

**ORDINANCE NO. 2017-07**

**AN ORDINANCE OF THE CITY OF JURUPA VALLEY, CALIFORNIA,  
ADDING CHAPTER 6.85 TO THE JURUPA VALLEY MUNICIPAL  
CODE REGULATING CONDUCT AT CITY PARKS AND FINDING AN  
EXEMPTION FROM CEQA**

**THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES ORDAIN AS  
FOLLOWS:**

**Section 1.** Chapter 6.85, City Park Regulations, is hereby added to the Jurupa Valley Municipal Code to read as follows:

**CHAPTER 6.85, CITY PARK REGULATIONS**

**6.85.010 Application.**

The provisions of this Chapter shall be applicable to: (1) the City park located on the 26 acres of land owned by the City and adjacent to and northerly of the Santa Ana River with the entrance to the property being at the southeast corner of 64th and Downey Street ("26 Acre Site"); and (2) such other City owned or controlled parks as designated by resolution of the City Council. For the purposes of this Chapter, any such site shall be collectively referred to as "park."

A. In the park, no person shall:

- 1) Be present in the 26 Acre Site between 7:00 pm of one day and 7:00 am of the next day or such other times as determined by the City Council or City Manager.
- 2) Be present in any park in violation of the hours of operation as established by the City Council or City Manager.
- 3) Cause or permit the amplification of sound by any means, provided that live music without amplification shall be permitted.
- 4) Cause or permit the playing of a radio, cell phone or other device for the playing of recorded music in such a manner that it can be heard more than six (6) feet from the device.
- 5) Act in a riotous, boisterous, threatening or indecent manner, or to use abusive, threatening, profane or indecent language, in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties.
- 6) Smoking by means holding or possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, a lighted cigarette, a lighted hookah, and operating or using an electronic cigarette, or other similar type of device, or the lighting of a pipe,

hookah, cigar, cigarette or similar type of device containing tobacco, tobacco product, marijuana, marijuana product, nicotine, spices, or any other plant or herbal material. "Electronic cigarette" means an electronic and/or battery-operated device, the use of which may resemble smoking, that can be used to deliver an inhaled dose of nicotine, marijuana product or other substances and includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or description and includes vaping. "Electronic cigarette" does not include any inhaler prescribed by a licensed doctor.

- 7) Consume marijuana or marijuana products.
- 8) Have in his or her possession any marijuana or marijuana products;
- 9) Carry, possess, or discharge firearms, firecrackers, rockets, torpedoes or other types of explosives, or carry or discharge any gun, or pistol, or any sling shot or similar device, or any bows and arrows, or any other object capable of propelling a projectile, or carry or use any object calculated to make a noise sufficient to disturb the peace or quiet of the park, or bring into any park any of the above objects or articles.
- 10) Have in his or her possession any bottle, can or other receptacle containing beer, wine, liquor, fermented malt beverage, intoxicating liquor, or other alcoholic beverage.
- 11) Consume beer, wine, liquor, fermented malt beverage, intoxicating liquor, or other alcoholic beverage.
- 12) Cause, permit or allow any animal owned or possessed by him, or any animal in his care, custody or control to be present in any city park except:
  - a) Equine animals being led or ridden under the reasonable control of the rider upon any bridle paths or trails provided for such purposes;
  - b) Equine or other animals which are hitched or fastened at a place expressly designated for such purpose;
  - c) Dogs or cats when led by a leash, cord or chain not more than six feet long; or
  - d) Dogs which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements.
- 13) Fail to promptly collect, pick up and remove all fecal matter left behind by the animal in or upon any park for such animals as may be allowed in the park and under the control, possession or otherwise the responsibility of such person,

provided, however, that this subsection shall not apply to guide dogs for blind or disabled persons or to equine animals on bridle paths.

14) Cut, break, injure, deface or disturb any tree, shrub, bush, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property, or pluck, pull up, cut, take or remove any shrub, bush, plant or flower, or mark or write upon, paint or deface in any manner any building, monument, fence, bench or other structure within any city park.

15) Wash dishes, vehicles or other property, or empty waste water or other waste liquids, or leave garbage, cans, bottles, papers, trash or other refuse anywhere in any city park other than in the receptacles provided therefor.

16) Kindle or maintain a fire or barbeque.

17) Disturb the peace and quiet therein by any loud or unusual noise, or by tooting, blowing, or sounding any automobile siren, horn or signal or any noise-making device, or by any tumultuous conduct such that it can be heard six (6) feet or more from the source of the noise.

18) Ride any skateboard, bicycle or other wheeled device except at or on locations authorized and provided for such purpose by signs, except mobility devices for disabled persons.

19) Leave standing any tent, canopy or other shelter after the hours of operation of the park.

20) Play or engage in motorized model airplane flying, gliders, drones, hot air balloons or other flying devices.

21) Driving of golf balls, archery, or any other such game or activity of a hazardous nature, except at such location as shall be specifically set apart and designated by the City Manager for such purpose.

22) Distribute any handbill or circular, or to post, place or erect any bill, notice, paper, or advertising device or matter of any kind, except pursuant to the prior written permission of the City Manager.

23) Hold any meeting, service, concert, exercise, parade, or exhibition without prior written authorization from the City Manager, except that this provision shall not be construed to deprive any person of a right protected by state or federal law.

24) Hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal, or to fish with hook and line, seine, trap, spear or net, or by any other means, in any river, pond, lake, stream, or water, except a place authorized and provided for such purpose.

25) Urinate or defecate in any part of the park other than a permanent or temporary restroom or toilet facility.

26) Practice, carry on, conduct or solicit for any commercial occupation, business or profession in any city park, or sell or offer for sale any food, beverage, merchandise, article or anything whatsoever in any city park, unless acting pursuant to a contract with the city or under a permit granted by the City Manager.

27) Enter, be or remain in any park unless he or she complies at all times with all of the city ordinances and regulations applicable to such park and with all other applicable laws, ordinances, rules and regulations.

B. The City Manager shall cause to be posted at each pedestrian, equestrian and vehicular entrance to the park a sign summarizing the regulations and referencing this section of the Code.

**6.85.030 Roads and Parking Areas.** No person shall drive or otherwise operate a vehicle in a park upon surfaces other than those maintained and open to the public for purposes of vehicular travel, except upon temporary parking areas as may be designated from time to time by the City Manager.

**6.85.040 Application of Vehicle Code.** The provisions of the California Vehicle Code are applicable in the city parks upon any way or place of whatever nature which is publicly maintained and open to the use of the public for purposes of vehicular travel. All violations of the Vehicle Code shall be enforced and prosecuted in accordance with the provisions thereof.

**6.85.50 Provision Not Applicable to Public Officials in the Course of Official Duties.** The provisions of this Chapter shall not apply to any law enforcement personnel, animal control officers, or federal, state, city, county or district employees or their contractors acting within the scope of their official duties or contract obligations.

**6.85.060 Penalties.** It shall be unlawful for any person to violate any provision of this Chapter or to fail to comply with any provision of this Chapter. Any person violating any such provisions or failing to comply with any of the mandatory requirements of this Chapter, shall be guilty of a misdemeanor unless the City Attorney elects to prosecute the violation as an infraction. In addition, any person violating the provisions of this Chapter shall be subject to the penalties and remedies of Title 1 of this Code, including, without limitation, administrative citations and public nuisance abatement injunctions.

**Section 2. Severability.** If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

**Section 3. CEQA.** The City Council finds that that the proposed ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) and the City’s CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed Ordinance to regulate personal conduct and activities at the parks will have a significant effect on the environment. Placing such a restriction will not result in a permanent or temporary alteration of property nor the construction of any new or expanded structures. The proposed ordinance is an administrative process of the City that will not result in direct or indirect physical changes in the environment. Additionally, the proposed ordinance is exempt from CEQA under CEQA Guidelines Section 15323 as the proposed ordinance only regulates conduct in an existing facility for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. The 26 Acre Site has been used as a gathering area for many years without regulatory controls.

**Section 4. Effect of Ordinance.** This Ordinance is intended to supersede any ordinance or resolution of the County of Riverside in conflict with the terms of this ordinance, including, but not limited to, the Riverside County Park Regulations Ordinance 328.1.

**Section 5. Certification.** The City Clerk of the City of Jurupa Valley shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

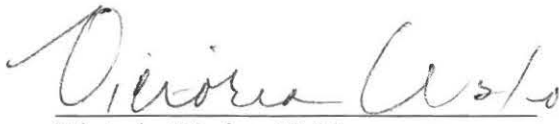
**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Jurupa Valley on this 1<sup>st</sup> day of June, 2017.



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Verne Lauritzen  
Mayor

ATTEST:



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Victoria Wasko, CMC  
City Clerk

**CERTIFICATION**

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF JURUPA VALLEY        )

I, Victoria Wasko, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2017-07 was regularly introduced at a regular meeting of the City Council held on the 11<sup>th</sup> day of May, 2017 and thereafter at a regular meeting held on the 1<sup>st</sup> day of June, 2017, it was duly passed and adopted by the following vote of the City Council:

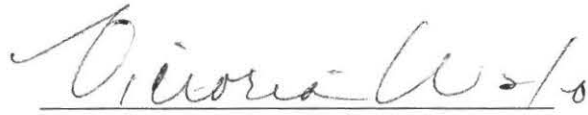
**AYES:           BERKSON, GOODLAND, KELLY, LAURITZEN, ROUGHTON**

**NOES:           NONE**

**ABSENT:        NONE**

**ABSTAIN:       NONE**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 1<sup>st</sup> day of June, 2017.

  
Victoria Wasko, CMC  
City Clerk