

	Ordinance Section	Current Language	Suggested Language	Comments	Suggested By	1st Legal Review	2nd Legal Review
1	400.4 (b)	No person who is a juvenile shall camp in parklands except as follows: ... (b) A juvenile who furnishes to the local park unit the written consent of and the full name, residence and telephone of parent or guardian. Such written consent shall contain the inclusive date and park location applicable.	No person who is a juvenile shall camp in parklands except as follows: ... <del>(b) A juvenile who furnishes to the local park unit the written consent of and the full name, residence and telephone of parent or guardian. Such written consent shall contain the inclusive date and park location applicable.</del>	Section (b) has caused multiple problems for Park Staff and park police. Having to call multiple parents is time consuming and creates problems if they are unable to get a hold of the parents. When they all arrive in the same vehicle, it is challenging to deal with some being able to camp and some not. It is also difficult to call parents if there is an emergency or police issue. Time is wasted when you have to wait for parents to arrive. Liability is also stretched with parks staff or PD taking on responsibility for issues involving minors.	Del Valle Park Supervisor, Shelly Miller	Approved	
2	404.3 (Proposed New Section)	None	<u>Smoking is prohibited in the East Bay Regional Park District with the exception of in 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).</u>	(See White Paper)	Smoke Free Parks Working Group (Lt. Alan Love, UM Dan Sykes, UM Kevin Takei)	Approved	

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3	400.5	All persons at a campsite may be removed if there is a violation of state law, this Ordinance or campground rules at the campsite. The period of expulsion shall be for the full period remaining on the camping reservation or permit. Persons removed are not eligible for refunds for unused camping, vehicle or other fees. It shall be unlawful to refuse to vacate a campground and leave District parklands when requested under this Section (added 7/10).	All persons at a campsite may be removed if there is a violation of state law, this Ordinance or campground rules at the campsite. <del>The period of expulsion shall be for the full period remaining on the camping reservation or permit.</del> <b><u>For 15 days following removal, the person removed may not reserve or occupy a campsite within the District.</u></b> Persons removed are not eligible for refunds for unused camping, vehicle or other fees. It shall be unlawful to refuse to vacate a campground and leave District parklands when requested under this Section.	This would prevent ejected campers from making a new reservation or returning to camp shortly after being ejected from the campground.	Janet Gomes, Anthony Chabot Park Supervisor	Approval pending	
4	409.3	MISCELLANEOUS REGULATED ACTIVITIES. No person shall engage in any of the following activities within the District except in areas specifically designated and set aside from time to time by the Board for such activities....Operate self-propelled (motor driven) model air-plane, boats, automobiles, or other model craft of any kind or description.....	...Operate self-propelled (motor driven) <u>Unmanned Aircraft System (UAS aka "drone"), model <del>air-plane</del> aircraft</u> , boats, automobiles or other model craft of any kind or description, <u>or fly any UAS closer than 500 feet above District parklands or within non-navigable airspace above District parklands, as defined by Federal regulations;</u>	With the increased availability and the use of "drone" type powered aircraft and model aircraft (both defined with the FAA) the narrowly defined term in 409.3 of "airplane" should be amended to the all encompassing aircraft which is defined by the FAA in 14 CFR Part 1 as "a device that is used or intended to be used for flight in the air." This should include model planes, helicopters, unmanned aerial systems (drones), etc. We should include drones in all their forms within this section. This section would prohibit both hobby and commercial operation of drones within the parks.	Chief Pilot Bill Proberts	Approved	

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5	409.8 (d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add: Vollmer Peak Trail in Tilden (approximately 1 mile) to Attachment "A."	This trail has been legally open to bikes for over 10 years, but was never listed in Attachment A. It is marked as a multiuse trail both on our maps and in the field. Park staff also acknowledges that it is open to bikes. It parallels South Park Drive for almost a mile and was opened to bikes to provide a safe alternative to riding on the busy narrow road.	Sean Dougan, Trails Development Manager	Approved	
6	409.8(d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add: Red Tail Trail in Anthony Chabot (1.5 Miles) to Attachment "A."	This section of narrow trail has been legally open to bikes for over 10 years, but was never listed in Attachment A. It is marked as a multiuse trail both on our maps and in the field. Park staff also acknowledges that it is open to bikes. The trail parallels Marciel Rd for 1.5 miles and was opened to bikes to provide a safe alternative route to riding on the main road that leads to both the gun club and the campground.	Sean Dougan, Trails Development Manager	Approved	

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7	409.8(d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add: MacDonald to Grass Valley, and Grass Valley from the aforementioned to Bort Meadow Group Camp (.1 Miles) in Anthony Chabot to Attachment "A."	This connects MacDonald to Grass Valley which completes a larger loop. Sight Lines and grade are good.	Sean Dougan, Trails Development Manager	Approved	
8	409.8(d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add: Towhee Trail (1.5 Miles) in Anthony Chabot to Attachment "A."	Realignment in 2014 to reduce steepness and improve the line of sight. Currently riders are forced to go through the campground on the paved road, contending with vehicles and RV's. They also tend to pick up speed when riding on paved surfaces. This trail offers mostly gentle grades and could be a place for kids who are camping with their family to learn trail riding.	Sean Dougan, Trails Development Manager	Approved	

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9	409.8(d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add: Sugar City, Warep, Two Peaks Trail, Goldfinch, Tree Frog Loop (5.5 Miles) in Crockett Hills to Attachment "A."	Newly constructed bike optimized multi-use trails in 2015	Sean Dougan, Trails Development Manager	Approved	
10	409.8(d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add Tassajara Ridge Trail (2.25 Miles) to Attachment "A."	Newly constructed multi-use trail through Alamo Creek Subdivision in 2013	Sean Dougan, Trails Development Manager	Approved	

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11	409.8(d)	Bicycles are not permitted on narrow hiking or riding trails, except those areas specifically designated from time to time by the Board as allowed. Attachment "A" contains the current list of exceptions (rev. 7/10).	Add: Ridgeline Trail in Pleasanton Ridge to Attachment A.	Road to narrow multi-use trail conversion completed in 2014	Sean Dougan, Trails Development Manager	Approved	
12	410.1 ( c )	Alcohol Restrictions. No person shall possess, sell, or consume any alcoholic beverage within any park or facility owned or operated by the East Bay Regional Park District, except that beer and wine may be possessed and consumed within District parklands, except as follows: No alcoholic beverage, including beer and wine, may be possessed, sold or consumed at.....Quarry Lakes Regional Recreation Area (between April 1 and October 31 only), except for "reservable group picnic sites" where alcohol is allowed by permit only.....	At Quarry Lakes " <u>Alcoholic beverages are prohibited except in reserved picnic areas with permit.</u> "	Quarry Lakes is signed to indicate that Alcoholic beverages are NOT ALLOWED except in reservable picnic areas by permit only. Request to have Quarry Lakes be <i>a year round prohibition</i> of alcohol versus the seasonal one as listed in the current Ordinance 38.	Quarry Lakes Supervisor Mark Phinnesse	Approved	

	Ordinance Section	Current Language	Suggested Language	Comments	Suggested By	1st Legal Review	2nd Legal Review
13	416	No person shall smoke marijuana as defined in Section 11018 of the Health and Safety Code, within 1000 feet of a developed area within District lands. For the purposes of this section, developed areas are defined as any public road, lawn or play field, deck, parking lot, picnic area, campground, group camp, concession area equestrian center, archery facility, gun range, paved multi-use Regional Trail, beach, swim area, swimming pool or any other area specifically designated from time to time by the Board as so restricted.	<del>No person shall smoke marijuana as defined in Section 11018 of the Health and Safety Code, within 1000 feet of a developed area within District lands. For the purposes of this section, developed areas are defined as any public road, lawn or play field, deck, parking lot, picnic area, campground, group camp, concession area equestrian center, archery facility, gun range, paved multi-use Regional Trail, beach, swim area, swimming pool or any other area specifically designated from time to time by the Board as so restricted, except in designated smoking areas.</del>	It is recommended that this section of Ordinance 38 be repealed so that all smoking would be banned in parks other than in designated smoking areas. Other state law restrictions on medical marijuana would continue to apply (e.g., not within 1,000 feet of a school).	Smoke Free Parks Working Group (Lt. Alan Love, UM Dan Sykes, UM Kevin Takei)	Approved	
14	501.4	Board Sailing. Board sailing, including kite assisted board sailing is currently permitted only at Del Valle Lake, Shadow Cliffs, Contra Loma Lake, Horseshoe Lake at Quarry Lakes, and at shoreline parklands using the water of San Francisco Bay. Use is restricted to one person per sailboard. Kite launching and landing at Crown Beach may only take place between the signs located at the Windsurf/Kitesurf building and South of the building (at Shellgate Road, about 500 yards).	Board Sailing. Board sailing, including kite assisted board sailing is currently permitted only at Del Valle Lake, Shadow Cliffs, Contra Loma Lake, Horseshoe Lake at Quarry Lakes, and at shoreline parklands using the water of San Francisco Bay. Use is restricted to one person per sailboard. Kite launching and landing at Crown Beach may only take place between the signs located at the Windsurf/Kitesurf building and South of the building (at Shellgate Road, about 500 yards).	Horseshow Lake is not a large enough body of water to safely practice kite board sailing. In addition, there is a conflict of space with fishing by trolling boats, rowing, kayaks, and/or float tubes. (It was Discussed in the Joint PS/OPS Meeting to determine if it would violate the Alameda County Water resources. It was proffered that EBRPD had the right to regulate, but not to permit things which were already prohibited. Since this is an additional prohibition, it should not impact the AC Water District. )	Quarry Lakes Supervisor Mark Phinnesse	Approved	

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15	503.8	Special Use Area; Sail Boards. No person shall operate any windsurfing board or sail board within any designated swim area or swim area marked by buoys or roped off. However, except as otherwise designated by the Board and notwithstanding the provisions of subsection 503.7, sail boards and/or windsurf boards are allowed within 100 feet of the boundaries of a designated swim area subject to the following restrictions. (a) Boards without an attached sail cannot be used. ....	Remove Section (a) which prohibits the use of a board without an attached sail. This would allow standup paddle boards.	Standup paddle boards are used as a form of recreation and exercise in many parks with lakes and along the bay shore. (In the Joint Public Safety Ops Meeting, it was discovered that the District rents paddle boards).	Quarry Lakes Supervisor Mark Phinnesse	Approved	
16	801.11	Commercial and Non-Profit Dog Walkers (I). Any person who walks or exercises a dog or pet for a fee or who wants to walk more than three (3) personal pets must obtain and have in their possession a revocable annual permit from the General Manager or his/her designee to use designated District lands for this use. Such permits shall contain: a) Provisions that limit the number of dogs that can be walked either on or off leash at any one time.	Commercial and Non-Profit Dog Walkers (I). Any person who walks or exercises a dog or pet for a fee or who wants to walk more than three (3) personal pets must obtain and have in their possession a revocable annual permit from the General Manager or his/her designee to use designated District lands for this use. Such permits shall contain: a) Provisions that limit the number of dogs that can be walked either on or off leash at any one time. <u>Two or more permit holders may not walk together if the combined number of dogs would exceed six (6).</u>	This new language would restrict multiple commercial dog walkers from walking together creating large packs of dogs led by only a few dog walkers.	Dispatch Supervisor Janet Severin	Approved	

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17	800.3	Except as otherwise posted, a valid State of California fishing license and a valid District fishing permit shall be required for all persons over the age of 16 years. Every person while engaged in taking any fish, mollusk, invertebrate, or crustacean reptile, shall display their State Fishing License and District fishing permit by attaching them to their outer clothing at or above the waistline so that they are plainly visible.	Except as otherwise posted, a valid State of California fishing license and a valid District fishing permit shall be required for all persons over the age of 16 years. <del>Every person while engaged in taking any fish, mollusk, invertebrate, or crustacean reptile, shall display their State Fishing License and District fishing permit by attaching them to their outer clothing at or above the waistline so that they are plainly visible.</del>	This is an old law required by CDFW and no longer exists. The current law only requires it to be on your person and not visible. The District follows state fishing rules and we should omit this from our Ordinance.	Joe Sullivan, Acting Fisheries Program Manger	Approved	
18	902.1	General. 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.	General. <u>Except as provided in section 902.3,</u> 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.	For clarity, this addition refers to the exception for mobility devices required by the ADA.	Legal	Approved	

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19	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 and similar vehicles.	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, <u>hoverboards, "Segways,"</u> and similar vehicles.	This addition clarifies that the general prohibition on motor vehicles in section 902.1 applies to hoverboards and Segways, except when used as mobility devices as required by the ADA (see section 902.3, below).	Legal	Approved	
20	902.3	Exceptions. ..... d) This section shall not apply to electric powered wheel chairs or electric powered bicycles, while being operated by a person with a medical condition or mobility disability, which impairs normal mobility.	Exceptions. ..... d) This section shall not apply to electric powered wheel chairs, <u>electric scooters, or electric-powered bicycles,</u> <u>other power-driven mobility devices used in conformity with the District policy on use of other power-driven mobility devices,</u> while being operated by a person with a medical condition or mobility disability, which impairs normal mobility.	This amendment would bring consistency with ADA regulations and the District's interim policy on other power-driven mobility devices ("OPDMD"), both of which permit the use of OPDMDs including electric scooters. Under federal regulations, OPDMD is broadly defined and includes electric bicycles, so these should not be listed separately.	Legal	Approved	