stopped, left standing or parked in any Parking Lot, at angles, horizontally, diagonally or otherwise across the lines marking a parking stall designated for parking a vehicle.

(3)

No Parking in Oversized Stalls. No vehicle that is less than twenty (20) feet in length shall be stopped, left standing or parked in any Parking Lot within a parking stall designated for an oversize vehicle.

(4)

No Parking of Oversized Vehicles in Passenger Vehicle Stalls. No vehicle that is over twenty (20) feet in length shall be stopped, left standing or parked in any Parking Lot, within a parking stall designated for passenger vehicles of ordinary length (less than twenty (20) feet).

(e)

No Personal Property in Parking Stalls.

No person shall occupy, fill or obstruct a space designated for parking in any parking lot with any personal property other than a vehicle appropriate for the size of the parking stall, except by special permit of the Director of Community Services.

Article II. Traffic Regulations

Sec. 26-39. Parking, vehicle use violations.

No person shall park or operate any vehicle within any county recreation area, in violation of the rules, regulations and provisions established pursuant to this section. Any person who violates any provision of this section shall be guilty of an infraction and subject to a fine not to exceed the sum of one hundred dollars for a first violation; a fine not to exceed the sum of two hundred dollars for a second violation of this section within one year after the first violation; and a fine not to exceed the sum of five hundred dollars for each additional violation occurring within one year. Each day such violation continues shall constitute a separate offense.

(a)

Parking is allowed in county recreation areas only within designated parking areas and within designated stalls when and where provided.

(b)

Parking is prohibited in county recreation areas in all areas designated with "No Parking" signs; red curb markings; or diagonal yellow stripes on the surface of the ground, pier, approach or pavement.

(c)

In areas of county recreation areas marked with blue curb markings or signs indicating handicapped parking only, no person shall park or stand any vehicle adjacent to such curb or in said marked area unless said vehicle bears a special license plate or displays a special placard issued under the provisions of Section 9105 or Section 22511.5 of the California Vehicle Code.

(d)

Parking within a county recreation area after posted hours of operation is prohibited.

(e)

- Parking after being required to remove from any county recreation area by a the Community Services Director, any Deputy Director, any park operations manager, any park ranger, any agent employed or contracted to provide lifeguard services, or any other person designated by the Community Services Director is prohibited.
- (f) Parking in violation of parking controls approved by the ~~County~~ Director of Community Services is prohibited.
- (g) Parking, use or operation of any vehicle in violation of the signs or notices posted by the Community Services Director, any Deputy Director, any park operations manager, any park ranger, any agent employed or contracted to provide lifeguard services, or any other person designated by the Community Services Director is prohibited.

The Community Services Department shall cause notices, signs, markings and other instructions regarding parking requirements to be communicated to users of recreation areas to aid in compliance with parking requirements.

Sec. 26-40. Parking fees.

No person shall park any vehicle or equipment within any county recreation area without paying the appropriate parking or day use fee as posted within the area. No person shall park or remain within any permitted camping area without first paying the appropriate camping fee posted within such area.

Sec. 26-41. Speed limit.

No person shall operate any vehicle at a speed in excess of the posted speed limit within any county park. No person shall operate any vehicle or equipment in any recreation area at a speed which is in excess of the speed which is safe and reasonable, taking into account all conditions of weather, visibility, pedestrian use, traffic congestion, obstructions, the presence of children, or other conditions or variables that exist at the time.

Sec. 26-42. Negligent operations of vehicles and equipment.

No person shall operate any motor vehicle, bicycle, skateboard or other equipment in a county recreation area in a negligent manner or in a manner to damage or endanger property or in a manner to endanger, pursue, harass, annoy or injure any person or animal.

Sec. 26-43. ~~No off-road vehicles.~~ Off Highway Vehicles

No person shall operate, use or park any vehicle which is not registered for use on a highway under the applicable vehicle code within any county recreation area without the express written permission of the ~~County~~ Community Services Director or Deputy Director.

Sec. 26-44. Operator must be licensed.

No person may operate any motor vehicle, motorized vehicle, motorcycle or motorized bicycle within any county recreation area unless that person is in possession of a valid driver's license recognized by the State of California for the operation of that vehicle.

Sec. 26-45. Obstruction of roads and paths prohibited.

No person shall place within a county recreation area any vehicle or other object in a road, path, driveway, entry to a campsite, or other location in such a manner that it blocks or obstructs traffic; or is an impediment to the use of roads and paths; or is a hazard to the safety or convenience of any person.

Sec. 26-46. Traffic restricted to roads and parking areas.

No person shall drive or operate any vehicle or equipment within any county recreation area outside, off, or away from designated roads, streets and parking areas.

Sec. 26-47. Bicycles; operator-propelled vehicles.

No person shall operate or ride a bicycle, scooter, skateboard, or other operator-propelled vehicle in any county recreation area in any manner that is unsafe, under any conditions that are unsafe, or contrary to any restrictions or prohibitions as directed or posted by any County Community Services employee.

Article III. Animal Regulations

Sec. 26-48. Horseback riding; hitching.

- (a) No person shall ride a horse or other animal within a county recreation area except on roads, beaches, trails or other areas designated for such use.
- (b) No person shall ride a horse or other animal on roads, beaches, trails or other areas designated for such use except within the times designated and posted on or at the entry of or within such area by the Community Services Department.
- (c) No person shall hitch, tie or affix a horse or other animal to any tree, shrub or structure in any recreation area in any manner that will cause injury or damage to such tree, shrub or structure.

Sec. 26-49. Dogs required on leash.

- (a) Unless otherwise approved by Community Services Director or their designee, no person shall bring any dog into any county recreation area that is marked or designated as "NO DOGS ALLOWED."
- (b) No person shall bring a dog into or permit a dog to enter or remain within, or maintain a dog within any county recreation area unless the dog is on a leash not more than six feet in length and under the immediate control of a capable and responsible person, or properly confined. It is unlawful to permit any dog to run at

large within any county recreation area or to be within any county recreation area without a physical restraint.

Sec. 26-49.1. Off-leash dog areas in designated county recreation areas.

Notwithstanding anything in Chapter 26, the County Community Services Director, or his designee, may designate and un-designate, off-leash sites, off-leash areas, and off-leash dog hours in parks and open spaces under his jurisdiction, subject to the following rules and regulations:

- (a) The off-leash area shall have been approved by resolution of the board as a permanent or temporary off-leash site.
- (b) No dog shall be permitted in the off-leash area unless the dog is under the care, custody and control of a person eighteen years or older (the "caretaker"). A caretaker shall be responsible for any damages caused by their own or their dog's acts.
- (c) Caretaker shall permit dogs off-leash in designated areas only and only during the posted hours. The number of dogs allowed per caretaker will be determined by the county parks director and posted on a sign at each off-leash site. No caretaker shall violate the posted limit. Any caretaker in violation of the posted limit is guilty of an infraction.
- (d) All dogs shall be vaccinated for rabies, and have a current animal license. No dog, that is under four months of age, sick, in heat, vicious, aggressive or has previously bitten any person or bitten or harmed another dog shall be permitted in the off-leash area. No caretaker shall bring or allow such a dog in the off-leash area.
- (e) All caretakers shall maintain voice control of their dog(s) at all times. The caretaker shall remain present within the off-leash dog area at all times, shall carry a leash for each dog, and shall leash the dog(s) at the first sign of aggression or loss of voice control
- (f) The caretaker shall promptly remove and properly dispose of the dog's fecal matter. The caretaker shall not allow dog(s) to dig holes or destroy vegetation.
- (g) No animals other than dogs are permitted in an off-leash area. Dog obedience classes or other organized events may not be conducted in an off-leash area.
- (h) The use of an off-leash area by a dog and its caretaker shall constitute the caretaker's agreement to be responsible to any persons present or affected for any injury or damage caused by the caretaker's dog's acts.
- (i) The use of an off-leash area by a dog and its caretaker shall constitute the caretaker's agreement to comply with the rules contained in this section as well as

those rules and regulations posted by the county community services department with respect to the use of such off-leash areas. Any caretaker in violation of any provision of this section is guilty of an infraction.

Sec. 26-50. No stabling animals.

No person shall stable, pasture or propagate any animal or insect in any portion of any county recreation area without a permit from the ~~County~~ Director of Community Services, or Deputy Director.

Sec. 26-51. Animals at large prohibited.

No person shall permit or maintain any pet or domestic animal within any county recreation area without a physical restraint. It shall be unlawful to permit or suffer any pet or domestic animal to run at large within any county recreation area, either with or without an attendant.

Sec. 26-52. Noisy or dangerous dogs.

No person shall keep a noisy, vicious or dangerous dog or animal or one which is disturbing to other persons within any county recreation area.

Sec. 26-53. Abandonment of animals prohibited.

No person shall abandon any animal of any nature within any county recreation area or bring, have or release any animal within any recreation area with intent to abandon it or enter any county recreation area to leave or abandon an animal.

Sec. 26-54. Removal of animal waste.

The owner or person responsible for the presence of any dog, horse, bird, pet or other animal within any county recreation area shall be responsible to immediately remove any waste, bodily waste or refuse left by that animal. No person in charge of any animal within any county recreation area shall suffer or permit any animal to leave or deposit any waste, bodily waste, refuse or material without removing the same and disposing of it in a proper container or receptacle.

Article IV. Camping Parks

Sec. 26-55. Camping.

(a)

Persons shall camp within designated areas only.

(b)

No person shall camp in any county recreation area or use any portion of a county recreation area for living or sleeping quarters except in areas designated and marked for that purpose and in conformity with the rules, regulations, restrictions and entry requirements for the designated areas.

(c)

No person shall erect a tent or shelter or arrange bedding for the purpose of or to permit any overnight stay in a county recreation area except in designated

camping areas in conformity with the rules, regulations, restrictions and entry requirements for the area.

(d)

No person shall park a travel trailer, camper or motor home within any county recreation area for the purpose of sleeping during the nighttime hours except in conformity with the rules, regulations, restrictions and entry requirements of the camping areas.

Sec. 26-56. Time limitations and camping and camp sites.

The ~~County~~ Director of Community Services, a Deputy Director, and any park operations manager may establish time limits on the use of camp sites for camping. Such time limitations shall be posted and/or communicated to the person responsible for reserving a campsite. No person shall stay in or occupy a campsite beyond any time restriction or limitation established by the Director of Community Services, deputy director of parks or park operations manager.

Sec. 26-57. Annual vehicle permit.

Any annual vehicle permit issued for park use shall be affixed to the vehicle permitted. Annual vehicle permits for park use are not transferable to other vehicles.

Sec. 26-58. Annual permits.

Annual permits may be issued for parks or recreation use and shall be valid for one year from the designated month in which issued. ~~the calendar year in which it is issued.~~ ~~All annual permits issued shall terminate on December 31st of the year in which it is issued~~ unless sooner revoked for cause.

Sec. 26-59. Camping without paying posted fees.

No person shall camp or occupy any campsite within any county recreation area without paying the appropriate fee as posted.

Sec. 26-60. Entering without paying posted day use fee.

No person shall enter any park, campsite or recreation area without paying the appropriate day use or parking fee as posted.

Sec. 26-61. Vehicle parking at campsite.

No person shall park, permit, or maintain more than two motor vehicles at any campsite within any county recreation area without the prior authorization of a Community Services Department employee on duty, within the area except Group areas, whose capacity is defined by local rules within each campground. No more than 2 motorized vehicles (includes a motorized camper/RV) per designated campsite. No more than 1 hard-shell, either RV, Camping Trailer, or 5th Wheel per designated campsite.

Sec. 26-62. Parks' quiet.

(a)

Quiet hours must be observed between 10:00 P.M. and 7:00 A.M. the following morning in all parks in which overnight stay is authorized.

(b)

No person shall operate or use any device which produces noise, annoyance or other disturbing sound including, but not limited to, a radio, television, musical instrument, generator, motor or engine between the hours of 10:00 P.M. and 7:00 A.M.

(c)

No person shall create or maintain any loud or offensive noise or noise that creates any unreasonable disturbance between the hours of 10:00 P.M. and 7:00 A.M.

Sec. 26-63. Restrictions on generators.

The County Director of Community Services, Deputy Director and any park operations manager may establish rules or restrictions on the use of generators within any recreation area. No person shall operate, maintain or use any generator except in conformity with such applicable rules or restrictions.

Sec. 26-64. Firearms.

No person shall bring any firearm into any county park, or possess a firearm while in a county park. Except for park rangers expressly authorized by the Director for animal control purposes, no person shall possess any weapon in a county park or bring any weapon into a county park. Sworn peace officers in the performance of their duties are exempt from this section.

Sec. 26-65. Camp sanitation; occupancy limit.

(a)

No more than eight persons shall be permitted in any designated campsite without prior approval of the park employee on duty.

(b)

It shall be unlawful to occupy more space for camping purposes than the campsite designated.

(c)

The size, type and arrangement of camping equipment shall be suitable for the design of the campsite and the space provided. No more than 3 tents per designated campsite.

Article V. Special Use Area and Beach Regulations

Sec. 26-66. Authority to establish special use areas.

Section 660 of the California Harbors and Navigation Code permits the board of supervisors to designate by resolution "special use" areas in state waters for the purpose of protecting persons along the shoreline from the risk of injury or death from the operation of motor powered boats and other powered devices in such limited areas. No person shall use or operate any motor powered boat or other powered water device within any area designated and marked as a special use area.

Sec. 26-67. Special uses defined.

"Special uses" shall include, but are not limited to, swimming, snorkeling, scuba diving, fishing, sailing, rowing, and for the entry and exit of sailboats and other non-motor powered small boat use.

Sec. 26-68. Geographical limits of special use areas.

"Special use" areas shall not include areas within the seaward boundaries of incorporated cities, and shall not extend more than one-quarter mile seaward from the line of the mean high tide.

Sec. 26-69. Buoy lines to mark special use areas.

The County Community Services Department shall be responsible to establish, maintain, and police buoys or floats to designate a special use area. No person shall use any motor powered boat, Jet Ski, or other powered sled or plane within any area designated and marked as a "special use area."

Sec. 26-70. Enforcement.

Any peace officer and any employee designated in section 26-3 may enforce the rules, regulations and restrictions of all county parks.

Sec. 26-71. Violations; penalty.

Violations of the restrictions within special use areas under this article shall be punished by a fine not exceeding one hundred dollars for first violation; a fine not exceeding two hundred dollars for a second violation within one year of the first violation; and a fine not exceeding the sum of five hundred dollars for each additional fine within one year.

Sec. 26-72. Operation within two hundred feet of swimming beach.

No person shall operate a motor powered boat, jet ski, or other powered sled or plane in excess of five miles per hour within two hundred feet of a designated swimming beach or within one hundred feet of a swimmer.

Sec. 26-73. No power boats within buoy line.

No person shall operate or conduct a motor powered boat, jet ski, or other powered sled or plane within a buoy line marking or designating a special use area.

Sec. 26-74. Surfing.

Surfing is permitted only in areas designated within county beaches. No person shall surf within a county beach when the same is designated and posted as "No surfing." No person shall surf within a county beach outside of an area designated for surfing.

Article VI. Regulations Applicable to Certain Recreation Areas

Division 1. Jalama Beach Park

Sec. 26-75. Rabies vaccination.

No person shall bring any dog, cat or other pet of a species susceptible to rabies without proof of the animal's current rabies vaccination.

Sec. 26-75.1. No boat within 100 feet.

No person shall operate any boat within 100 feet of the swim beach except for the purpose of loading, unloading, launching or removing such boat, unless approved by the director in written form through special use permit.

Division 2. Goleta Beach Park

Sec. 26-76. Pier—No mooring to pier.

No person shall moor or attach any commercial vessel to the Goleta Beach Pier except in an emergency.

Sec. 26-77. Pier—No mooring within two hundred feet.

No person shall moor or anchor any commercial vessel within two hundred feet of Goleta Beach Pier except in an emergency.

Sec. 26-78. Pier—No equipment, vehicles.

No person shall operate, maintain or place any motor vehicle, bicycle or jet ski on the Goleta Beach Pier.

Sec. 26-79. Pier—No boat within one hundred feet.

No person shall operate any boat within one hundred feet of the Goleta Beach Pier except for the purpose of loading, unloading, launching or removing such boat.

Sec. 26-79.1. – No boat within one hundred feet

No person shall operate any boat within one hundred feet of the swim beach except for the purpose of loading, unloading, launching or removing such boat, unless approved by the Director in written form through special use permit.

Sec. 26-80. Pier—No large vessels launched from pier.

No person shall launch any vessel weighing in excess of eight thousand pounds or longer than twenty-two feet from the Goleta Beach Pier.

Sec. 26-81. Pier—No large vessels on pier.

No person shall lift any vessel in excess of eight thousand pounds or longer than twenty-two feet onto the Goleta Beach Pier.

Sec. 26-82. Pier—No diving, swimming, etc., near pier.

No person shall dive from the Goleta Beach Pier or swim, surf or jet ski within one hundred feet of the Goleta Beach Pier.

Sec. 26-83. Pier—No fishing areas.

No person shall fish on, from, or while standing on those portions of the Goleta Beach Pier which are posted "No Fishing."

Sec. 26-84. Pier—No overhead casting.

No person while on or using the Goleta Beach Pier shall cast fishing poles, tackle, or other fishing equipment overhead or use any fishing pole, tackle or other equipment in a manner which endangers, annoys or threatens other pier users.

Sec. 26-85. Flying kites prohibited in Goleta Beach County Park.

No person shall fly any kite, balloon, model plane, drone or glider within the Goleta Beach County Park in any area west of the pier.

Division 3. Lake Cachuma

Sec. 26-86. Rabies vaccination.

No person shall bring any dog, cat or other pet of a species susceptible to rabies without proof of the animal's current rabies vaccination.

Sec. 26-87. Lake—Boat standards.

(a)

To operate on Cachuma Lake a boat shall not be less than ten feet in length, measured on the centerline over the deck from point of bow to rearmost point of the hull (excluding any motor, tiller or bait tank that may be attached); nor less than forty-two inches wide at the widest point; nor less than twelve inches deep measured at the deepest point of the cockpit. The trampoline of any catamaran must be at least twelve inches above the water's surface when loaded. All boats, canoes, and kayaks are subject to inspection prior to launching. The Director or designee may deny access to any boat failing to pass inspection. The Director is authorized to establish cleanliness and other standards which boats must meet in order to pass and to post signs informing the public of those standards.

(b)

To operate on the lake a boat must be in seaworthy, clean and sanitary condition.

(c)

To operate on the lake a boat must be of standard design as determined by the Community Services Director, Deputy Director or park operations manager. A raft, and/or inflatable hydro hull boat are not of standard design. Inflatable boats with two or more air chambers, floorboard, and rigid transom, and folding boats may be permitted on the lake by park personnel if such boats meet the applicable size requirements, and have a Coast Guard certificate of operation or otherwise appear seaworthy for use on the lake.

(d)

All canoes, float tubes and kayaks shall be of a design determined by the Community Services Director to be safe. The Community Services Director or designee may issue permits authorizing the use of canoes, float tubes, and kayaks under conditions and limitations deemed appropriate by the Director.

Sec. 26-88. Lake—Boat standards; compliance.

~~County~~ Community Services personnel may inspect any boat within any county park or recreation area to assure compliance with all applicable regulations and may revoke any boat permit, decal or other evidence of inspection if found to be out of compliance. A

boat which does not meet requirements upon re-inspection shall be removed from the lake unless the defect is corrected immediately.

Sec. 26-89. Lake—Boat standards; no contact with water.

No person shall use or operate any boat, device or craft upon Lake Cachuma in any manner which will cause body contact with water or any unsafe condition upon the water. Incidental body contact such as launching and retrieving of boats is exempt from this section.

Sec. 26-90. Lake—Boat standards; shall maintain buoyancy.

Each boat used on Lake Cachuma shall possess sufficient buoyancy to keep the boat afloat if overturned or swamped when loaded to capacity.

Sec. 26-91. Lake—Boat standards; toilets.

No boat located or in operation on Lake Cachuma shall have a sink, drain, port-a-potty, holding tank or toilet unless sealed or rendered otherwise inoperable or designed in such manner that no waste can be discharged into the water.

Sec. 26-92. Lake—Boat standards; exhaust muffled.

The exhaust of every internal combustion engine used on any motor boat upon Lake Cachuma shall be effectively muffled at all times to prevent any excessive or unusual noise.

Sec. 26-93. Lake—Boat standards; power plant capacity.

Each powered boat located or operated on Lake Cachuma shall be equipped with a power plant compatible with the hull design. No boat located or operated on Lake Cachuma shall have a motor or other means of propulsion which is beyond the safe power capability of the craft, taking into consideration the type and construction of the hull and other existing operating conditions.

Sec. 26-94. Lake—Boat standards; special permits.

The County Director of Community Services, Deputy Director or park operations manager may issue special permits, upon application of the owners, for boats which do not entirely conform with the boat standards of this chapter, provided such craft are seaworthy and reasonably constructed for the conditions on the lake. The Director or Deputy shall consider all such applications and may make such inquiries and tests as are necessary or appropriate to determine seaworthiness. Special permits may be issued subject to such reasonable conditions in respect to seating capacity, operation and the use of equipment as the director or deputy may require. Special permits may be revoked and given no effect whatever upon failure to comply with prescribed conditions. The decision of the Director of Community Services regarding the issuance or denial of a special permit and the conditions attached shall be conclusive and final. The Director of Community Services may prescribe fees for the issuance of special decals and permits for operation on the lake.

Sec. 26-95. Lake—Boat operations; safe and seaworthy operation.

Any person having, using or operating a boat on Lake Cachuma shall abide by the applicable sections of the California Harbors and Navigations Code, the Vehicle Code, the Health and Safety Code, Water Code, Administrative Code and Coast Guard Regulations.

Sec. 26-96. Lake—Boat operations; boat permit.

A boat permit or decal is required for all boat operations on the lake. No person shall maintain or operate any boat on Lake Cachuma except pursuant to a properly issued permit or decal and in compliance with all conditions, requirements and regulations. A permit must be affixed to the boat before entering the water.

Sec. 26-97. Lake—Boat operations; speed limits.

- (a) No person shall operate any boat on Lake Cachuma in excess of a speed that is safe, taking into account the conditions of other use on the lake, weather, visibility and the conditions of the boat.
- (b) No person shall operate a power boat in excess of forty miles an hour on Lake Cachuma.
- (c) No person shall operate any boat on Lake Cachuma in excess of five miles per hour within two hundred feet of a boat dock, ramp, log barrier, beach or within one hundred feet of any boat which is not under way.
- (d) No person shall operate a boat in excess of three miles an hour within the Cachuma Lake harbor log lines.

Sec. 26-98. Lake—Boat operations; restricted speed zones.

The park operations manager of the Lake Cachuma Recreation Area is authorized to designate restricted speed zones for the lake as deemed appropriate for the convenience and safety of park users. The park operations manager shall post or otherwise mark or communicate the restricted speed zones. No person shall operate any boat in violation of the restricted speed zones established pursuant to this section.

Sec. 26-99. Lake—Boat operations; hours.

The park operations manager of Lake Cachuma Recreation Area may establish hours of operation for lake recreation use. No person shall operate or occupy any boat on Lake Cachuma except during the authorized hours of operation.

Sec. 26-100. Lake—Boat operations; launching.

No person shall launch any boat on Lake Cachuma except at an approved launching area designated by the park operations manager of the Lake Cachuma Recreation Area.

Sec. 26-101. Lake—Boat operations; landing.

It is unlawful to land any boat except at an approved dock site or other area specifically designated a boat landing site by the park operations manager of the Lake Cachuma Recreation Area.

Sec. 26-102. Lake—Boat operations; overnight storage.

It is unlawful to keep or store any boat on the premises of the Lake Cachuma Recreation Area except in areas designated by the park department for that purpose.

Sec. 26-103. Lake—Boat operations; towing; water skiing.

No person shall operate or permit any operation of any boat to carry out water sport activities e.g. towing or pulling a water skier, tubing, wake boarding etc. on or in the Lake Cachuma Recreation Area.

Sec. 26-104. Lake—Boat operations; loading.

It is unlawful to operate, occupy or load any boat within Lake Cachuma beyond the safe carrying capacity of such boat.

Sec. 26-105. Lake—Boat operations; life preservers.

No person shall operate any boat on Lake Cachuma or allow or permit a minor child under twelve years of age to remain in a boat on the lake unless such child is wearing a Coast Guard approved child's vest type life preserver.

Sec. 26-106. Lake—Boat operations; buoys and chains.

No person shall tie any boat to, or mutilate, damage or move from position any buoy, connecting line, chain or cable placed, installed or present within the Lake Cachuma Recreation Area.

Sec. 26-107. Lake—Boat operations; use without owner's permission.

No person shall take, use or operate any boat, vessel or other craft within the Lake Cachuma Recreation Area without the specific consent of the owner or person in charge thereof. No person shall aid, abet or assist the taking, use or occupation of any boat, craft or other vessel without the consent of the owner or person in charge thereof.

Sec. 26-108. Lake—Boat operations; trolling.

Fishing boats which are trolling shall display a white flag not less than two feet square to give adequate warning of such boat's trolling activities. It shall be unlawful for any person to operate within two hundred fifty feet of the stern of any fishing boat trolling or displaying a white flag indicating trolling activities, so as to avoid fouling the trolling lines.

Sec. 26-109. Lake—Boat operations; competence.

(a)

No person shall operate any boat within the Lake Cachuma Recreation Area under conditions in which his judgment or abilities are impaired by reason of lack of experience, physical or mental disability, influence of alcohol, drugs or other chemicals.

(b)

No person shall aid, assist, abet or permit any person to operate any boat under his charge or control or to authorize anyone to operate a boat under his charge and control under circumstances which indicate that that person is incapable of operating such craft for any reason, including inexperience, physical or mental disability or the influence of alcohol, drugs or other chemicals.

Sec. 26-110. Lake—Boat operations; regattas.

It shall be unlawful for any person to participate or engage in any boat regatta, race, tournament or exhibition in the Lake Cachuma Recreation Area without approval of the park operations manager.

Sec. 26-111. Lake—Boat operations; hire.

No person shall operate any boat, vessel or craft for hire, fee, or in any commercial context; or engage in sales promotion activities of any kind within the recreation area without approval of the Director of Community Services, or Deputy Director.

Sec. 26-112. Lake—Boat operations; private moorings.

It is unlawful to install any private mooring facility or dock within any recreation area without the prior written consent of the director of parks. No person shall moor, attach or place any boat, craft or other vessel along or on any private mooring within the Lake Cachuma Recreation Area without the consent of the park operations manager.

Sec. 26-113. Lake—Boat trailers; parking.

No person shall leave or park any trailer in the Lake Cachuma boat trailer lot after the posted closing hours.

Sec. 26-114. Lake—Sanitation; no swimming.

No person shall wade, swim or immerse his or her body in the water of the Lake Cachuma Recreation Area or in any of the streams tributary to the lake. No person shall engage in any water skiing, aquaplane or other activities which involve placing the body of the participant in the waters of the Lake Cachuma Recreation Area.

Sec. 26-115. Lake—Sanitation; permitting child or animal in the water.

No person shall permit any child or animal under his supervision to have bodily contact with the water of the Lake Cachuma Recreation Area or any creeks tributary to the lake.

Sec. 26-116. Lake—Sanitation; cleaning fish.

No person shall clean any fish within the Lake Cachuma Recreation Area except at places designated for such purpose by the park operations manager.

Sec. 26-117. Lake—Sanitation; animals.

No person shall permit any animal or pet under their supervision to make contact with or enter the waters of Lake Cachuma. Pets are allowed in boats, however, no contact with the lake is allowed.

Sec. 26-118. Lake—Sanitation; boat washing.

No person shall allow any waste from boat washing to discharge into Lake Cachuma or along the shore of the lake except into a waste disposal system that has been approved by the ~~County~~ Director of Community Services, or Deputy Director.

Sec. 26-119. Lake—Sanitation; foreign species.

No person shall bring, carry, receive or cause to be brought into the Lake Cachuma Recreation Area any fish, amphibian or aquatic plant species from any place for any purpose or use except for baits listed in the California Sports Fishing Regulations for this area under Bait Fish Provisions, without the express approval of the Department of Fish and Game and the ~~County~~ Director of Community Services.

Sec. 26-120. Closed lake areas; dam.

No person shall operate any boat, craft or other vessel within two thousand feet of the Cachuma Dam, or within one thousand seven hundred fifty feet of the intake of Tecolote Tunnel within the Lake Cachuma Recreation Area.

Sec. 26-121. Closed lake areas; prohibited by markers.

No person shall operate any boat, craft or other vessel within any area designated by buoys or markers as a prohibited area or posted on the bulletin board at the ramp as a prohibited area within the Lake Cachuma Recreation Area.

Division 5. Waller Park

Sec. 26-124. Waller Park—Swimming prohibited.

- (a) No person shall bathe, wade, swim or immerse his or her body in the water of any of the ponds or standing water within Waller Park.
- (b) No adult shall allow, permit or encourage any minor under that adult's supervision or care to bathe, wade, swim or immerse such minor's body in the water of any of the ponds or standing water within Waller Park.

Division 6. Public Trails Outside of County Parks

Sec. 26-126. Encroachments on trails and recreational easements.

No person shall permit, place, create, maintain or cause any encroachment, excavation, obstruction, sign or device in or upon any county trail or place of any county public recreation easement without a permit as provided in this chapter.

Sec. 26-127. Permits for excavations and encroachments.

- (a) The ~~County~~ Community Services Director may issue permits to make an opening or excavation for any purpose in any county trail or place of county public recreation easement; to place, change or renew any such encroachment; to place or display in, under or over any county trail or place of county public recreation

easement, any kind of sign or device; to plant, remove, cut, cut down, injure or destroy any tree, shrub, plant, flower, sign, fence, landscaping features or natural feature of, on, upon or within any county trail or place of county public recreation easement.

(b)

It shall be unlawful for any person to do any of the acts specified in this section without the authority of such a permit.

Sec. 26-128. Supervision of work under permit; fees.

The ~~County~~ Community Services Director may, but is not required to, supervise any work done under any permit issued under the provisions of this chapter, in which event the permittee shall pay the reasonable costs of such supervision to the ~~County~~-Community Services Department.

Sec. 26-129. Removal of encroachments.

The ~~County~~ Community Services Director may immediately remove, or by notice may require the removal, of any of the following encroachments onto, upon or over any county trail or place of county public recreation easement:

(a)

An encroachment which obstructs or prevents the use of a county trail or place of county public recreation easement;

(b)

An encroachment which is a hazard to users of the county trail or place of county public recreation encroachment;

(c)

An encroachment which is an advertising sign or advertising device.

The ~~County~~ Community Services Director may recover from the person causing any of the above encroachments, in an action brought in the name of the county for that purpose, the court costs of the park director, the expenses of such removal, and any other damages caused by the encroachment.

Sec. 26-130. Removal of encroachments by notice.

The ~~County~~ Community Services director may by notice require the removal of any other encroachment not specified in section 26-129, from any county trail or place of county public recreation easement.

Sec. 26-131. Notice for removal of encroachments.

(a)

The notice referred to in sections 26-129 and 26-130 shall be served upon the occupant or owner of the land adjacent to the encroachment, or the person causing, controlling or owning the encroachment, or shall be left at the place of residence of such occupant, owner or person, if residing in the county and known to the person giving such notice. Notice shall be mailed to the owners affected at the address given on the last county assessor's records published, and shall be posted on the encroachment. The notice shall specify the place and extent of the

encroachment and shall require the removal of such encroachment within ten days.

(b)

If the encroachment is not removed, or its removal not commenced and diligently prosecuted prior to the expiration of the ten days from and after the service or posting of the notice, the person causing, owning or controlling the encroachment shall be required to pay damages to the public for such encroachment, as reasonably calculated to offset the damages incurred, but in any case no less than ten dollars for each day the encroachment continues unremoved. The ~~County~~ Community Services Director shall immediately remove any encroachment which is such as to effectually obstruct and prevent the use of the trail or recreation easement by the public as intended.

(c)

If the encroachment is denied by, ~~and~~ the owner or occupant of the land or the person causing, owning or controlling the alleged encroachment refuses either to remove it or permit its removal, the ~~County Community Services Director~~ County Counsel or District Attorney shall commence, in any court of competent jurisdiction, an action ~~in the name of the county~~ to abate the encroachment as a nuisance. If the ~~Community Services Director~~ County Counsel or District Attorney recovers judgment he may, in addition to having the nuisance abated, recover damages to the public for such encroachment, as reasonably calculated to offset the damages incurred, but in any case no less than ten dollars for each day the encroachment continues unremoved after service or posting of notice and also the costs in the action.

Article VII. Park or Recreation Charges in County Service Areas

Sec. 26-200. Purpose.

The purpose of this article is to provide a procedure for collection of charges for local park, recreation or parkway facilities and services provided in county service areas.

Sec. 26-201. Authority.

The ordinance codified in this article is provided for in section 25210.66a of the Government Code.

Sec. 26-202. Procedures.

(a)

For any county service area or zone of a county service area providing services under article 6 (commencing with Government Code section 25210.60) of the County Service Area Law, the board of supervisors may fix and collect charges to pay, in whole or in part, for the costs of providing the services. The revenue obtained thereby may be in lieu of, or supplemental to, revenue obtained by the levy of taxes or other methods. The charges may vary by reason of the nature of the use to correspond to the cost and the value of the services. The charges may be determined by apportioning the total cost, not otherwise offset by other available revenue, of the service to each parcel therein in proportion to the

estimated benefit from the service to be received by each parcel. Alternatively, the board of supervisors may apportion the total cost by using any method it determines to be fair and reasonable in apportioning benefit.

- (b) This article provides a procedure for collecting charges for local park, recreation, or parkway facilities and services on the tax roll in the same manner and at the same time as general ad valorem taxes are collected.
- (c) Once a year the Board of Supervisors shall cause written reports to be prepared which shall contain a description (by assessor's parcel number) of each parcel of real property within a county service area which receives services, together with the amount of the charge for each parcel for the ensuing fiscal year, computed on the basis of estimated benefit to each such parcel of real property from each such service. Such reports shall be filed with the Clerk of the Board of Supervisors.
- (d) Upon the filing of such reports, the clerk of the board of supervisors shall fix a time, date and place for a hearing on the reports and for filing objections or protests thereof. The clerk of the board of supervisors shall publish a notice of such hearing, as provided in Government Code section 6066, prior to the date set for hearing, in a newspaper of general circulation, printed and published in the County of Santa Barbara.
- (e) At the time, date and place stated in the notice, the Board of Supervisors shall hear and consider all objections or protests, if any, to the reports and may continue the hearing from time to time. Upon conclusion of the hearing, the board of supervisors may adopt, revise, change, reduce or modify any charge and shall make its determination upon each charge as described in the reports and thereafter may, by resolution, confirm the reports. The board of supervisors shall not, however, impose a charge upon a federal or state governmental agency or another local agency.
- (f) A copy of the confirmed reports shall be delivered to the county auditor for inclusion into the appropriate tax bills.
- (g) The charges set forth in the reports, as confirmed, shall appear as a separate item on each tax bill. The charge shall be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county ad valorem property taxes shall be applicable to such charge and it shall become a lien against the real property, except that, if for the first year such charge is levied, the real property to which such charge relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attached thereon, prior to the date on which the first installation of such taxes would become delinquent, the

charge confirmed pursuant to this section shall not result in a lien against such real property, but instead shall be transferred to the unsecured roll for collection.

(h)

Whenever a railroad, gas, water, or electric utility right-of-way or electric line right-of-way is included, within the service area, or zone of the service area, the railroad, gas, water or electric utility right-of-way or electric line right-of-way shall be subject to the charges authorized only if, and to the extent that, it is found that it will benefit from the particular extended service, and the railroad, gas, water, or electric utility right-of-way or electric line right-of-way shall be subject to the same penalties, and the same procedure and sale, in case of delinquency as other properties in the service area or zone. In determining whether or not the railroad, gas, water, or electric utility right-of-way or electric line right-of-way benefits from extended service, its use as a right-of-way for a railroad, gas, water or electric utility shall be presumed to be permanent.

Sec. 26-203. Effect of change in state law.

The provisions of this article shall remain in effect even if the provisions of article 6 of the County Service Area Law are repealed so long as charges such as those provided for in article 6 continue to be authorized in county service areas.

Article VIII. Boating and Safety Enforcement

Sec. 26-204. Lake—Boat standards; stop and board vessels.

The Community Services Director, deputy director, any park operations manager, any park ranger, any agent employed or contracted to provide lifeguard services, or any other person designated by the Community Services Director, shall have the authority to stop and board any vessel subject to this chapter, where the officer has probable cause to believe that a violation of state law or regulations or local ordinance exists.

Sec. 26-205. Lake—Boat standards; vessel inspection/termination authority (unsafe conditions).

The Community Services Director, deputy director, any park operations manager, any park ranger, any agent employed or contracted to provide lifeguard services, or any person designated by the Community Services Director, may order the operator of an unsafe vessel to remove such vessel to the shore or to a safe moorage or anchorage. An officer may order an unsafe vessel so removed where it is being operated with one or more of the following hazardous conditions, where such conditions cannot be corrected on the spot, and where, in the judgment of the officer, continued operation of the vessel would create an immediate danger to life, limb, or property.

(a)

(1)

Boat being used without sufficient personal flotation devices which are readily accessible (operator is aware of location and device is easily accessed), as prescribed by Section 6565 of the Department of Boating and Waterways Enforcement Code;

- (2) Boat being used without sufficient throwable flotation device, which is immediately available (within operators immediate reach) on board a vessel over 16 feet in length as prescribed by Section 6565.5(c)(1) of Title 14 CA Regs.
- (b) Boat being used without sufficient firefighting devices, as prescribed by Section 6569 of Title 14 CA Regs;
- (c) Boat does not display required navigation lights between sunset and sunrise, as prescribed by Section 6600.1 of Title 14 CA Regs;
- (d) Boat has fuel leakage from either the fuel system or engine, or both;
- (e) Boat has accumulation of fuel in bilges or compartment other than a fuel tank;
- (f) Boat does not have legal and serviceable ventilation system, as prescribed by Section 6575 of Title 14 CA Regs;
- (g) Boat does not have proper backfire flame control system, as prescribed by Section 6574 of Title 14 CA Regs;
- (h) Boat is overloaded to such an extent that there exists so little freeboard the danger of sinking or capsizing may be imminent.

Sec. 26-206. Lake—Boat operations; obstructing navigable water.

No person shall unlawfully obstruct the navigation of any navigable waters.

Sec. 26-207. Lake—Boat operations; abandoning vessel prohibited.

Except for the urgent and immediate concern for the safety of those aboard a vessel, a person shall not abandon a vessel upon a public waterway or public or private property without the express or implied consent of the Director.

Sec. 26-208. Lake—Maliciously throw any object at a vessel.

A person shall not maliciously throw, hurl, or project an object by manual, mechanical, or other means at a vessel or an occupant of a vessel on any waters.

Sec. 26-209. Lake—Boat operations; failure to yield to enforcement vessel.

Any vessel approaching, overtaking, being approached, or being overtaken by a moving law enforcement vessel operating with a siren or an illuminated blue light, or any vessel approaching a stationary law enforcement vessel displaying an illuminated blue light, shall immediately slow to a speed sufficient to maintain steerage only, shall alter its course, within its ability, so as not to inhibit or interfere with the operation of the law enforcement vessel, and shall proceed, unless otherwise directed by the operator of the law enforcement vessel, at the reduced speed until beyond the area of operation of the law enforcement vessel.

Sec. 26-210. Lake—Possession of fishing license.

Every person sixteen years of age or older who takes any fish for any purpose shall first obtain a valid Department of Fish and Game fishing license for that purpose and shall have that license on his or her person or in his or her immediate possession or where otherwise specifically required by law or regulation to be kept when engaged in carrying out any activity authorized by the license.

Sec. 26-211. Lake—Trailer vessel carrying passenger.

A person shall not drive a motor vehicle that is towing a trailer coach, camp trailer, or trailer carrying a vessel, containing a passenger, except when a trailer carrying or designed to carry a vessel is engaged in the immediate act of launching or recovery of the vessel.

Sec. 26-212. Lake—Boat operations; motorboat operator age.

(a)

Except as provided in subsection (b), no person under sixteen years of age shall operate a vessel powered by a motor of greater than fifteen horsepower, except for a vessel that does not exceed twenty-five feet in length and is designed to use wind as its principal source of propulsion.

(b)

Except as provided in subdivision (a), no person twelve, thirteen, fourteen or fifteen years of age shall operate a vessel powered by a motor of greater than fifteen horsepower, or a vessel that exceeds twenty-five feet in length and is designed to use wind as its principal source of propulsion, unless the person is accompanied in the vessel by a person who is at least eighteen years of age and who is attentive and supervising the operation of the vessel.

Sec. 26-213. Lake—Boat operations, negligent operation.

Pursuant to the provisions of Section 655 of the Harbors and Navigation Code, the following described acts endanger life, limb, or property and constitute evidence of reckless or negligent operation:

(a)

Riding on the bow, gunwale, or transom of a vessel propelled by machinery while underway when such position is not protected by railing or other reasonable deterrent to falling overboard, or riding in a position or manner which is obviously dangerous. These provisions shall not apply to a vessel's crewmen in the act of anchoring, mooring, or making fast to a dock or another vessel, or the necessary management of a sail.

(b)

Navigating a vessel, or other devices between a towing vessel and its tow or tows.

(c)

No person shall use any vessel or a similar device in a reckless or negligent manner so as to endanger the life, limb, or property of any person or organization.

Sec. 26-214. Lake—Boat standards, display of numbers.

- (a) The number issued to each undocumented vessel shall be displayed in the following manner:
- (1) Be painted on or permanently attached to each side of the forward half of the vessel.
 - (2) Be in plain vertical block characters of not less than three inches in height.
 - (3) Contrast with the color of the background and be distinctly visible and legible.
 - (4) Have spaces or hyphens that are equal to the width of a letter other than "I" or a number other than "1" between the prefix and the number, and the number and the suffix. EXAMPLE: CF 1234 AB
 - (5) Letters and numbers to read from left to right.
- (b) Vessels used by a manufacturer or by a dealer for testing or demonstrating shall have the number painted on or attached to removable plates that are temporarily but firmly attached to each side of the forward half of the vessel.
- (c) On inflatable vessels or vessels so configured that a number on the hull or superstructure would not be clearly visible or properly adhere, the number shall be painted on or attached to a backing plate that is attached to the forward half of the vessel so that the number is visible from each side of the vessel.
- (d) No numerals, letters or devices other than those used in connection with the state number issued shall be placed in the proximity of the state number, and no numerals, letters or devices which might interfere with the ready identification of the vessel by its state number shall be carried on any part of the vessel.
- (e) Registration shall be on board vessel and available for inspection at all times the vessel is in operation.

Sec. 26-215. Lake—Boating standards; registration stickers.

The registration stickers issued by the Department of Motor Vehicles under the authority of Vehicle Code Section 9853.4 to identify a vessel as currently registered shall be securely affixed on each side of the vessel three inches aft (toward the stern) of and directly in line with the registration numbers and shall be so maintained as to be clearly visible at all times.

Sec. 26-216. Lake—Introduction, migration, stocking or transfer of species.

The introduction, migration, stocking, or transfer of aquatic species, prohibited species, or any other nonnative or exotic species into county waters or waterways is prohibited.

SECTION 2.

Those sections of Chapter 26 not set forth in this Ordinance shall remain in full force and effect.

SECTION 3.

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016
by the following 4/5th vote:

AYES:

NOES

ABSTAIN:

ABSENT

COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO
CLERK OF THE BOARD

By: _____
PETER ADAM, CHAIR
BOARD OF SUPERVISORS

By: _____
Deputy Clerk

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
THEODORE A. FALLATI, CPA
AUDITOR-CONTROLLER