

ORDINANCE NO. _____

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

Section 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 Parks or his/her designee.

Section 26-3. - Citations.

The park director, any ~~assistant~~ deputy park director, any ~~park superintendent, any assistant park superintendent,~~ park operations manager, any park ranger I, any park ranger II, any park ranger III, any park ranger IV and any agent employed or contracted for to provide lifeguard services are public officers as identified in Penal Code section 836.5, 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.

Section 26-7. - Ejection of violators.

The county director of parks, any of his assistants, employees or deputies, and any park ranger, 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 parks, any ~~assistant~~ deputy director of parks and any ~~park superintendent and any assistant park superintendent~~ 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.

Section 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 parks or deputy director.

Section 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, ~~and no person shall maintain any structure, stake, rock or object outside of any permitted tent, lodge, shelter or structure within any county recreation area. No person shall use any stakes, spikes or other device which must be pounded into the surface of the earth within any lawn area within any county park or county beach.~~

Section 26-25. - Picking Flowers, Injuring Trees, etc. Prohibited.

No person shall 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 parks, or deputy.

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

The county director of parks, an ~~assistant~~ deputy director of parks, and any ~~park superintendent~~ 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 parks, ~~assistant~~ deputy director of parks or ~~park superintendent~~ park operations manager.

Section. 26-63. - Restrictions on generators.

The county director of parks, an ~~assistant~~ deputy director of parks and any ~~park superintendent~~ 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.

Section 26-64. - Firearms.

~~All firearms except those in possession of authorized peace officers must be checked at the entrance to any county park. No person shall bring any firearm or other weapon into any county park, or possess a firearm while in a County Park except as may be required of peace officers. 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.~~

Section 26-70. - Enforcement.

Any peace officer and any employee designated in section 26-3 may enforce the rules, regulations and restrictions of a ~~special use area~~ all county parks and recreation areas.

Section 26-79.1. – 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.

Section 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 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 park director, ~~or~~ deputy or park operations manager. A ~~canoe, kayak,~~ raft, and/or inflatable hydrohull 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 park director to be safe. The parks director or designee may issue permits authorizing the use of canoes, float tubes, and kayaks under conditions and limitations deemed appropriate by the director.

Section 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.

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

The county director of parks, ~~or~~ deputy 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 parks regarding the issuance or denial of a special permit and the conditions attached shall be conclusive and final. The director of parks may prescribe fees for the issuance of special decals and permits for operation on the lake.

Section 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 a power boat on Lake Cachuma in excess of twenty miles an hour on Lake Cachuma except for the two hundred foot center lane of the lake under conditions where a greater speed in the center lane does not inconvenience other boats.~~ 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 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.~~ No person shall operate a boat in excess of three miles an hour within the Cachuma Lake harbor log lines.
- (e) ~~No person shall operate a boat in excess of three miles an hour within the Cachuma Lake harbor log lines.~~

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

The ~~superintendent~~ 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 ~~superintendent~~ 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.

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

The ~~superintendent~~ 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.

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

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

Section 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 ~~superintendent~~ park operations manager of the Lake Cachuma Recreation Area.

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

No person shall operate any boat on Lake Cachuma or allow or permit a minor child under ~~ten~~ 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.

Section 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 ~~superintendent~~ operations manager.

Section 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 ~~superintendent~~ operations manager.

Section 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 ~~superintendent~~ operations manager.

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

~~No person shall permit any animal or pet under his supervision to be within fifty feet of the shores of any body of water within the Lake Cachuma Recreation Area or within any boat launching area; or allow any animal or pet to occupy or be present on any boat while it is upon the lake.~~

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.

Division 4. — Lake Los Carneros

~~Section 26-122. — No power boats upon lake.~~

~~No person shall operate or conduct a motor powered boat, jet ski or other powered sled or plane within or upon Lake Los Carneros.~~

~~Section 26-123. — No powered models upon lake.~~

~~No person shall operate or conduct any powered model boat, craft or other powered device within or upon Lake Los Carneros.~~

SECTION 2.

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

SECTION 3. Publication and Effective Date.

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 _____, 2011, by the following four-fifths vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JONI GRAY
Chair, Board of Supervisors

ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:
DENNIS A. MARSHALL,
COUNTY COUNSEL

By: _____
Deputy County Counsel