

**ORDINANCE FOR USE OF
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT LANDS**

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**CHAPTER I.
DEFINITIONS**

- SECTION 100. TITLE The following regulations shall be known as “Ordinance for Use of MIDPENINSULA REGIONAL OPEN SPACE DISTRICT Lands” and may be referred to as “land use regulations.”
- SECTION 101. PURPOSE This Ordinance is adopted to provide responsible stewardship for District Lands, to establish orderly use, and to maintain a natural and quiet environment for persons on the lands. It is established according to the Basic Policy of the Board of Directors of MIDPENINSULA REGIONAL OPEN SPACE DISTRICT, adopted March 27, 1974, and as amended March 10, 1999, that “The District follows management policies that ensure proper care of the land, that provide public access appropriate to the nature of the land, and that are consistent with ecological values and public safety.”
- SECTION 102. HEADINGS AND DIVISIONS Headings and divisions are for convenience only and shall not be considered in the interpretation of this Ordinance and shall not in any way affect the conduct or activities covered by other sections of this Ordinance.
- SECTION 103. DEFINITIONS Unless the context otherwise requires, the following definitions shall govern the construction and interpretation of these regulations.
- SECTION 104. DISTRICT, DISTRICT LANDS DEFINED “District” means MIDPENINSULA REGIONAL OPEN SPACE DISTRICT. The term “District Lands” includes all lands, interests in lands, structures, improvements, and waters owned, controlled, leased, licensed or managed by MIDPENINSULA REGIONAL OPEN SPACE DISTRICT.
- SECTION 105. PERSON DEFINED “Person” means any individual, firm, corporation, club, municipality, district, or public agency, and all associations or combinations of persons whenever acting for themselves or by any agent, servant, or employee.
- SECTION 106. JUVENILE DEFINED A “juvenile” is defined as any person under the age of 18 years.

- SECTION 107. SADDLE OR PACK ANIMAL DEFINED A “saddle or pack animal” is defined as any horse, pony, mule, donkey, other member of the equine family, alpaca or llama whether used for riding or packing or neither. It does not include any other animal that may be used for saddle or packing purposes.
- SECTION 108. DESIGNATED TRAIL DEFINED A “Designated Trail” is a trail maintained by the District which is shown on the District’s official preserve maps or is identified as a designated trail in the District’s Use and Management Plan for the preserve. The area of the trail is defined as the graded trail surface. It does not include the uphill embankment, downhill embankment, or any area or corridor adjacent to the trail surface.
- SECTION 109. DESIGNATED AREA DEFINED A “Designated Area” is any location or trail on District lands where this Ordinance or a District rule, regulation, sign, or permit either allows a specific use or activity or prohibits or restricts a specific use or activity.
- SECTION 110. WATER AREAS OF THE DISTRICT DEFINED “Water Areas of the District” are defined as all water areas on District Lands, including, but not limited to, natural and artificial swimming pools, reservoirs, ponds, lakes, creeks, streams, bays, tidal areas, flood control channels, and other structures designed or able to hold water.
- SECTION 111. WATER-CONTACT ACTIVITY DEFINED “Water-contact activity” is defined as any activity in which the body of a person comes into physical contact with water areas by swimming, washing, wading, paddle boarding, or similar activity.
- SECTION 112. PERMIT OR PERMISSION DEFINED Unless otherwise expressly provided herein, “permit” or “permission” means permission, granted in writing by the General Manager or his/her designee or an authorized representative of MIDPENINSULA REGIONAL OPEN SPACE DISTRICT.
- SECTION 113. POSTED DEFINED “Posted” is defined as a sign displayed in a conspicuous place at the primary entrance to District Lands or other location on District Lands and giving notice of a rule, regulation, or special condition.
- SECTION 114. CLIMBING DEFINED “Climbing” is defined as suspending oneself by hands and/or feet or with a rope or other support, such that one could not stand up unsupported on his/her feet or progress up or down without the use of their hands or other support without jumping or falling.
- SECTION 115. DISTRICT EMPLOYEE DEFINED A “District Employee” is any full or part time paid employee of MIDPENINSULA REGIONAL OPEN SPACE DISTRICT. This definition does not include volunteers.
- SECTION 116. BOARD DEFINED “Board” means the Board of Directors of MIDPENINSULA REGIONAL OPEN SPACE DISTRICT.

SECTION 117. PUBLIC VIEW DEFINED “Public View” is defined as a location which can be seen from a road, trail, staging area, parking lot, campground or picnic area, or other District structure or facility.

SECTION 118. SMOKING DEFINED “Smoking” means inhaling, exhaling, burning or carrying any lighted pipe, cigar, cigarette, weed, plant, or other combustible organic or chemical substance, the smoke from which is specifically designed or intended to be inhaled or drawn into the nose or mouth. In addition, “smoking” for the purpose of this Ordinance includes the use of any vapor device, of any product name or descriptor, which releases gases, particles, or vapors into the air as a result of combustion, electrical ignition, or vaporization intended to be drawn into the nose or mouth (excluding any United States Food and Drug Administration approved nebulized medication).

SECTION 119. LIVESTOCK DEFINED “Livestock” are horses, cattle, sheep, pigs, or other animals kept or raised for profit, agricultural, or educational purposes.

SECTION 120. PERMIT DEFINED A “permit” is an entitlement for use issued by the General Manager or the General Manager’s designee, including written letters of authorization.

SECTION 121. ORGANIZED GROUP, SPECIAL EVENTS AND ACTIVITIES DEFINED
A permit is required in order to hold, conduct, organize, or take part in any of the following:

- a) Any use or activity for which a permit is specifically required by this Ordinance or a District rule, or regulation; or
- b) Any use or activity that would restrict the use of any part of District Lands by members of the public; or
- c) Any use or activity by an organized group of twenty or more people; or
- d) Any use or activity that charges a fee for admission or participation.

CHAPTER II. REGULATIONS

SECTION 200. GENERAL REGULATIONS District Lands shall be open and accessible to all persons, except as otherwise provided by resolution, regulation, or rule of the Board, by administrative action of the General Manager or the General Manager’s designee under this Ordinance, or by individual Site Use and Management Plans adopted by the Board.

200.1 The Board may, by resolution, regulation, or rule, provide for a system of permits and the issuance thereof. It may by such system require permits for the use of certain lands, exempt certain lands or classifications of permits therefrom, and establish a system of fees and other policies in connection with the administration of a permit system.

200.2 Any person entering upon District Lands shall abide by the rules and regulations of the District, the regulations or provisions of any sign or posted

notice, the terms and conditions of any permit, the lawful order or other instruction of any District Ranger appointed by the Board or any peace officer, the laws of the State of California, any Federal law, and all applicable county and other local ordinances.

- 200.3 The provisions of this Ordinance shall not apply to employees and officials of the District acting within the scope of their authorized duties. However, District employees and officials shall abide by the laws of the State of California, any Federal law and all applicable county, city and other local ordinances.
- 200.4 All District lessees, contractors, consultants, agents and representatives shall abide by all provisions of this Ordinance unless the provision(s) conflicts with a written contract or agreement with the District. When a conflict occurs, the conditions of the written contract or agreement shall take precedence. However, lessees, contractors, and consultants shall abide by the laws of the State of California, any Federal law, and all applicable county, city and other local ordinances.
- 200.5 The District may deny a request for a permit when the General Manager or the General Manager's designee finds that the requested Special Event or Activity or similar event will disrupt or unreasonably interfere with the normal use, operation, enjoyment or management of the site or facility, or have an adverse impact on the ecological or historical characteristics of any District Lands.

CHAPTER III. GENERAL RULES

SECTION 300. AUTHORITY All sections of this Ordinance are adopted pursuant to Sections 5541, 5558, and 5559 of the Public Resources Code of the State of California and apply to all District Lands. A title, where used, does not limit the language of a section.

SECTION 301. VIOLATIONS OF ORDINANCE, MISDEMEANOR OR INFRACTION
Unless otherwise stated, any violation of this Ordinance or of any rule or regulation adopted by the District is punishable as an infraction.

When any violation of this Ordinance or of any rule or regulation adopted by the District is punishable as a misdemeanor, the prosecutor may file a complaint or make a motion to amend an accusatory pleading specifying that the offense is an infraction.

When any violation of this Ordinance or of any rule or regulation adopted by the District is punishable as an infraction, the prosecutor may file a complaint or make a motion to amend an accusatory pleading specifying that the offense is a misdemeanor.

Whenever in this Ordinance any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

SECTION 302. SEVERABILITY If any chapter, section, subsection, paragraph, subparagraph, sentence, or clause of this Ordinance is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Directors declares that this Ordinance, and each chapter, section, subsection, paragraph, sentence, and clause thereof, would have been adopted regardless of such possible finding of invalidity or unconstitutionality and, to that end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 303. AMENDMENT OR REPEAL When a section, rule, or regulation is amended or repealed, acts and commissions occurring before the amendment or repeal may be prosecuted as though such section, rule, or regulation had not been amended or repealed.

CHAPTER IV. PRESERVE USES – GENERAL

SECTION 400. CAMPING

400.1 General No person shall erect or use a tent or shelter of any kind, arrange bedding, or prepare food in such a way that will enable a person to remain after official closing hours on District Lands, except by written permit in Designated Areas. Any person receiving a written permit to camp in a designated area shall abide by the terms and conditions of the permit.

400.2 Juvenile No juvenile shall camp on any District Lands, except by written permit and when: accompanied by a parent or guardian; or as part of a group supervised by at least one adult responsible for each ten or fewer juveniles; or when the juvenile is an emancipated minor.

SECTION 401. SWIMMING

401.1 General No person shall swim, wade, or engage in any water-contact activity in any Water Areas of the District except in Designated Areas.

SECTION 402. BOATING

402.1 General No person shall place, or attempt to place, a boat, kayak, rubber raft, or other vessel of any description in the Water Areas of the District, except as expressly allowed by permit or rule or regulation of the District.

SECTION 403. FIREARMS, TRAPS, WEAPONS, AND DANGEROUS DEVICES

403.1 General [A=Misd, B=Inf]

- a) No person shall carry, possess, use, set, leave or deposit, fire or discharge, or cause to be fired or discharged, across, in, on, or into any portion of District Lands any gun or firearm, spear, missile, bow and arrow, cross bow, sling shot, trap, snare or hunting device, ammunition, throwing knife, hatchet, axe, sword, machete, martial arts throwing device, any device capable of firing or launching a projectile, or any other weapon or device not otherwise specified, capable of injuring or killing any person or animal. Violation of this sub-section is punishable as a misdemeanor.
- b) No person shall carry, possess, set, leave or deposit, fire or discharge, or cause to be fired or discharged, across, in, on, or into any portion of District Lands any paint ball gun, BB gun, air gun or similar device.

403.2 Exceptions This section shall not apply to:

- a) the possession of otherwise lawful unloaded firearms or dangerous weapons on public roads solely for the purpose of transporting such firearms or dangerous weapons through District Lands for lawful purposes;
- b) the possession of otherwise lawful firearms or other dangerous weapons at a place of residence or business located on District Lands by a person in lawful possession of the residence or business;
- c) the possession and use of such firearms or weapons granted by written permit for resource management or educational purposes; or
- d) the lawful possession of any firearm or ammunition by a peace officer authorized by their agency to carry a firearm or honorably retired peace officer authorized by their agency to carry a firearm.

SECTION 404. FIRES

404.1 General [M] No person shall light, build, maintain, cause, or attempt to light, build, maintain, or cause a fire of any nature on District Lands, except in permanent fixed barbecues, camp stoves or fireplaces established and authorized by the District. A fire shall include, but not be limited to any campfire, ground fire, warming fire, signal fire, charcoal fire, stove, gas lantern, punk, candle, smudge stick, flare, fusee, or any other incendiary device. This shall not apply to the permitted use of gas camp stoves or gas lanterns when used in Designated Area specified for camping. Violation of this sub-section is punishable as a misdemeanor.

404.2 Smoking No person shall smoke on District Lands, except in Designated Areas.

SECTION 405. SANITATION

405.1 Disposal of Effluent [M] No person shall deposit wastewater, sewage or effluent from vehicles, trailers, sinks, portable toilets, or other fixtures upon or into the ground or water. Violation of this sub-section is punishable as a misdemeanor.

- 405.2 Use of Facilities No person shall deposit any waste in or on any portion of any restroom or other structure except into fixtures provided for that purpose.
- 405.3 Protection of Facilities No person shall place any bottle, can, cloth, rag, metal, wood, paper, stone, or other substances in any toilet or sink in such a manner as would interfere with the normal operation of such toilet or sink.
- 405.4 Defecation No person shall defecate in Public View or within twenty-five (25) feet of a Designated Trail.
- 405.5 Urination No person shall urinate in Public View.

SECTION 406. METAL DETECTORS

- 406.1 General No person shall possess or use a metal detector, magnet, or similar device on District Lands, except as provided in subsection 702.5.

SECTION 407. DISTURBING THE PEACE

- 407.1 Obstructing Free Passage [M] No person shall by force, threat, intimidation, or by any unlawful signing, fencing or enclosing, or any other unlawful means, prevent or obstruct any person from peacefully entering any District Lands, or prevent or obstruct free passage or transit over or through any District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 407.2 Interference With Use of District Lands [M] No person shall engage in behavior that unreasonably interferes with others in the normal, free and safe use of District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 407.3 Noise No person shall play or operate any sound amplification devices, including radios, television sets, public address systems, musical instruments, or similar devices in such a way as to be audible beyond 100 feet of such device or musical instrument, or in such a manner as to disturb the quiet of District Lands, without prior written permission from the General Manager or the General Manager's designee.
- 407.4 Lawful Order [M] It is unlawful to willfully fail or refuse to comply with any lawful order or direction of any District or other peace officer when that peace officer is performing his/her duties under any of the provisions of this Ordinance, or other statute, code, Federal, State or local law, ordinance or regulation which the District or other peace officer is authorized to enforce. Violation of this sub-section is punishable as a misdemeanor.
- 407.5 Order to Vacate Any person who has committed a public offense on District Lands shall leave District Lands upon request made by any peace officer. No person who has left such lands after such a request may reenter any District Lands prior to opening on the following day. Violation of this sub-section is punishable as a misdemeanor.

SECTION 408. ACTIVITIES REQUIRING A PERMIT

- 408.1 Permit Violations No person shall hold, conduct, or organize a use or activity on District Lands requiring a permit without previously having obtained a permit. Violation of this sub-section is punishable as an infraction, except that any unpermitted use or activity that causes direct physical harm to District Lands, or which is attended by forty or more people, or which is conducted after official hours is punishable as a misdemeanor.
- 408.2 Failure to Comply with a Permit No person issued a permit shall violate the terms or conditions of the permit.
- 408.3 Individual Participation No person shall participate in any Activity or Special Event on District Lands without written permission when the Activity or Special Event requires a written permit pursuant to this Ordinance.

SECTION 409. MISCELLANEOUS ACTIVITIES

- 409.1 Fireworks [M] No person shall possess, place, give, sell, discharge, set off, or cause to be discharged, on or into any portion of District Lands any firecrackers, missiles, rockets, fireworks, explosives, or explosive devices. Violation of this sub-section is punishable as a misdemeanor.
- 409.2 Harmful Substances [M] No person shall possess, place, or apply any noxious or toxic substance on District Lands harmful to any person, property, wildlife, or vegetation. Violation of this sub-section is punishable as a misdemeanor.
- 409.3 Golf No person shall drive, chip, or in any other manner play or practice golf, or hit golf balls on, over, or into District Lands.
- 409.4 Model Craft No person shall operate, or possess any self-propelled or remote controlled drones, model airplanes, boats, automobiles, or other model craft of any kind or description on, over, or into any portion of District Lands or Water Areas of the District, except in Designated Areas, or by written permit. When allowed, model craft shall be operated in compliance with posted or adopted rules and regulations.
- 409.5 Human Flight [M] No person shall hang-glide, parachute, parasail or engage in any human flight on, over, or into District Lands, except by written permit in Designated Areas. Violation of this sub-section is punishable as a misdemeanor.
- 409.6 Skating, Scooters, Skateboards and Other Coasting, Sledding or Sliding Devices No person shall roller skate, in-line skate, grass skate, grass ski, grass sled or operate a go cart, self-propelled or motorized scooter, a self-propelled or motorized skate board, or similar device on District Lands

including off road versions of all the listed devices, except on trails or locations specifically designated for such use.

- 409.7 Reckless or Negligent Activity [M] No person shall engage in any activity or operate any device that recklessly or negligently endangers the safety of any: person, property, wildlife, natural features or which interferes with visitor activities. Violation of this sub-section is punishable as a misdemeanor.
- 409.8 Possession of a District Lock or Key [M] No person shall possess, make, duplicate, cause to be duplicated, use, or attempt to make, duplicate, cause to be duplicated, or use, or have in their possession any key to a building or other area owned, operated, or controlled by the District without authorization from the person in charge of such building or area or a designated representative. Violation of this sub-section is punishable is guilty of a misdemeanor.
- 409.9 Segways and Electric Bicycles No person shall possess or use a Segway, electric powered bicycle, or similar device on District Lands including off road versions of all the listed devices, except on trails or locations specifically designated for such use.

SECTION 410. ALCOHOLIC BEVERAGES

- 410.1 General No person shall possess or consume alcoholic beverages except beer and wine, and only as part of a picnic meal.
- 410.2 Designated Area No person shall possess or consume alcoholic beverages in an area that has been declared by the General Manager or the General Manager's designee to be an area where alcohol use is prohibited.

SECTION 411. SIGNS

- 411.1 Defacement [M] No person shall remove, deface, change, mark, or otherwise alter any sign duly erected or posted on District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 411.2 Unauthorized Signs No person shall post or fasten any notice, including but not limited to, any bill, advertisement, directional or informational sign, or inscription whatsoever on any tree, fence, building, monument, sign, bulletin board, utility pole, lighting fixture, or other property on District Lands, without written permission.
- 411.3 Obeying Signs No person shall fail to obey the directions of a posted regulatory sign.

SECTION 412. NUDITY

No person shall expose any part of the pubic or anal region or genitalia while on District Lands in Public View.

CHAPTER V.
PRESERVE USES - RIDING/HIKING TRAILS

SECTION 500. RIDING / HIKING TRAILS

- 500.1 Trail Use Speed Limit All users of District Lands shall comply with all established trail use speed limits. The maximum speed for all trail uses is 15 miles per hour, unless otherwise posted. Bicyclists and equestrians are required to slow to 5 miles per hour when passing others or approaching blind turns.
- 500.2 One-way Trails No person shall hike, run, or operate a bicycle or unicycle or similar device, or ride or lead a saddle horse, pony, mule, or other such animal on a one-way trail except in the direction of travel designated or signed to prohibit such use.
- 500.3 Gates Any person opening a gate shall close the gate.
- 500.4 Dangerous Trail Use No person shall run or jog in such a way as to endanger hikers, equestrians, bicyclists or others using District Lands.

SECTION 501. SADDLE ANIMALS

- 501.1 Closed Areas No person shall ride, drive, or lead a Saddle or Pack Animal on any trail, roadway or established firebreak designated or signed to restrict horse use. Saddle or pack animals must stay on Designated Trails, roadways which are Designated Areas for such use, and established firebreaks.
- 501.2 Unsafe Use [M] No person shall ride, drive, or lead any saddle or pack animal in a reckless or negligent manner as to endanger public property, or the life, limb, or property of any person or animal, including the rider. No person shall allow his/her saddle or pack animal to stand unattended or insecurely tied. Violation of this sub-section is punishable as a misdemeanor.
- 501.3 Carts and Wagons No person shall possess or operate a cart, wagon, or similar device attached to any animal on District Lands without a written permit.

SECTION 502. BICYCLES

- 502.1 Operation of Bicycles No person shall operate a bicycle, unicycle or similar device on District Lands except in parking areas for the purpose of ingress or egress or on trails, or on roadways designated by the District for such use.
- 502.2 Closed Areas No person shall possess a bicycle, unicycle or similar device on trails or roadways on District Lands unless designated by the District for such use.

502.3 Unsafe Operation [M] No person shall operate a bicycle or unicycle or similar device in a reckless or negligent manner so as to endanger public property, or the life, limb, or property of any person or animal including the rider. Violation of this sub-section is punishable as a misdemeanor.

502.4 Helmet Violations

- a) No person eighteen years or older shall operate a bicycle or unicycle or similar device upon District Lands unless that person is wearing a properly fitted and fastened bicycle helmet. Such bicycle helmets must meet the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities.
- b) Except in designated parking areas, no person shall possess a bicycle or unicycle or similar device on District Lands without also possessing a bicycle helmet. Such bicycle helmets must meet the standards of either the American Society for Testing and Materials (ASTM) or the United States Consumer Product Safety Commission (CPSC), or standards subsequently established by those entities

502.5 Walk-Only Zones No person shall ride a bicycle or unicycle or similar device on a section of trail designated or signed as a walk-only zone. Any person may dismount and walk a bicycle through a walk-only zone.

502.6 Mechanical Operation No person shall operate a bicycle, unicycle or similar device on District Lands that does not have properly functioning brakes, drive train, seat and steering.

502.7 Headsets and Earplugs A person operating a bicycle, unicycle or similar device on District lands may not wear a headset covering, or earplugs in, both ears. This prohibition does not apply to any person using a prosthetic device that aids the hard of hearing or any other medical device required to be worn for medical purposes.

SECTION 503. CLIMBING

503.1 Climb in Designated Areas Only No person shall climb or rappel on any rocks, boulders, caves, cliffs, any other geologic formations, facilities, structures, or trees on District Lands except in Designated Area.

503.2 Placing Anchors Prohibited [M] No person shall place any permanent anchors or bolts in rock, soil, trees or other natural or manmade features on District Lands in a designated climbing area unless specific prior written authorization has been granted by the General Manager or the General Manager's designee. Violation of this sub-section is punishable as a misdemeanor.

503.3 Possession of Tools No person shall possess tools used for installing anchors, bolts or clearing vegetation from geologic formations, including but not limited to wire brushes, scrapers, drills, or rock hammers on District Lands

except in a designated parking area, or with prior written authorization by the General Manager or the General Manager's designee.

SECTION 504. TRESPASS ON DISTRICT LANDS

No person shall trespass or otherwise enter onto, over, or under District Lands in violation of this Ordinance or state law without prior written authorization of the General Manager or the General Manager's designee. Violation of this section is punishable as a misdemeanor.

SECTION 505. OFF TRAIL USE [M]

No person shall enter or remain in an area off of a designated trail when they are on District Lands in an area or preserve that has been designated or posted to prohibit off trail use. Violation of this section is punishable as a misdemeanor.

CHAPTER VI.
PRESERVE USES - COMMERCIAL/REVENUE

SECTION 600. COMMERCIAL SOLICITING

600.1 General [M] No person shall solicit, sell, hawk, or attempt to solicit, sell, or hawk, or otherwise peddle any goods, wares, merchandise, liquids, edibles for human consumption, or distribute commercial circulars, pamphlets, or flyers on District Lands except by prior written authorization of the General Manager or the General Manager's designee. Violation of this sub-section is punishable as a misdemeanor.

SECTION 601. GRAZING

601.1 General [M] No person shall allow cattle, sheep, goats, or any animal to graze, browse, or feed on District Lands except by prior written authorization of the General Manager or the General Manager's designee. Violation of this sub-section is punishable as a misdemeanor.

SECTION 602. HARVESTING AND PLANTING

602.1 General [M] No person shall plant, cultivate, harvest, or attempt to plant, cultivate, or harvest any plant or agricultural crop on District Lands except with prior written authorization of the General Manager or the General Manager's designee. Violation of this sub-section is punishable as a misdemeanor.

602.2 Possession of Tools No person shall possess equipment, tools or supplies for the cultivation or removal of plant life including, but not limited to shovels, rakes, hoes, garden hoses, irrigation equipment, fertilizer, herbicides, insecticides, or wheelbarrows on District Lands except in a designated parking area, or with prior written authorization of the General Manager or the General Manager's designee.

SECTION 603. COMMERCIAL FILMING

603.1 General [M] No person shall conduct a filming operation involving the use of film equipment, lighting, props, or other similar materials, except for a single still, motion picture, video, digital or other camera, for commercial purposes on District Lands except pursuant to a permit authorizing such activity. This section shall not apply to the commercial operation of cameras as part of the bona fide reporting of news. Violation of this sub-section is punishable as a misdemeanor.

SECTION 604. COMMERCIAL USES

No person shall engage in commercial activities on District lands, without prior written authorization of the General Manager or the General Manager's designee.

CHAPTER VII.
PRESERVE FEATURES - PROTECTION

SECTION 700. HUNTING, FISHING, COLLECTING AND FEEDING

700.1 Hunting/Harassing [M] No person shall possess, hunt, pursue, molest, disturb, injure, trap, snare, take, net, poison, or harm or attempt to hunt, pursue, molest, disturb, injure, trap, take, net, poison, or harm any mammal or bird, or any other wild or domesticated animal living or dead. This section shall include taking of any part of the mammal or bird. Violation of this sub-section is punishable as a misdemeanor.

700.2 Fishing No person shall possess, take, fish for, net, molest, disturb, injure, poison, collect, introduce, release or harm any or attempt to take, fish for, net, molest, disturb, injure, poison, collect, introduce, release or harm any fish, living or dead, except by written permit in any District Water Area except in areas declared by the District to be permitted fishing areas and only in compliance with applicable State laws.

700.3 Carry or Possess Fishing Equipment Except as specifically authorized pursuant to sub-section 700.2, no person shall carry, possess, set, leave or deposit any fishing equipment or similar devices in, on, or into any portion of District Lands or District managed body of water.

700.4 Collecting Reptiles, Amphibians Or Mollusks No person shall possess, take, fish for, net, molest, disturb, injure, poison, collect, or harm or attempt to take, fish for, net, molest, disturb, injure, poison, collect, or harm any reptiles, amphibians, or mollusks living or dead, except by written permit.

700.5 Collecting Invertebrates No person shall possess, take, net, collect, poison or attempt to take, net, poison, collect, introduce, or release any invertebrates, living or dead, except by written permit.

- 700.6 Feeding No person shall feed any animal on District Lands or deposit any food, salt or edible material on any District Lands for that purpose except with prior written authorization of the General Manager or the General Manager's designee.
- 700.7 Collection of Animal, Bird, Or Reptile Parts Except by written permit, no person shall take, collect, or possess any animal, bird, or reptile body parts including, but not limited to: antlers, skulls, fur, bones, skin, or feathers.

SECTION 701. ANIMALS

701.1 Dogs

- a) No person shall have more than three dogs per person within areas where dogs are allowed on District Lands.
- b) No person shall allow or have a dog on District Lands except in those areas designated by the District. This subsection shall not apply to: service animals under physical control, specifically trained to assist persons with disabilities; or service animals in training to assist persons with disabilities, and under physical control, and participating in a training program; or with prior written authorization of the General Manager or the General Manager's designee.
- c) Leash Required No person shall allow or have a dog on District Lands, unless the dog is at all times under control, and on a leash not to exceed 6 feet, or on a self-retracting leash with a maximum extended length of 25 feet. The leash must be held by person responsible for the dog and must be made of material and construction sufficient to restrain the dog. Electronic or other "invisible leashes" do not meet the leash requirement. The self-retracting leash must have the capability of being retracted and locked in a position not to exceed 6 feet.
- d) Lead Length Restrictions Within a designated area, no person shall have or allow a dog on a lead greater than 6 feet when: within 100 feet of any parking area, trailhead, picnic area, campground, horse stable, public roadway, restroom, visitor center, ranger station, or other place or structure of public assembly, within 50 feet of any person that is not the person or persons who entered District lands with the dog, or within 50 feet of any District Water Area, or when the dog is not visible to the owner.
- e) Off-Leash Areas Dogs shall be permitted off leash only in areas specifically designated and signed by the District as off-leash areas. No person shall allow or have a dog in an off-leash area unless the dog is at all times under the verbal or radio collar control, and in sight of its owner or person responsible for the dog. The owner or person responsible for the dog shall have a leash in his/her possession at all times.
- f) Nuisance Dogs No person shall possess, allow or maintain on District Lands a dog that is a nuisance to people, other animals, or property. This includes, but is not limited to: growling, excessive barking, scratching, jumping on any person or animal, or challenging in any manner, people, animals, or property.

- g) Dogs in Water Areas No person responsible for a dog shall allow said dog to enter any District Water Area unless it is allowed such entry by prior written authorization of the General Manager or the General Manager's designee.
 - h) Dangerous Dog [M] No person shall possess, allow or maintain on District Lands a dog that exhibits dangerous behavior including, but not limited to: attacking, biting or causing injury to any person or animal. Violation of this sub-section is punishable as a misdemeanor.
- 701.2 Disturbance or Injury to Wildlife [M] No person shall allow a dog, cat, or other domesticated animal, whether or not leashed, to disturb, chase, molest, injure, or take any kind of wildlife, whether living or dead, or remove, destroy, or in any manner disturb the natural habitat of any animal on District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 701.3 Horses and Livestock [M] No person shall keep, raise, maintain, or allow cattle, horses, sheep, or other livestock on District Lands, unless pursuant to a lease, license, written permit, or other written entitlement of use granted by the District. Violation of this sub-section is punishable as a misdemeanor.
- 701.4 Other Pets No person shall allow or have any pet, domesticated animal, or other animal on District Lands, except with prior written authorization of the General Manager or the General Manager's designee or as otherwise provided by this Ordinance.
- 701.5 Removal of Dog Excrement No person responsible for a dog shall allow its excrement or feces to remain on District lands except in a designated receptacle.
- 701.6 Abandoned Animals No person shall leave, abandon or release a dog, cat, fish, fowl, or any other living creature, wild or domestic, on District Lands except with prior written authorization of the General Manager or the General Manager's designee.
- 701.7 Depositing of Animal Remains No person shall bury, leave, scatter or otherwise deposit animal remains on District lands, except for cremated animal remains as specified in Section 807.
- 701.8 Interference with Livestock No person shall in any manner damage, destroy, leave open, or otherwise alter the pens, corrals, or pastures that contain livestock or release livestock from their pens, corrals, or pastures.

SECTION 702. NATURAL AND CULTURAL RESOURCES

- 702.1 Plants No person shall possess, damage, injure, take, place, plant, collect, or remove any plant, fungi, tree, or portion thereof, whether living or dead, including, but not limited to flowers, lichens, mosses, mushrooms, bushes, trees, tree limbs, tree branches, vines, grass, cones, seeds, leaves and deadwood located on District Lands.

- 702.3 Geological Features [M] No person shall possess, damage, injure, take, collect, remove, or attempt to damage, injure, take or collect any earth, rocks, sand, gravel, fossils, minerals, features of caves, or any object or artifact of geological or paleontological, interest located on District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 702.4 Archeological Features [M] No person shall possess, damage, injure, take, collect, remove, or attempt to damage, injure, take, collect, or remove any object of archeological or historical interest located on District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 702.5 Special Permission Notwithstanding sub-sections 702.3, 702.4, and 702.6, special prior written authorization of the General Manager or the General Manager's designee may be granted to remove, treat, disturb, or otherwise affect plants, animals, or geological, historical, archeological, or paleontological materials solely for research, interpretive, educational, or operational purposes.
- 702.6 Destruction of Habitat No person shall remove, destroy, or in any manner disturb the natural habitat of any animal, bird, or reptile including, but not limited to: mammal, bird, fish, mollusk, reptile, amphibian, except by written permit.
- 702.7 Unpermitted Diversion of Water No person shall divert or take water from any surface water, ground water, or water storage facility on District Lands without the express written permission of the District.

SECTION 703. UNLAWFUL DEFACEMENT, CONSTRUCTION AND MAINTENANCE

- 703.1 Unlawful Defacement [M] No person shall cut, carve, deface, write, paint, mark, or alter any natural or biological feature, or any fence, wall, building, sign, bench, table, monument, or other property on District Lands. Violation of this sub-section is punishable as a misdemeanor.
- 703.2 Unlawful Construction [M] No person shall encroach upon, erect, construct, install, or place or attempt to encroach upon, erect, construct, install, or place any structure, building, shed, fence, trail, road, culvert, drainage structure, bridge, jump, ramp, barricade, trench, barrier, fortification or wall, equipment, material, sign, banner, or apparatus of any type or for any purpose constructed of native or imported materials on, below, over, or across a preserve except by written permission, specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such authorization. Flagging, surveying, and marking conducted for the purpose of constructing or installing such features, shall be considered an attempt to erect, construct, install or place such features, and is prohibited. Violation of this sub-section is punishable as a misdemeanor.

- 703.3 Unlawful Maintenance [M] No person shall perform, or cause any mowing, trimming, cutting, grooming, spraying, grading, or moving of any soils on District Lands or perform any such grounds maintenance for any purpose except by written permission. Violation of this sub-section is punishable as a misdemeanor.
- 703.4 Possession of Construction or Maintenance Tools and Supplies No person shall possess any tools used for construction or maintenance on District Lands, including but not limited to shovels, Mcleods, Pulaskis, mattocks, rakes, saws, axes, chainsaws, wood, hammers, nails, drills, saws, or similar equipment or supplies for the purpose of unlawful construction, maintenance or encroachment on District Lands except in a designated parking area, or with written permission.
- 703.5 Surveillance Systems Installation or maintenance of surveillance systems on District lands, including wildlife cameras, or other similar encroachments is prohibited except where authorized by permit.
- 703.6 Scientific Equipment No person shall move, remove, disturb, alter, deface, paint, or otherwise effect any scientific research materials or equipment placed or installed in the field, including but not limited to: trail cameras, traffic counters, reptile boards, traps, or any other materials for research or operational purposes.

CHAPTER VIII.
DISTRICT LANDS OPERATIONS - GENERAL

SECTION 800. RESERVED FOR FUTURE USE

SECTION 801. PARKING

- 801.1 Restrictions No person shall park a motor vehicle, except an authorized emergency vehicle, or when in compliance with the directions of a peace officer, ranger, or authorized District employee, in any of the following places:
- a) In areas where prohibited by “NO PARKING” or other posted signs;
 - b) On or obstructing any fire road or fire lane;
 - c) On or obstructing any trail;
 - d) In such a place or manner as would block or obstruct any gate, entrance, or exit;
 - e) In such a place or manner as to take up more than one marked parking space in any authorized parking area;
 - f) In such a place or manner as to block or obstruct the free flow of traffic or to obstruct the ability to remove a parked vehicle;
 - g) Within 15 feet of a fire hydrant;
 - h) Adjacent to any curb painted red;
 - i) On any District Lands after Official Hours as defined in Section 805.3 except pursuant to a written permit;

- j) In areas signed for permit parking on District Lands without a written permit;
- k) In any space designated for disabled parking in an unpaved parking lot, except when displaying a disabled placard as defined in California Vehicle Code.
- l) In any other place on District Lands not designated by the District as an authorized area.

SECTION 802. OPERATION OF MOTORIZED VEHICLES: OFF-ROAD VEHICLES

802.1 General [M] Except as otherwise provided, no person shall operate, propel, or leave standing a motorized vehicle on District Lands. Motor vehicle includes, but is not limited to, motorcycles, all-terrain vehicles, off-road vehicles, mopeds, "dirt-bikes," gas powered bicycles, and similar vehicles. Violation of this sub-section is punishable as a misdemeanor.

802.2 Exceptions This section shall not apply to:

- a) emergency vehicles operated within the scope of official use;
- b) roads, trails, or paths, which may from time to time be set aside and posted by the District for the use of specifically designated vehicles;
- c) roads and parking areas open to the public for motor vehicle use during regular open hours.

SECTION 803. SPEED LIMITS

803.1 General No person shall drive or operate a vehicle, motor vehicle, or bicycle on District Lands at a speed greater than the posted speed limit, or as otherwise specified in any District Ordinance, rule or regulation. No person shall drive or operate a vehicle or motor vehicle, ride a horse, or ride a bicycle at a speed greater than reasonable given weather, visibility, traffic, presence of other users, surface and width of the trail or road, or which may damage natural or cultural resources or wildlife.

803.2 Reckless Driving [M] No person shall drive or operate any vehicle, motor vehicle, bicycle upon District Lands in willful or wanton disregard for the safety of persons, property, natural resources or wildlife. Such conduct shall constitute reckless driving. Violation of this sub-section is punishable as a misdemeanor.

803.3 Unsafe Driving No person shall drive in an unsafe manner. This includes but is not limited to: spinning of the vehicle, breaking traction and exhibition of speed.

SECTION 804. ABANDONED VEHICLES

804.1 72 Hours No person shall permit a vehicle to be parked or left standing on District Lands for 72 consecutive hours or more except in camping areas pursuant to a valid permit.

- 804.2 Removal Any vehicle parked or left standing in violation of this Section may be removed as provided in the Vehicle Code of the State of California.
- 804.3 Abandonment Whenever a District Ranger has reasonable grounds to believe that a vehicle has been abandoned on District Lands, the vehicle may be removed as authorized by Vehicle Code Section 22669.

SECTION 805. CLOSURES

- 805.1 Authority for Closures To ensure the safety and health of persons, to protect natural resources, to provide for proper planning of District Lands, to avoid interference with development, construction, and management, or to provide for security, safeguarding, and preservation of District Lands, the Board of Directors, General Manager or the General Manager's designee or an authorized representative may declare an area, trail, road, or facility closed, prohibited, or limited to further entry by the general public.
- 805.2 Types of Closures
- a) Temporary or Regular Closures Authorized District employees may make temporary or regular closures of a portion of District Lands to the general public for public safety, or to deal with an immediate or ongoing management need. The closure declaration may place restrictions on who may enter, in the conduct of authorized activities or official duties, as the General Manager or the General Manager's designee or an authorized representative may prescribe. No person shall, without written permission issued by the District, enter or remain in an area of District Lands or facility designated as a Temporary or Regular Closure area.
 - b) Sensitive or Hazardous Area Closures [M] No person shall, without a written permit issued by the District, enter or remain in an area of District Lands or facility designated as a Sensitive or Hazardous Area, and declared closed, prohibited, or limited by the General Manager or the General Manager's designee or an authorized agent. Sensitive areas may include those with cultural, historical or biological significance. Such designation may include, but is not limited to, specified areas of land, trails, geologic or cultural features, facilities or structures. Violation of this sub-section is punishable as a misdemeanor.
- 805.3 After Official Hours Use Prohibited No person shall enter or remain on District Lands before or after "Official Hours," which are defined as the period of one-half hour before sunrise to one-half hours after sunset without a written permit.
- 805.4 Bicycle Operation After Hours No person shall possess or operate a bicycle, unicycle, or similar device on District lands before or after Official Hours, except with prior written authorization of the General Manager or the General Manager's designee.

805.5 Failure to Vacate a Closed Area [M] No person shall fail or refuse to leave a Closed Area when notified of the closure by a Peace Officer. Violation of this sub-section is punishable as a misdemeanor.

SECTION 806. USE FEES

806.1 Nonpayment of Fees No person shall use District Lands or facilities without payment of any prescribed fee or charge. Any fee or charge established by the Board for use of District Lands or facilities shall be paid in advance of such use, unless later payment has been authorized by the General Manager or the General Manager's designee or an authorized representative.

SECTION 807. SCATTERING OF CREMATED REMAINS

807.1 Regulations for the Scattering of Cremated Remains No person shall scatter any cremated human or animal remains (cremains) without first having obtained a written permit from the District.

SECTION 808. AIRCRAFT & HELICOPTER OPERATIONS

808.1 General [M] Except in the case of emergency or for search and rescue, or firefighting or law enforcement operations no person shall land any aircraft including any airplane, helicopter, hot air balloon or any contrivance used or designed for flight in the air, excluding unpowered human flight as further authorized under these regulations, on District Lands except by written permit. Violation of this sub-section is punishable as a misdemeanor.