

EAST BAY REGIONAL PARK DISTRICT

ORDINANCE NO.: 2019 – 03 - 057

March 19, 2019

AN ORDINANCE OF THE EAST BAY REGIONAL PARK DISTRICT
AMENDING ORDINANCE 38: RULES AND REGULATIONS OF THE PARK DISTRICT

WHEREAS, Ordinance 38 outlines the rules and regulations of the East Bay Regional Park District and was last amended in April 2016; and

WHEREAS, the General Manager, the Board Operations Committee and the Park Advisory Committee have recommended changes to Ordinance 38 to govern public use of regional parklands and protect park resources as noted below; and

WHEREAS, the specific changes to Ordinance 38 are noted in this Ordinance by crossing out language to be deleted and additions in bold italicized text; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the East Bay Regional Park District that Ordinance 38 is amended as follows:

Section I:

Section:

Text:

400.6 (NEW)	<u>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.</u>
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).
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 <u>or breastfeeding mothers.</u>

<p>503.15 (NEW)</p>	<p><u>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.</u></p>
<p>801.2</p>	<p>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 <u>approximately 200 feet (or as posted to address trail conditions or conflicting uses)</u> of any parking lot, trail head or staging area, as posted; unless such animal is securely leashed and under control of that person.</p>
<p>801.21 (NEW)</p>	<p><u>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.</u></p>
<p>902.3 (e) (NEW)</p>	<p><u>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.</u></p>

Section 2. All other sections of Ordinance 38 shall remain in full force and effect.

Section 3. This Ordinance shall be published once within 30 days after adoption, in a newspaper of general circulation printed, published and circulated in the District.

Section 4. This Ordinance shall become effective immediately upon its adoption by the Board.

Section 5. Section 1 of this Ordinance shall be codified as part of Ordinance 38. Sections 2, 3, 4, and 5 of this Ordinance shall NOT be codified.

Moved by Director Corbett, seconded by Director Lane, and adopted this 19th day of March, 2019, by the following vote:

FOR: Colin Coffey, Ellen Corbett, Whitney Dotson, Beverly Lane, Dee Rosario,
Dennis Waespi.
AGAINST: Ayn Wieskamp.
ABSTAIN: None.
ABSENT: None.


Board President

CERTIFICATION

I, Yolande Barial Knight, Clerk of the Board of Directors of the East Bay Regional Park District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2019-03-051 adopted by the Board of Directors at a regular meeting held on March 19, 2019

