

Ordinance 38 Update 2018-2019

 **East Bay Regional Park District**



ORDINANCE 38

*Rules and
Regulations*

Revised April 2016

Ordinance 38

- Local ordinance governing the conduct specifically within the East Bay Regional Park District.
- Exemptions exist for on-duty employees, concessionaires, and those acting as agents for the District.
- The General Manager may temporarily suspend or modify provisions of the Ordinance for public health or safety reasons.

Review Process

- ✓ 22 requests were collected from the public, staff, and the PAC
- ✓ Requests were reviewed by collaborative team of Public Safety, Operations, and Legal
- ✓ Executive Team Review
- ✓ Joint Public Safety / Operations Meeting
- ✓ Park Advisory Committee November 26, 2018
- ✓ Board Operations Committee On November 29, 2018

Ordinance 38-400.6

New Section:

Unless otherwise expressly provided, “camp,” “camping,” “campsite,” and “campground” include all types of camping, including traditional tent camping, RV camping, cabin camping, and camping at walk-in sites.

Ordinance 38-404.3

Smoke-Free Parks. Smoking is prohibited in the East Bay Regional Park District ~~with the exception of in overnight campsites.~~ “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) (added 4/16).



Ordinance 38-405

NUDITY. No person shall appear, swim, bathe, sunbathe, walk or be in any of the parks, lands, beaches, waters or any place owned, managed, controlled or otherwise under the jurisdiction of the East Bay Regional Park District.....This subdivision shall not apply to children under the age of 5 years **or breastfeeding mothers.**



Ordinance 38-503.15

New Section:

Every person who anchors a vessel in waters owned and/or operated by the District or moors a vessel to a dock or fixed structure at or on District property, for a period of time exceeding 4 hours OR between the hours of 10:00 p.m. and 5:00 a.m., is guilty of a misdemeanor.

Ordinance 38-801.2

Current Language:

Leash Required Areas (Developed Areas).
No person shall bring into, or permit any dog, cat, or animal, to enter any Developed Area or be within 200 feet of any parking lot, trail head or staging area, as posted, unless such animal is securely leashed and under control of that person (rev. 4/12).

New Language:

Leash Required Areas (Developed Areas).
No person shall bring into, or permit any dog, cat, or animal, to enter any Developed Area or be within **approximately 200 feet (or as posted to address trail conditions or conflicting uses)** of any parking lot, trail head or staging area, ~~as posted~~, unless such animal is securely leashed and under control of that person.

Ordinance 38-801.21

New Section:

For the safety of both pets and grazing animals, no person shall bring any dog, or other animal, into an area posted as active grazing or where grazing animals are present unless such animal is securely leashed and under the owner's complete control.

Ordinance 38-902.1

902.1 General. Except as provided in section 902.3, no motor vehicle as defined in section 902.2 may be operated within District Parklands except on established paved roads which are open to the public (rev. 4/16).

902.2 Definition. A motor vehicle is any vehicle or device that is self-propelled by means of an internal combustion engine or electric motor, used to transport a person or property. Motor vehicles include, but are not limited to passenger cars, motorcycles, off-road vehicles, “dirt-bikes,” all-terrain vehicles, motorized skateboards, “Go-peds,” motorized scooters, self-balancing electric scooters aka “hover boards”, “Segways,” and similar vehicles (rev. 4/16).

Ordinance 38-902.3 (e)

New Section:

This section shall not apply to Class I or Class II electric bicycles on the following trails: Alameda Creek Trail (paved side only), Big Break Trail, Contra Costa Canal Trail, Delta De Anza Trail, George Miller Trail, Iron Horse Trail, Lafayette Moraga Trail, and Marsh Creek Trail.

Thank you!

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