

ORDINANCE NO. 1197

**AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING CHAPTER 12.32 OF
THE HOLLISTER MUNICIPAL CODE PARK AND RECREATION USE
REGULATIONS**

**THE CITY COUNCIL OF THE CITY OF HOLLISTER HEREBY ORDAINS AS
FOLLOWS:**

Section 1. Section 12.32.140 amended. Section 12.32.140 "Protection of park property" is hereby amended to read as follows:

12.32.140 - Protection of park property.

A. No person shall damage, cut, carve, transplant or remove any tree or plant, or injure the bark, or pick the flowers or seeds of any tree or plant, or dig in or otherwise disturb the grass areas.

B. No person shall climb any tree or walk, stand or sit upon monuments, vases, fences, railings or upon any property not designated or customarily used for such purposes.

C. No person shall tie an animal to any rock, tree or plant in any park.

D. No person shall dig or remove any rock, stone or soil, or make any excavation by equipment or blasting or other means in any park.

E. No person shall willfully mark, deface, disfigure, injure, tamper with, displace or remove any building, table, bench, fireplace, railing, fencing, paving or paving material, water line or other public utility (or parts or appurtenances thereof), sign, notice or placard (whether temporary or permanent), monument stake or post or any other structure, equipment or facility in any park.

F. No person shall possess, use, leave, or abandon within a public park any "shopping cart," as that term is defined in section 9.30.010 of this Hollister Municipal Code.

G. No person shall construct or use in any public park an improvised lean-to, tent, or other shelter structure, regardless of the materials or methods used to construct it. As used in this subsection "G," "improvised" shall mean made, fabricated, or constructed of materials not purchased as a whole unit from a commercial source, and not sold by a commercial source as a whole unit and for the purpose of use as a lean-to, tent, or shelter. No person shall affix any rope, tent, tarp, hammock, rope swing, non-rope swing, balance band, slackline, or other hardware, whether permanent or temporary, to any tree, bush, or structure on public property. Damage caused by the affixing of any of

the above listed items shall be treated as damage to City property and prosecuted likewise.

H. No person shall possess, use, leave, or abandon a baby stroller, baby carriage, or other rolling cart at any public park. This prohibition against baby strollers, baby carriages, and other rolling carts shall include, without limitation, movement or transporting of a baby stroller, baby carriage, or other rolling cart over, across, or through a public park at any time or for any reason except while being used to transport children. As used in this section, "baby stroller" and "baby carriage" shall mean any device mounted on wheels, which holds either a car seat intended for infants or an inbuilt device meant to secure or transport infants or minor children, that is not currently being utilized for the purpose of transporting infants or children. As used in this section, "other rolling cart" shall mean any mobile device with a basket or other container mounted on wheels, including without limitation, handtrucks and wagons, whether commercially purchased or handmade, used to transport personal property that is not for immediate recreational use at the public park. The provisions of this section shall complement the restrictions on "carts" and "shopping carts" contained in Title 9 of this municipal code, and shall not be interpreted to negate said Title 9 restrictions.

I. Any person who violates the provisions of this chapter is subject to enforcement procedures permitted by law, including, but not limited to, prosecution of a misdemeanor or infraction, civil action for injunction, administrative citations and enforcement procedures, and revocation of a use permit, if applicable.

INTRODUCED at a regular City Council meeting on the 5th day of October, 2020.

PASSED AND ADOPTED, by the City Council of the City of Hollister at a Regular Meeting held this 19th day of October, 2020, by the following vote:

AYES: Council Members Resendiz, Spencer, Lenoir, and Mayor Velazquez.

NOES: None.

ABSTAINED: None.

ABSENT: None.

/s/Ignacio Velazquez, Mayor

ATTEST:

/s/Christine Black, MMC, City Clerk

APPROVED AS TO FORM:

Epperson Law Group PC

/s/Jason S. Epperson, City Attorney

