

ORDINANCE NO. O-03-20

AN ORDINANCE OF THE CITY OF COLTON AMENDING SECTIONS 12.24.010, 12.24.060, 12.24.070, 12.24.115, AND 12.24.130 OF THE COLTON MUNICIPAL CODE RELATING TO OPERATION AND USE OF PUBLIC PARKS.

THE CITY COUNCIL OF THE CITY OF COLTON DOES ORDAIN AS FOLLOWS:

**SECTION 1:** Section 12.24.010 of Chapter 12.24 of Title 12 of the Colton Municipal Code is hereby deleted and its entirety and restated to the read as follows:

*“Section 12.24.010 - Definitions.*

For the purposes of this chapter, the following terms shall have the meanings as set forth herein, unless the context in which they are used clearly indicates a contrary meaning:

"Alcoholic Beverages" means any and all spirituous, vinous, malt or fermented liquor, liquids or compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of one percent, or more, of alcohol by volume which are potable or fit as, or which may be used for beverage purposes.

"City" means the City of Colton, California.

"Department" means the Community Services Department.

"Director" means the Director of Community Services or other person(s) Designated by the Director of the Community Services Department.

"Park" means and includes every park, recreation center, lake, pond or other body of water, riding and hiking trail, parking lot and every other recreation facility owned, managed and/or controlled by the City and under the jurisdiction of the Director.

"Permission" means written permission, granted by the Director or the Director's authorized agent.

"Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, corporation or any other group acting as a unit.

"Roller Skate" or "In-Line Skate" means as any shoe, boot or other footwear to which one or more wheels are attached and includes roller blades. "Roller skating" or "in-line skating" or their derivatives when used as a verb shall include operating, driving, riding, propelling or otherwise using Roller Skates or, respectively, In-Line Skates.

"Scooter" shall be defined as any platform of any composition or size mounted between two or more wheels with an upright steering handle attached thereto.

"Skateboard" shall be defined as any platform of any composition or size to which two or more wheels are attached and which is intended to be ridden or propelled by one or more persons standing or kneeling upon it and to which there is not affixed any seat or any other device or mechanism to turn and control the wheels. "Skateboarding" or its derivatives when used as a verb shall include operating, driving, riding, propelling, or otherwise using a skateboard.

1 "Smoking" means possessing (and "Smoke" means to possess) a lighted pipe, lighted  
2 cigar, or lighted cigarette of any kind, or the lighting of a pipe, cigar, electronic delivery  
3 device or cigarette of any kind, including but not limited to, any Tobacco Product, or any  
4 other weed or plant.

5 "Sound Amplifying System" means and includes any system of electrical hookup or  
6 connection, loudspeaker system or equipment, Sound Amplifying System and any  
7 apparatus, equipment, device, instrument or machine designed for or intended to be used  
8 for the purpose of amplifying sound or increasing the volume of the human voice, musical  
9 tone, vibration, or sound wave. This definition shall not apply to the regular and customary  
10 use of portable radios, televisions, record players or tape recorders played or operated in  
11 such places at such times so as not to disturb other persons in their permitted uses of the  
12 park.

13 "Tobacco Product" means any substance containing tobacco leaf, including but not  
14 limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, vaping,  
15 or any other preparation of tobacco.

16 "Use" means to inhale, snort, chew, or otherwise ingest a Tobacco Product.

17 "Vehicle" means any vehicle as defined in the California Vehicle Code. The term  
18 "Vehicle" shall not include skates, in-line skates, scooters or skateboards."

19 **SECTION 2:** Section 12.24.060 of Chapter 12.24 of Title 12 of the Colton Municipal Code  
20 is hereby deleted and its entirety and restated to the read as follows:

21 ***"Section 12.24.060 - Vehicle operations—Parking.***

- 22 A. No person shall operate, drive, ride, park or leave standing any automobile, truck,  
23 motorcycle, motor scooter, motorized bicycle, go-cart golf cart, or any other motor  
24 vehicle or any other vehicle at any time in any Park; provided, however, that the  
25 provisions of this section shall not apply to those specific areas within any public Park  
26 of the City which shall have been regularly and lawfully set aside for the use of  
27 vehicles; and provided further that the provisions of this section shall not apply to any  
28 vehicle used or owned by the City or any commercial vehicle making lawful deliveries  
to or otherwise lawfully engaged in any undertaking or enterprise within any public  
park of the City.
- B. No person shall park and leave unattended any vehicle in areas other than those  
designated for parking, without permission, or it may be towed away and stored by  
the City and said removal and storage costs shall be charged to and paid by the owner  
prior to release.
- C. Nor shall any person ride or drive a bicycle, skateboard, scooter, in-line skates, or  
roller skates or upon any tennis, handball, basketball, shuffleboard or multipurpose  
Court in a City Park or within fifty feet of a City Building or monument.
- D. No person shall park overnight at city parks, including parking lots and adjacent city  
owned property."

1 **SECTION 3:** Section 12.24.070 of Chapter 12.24 of Title 12 of the Colton Municipal Code  
2 is hereby deleted and its entirety and restated to the read as follows:

3 ***“Section 12.24.070 – Animals***

- 4 A. No person shall ride, lead or let loose any cattle, horse, mule, goat, sheep, swine,  
5 cat, dog, fowl or animal of any kind in a park
- 6 B. Domesticated dogs and cats must be physically restrained by a leash not in excess  
7 of six feet at all times, in all areas of city parks, with the exception of:
- 8 a. Specially trained guide dogs, signal dogs or service dogs, when such dog  
9 accompanies a blind, deaf or physically disabled person.
- 10 b. Domesticated dogs are permitted to run off-leash at the established Dog  
11 Park, within the designated fenced are of the park. Dogs must be leashed  
12 while outside the fenced area and in the parking area. Owners must adhere  
13 to all posted guidelines.
- 14 C. Domesticated dogs and cats are prohibited from playground areas, restrooms,  
15 athletic fields, and on basketball or tennis courts.
- 16 D. All owners or agents of the owner having control of the domesticated dog or cat,  
17 shall pick up and dispose of any excrement from City Property left by such animal.
- 18 E. No person shall bring a domesticated dog or cat or permit any animal to remain on  
19 any portion of City Property where the presence of animals is prohibited, except in  
20 conjunction with an activity or event conducted or sponsored by the City.
- 21 F. No person shall keep or permit to remain any dog which is noisy, vicious or  
22 dangerous or which disturbs other persons within the boundaries of a park after  
23 such person has been directed by a City official to remove such dog.
- 24 G. No person shall trap, kill, injure, catch or maltreat any wild or domesticated bird or  
25 animal; or destroy, remove or disturb any of the young or eggs of same, or permit  
26 any dog to pursue, trap, kill or wound any wild or domesticated bird or animal,  
27 except that the provisions of this section shall not apply to City Employees  
28 regulating animal populations that have been declared a nuisance or hazard by the  
Director consistent with laws protecting such animals.”

22 **SECTION 4:** Section 12.24.115 of Chapter 12.24 of Title 12 of the Colton Municipal Code  
23 is hereby deleted and its entirety and restated to the read as follows:

24 ***“Section 12.24.115 – Smoking***

25 No person shall smoke or use any tobacco product within the boundaries of any public park  
26 within the City. Smoking and use of tobacco products is prohibited in all outdoor areas  
27 owned or leased by the City of Colton including parking lots, facilities, and any grounds  
28 surrounding the buildings, facilities or areas owned or leased by the City.”

1 **SECTION 5:** Section 12.24.130 of Chapter 12.24 of Title 12 of the Colton Municipal Code  
2 is hereby deleted and its entirety and restated to the read as follows:

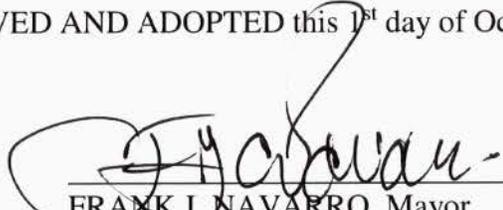
3 **“Section 12.24.130 – Curfew**

- 4 A. All City Parks shall be closed from Sunset to Sunrise. No person shall remain, stay or  
5 loiter on or about any city park when closed, except authorized city employees or  
6 persons engaged in authorized community activities in the park.
- 7 B. Any park, recreation center or part or portion thereof may be closed to the public during  
8 an emergency, or when it has been determined by the Director, or Police Officer that  
9 the public health, safety or morals require such action. Such park, recreation center or  
10 part or portion thereof shall not be reopened except by order of the City Council, City  
11 Manager, Director, or Police Officer.
- 12 C. The Director may, in their reasonable discretion, extend or limit such hours for any part  
13 or portion of any park.”

14 **SECTION 6: Effective Date.** This ordinance shall be in full force and effect thirty (30) days  
15 after its passage.

16 **SECTION 7: Certification.** The City Clerk shall certify to the passage of this Ordinance and  
17 cause the same or a summary thereof to be published within fifteen (15) days after the  
18 adoption in a newspaper of general circulation, printed, and published in Colton, California.

19 PASSED, APPROVED AND ADOPTED this 1<sup>st</sup> day of October, 2020.

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21 \_\_\_\_\_  
22 FRANK J. NAVARRO, Mayor

23 ATTEST:

24   
25 \_\_\_\_\_  
26 CAROLINA R. PADILLA, City Clerk

27 APPROVED AS TO FORM:

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\_\_\_\_\_  
Best Best & Krieger LLP  
City Attorney

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STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss.  
CITY OF COLTON )

**CERTIFICATION**

I, **CAROLINA R. PADILLA**, City Clerk for the City of Colton, California, do hereby certify that the foregoing is a full, true and correct copy of **ORDINANCE NO. O-03-20**, duly adopted by the City Council of said City, and approved by the Mayor of said City, at its Regular Meeting of said City Council held on the **1<sup>st</sup> day of December 2020**, and that it was adopted by the following vote, to wit:

AYES:	COUNCILMEMBER	Toro, Cisneros, Koperski, González, Woods, Suchil, Mayor Navarro
NOES:	COUNCILMEMBER	None
ABSTAIN:	COUNCILMEMBER	None
ABSENT:	COUNCILMEMBER	None

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
CAROLINA R. PADILLA  
City Clerk  
City of Colton

(SEAL)