

December 6, 2018

San Mateo County Parks and Recreation Commission:

Barbara Bonilla, Chair
Basem Manneh, Vice Chair
Marico Enriquez, Commissioner
Neil Merrilees, Commissioner
Meda Okelo, Commissioner

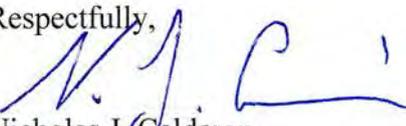
RE: Item 4.2.1 – Dog Ordinance Update

Dear Honorable Parks Commissioners:

Item 4.2.1 of the December 6, 2018 Parks and Recreation Commission (“Commission”) meeting pertains to the dog ordinance amendment recently adopted by the San Mateo County Board of Supervisors. As presented to the Commission at its October 4, 2018 meeting, in accordance with recommendations made by the Dog Management Committee, the Department was seeking an amendment to the County’s ordinance governing dog recreation within parks and recreation areas so the ordinance would be consistent with existing management practices. Attached as Item 4.2.1, please find the following documents:

- Staff presentation given at the December 3, 2018 Dog Management Committee meeting regarding the recently adopted ordinance amendment governing dog recreation within County parks and recreation areas and Board-directed next steps;
- Staff report submitted to the Board of Supervisors for its November 6, 2018 meeting, summarizing the efforts made by the Committee and Department’s recommendation to the Board;
- Ordinance amendment adopted by the Board of Supervisors and authorizing specified legal dog recreation opportunities within County parks and recreation areas; and
- A redlined version of the ordinance amendment showing how the adopted amendment revised relevant County ordinance code sections.

Respectfully,


Nicholas J. Calderon
Assistant Parks Director



Ordinance Establishing Specified Legal Dog Recreation Opportunities within San Mateo County Parks And Recreation Areas



PRIOR ORDINANCE

1. No dogs allowed in County parks or recreation areas
2. Each violation was a misdemeanor offense
3. No management of human behavior



Components of the Adopted Ordinance Amendment



PRE-EXISTING USES

- Prior Countywide Ordinance
 - Dogs were not allowed in County parks or recreation areas
- Amended Ordinance
 - Dogs are allowed within designated and signed areas
 - Quarry Park, Mirada Surf and Bay Trail through Coyote Point
 - Coastal Trail along Devil's Slide, Pillar Point Bluff and Dardenelle Trail

PROTECT NATURAL RESOURCES

- Prior Countywide Ordinance

- Dog owners were cited with misdemeanors if their dog attacked wildlife or destroyed sensitive habitat

- Amended Ordinance

- Attacking wildlife is still a misdemeanor offense
- To protect habitat and wildlife, dogs must stay on designated trails at all time
- To protect public health and prevent water pollution, owners must pick up and properly dispose of dog waste



DOGS MUST BE LEASHED

- Prior Countywide Ordinance

- All dogs must be “continuously held by some competent person capable of controlling such animal” in unincorporated San Mateo County

- Amended Ordinance

- Prior provision remains unchanged
- Dogs must be leashed at all times when in designated and signed areas within County parks and recreation areas
- Leash cannot exceed 6 feet when encountering others



NUMBER OF DOGS

- Prior Countywide Ordinance
 - Dogs were not allowed in County parks or recreation areas
- Amended Ordinance
 - Visitors may have up to three dogs when in designated and signed areas within County parks and recreation areas

ENFORCEMENT

- Prior Countywide Ordinance
 - Having a dog in a County park was a misdemeanor
- Amended Ordinance
 - Progressive enforcement
 - First violation - \$100 infraction
 - Second violation - \$200 infraction
 - Each additional violation - \$500 infraction

STEP 1: INITIAL ORDINANCE

November and December 2018: Owner education campaign materials developed and Rangers trained on new regulations

December 2018 to July 2019: Dogs allowed on leash in designated and signed park areas; owner education campaign implemented by Rangers in those specified areas; baseline compliance data collected

July to November 2019: Progressive enforcement starts; impacts on environment, visitors and workload assessed; new series of compliance data collected

December 2019: Initial ordinance assessment presented to Parks Commission and Board of Supervisors

December 2019: Any recommended changes to ordinance presented to Parks Commission and Board of Supervisors

STEP 2: PILOT PROJECT

December 2018: Sub-committee convened to develop on leash and off leash dog recreation pilot programs

March to April 2019: Using the Secondary Policies developed by the Committee, Department will identify trails appropriate for on leash dog recreation within Parks

April to June 2019: Sub-committee and Department staff to discuss the feasibility of off leash dog recreation within Parks

July to October 2019: Should off leash recreation be deemed feasible, Sub-committee and Department staff will develop a draft pilot program to be presented to the Parks Commission for consideration

November 2019: Parks Department will present a recommendation to the Board of Supervisors for consideration regarding off leash dog recreation within Parks



County of San Mateo

Inter-Departmental Correspondence

Department: PARKS

File #: 18-1020

Board Meeting Date: 11/6/2018

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Peggy Jensen, Interim Parks Director
Subject: Amendment to the County Ordinance Sections Governing Dog Recreation within San Mateo County Parks and Recreation Areas

RECOMMENDATION:

Adopt an ordinance amending Chapter 3.68, consisting of sections 3.68.010, 3.68.020, 3.68.030, 3.68.040, 3.68.080, and 3.68.180, to Title 3 of the San Mateo County Ordinance Code, establishing specified legal opportunities for dog recreation within San Mateo County Parks and Recreation Areas, previously introduced on October 23, 2018, and waive the reading of the ordinance in its entirety.

BACKGROUND:

A. General background

In spring of 2016, the San Mateo County Parks and Recreation Commission (“Commission”) formed the Dog Management Committee (“Committee”), which was tasked with advising the Commission on the development of new dog management policies for the Parks Department (“Department”). The Committee was comprised of representatives from the Commission, Department, Midcoast Community Council, Pescadero Municipal Advisory Council, North Fair Oaks Community Council, and dog-owner, environmentalist, equestrian, and cyclist communities. The Department also implemented an extensive communication and community engagement process to support the Committee’s work and gather further public input.

After meeting over the course of approximately 15 months, the Committee developed an overarching policy: “It is the policy of the [San Mateo County] Parks Department, in managing dog access to County parks, to promote healthy, safe, and varied experiences for all park users and to protect natural resources.” The Committee also developed secondary policies for the Department to use as guiding principles in assessing which locations are appropriate for dog recreation. The secondary policies focus on education; providing a variety of experiences; avoiding conflicts; protecting pre-existing uses and natural resources; managing access to playgrounds and play areas; considering new areas for dogs; enforcement; and requirements concerning leash length and the number of dogs allowed per person. The Commission adopted these policies (attached as Exhibit A) at its December

7, 2017, meeting.

At the same meeting, the Commission identified recommended next steps, to be implemented in sequential order. The first step, which is the subject of this memorandum, is to amend the County ordinance sections that govern dog recreation within County parks and recreation areas. The second step entails developing and implementing a dog management pilot program to inform possible further revisions to the ordinance and/or Department dog-management policies and practices.

The amendment to the County ordinance sections proposed by this memorandum (“Amendment”) is necessary to make the ordinance and existing management practices consistent. In its existing form, Section 3.68.080(i) prohibits park visitors from recreating in County parks and recreation areas with dogs. However, since the ordinance’s adoption, the County has accepted ownership of park properties that have historically been, and continue to be, available to the public for recreation with dogs on leash. These properties include the Pillar Point Bluff, Quarry Park, and Mirada East. Additionally, segments of the California Coastal Trail and San Francisco Bay Trail, which are both accessible to dogs throughout San Mateo County, traverse several County parks and recreation areas. For this reason, there are direct conflicts between existing County ordinances and Department dog-management practices.

The Committee also identified the need for enforcement mechanisms that are adequate to deter non-compliant behavior. Under the existing ordinance, each violation is a misdemeanor offense. However, due to the low probability of a jury conviction, the District Attorney’s Office has rarely pursued charges. For this reason, Park Rangers have been limited in their ability to effectively protect the natural resources and wildlife and ensure that all visitors have a safe and enjoyable experience. The ordinance Amendment would establish a tiered penalty system for violations.

The second step recommended by the Commission was for the Department to work with a subcommittee of the Committee to create a pilot program that tests the policies developed by the Committee, facilitates the creation of dog management tools and best practices, such as educational materials and signage, and allows for the refinement of the policies as necessary. It was also recommended by the Committee that when developing the pilot program, consideration should be given to the feasibility of off-leash areas, but no commitment was made that off leash areas would be included. If the pilot program shows that further changes to the ordinance are warranted, they would be made in a second amendment to the ordinance.

B. The October 4, 2018, Commission meeting

At the October 4, 2018, Commission meeting, the Department presented a draft of the proposed Amendment to the Commission. The Commission recommended that the Board of Supervisors adopt the Amendment with three changes:

1. Allow dogs to be leashed by a retractable leash, provided that the leash length is reduced to six feet when encountering others;
2. Include language referencing off leash dog areas in case such areas are designated in the future; and
3. Require the first violation of the ordinance to be punishable by only a written warning, rather than a fine.

C. The October 23, 2018, Board of Supervisors meeting

At the October 23, 2018, meeting of the Board of Supervisors (“Board”) (the first reading of the Amendment), the Department presented the Amendment, which included the Commission’s recommendation to allow retractable leashes of up to sixteen feet, provided that the leash length is reduced to six feet when encountering others. The Board did not make changes to this provision, and the version of the ordinance recommended for adoption today continues to include it.

The Amendment also would have given Rangers the discretion to issue a warning in lieu of a fine, impose fines for initial violations, and make the fourth violation in a year a misdemeanor punishable by a fine of up to \$1,000 and/or a jail term of up to six months. At its meeting, the Board revised the Amendment to eliminate any reference to a misdemeanor and possible jail term. Thus, under the revised version approved by the Board and recommended for adoption today, Park Rangers continue to have the discretion to issue a warning for violations, violations are infractions only, and violations remain punishable under a tiered system of fines. (The amount of each fine is identified below.)

Also at the October 23, 2018, first reading, the Amendment would have made no mention of off-leash areas. That remains true of the revised version of the Amendment approved by the Board on October 23 and recommended for adoption today. However, the Board approved the ordinance with two conditions: (1) that the Department report back to the Board within six months of the Amendment’s adoption regarding its efficacy and any issues arising under it, and (2) that, within twelve months from the Amendment’s adoption, the Department present a recommendation to the Board regarding potential off-leash recreation areas within County parks and recreation areas. (Following this recommendation, off-leash areas and other policies and best management practices will be considered in the Department’s pilot program. Any further changes to the ordinance as a result of the pilot program will be made in a single, second amendment to the ordinance.)

DISCUSSION:

The proposed Amendment to the County ordinance sections governing dog recreation within County parks and recreation areas, attached as Exhibit B, reads, in part: “No dogs shall be permitted in any San Mateo County Park or Recreation Area, unless such area is specifically designated and signed to allow dogs.” This language would make current Department management practices and the County ordinance code consistent.

That change is not enough, however. The existing ordinance section prohibiting dog recreation within County parks and recreation areas fails to regulate the behavior of individuals recreating with dogs. Accordingly, the Amendment includes provisions, developed by the Committee, that would govern the behavior of recreationalists with dogs. These provisions include:

1. Requiring dogs to be leashed, which can include a retractable leash, provided that the length of the leash is reduced to six feet when encountering others; and
2. All dog waste must be picked up and disposed of in a designated receptacle; and
3. No more than three dogs per person; and
4. Dogs must stay on designated trails; and

5. Dogs must be appropriately licensed.

With regard to off-leash recreation areas, the Commission thought it important to recognize that off-leash use has occurred in some areas, and that such areas are valued by some dog owners and might be designated in the future. However, the Department continues to advise against including any reference to off-leash areas in this Amendment, for three reasons. First, including such language in the ordinance would create a conflict with County Ordinance Section 6.04.070, which requires that all dogs be leashed when in public places. Second, per the Committee's final adopted policies, the issue of whether off-leash areas should be allowed in any County park or recreation area is one of the issues to be considered in the second step of this process-the pilot program and possible further amendment of the ordinance. Only during that pilot program will the Department be able to explore different alternatives, collect compliance data, and conduct the necessary environmental review. Third, the Committee itself recommended that off-leash areas be considered as part of the pilot program. For these reasons, any reference to off-leash areas in this Amendment is premature, and the Department continues to recommend that the Board adopt the Amendment without the off-leash language offered by the Commission.

Finally, there is the issue of enforcement. As explained above, violations of the current ordinance are misdemeanors and rarely enforced. As a result, some members of the public continue to willfully and repeatedly violate the regulations with no consequence. To empower Rangers to protect the Department's natural resources and ensure that all park visitors have a safe and enjoyable experience, the Amendment includes a tiered enforcement system. This system would be based on the number of violations within one year:

1 st violation	Infraction; \$100.00 fine
2 nd violation	Infraction; \$200.00 fine
Each additional violation	Infraction; \$500.00 fine

Stepped infractions are effective at reducing or eliminating recurring, undesirable behavior. Empowering Park Rangers to preserve wildlife and habitat and protect all park users, including the elderly, children, horses, cyclists, and persons who have fears of dogs, the Department is better positioned to satisfy its Mission Statement: *Through stewardship, San Mateo County Parks preserves our County's natural and cultural treasures, and provides safe, accessible parks, recreation and learning opportunities to enhance the community's quality of life.*

The Department continues to recommend against revising the Amendment to make a first violation punishable by only a written warning, as the Commission had recommended, for four reasons. First, the Amendment already preserves Rangers' inherent discretion in the field to not issue a citation for a violation. See Proposed Section 3.68.180(d) ("Any person to whom a citation is issued..."). The Department expects that Rangers will continue to exercise their discretion to give warnings where appropriate. Second, as discussed above, giving Rangers the discretion to impose something more than a warning is key to reducing frequent and repeated violations. Third, the Department believes a six-month education campaign will be more effective than mandatory warnings. During this campaign, Park Rangers would not issue any citations but would instead provide verbal warnings and educational brochures about the rules governing dog recreation within County parks and recreation areas. This approach would provide members of the public with as much education as possible regarding the County's new ordinance, which was the Commission's underlying concern about the Amendment's enforcement scheme and regulations. Preserving that scheme and

providing the proposed six-month education campaign would best balance that concern with the need to grant Park Rangers the discretion required to keep natural resources, wildlife, and park visitors safe. Finally, the Board's deletion of the misdemeanor provision originally proposed as part of the Amendment makes the tiered fines especially important for repeat violators.

Thus, the Department is recommending that the Board adopt the Amendment with the conditions and changes approved at the Board's October 23, 2018, meeting.

FISCAL IMPACT:

Adopting the Amendment would lead to an unknown increase in revenue to the General Fund due to fines assessed for violating the ordinance sections. There is no Net County Cost associated with adopting the Amendment.

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO
STATE OF CALIFORNIA

* * * * *

INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 3.68, CONSISTING OF SECTIONS 3.68.010, 3.68.020, 3.68.030, 3.68.040, 3.68.080, AND 3.68.180, TO TITLE 3 OF THE SAN MATEO COUNTY ORDINANCE CODE, ESTABLISHING SPECIFIED LEGAL OPPORTUNITIES FOR DOG RECREATION WITHIN SAN MATEO COUNTY PARKS AND RECREATION AREAS

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

SECTION 1: The Board of Supervisors of the County of San Mateo (“County”) hereby finds and declares as follows:

WHEREAS, the San Mateo County Parks Department (“Department”) manages 22 parks and recreation areas and over 16,000 acres of park land throughout the County; and

WHEREAS, Chapter 3.68 of the County’s Ordinance Code prohibits park visitors from recreating in County parks and recreation areas with dogs; and

WHEREAS, since the Chapter 3.68’s adoption, the County has accepted ownership of park properties that have historically been, and continue to be available to, the public for recreation with dogs on leash, including the Pillar Point Bluff, Quarry Park, and Mirada East; and

WHEREAS, in addition to these parks, segments of the California Coastal Trail and San Francisco Bay Trail, which are both accessible to dogs throughout the County, traverse several County parks and recreation areas; and

WHEREAS, in Spring of 2016, the San Mateo County Parks and Recreation Commission (“Commission”) formed the Dog Management Committee (“Committee”), which was tasked with advising the Commission on the development of new dog-management policies for the Department; and

WHEREAS, upon adoption of the recommended dog-management policies, the Commission determined that the next step should be the amendment of applicable County ordinances governing dog recreation within County parks and recreation areas to allow for the legal recreation of dogs in designated and signed areas; and

WHEREAS, the amendment of applicable County ordinances governing dog recreation within County parks and recreation areas is necessary to resolve conflicts between those ordinances and the Department’s dog-management practices; provide for fairer and more effective enforcement of the ordinances; and provide appropriate opportunities for dog recreation in County parks and recreation areas while protecting the natural resources of those areas, uses by other visitors, and visitor safety.

SECTION 2: Chapter 3.68, consisting of Sections 3.68.010, 3.68.020, 3.68.030, 3.68.040, 3.68.080, and 3.68.180, is hereby amended and shall read, in its entirety, as follows:

Chapter 3.68 - COUNTY PARK AND RECREATION AREA RULES

Sections:

3.68.010 - Violations, a misdemeanor.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be guilty of a misdemeanor, unless otherwise specified.

(Prior code § 3385; Ord. 415, 06/25/34; Ord. 2394, 09/21/76)

3.68.020 - Exceptions.

The provisions of this ordinance shall not apply to employees of the San Mateo County Parks and Recreation Department, or the San Francisco Water Department, or other public officials acting within the scope of their authorized duties. However, Department employees, public officials and concessionaires and their employees shall abide by the laws of the State of California and all applicable County and/or municipal ordinances.

(Prior code § 3385.1; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82)

3.68.030 - Definitions.

- (a) "Commission" shall mean the San Mateo County Parks and Recreation Commission.
- (b) "County Park" shall mean any park, recreation area, reserve or preserve, historical site or any other facility operated, owned, or managed by the San Mateo County Parks and Recreation Department.
- (c) "Department" shall mean the San Mateo County Parks and Recreation Department.
- (d) "Director" shall mean the Director of the San Mateo County Parks and Recreation Department.
- (e) "General Manager and Chief Engineer" shall mean the General Manager and Chief Engineer of the San Francisco Water Department of the City and County of San Francisco.
- (f) "San Francisco Fish and Game Refuge" means that area defined in the State of California Fish and Game Code, division 7 REFUGES, chapter 2, article 1, section 10771 and under the jurisdiction of the San Francisco Water Department.
- (g) "Hiking and Riding Trail" shall mean all trails which have been dedicated to the County or other public agency for hiking or horseback riding purposes, or both, or any trail which is open to the general public for such purpose.
- (h) "Motor Vehicle" shall mean any automobile, truck, bus, van, motorcycle, off-road vehicle, four-wheel drive vehicle, dirt bike, motor-driven vehicle, or any vehicle which is self-propelled.
- (i) "Person" as used in this chapter shall be construed to mean and shall include natural persons, firms, co-partnerships, corporations, clubs and all associations or combinations of persons whatever, whether acting by themselves or by a servant, agent or employee.
- (j) "Recreation Area" as used in this chapter shall be construed to mean and shall include all land, facilities and other property for public recreation owned and/or operated by the County of San Mateo, or the San Francisco Water Department, including parks, playgrounds, camping areas, swimming pools, golf courses, picnic grounds, athletic fields, beaches, parkways, public squares, hiking and bicycling paths, horse trails, roadside viewing areas, rest stops, historical monuments, and all grounds surrounding public buildings, all planting and areas for planting along roads, streets and highways, and all other recreation areas, including all buildings,

structures, improvements, monuments, apparatus and equipment existing in or that may be erected in any of such areas.

- (k) "Sound Amplifying Equipment" shall mean any machine or device for the amplification of the human voice, music, or any other sound, but shall not include standard automobile radios or automobile tape decks when used and heard only by the occupants of the vehicle in which the automobile radio or tape deck is installed, nor radio receiving sets, non-electrical musical instruments, or television sets. "Sound Amplifying Equipment" as used in this chapter, shall not include warning devices or sound amplification equipment on Parks and Recreation Department, or San Francisco Water Department vehicles, or other authorized emergency vehicles, or horns, or other warning devices on any vehicle used only for traffic safety purposes.
- (l) "Vessel" shall be used to describe any water craft, board or similar equipment capable of being used as transportation in or on water.
- (m) "Beach" shall mean the shore of any body of water within any County Park and Recreation Area or the San Francisco Fish and Game Refuge.

(Prior code § 3385.2; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.040 - Permits and fees—Violation as infraction.

- (a) No person shall enter, occupy or use a County park or Recreation Area, or any area or facility therein, for which a user fee, deposit or permit is required without first obtaining any applicable permit and paying any applicable fees or deposits in the manner provided by this chapter. Any person obtaining a permit to enter or use a County park or Recreation Area shall display such permit in the manner provided by such permit.
- (b) No person shall enter a self-registration fee payment area without first (1) depositing the applicable fees; and (2) completing and prominently displaying the permit, so that the permit number is clearly legible from the outside of the vehicle entering the park or recreation area, according to all applicable guidelines either posted at the fee collection vault or printed on the permit.
- (c) A violation of this section shall be an infraction punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of this section within one year; and (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of this section within one year.

(Prior code § 3385.3; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 3651, 5/16/95)

3.68.050 - Method of payment of fees.

- (a) Except as otherwise provided by this code, all fees and deposits established by the Parks and Recreation Commission for entry or use of County park and recreation areas or for designated privileges, services or materials, shall be paid to the Director or his or her designee in the manner determined by the Director. All fees collected

shall be deposited in the Treasury of the County of San Mateo and shall be credited to the appropriate fund.

- (b) The Director may, subject to approval by the Parks and Recreation Commission, designate any recreation area or county park a "self-registration fee payment area." Payment of applicable fees for entry or use of a self-registration fee payment area shall be by deposit into a fee collection vault located at the entrance to such park or recreation area. The Director may establish, subject to approval by the Parks and Recreation Commission, policies and procedures for collection of such fees including the hours and dates of collection. Pursuant to guidelines approved by the Parks and Recreation Commission, the Director may waive payment and suspend collection of applicable fees at any self-registration fee payment area.
- (c) All fee deposit envelopes, permits and receipts shall remain the property of the County of San Mateo and shall be subject to inspection by, and surrendered upon demand to, the Director, or any County Park Ranger or law enforcement officer. Fees deposited in any fee collection vault, including any overpayment, are non-refundable. If the fee deposited is insufficient to pay in full the applicable fee, the remaining balance shall be due and payable to the Director or County Park Ranger upon demand.

(Prior code § 3385.4; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 3651, 5/16/95)

3.68.060 - Camping regulations.

- (a) Permits. A permit must be obtained from the County Parks and Recreation Commission or its authorized staff before camping in any recreation area or in any County Park, and camping is not permitted outside the campsite or sites designated on said permit.
- (b) Camping by Minors. Persons under the age of 18 are not permitted to camp overnight in any recreation area or in any County Park unless accompanied by an adult.

(Prior code § 3386; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 2307, 05/06/75; Ord. 2394, 09/21/76)

3.68.070 - Fires.

- (a) No person shall light, build, use or maintain a fire within any Recreation area or any County Park, or on the San Francisco Fish and Game Refuge, except in places specifically provided therefor, and said places shall not be used until user has removed all dead wood, moss, dry leaves or other combustible material which may have gathered around said place so that there is no possible danger of any fire spreading.
- (b) No person responsible for an authorized fire in any Recreation area or in any County Park, or on the San Francisco Fish and Game Refuge, shall leave said fire unattended. When the user has finished with the fire, it shall be completely extinguished.

(Prior code § 3386.1; Ord. 1639, 02/25/64; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82)

3.68.080 - General protective regulations.

- (a) **Vegetative.** No person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn, carry away, collect or gather any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, ferns, mushrooms and dead wood in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or on any hiking and riding trail, nor shall any person willfully or negligently allow any dog to do so. Nothing in this section shall prevent the taking of any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, ferns, mushrooms and dead wood in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, any hiking and riding trail by public officials pursuant to their official duties or by scientific permit from the San Mateo County Parks and Recreation Department, or San Francisco Water Department, for the areas under their respective jurisdictions.
- (b) **Vandalism (Property).** No person shall disturb, destroy, remove, deface or injure any property of the County of San Mateo or the City and County of San Francisco which is located in any Recreation area or in any County Park or hiking and riding trail, or on the San Francisco Fish and Game Refuge. No person shall cut, carve, paint, mark, paste, or fasten on any tree, fence, wall, building, monument or other property in any County Park or Recreation area, or hiking and riding trail, or other property in any County Park or Recreation area, or hiking and riding trail, or on the San Francisco Fish and Game Refuge, any advertisement, sign or inscription.
- (c) **Littering.** No person shall place or throw bottles, broken glass, crockery, ashes, waste paper, cans, dog waste (bagged or unbagged), or any decaying or putrid matter or other rubbish in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except in a receptacle designated for that purpose, and no person shall import or deposit any rubbish into or in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail. No person shall transport or dump any rock, rubble, dirt, sand, fill or other similar material into or in any County Park or Recreation area without the permission of the Director, or the General Manager and Chief Engineer, or their representatives for the areas under their respective jurisdiction.
- (d) **Reserves and Preserves.** All geological and archeological features, plants and animals (dead or alive) are protected and taking is prohibited except the taking of such plants and animals as are permitted by regulations specific to the area.
- (e) **Watershed Protection.** No person shall allow any dog to contaminate in any way whatsoever any watershed or water supply in any Recreation area or in any County Park, or in the Watershed, or water supplies of any water purveyor holding a water purveyor's permit issued by the California Department of Health Services pursuant to Public Health Code, chapter 7, section 4011.
- (f) **Water Quality Protection.** No person shall wash clothing or cooking utensils, bathe in, or in any other manner pollute the waters of any Recreation Area or any County

Park, nor shall any person leave bagged or unbagged feces or in any other manner pollute the waters of any Recreation Area or any County Park, or in the Watershed, or water supplies of any water purveyor holding a water purveyor's permit issued by the California Department of Health Services pursuant to Public Health Code, chapter 7, section 4011.

- (g) Geological Features Protection. No person shall destroy, disturb, mutilate or remove earth, sand, gravel, oil, minerals, rocks, or features of caves, or lay, or set off any explosive material or cause to be done or assist in doing any of said things in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail without the specific permission of the Director or the General Manager and Chief Engineer, or their representative, for the areas under their respective jurisdictions.
- (h) Protection of Historical Features. No person shall remove, injure, disfigure, deface or destroy any object of paleontological, archaeological, or historical interest or value in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail nor shall any person engage in any excavation for said objects without first receiving written permission from the Director, or the General Manager and Chief Engineer, or their representatives, for the areas under their respective jurisdictions.
- (i) Domestic Animals. Except as expressly permitted pursuant to section 3.68.180, no dogs, cats, fowl or other domesticated animals shall be permitted to enter or go at large in any County Park or Recreation area, either with or without a keeper. No person shall release any captured wild animal within any County Park or Recreation area except authorized public officials pursuant to their duties.
- (j) Abandoned Animals. No person shall abandon a dog, cat, fowl or other animal within any County Park or Recreation area, or in the San Francisco Fish and Game Refuge.
- (k) Feeding Domesticated Animals. No person shall feed any abandoned domesticated animal in any County Park or Recreation area, or in the San Francisco Fish and Game Refuge.
- (l) Grazing. The running at large, herding or grazing of livestock of any kind in any County Park or Recreation area, or driving of livestock over same, is prohibited unless a lease of the land has been granted for that purpose. Livestock found in any County Park or Recreation area may be impounded and held until claimed by the owner and payment made for any damages caused and for any expenses incurred by the County in impounding and holding such livestock.
- (m) Horses Off Trails or Out of Designated Areas. No person shall ride, drive, lead, or keep a saddle horse, pony, mule or other such animal in any County Park or Recreation area except on such roads, trails or areas so designated and posted by the Department.
- (n) Wildlife. All County Parks and Recreation Areas and the San Francisco Fish and Game Refuge are sanctuaries for wildlife. No person shall feed, approach, disturb, frighten, hunt, trap, capture, wound, kill, chase, pursue, or disturb the natural habitat of, any wild bird, mammal, reptile, fish, amphibian or invertebrate within a County

Park or Recreation Area or within any San Francisco Fish and Game Refuge area located within the County, nor shall any person allow any dog to do so. This prohibition shall not apply to the following:

- (1) Action taken by public officials or their employees or agents, within the scope of their authorized duties, to protect the public health and safety.
 - (2) The taking of fish as permitted by State Fish and Game Regulations.
 - (3) The capturing and/or taking of park wildlife for scientific research purposes when done with written permission from the Director of the San Mateo County Division of Parks and Recreation or, in the San Francisco Fish and Game Refuge, from the San Francisco Water Department.
- (o) Firearms and Dangerous Weapons. Except as provided in subsection (p) and subsection (q), no person shall have in his possession within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, and no person shall fire or discharge, or cause to be fired or discharged, across, in, or into any portion of any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, any gun or firearm, spear, bow and arrow, cross bow, slingshot, air or gas weapon or any other dangerous weapon.
- (p) Shooting Ranges. The discharge or firing of firearms is permitted in areas designated by the Parks and Recreation Commission, or San Francisco Water Department, specifically for the purposes of rifle and/or pistol and/or shotgun shooting, and the transportation of such firearms through the County Park or Recreation area, or on the San Francisco Fish and Game Refuge, in which said area(s) is/are located is permitted providing said firearms are unloaded. "Unloaded" shall mean that there is no ammunition in either the chamber or magazine of the gun.
- (q) Archery Ranges. The use of a bow and arrow, but not a crossbow, is permitted in areas designated by the Parks and Recreation Commission specifically for the purpose of archery, but all bows must be unstrung during transportation to and from such designated areas.
- (r) Loitering After Closing Time. It shall be unlawful for any person to remain in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or in any facility within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, after the posted closing time, unless said person has lawful business therein.
- (s) Gambling. Gambling in any form, or the operation of gambling devices for merchandise or otherwise in any County Park or Recreation area is prohibited.
- (t) Alcoholic Beverages. No person shall possess or consume alcoholic beverages, other than beer or wine, in any form within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge. Alcoholic beverages as described herein are permitted at Coyote Point County Park only in designated areas and during designated times. No person shall possess or consume any alcoholic beverages in any form at the Coyote Point Rifle and Pistol Range, or within twenty-five feet (25') of the San Francisco Watershed vehicle parking lots or areas. This section shall not prohibit the dispensing of all types of alcoholic beverages by a licensee under the

laws of the State of California, under a food and bar concession from the County or the consumption of such beverages on the premises of such concessionaire, or the consumption of alcoholic beverages by persons holding a written occupancy permit issued by the Parks Director, or his or her representative, for areas under his or her jurisdiction.

- (u) Private Operations. It shall be unlawful for any person to engage in the business of soliciting, selling or peddling of any liquids or edibles for human consumption or to distribute circulars or to hawk, peddle or vend any goods, wares or merchandise of any kind, except upon specific concession or permit secured from the Commission, or the General Manager and Chief Engineer, or his representative, for areas under his jurisdiction.
- (v) Authorized Operations. All persons, firms, or corporations holding concessions shall keep the grounds used by them properly policed and shall maintain the premises in a sanitary condition to the satisfaction of the Director or General Manager and Chief Engineer for areas under their respective jurisdictions. No operator of any concession shall retain in his employment any person whose presence is deemed by the District or General Manager and Chief Engineer for their respective jurisdictions not to be conducive to good order and management.
- (w) Commercial Filming. No person shall operate a still, motion picture, video or other camera for commercial purposes in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except pursuant to a written permit from the Director or the General Manager and Chief Engineer, or their representative, for the areas under their respective jurisdictions authorizing such activity. This section shall not apply to the commercial operation of cameras as part of the bonafide reporting of news.
- (x) Closed Areas. No person shall enter any road, trail or area that is posted as closed or restricted without permission from the County Parks and Recreation Director.

(Prior code § 3387; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 1287, 05/06/58; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90; Ord. 3796, 11/4/97; Ord. 3863, 12/1/98)

3.68.090 - Motor vehicles.

No person shall operate any motor vehicle except upon established paved roads or other established paved areas specifically designated and maintained for normal ingress, egress, and parking. This section shall not apply to any emergency or County vehicle, physically handicapped persons operating wheelchairs or similar devices, or to any person acting in compliance with the directions of a Park Ranger or Peace Officer.

(Prior code § 3388; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 2394, 09/21/76)

3.68.100 - Parking.

No person shall park any motor vehicle as defined in this chapter within a County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except upon areas designated for such use. No person shall park a motor vehicle, except an

authorized emergency vehicle or when in compliance with the directions of a Peace Officer or Park Ranger in any of the following places: In areas where prohibited by "NO PARKING" signs. On any fire trail, road or access. On any equestrian or hiking trail. Blocking or obstructing any gate, entrance or exit. On any lawn or grassy area. In any picnic area. On any beach. In such a manner as to take up more than one "Marked" space in any authorized parking area. In any area where such vehicle blocks or obstructs the free flow of traffic. Within 15 feet of a fire hydrant. Adjacent to any curb painted red. In any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, after closing time except pursuant to a valid permit.

(Prior code § 3388.1; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.110 - Motor vehicle speed limits.

No person shall drive a motor vehicle within any County Park or Recreation area, or the San Francisco Fish and Game Refuge, at a speed greater than is reasonable or prudent, having due regard for traffic and the surface and width of the road, and in no event at a speed which endangers the safety of person, property, or wildlife, provided, however, that in no event shall a motor vehicle be driven at a speed greater than the posted speed limit for that area as designated by the Parks and Recreation Commission.

(Prior code § 3388.2; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.120 - Operation of bicycles; violation.

- (a) No person shall operate a bicycle in any County Park or Recreation Area, including but not limited to Sawyer Camp Trail or San Francisco Fish and Game Refuge, other than on a path designated and signed for that purpose or on a paved vehicular road meant for motor vehicles. All bicyclists shall ride in single file, except to pass. No bicyclist shall exceed a safe speed.
- (b) No bicyclist on Sawyer Camp Trail shall exceed a speed of 5 miles per hour within one-eighth-mile from each end of Sawyer Camp Trail. No bicyclist on Sawyer Camp Trail shall exceed a speed of 15 miles per hour on the rest of Sawyer Camp Trail.
- (c) A violation of the provisions of this section shall be an infraction. Any person to whom a citation is issued for a violation of this section shall be subject to a fine of Fifty Dollars (\$50) for a first violation within a period of one year, One Hundred Dollars (\$100) for a second violation within a period of one year, and Three Hundred Dollars (\$300) for each additional violation within a period of one year.

(Prior code § 3388.3; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90; Ord. 3272, 10/23/90; Ord. 3351, 12/10/91; Ord. 3471, 02/02/93)

3.68.130 - Noise.

- (a) Declaration of Noise Policy. It is hereby declared to be the policy of the Parks and Recreation Commission, and the San Francisco Water Department, to prohibit unnecessary, excessive, and annoying noises in all County Parks, and the San

Francisco Fish and Game Refuge. At certain levels, noises are detrimental to the health and welfare of persons using County Parks or Recreation areas, and it is in the public interest to proscribe such noises.

- (b) Sound Amplifying Equipment. It shall be unlawful for any person to operate any sound amplifying equipment as defined in section 3.68.030 in any County Park or Recreation area, or the San Francisco Fish and Game Refuge. This section shall not apply to a person operating sound amplifying equipment under a permit granted by the Parks and Recreation Department, or the San Francisco Water Department, as provided in section 3.68.140.
- (c) Peace and Quiet. It shall be unlawful for any person within any County Park or the San Francisco Fish and Game Refuge to use or operate any radio receiving set, musical instrument, machine or device for producing or reproducing sound or any device which produces noise in such a manner as to disturb the reasonable peace, quiet and comfort of persons using any County Park or Recreation area or the San Francisco Fish and Game Refuge.
- (d) Noise, Absolute Prohibition. No person shall use or operate any of the devices mentioned in subsection (c) within the campgrounds of any County Park or Recreation area and the San Francisco Water Department area(s) between the hours of 10:00 P.M. and 8:00 A.M.

(Prior code § 3389; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 1287, 05/06/58; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.140 - Unlawful assembly.

It shall be unlawful for any person or group to conduct a group meeting, rally, or similar gathering in any County Park or Recreation area without first obtaining a permit from the Parks and Recreation Department for the use of the area or facility involved. The division shall grant such permit unless it finds that the time and/or place and/or size of the meeting, rally, or similar gathering may unreasonably interfere with the normal use or operation of the area or facility requested. Said permit shall be obtained at least ten days prior to such activity.

(Prior code § 3390; Ord. 976, 01/15/52; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.150 - Dangerous activities.

Except in areas specifically designated and set aside from time to time by the Parks and Recreation Commission, or the San Francisco Water Department for such activities, no person shall engage in any of the following activities within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, and in no case shall any person engage in any activity or operate any device recklessly or negligently so as to endanger the life, limb or property of any person:

1. Use or possess fireworks of any kind.
2. Drive, chip, or in any other manner play or practice golf, or hit golf balls.

3. Operate self-propelled model airplanes, boats, automobiles, or other model craft of any kind or description.
4. Throw, release, or discharge missiles, rockets, or similar projectiles.
5. Hang-glide or parachute.
6. Operate any gas or hot air balloon (other than a toy balloon).

(Prior code § 3391; Ord. 415, 06/25/34; Ord. 2307, 05/06/75; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.160 - Hiking and riding trails.

The following regulations shall apply to any and all persons using hiking and riding trails in the County of San Mateo.

- (a) No loaded firearm shall be carried on any hiking and riding trail, except by Peace Officers, nor shall any person discharge across, in or into any portion of a hiking and riding trail any firearm or other device capable of injuring or killing any person, animal or damaging or destroying any public or private property.
- (b) No person shall disturb, destroy, remove, deface or injure any property on a hiking and riding trail. No person shall cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument or other property along or on such trail any bill, advertisement or inscription.
- (c) No person shall use threatening, abusive, boisterous, insulting or indecent language or make indecent gestures on a hiking or riding trail; nor shall any person conduct or participate in a disorderly assemblage thereon.
- (d) No person shall operate a vehicle on a hiking and riding trail other than a vehicle used for emergency or maintenance purposes or such other vehicle as may be especially designated by the Director of Parks and Recreation Department, unless the trail traverses a common right-of-way.
- (e) No person shall molest livestock encountered on or adjacent to a hiking and riding trail.
- (f) No person shall ride any saddle animal on a hiking and riding trail in a manner that might endanger life or limb of any person or animal, and no person shall allow his/her saddle or pack animal to stand unattended or insecurely tied.
- (g) All persons using a hiking and riding trail shall respect the rights of property owners along the trail and shall not trespass on their property or invade their privacy in any way.
- (h) Every person using a hiking and riding trail shall promptly report any uncontrolled fire in sight of the trail to the nearest Peace Officer, Park Ranger or fire station.
- (i) All persons opening a closed gate on or near a hiking and riding trail shall securely close same after passing through it.

- (j) No campfire shall be built on or adjacent to a hiking and riding trail except in areas specifically provided and marked for that purpose.
- (k) Smoking on hiking and riding trails is prohibited.

(Prior code § 3392; Ord. 2394, 09/21/76; Ord. 3252, 07/31/90)

3.68.170 - Beaches and swimming areas.

- (a) No motor or wind-powered vessel shall be permitted in any designated swimming area in any San Mateo County Park or Recreation area.
- (b) No vessel with motor or capable of carrying a motor may be launched in any San Mateo County Park or Recreation area except in designated launching areas.

(Prior code § 3393; Ord. 3252, 07/31/90)

3.68.180 - Dogs.

- (a) No dogs shall be permitted in any San Mateo County Park or Recreation Area, unless such area is specifically designated and signed to allow dogs. This subsection shall not apply to (i) service dogs under physical control, specifically trained to assist persons with disabilities in accordance with the American's with Disabilities Act or (ii) a "police dog" under the control of a peace officer.
- (b) In any San Mateo County Park or Recreation Area where dogs are allowed, no person shall have more than three dogs.
- (c) No person shall cause or allow any dog under his or her ownership, possession, or control to enter or remain in any San Mateo County Park or Recreation Area unless the dog is licensed as required by the County of San Mateo, is wearing around its neck a collar and valid license tag, and the owner or possessor of the dog complies with all other conditions of this section 3.68.180.
- (d) In any San Mateo County Park or Recreation Area where dogs are allowed, no person shall cause or allow any dog under his or her ownership, possession, or control to enter or remain in such area unless such person restrains such dog, at all times, with a leash not to exceed six (6) feet in length (sixteen (16) feet when unretracted) and insures that the leash and control by the person are sufficient to prevent endangering other persons or animals. Where dogs are permitted only on designated trails, any dog shall be restricted to the designated trails at all times and shall not be allowed to enter the natural habitat abutting the designated trails.
- (e) Any person bringing a dog into any San Mateo County Park or Recreation Area shall immediately remove any feces deposited by such dog. Dog feces must be placed in garbage cans or removed from the San Mateo County Park or Recreation Area. No person shall bring a dog into any San Mateo County Park or Recreation Area without carrying at all times a suitable container or other suitable instrument for the removal and disposal of dog feces.
- (f) A violation of the provisions of this section shall be an infraction. Any person to whom a citation is issued for a violation of this section shall be subject to a fine of:

1. One Hundred Dollars (\$100) for a first violation;
2. Two Hundred Dollars (\$200) for a second violation within a period of one year from the first violation; and
3. Five Hundred Dollars (\$500) for each additional violation within a period of one year from the first violation.

(Prior code § 3387.5; Ord. 3370, 02/11/92; to be in effect for one year)

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Chapter 3.68 - COUNTY PARK AND RECREATION AREA RULES

Sections:

3.68.010 - Violations, a misdemeanor.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be guilty of a misdemeanor, unless otherwise specified.

(Prior code § 3385; Ord. 415, 06/25/34; Ord. 2394, 09/21/76)

3.68.020 - Exceptions.

The provisions of this ordinance shall not apply to employees of the San Mateo County Parks and Recreation Department, or the San Francisco Water Department, or other public officials acting within the scope of their authorized duties ~~and concession activities.~~ However, Department employees, public officials and concessionaires and their employees shall abide by the laws of the State of California and all applicable County and/or municipal ordinances.

(Prior code § 3385.1; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82)

3.68.030 - Definitions.

- (a) "Commission" shall mean the San Mateo County Parks and Recreation Commission.
- (b) "County Park" shall mean any park, recreation area, reserve or preserve, historical site or any other facility operated, owned, or managed by the San Mateo County Parks and Recreation Department.
- (c) "Department" shall mean the San Mateo County Parks and Recreation Department.
- (d) "Director" shall mean the Director of the San Mateo County Parks and Recreation Department.
- (e) "General Manager and Chief Engineer" shall mean the General Manager and Chief Engineer of the San Francisco Water Department of the City and County of San Francisco.
- (f) "San Francisco Fish and Game Refuge" means that area defined in the State of California Fish and Game Code, division 7 REFUGES, chapter 2, article 1, section 4077210771 and under the jurisdiction of the San Francisco Water Department.
- (g) "Hiking and Riding Trail" shall mean all trails which have been dedicated to the County or other public agency for hiking or horseback riding purposes, or both, or any trail which is open to the general public for such purpose.
- (h) "Motor Vehicle" shall mean any automobile, truck, bus, van, motorcycle, off-road vehicle, four-wheel drive vehicle, dirt bike, motor-driven vehicle, or any vehicle which is self-propelled.
- (i) "Person" as used in this chapter shall be construed to mean and shall include natural persons, firms, co-partnerships, corporations, clubs and all associations or

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combinations of persons whatever, whether acting by themselves or by a servant, agent or employee.

- (j) "Recreation Area" as used in this chapter shall be construed to mean and shall include all land, facilities and other property for public recreation owned and/or operated by the County of San Mateo, or the San Francisco Water Department, including parks, playgrounds, camping areas, swimming pools, golf courses, picnic grounds, athletic fields, beaches, parkways, public squares, hiking and bicycling paths, horse trails, roadside viewing areas, rest stops, historical monuments, and all grounds surrounding public buildings, all planting and areas for planting along roads, streets and highways, and all other recreation areas, including all buildings, structures, improvements, monuments, apparatus and equipment existing in or that may be erected in any of such areas.
- (k) "Sound Amplifying Equipment" shall mean any machine or device for the amplification of the human voice, music, or any other sound, but shall not include standard automobile radios or automobile tape decks when used and heard only by the occupants of the vehicle in which the automobile radio or tape deck is installed, nor radio receiving sets, non-electrical musical instruments, or television sets. "Sound Amplifying Equipment" as used in this chapter, shall not include warning devices or sound amplification equipment on Parks and Recreation Department, or San Francisco Water Department vehicles, or other authorized emergency vehicles, or horns, or other warning devices on any vehicle used only for traffic safety purposes.
- (l) "Vessel" shall be used to describe any water craft, board or similar equipment capable of being used as transportation in or on water.
- (m) "Beach" shall mean the shore of any body of water within any County Park and Recreation Area or the San Francisco Fish and Game Refuge.

(Prior code § 3385.2; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.040 - Permits and fees—Violation as infraction.

- (a) No person shall enter, occupy or use a County park or ~~recreation area~~Recreation Area, or any area or facility therein, for which a user fee, deposit or permit is required without first obtaining any applicable permit and paying any applicable fees or deposits in the manner provided by this chapter. Any person obtaining a permit to enter or use a County park or ~~recreation area~~Recreation Area shall display such permit in the manner provided by such permit.
- (b) No person shall enter a self-registration fee payment area without first (1) depositing the applicable fees; and (2) completing and prominently displaying the permit, so that the permit number is clearly legible from the outside of the vehicle entering the park or recreation area, according to all applicable guidelines either posted at the fee collection vault or printed on the permit.
- (c) A violation of this section shall be an infraction punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of this section within one year; and (3) a fine not

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exceeding five hundred dollars (\$500) for each additional violation of this section within one year.

(Prior code § 3385.3; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 3651, 5/16/95)

3.68.050 - Method of payment of fees.

- (a) Except as otherwise provided by this code, all fees and deposits established by the Parks and Recreation Commission for entry or use of County park and recreation areas or for designated privileges, services or materials, shall be paid to the Director or his or her designee in the manner determined by the Director. All fees collected shall be deposited in the Treasury of the County of San Mateo and shall be credited to the appropriate fund.
- (b) The Director may, subject to approval by the Parks and Recreation Commission, designate any recreation area or county park a "self-registration fee payment area." Payment of applicable fees for entry or use of a self-registration fee payment area shall be by deposit into a fee collection vault located at the entrance to such park or recreation area. The Director may establish, subject to approval by the Parks and Recreation Commission, policies and procedures for collection of such fees including the hours and dates of collection. Pursuant to guidelines approved by the Parks and Recreation Commission, the Director may waive payment and suspend collection of applicable fees at any self-registration fee payment area.
- (c) All fee deposit envelopes, permits and receipts shall remain the property of the County of San Mateo and shall be subject to inspection by, and surrendered upon demand to, the Director, or any County Park Ranger or law enforcement officer. Fees deposited in any fee collection vault, including any overpayment, are non-refundable. If the fee deposited is insufficient to pay in full the applicable fee, the remaining balance shall be due and payable to the Director or County Park Ranger upon demand.

(Prior code § 3385.4; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 3651, 5/16/95)

3.68.060 - Camping regulations.

- (a) Permits. A permit must be obtained from the County Parks and Recreation Commission or its authorized staff before camping in any recreation area or in any County Park, and camping is not permitted outside the campsite or sites designated on said permit.
- (b) Camping by Minors. Persons under the age of 18 are not permitted to camp overnight in any recreation area or in any County Park unless accompanied by an adult.

(Prior code § 3386; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 2307, 05/06/75; Ord. 2394, 09/21/76)

3.68.070 - Fires.

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- (a) No person shall light, build, use or maintain a fire within any Recreation area or any County Park, or on the San Francisco Fish and Game Refuge, except in places specifically provided therefor, and said places shall not be used until user has removed all dead wood, moss, dry leaves or other combustible material which may have gathered around said place so that there is no possible danger of any fire spreading.
- (b) No person responsible for an authorized fire in any Recreation area or in any County Park, or on the San Francisco Fish and Game Refuge, shall leave said fire unattended. When the user has finished with the fire, it shall be completely extinguished.

(Prior code § 3386.1; Ord. 1639, 02/25/64; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82)

3.68.080 - General protective regulations.

- (a) Vegetative. No person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn, carry away, collect or gather any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, ferns, mushrooms and dead wood in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or on any hiking and riding trail; nor shall any person willfully or negligently allow any dog to do so. Nothing in this section shall prevent the taking of any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, ferns, mushrooms and dead wood in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, any hiking and riding trail by public officials pursuant to their official duties or by scientific permit from the San Mateo County Parks and Recreation Department, or San Francisco Water Department, for the areas under their respective jurisdictions.
- (b) Vandalism (Property). No person shall disturb, destroy, remove, deface or injure any property of the County of San Mateo or the City and County of San Francisco which is located in any Recreation area or in any County Park or hiking and riding trail, or on the San Francisco Fish and Game Refuge. No person shall cut, carve, paint, mark, paste, or fasten on any tree, fence, wall, building, monument or other property in any County Park or Recreation area, or hiking and riding trail, or other property in any County Park or Recreation area, or hiking and riding trail, or on the San Francisco Fish and Game Refuge, any advertisement, sign or inscription.
- (c) Littering. No person shall place or throw bottles, broken glass, crockery, ashes, waste paper, cans, dog waste (bagged or unbagged), or any decaying or putrid matter or other rubbish in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except in a receptacle designated for that purpose, and no person shall import or deposit any rubbish into or in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail. No person shall transport or dump any rock, rubble, dirt, sand, fill or other similar material into or in any County Park or Recreation area without the permission of the Director, or the General Manager and Chief Engineer, or their representatives for the areas under their respective jurisdiction.

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- (d) Reserves and Preserves. All geological and archeological features, plants and animals (dead or alive) are protected and taking is prohibited except the taking of such plants and animals as are permitted by regulations specific to the area.
- (e) Watershed Protection. No person shall allow any dog to contaminate in any way whatsoever any watershed or water supply in any Recreation area or in any County Park, or in the Watershed, or water supplies of any water purveyor holding a water purveyor's permit issued by the California Department of Health Services pursuant to Public Health Code, chapter 7, section 4011.
- (f) Water Quality Protection. No person shall wash clothing or cooking utensils, bathe in, or in any other manner pollute the waters of any Recreation ~~area~~Area or any County Park, nor shall any person leave bagged or unbagged feces or in any other manner pollute the waters of any Recreation Area or any County Park, or in the Watershed, or water supplies of any water purveyor holding a water purveyor's permit issued by the California Department of Health Services pursuant to Public Health Code, chapter 7, section 4011.
- (g) Geological Features Protection. No person shall destroy, disturb, mutilate or remove earth, sand, gravel, oil, minerals, rocks, or features of caves, or lay, or set off any explosive material or cause to be done or assist in doing any of said things in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail without the specific permission of the Director or the General Manager and Chief Engineer, or their representative, for the areas under their respective jurisdictions.
- (h) Protection of Historical Features. No person shall remove, injure, disfigure, deface or destroy any object of paleontological, archaeological, or historical interest or value in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail nor shall any person engage in any excavation for said objects without first receiving written permission from the Director, or the General Manager and Chief Engineer, or their representatives, for the areas under their respective jurisdictions.
- (i) Domestic Animals. ~~No~~Except as expressly permitted pursuant to section 3.68.180, no dogs, cats, fowl or other domesticated animals shall be permitted to enter or go at large in any County Park or Recreation area, either with or without a keeper. ~~Nothing in this section shall prohibit a guide dog under the control of a person with a vision or hearing impairment or "police dog" under the control of a peace officer from entering a County Park or Recreation area.~~ No person shall release any captured wild animal within any County Park or Recreation area except authorized public officials pursuant to their duties.
- (j) Abandoned Animals. No person shall abandon a dog, cat, fowl or other animal within any County Park or Recreation area, or in the San Francisco Fish and Game Refuge.
- (k) Feeding Domesticated Animals. No person shall feed any abandoned domesticated animal in any County Park or Recreation area, or in the San Francisco Fish and Game Refuge.

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- (l) Grazing. The running at large, herding or grazing of livestock of any kind in any County Park or Recreation area, or driving of livestock over same, is prohibited unless a lease of the land has been granted for that purpose. Livestock found in any County Park or Recreation area may be impounded and held until claimed by the owner and payment made for any damages caused and for any expenses incurred by the County in impounding and holding such livestock.
- (m) Horses Off Trails or Out of Designated Areas. No person shall ride, drive, lead, or keep a saddle horse, pony, mule or other such animal in any County Park or Recreation area except on such roads, trails or areas so designated and posted by the Department.
- (n) Wildlife. All County Parks and Recreation Areas and the San Francisco Fish and Game Refuge are sanctuaries for wildlife. No person shall feed, approach, disturb, frighten, hunt, trap, capture, wound, kill, chase, pursue, or disturb the natural habitat of, any wild bird, mammal, reptile, fish, amphibian or invertebrate within a County Park or Recreation Area or within any San Francisco Fish and Game Refuge area located within the County. nor shall any person allow any dog to do so. This prohibition shall not apply to the following:
 - (1) Action taken by public officials or their employees or agents, within the scope of their authorized duties, to protect the public health and safety.
 - (2) The taking of fish as permitted by State Fish and Game Regulations.
 - (3) The capturing and/or taking of park wildlife for scientific research purposes when done with written permission from the Director of the San Mateo County Division of Parks and Recreation or, in the San Francisco Fish and Game Refuge, from the San Francisco Water Department.
- (o) Firearms and Dangerous Weapons. Except as provided in subsection (p) and subsection (q), no person shall have in his possession within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, and no person shall fire or discharge, or cause to be fired or discharged, across, in, or into any portion of any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, any gun or firearm, spear, bow and arrow, cross bow, slingshot, air or gas weapon or any other dangerous weapon.
- (p) Shooting Ranges. The discharge or firing of firearms is permitted in areas designated by the Parks and Recreation Commission, or San Francisco Water Department, specifically for the purposes of rifle and/or pistol and/or shotgun shooting, and the transportation of such firearms through the County Park or Recreation area, or on the San Francisco Fish and Game Refuge, in which said area(s) is/are located is permitted providing said firearms are unloaded. "Unloaded" shall mean that there is no ammunition in either the chamber or magazine of the gun.
- (q) Archery Ranges. The use of a bow and arrow, but not a crossbow, is permitted in areas designated by the Parks and Recreation Commission specifically for the purpose of archery, but all bows must be unstrung during transportation to and from such designated areas.

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- (r) **Loitering After Closing Time.** It shall be unlawful for any person to remain in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or in any facility within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, after the posted closing time, unless said person has lawful business therein.
- (s) **Gambling.** Gambling in any form, or the operation of gambling devices for merchandise or otherwise in any County Park or Recreation area is prohibited.
- (t) **Alcoholic Beverages.** No person shall possess or consume alcoholic beverages, other than beer or wine, in any form within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge. Alcoholic beverages as described herein are permitted at Coyote Point County Park only in designated areas and during designated times. No person shall possess or consume any alcoholic beverages in any form at the Coyote Point Rifle and Pistol Range, or within twenty-five feet (25') of the San Francisco Watershed vehicle parking lots or areas. This section shall not prohibit the dispensing of all types of alcoholic beverages by a licensee under the laws of the State of California, under a food and bar concession from the County or the consumption of such beverages on the premises of such concessionaire, or the consumption of alcoholic beverages by persons holding a written occupancy permit issued by the Parks Director, or his or her representative, for areas under his or her jurisdiction.
- (u) **Private Operations.** It shall be unlawful for any person to engage in the business of soliciting, selling or peddling of any liquids or edibles for human consumption or to distribute circulars or to hawk, peddle or vend any goods, wares or merchandise of any kind, except upon specific concession or permit secured from the Commission, or the General Manager and Chief Engineer, or his representative, for areas under his jurisdiction.
- (v) **Authorized Operations.** All persons, firms, or corporations holding concessions shall keep the grounds used by them properly policed and shall maintain the premises in a sanitary condition to the satisfaction of the Director or General Manager and Chief Engineer for areas under their respective jurisdictions. No operator of any concession shall retain in his employment any person whose presence is deemed by the District or General Manager and Chief Engineer for their respective jurisdictions not to be conducive to good order and management.
- (w) **Commercial Filming.** No person shall operate a still, motion picture, video or other camera for commercial purposes in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except pursuant to a written permit from the Director or the General Manager and Chief Engineer, or their representative, for the areas under their respective jurisdictions authorizing such activity. This section shall not apply to the commercial operation of cameras as part of the bonafide reporting of news.
- (x) **Closed Areas.** No person shall enter any road, trail or area that is posted as closed or restricted without permission from the County Parks and Recreation Director.

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(Prior code § 3387; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 1287, 05/06/58; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90; Ord. 3796, 11/4/97; Ord. 3863, 12/1/98)

3.68.090 - Motor vehicles.

No person shall operate any motor vehicle except upon established paved roads or other established paved areas specifically designated and maintained for normal ingress, egress, and parking. This section shall not apply to any emergency or County vehicle, physically handicapped persons operating wheelchairs or similar devices, or to any person acting in compliance with the directions of a Park Ranger or Peace Officer.

(Prior code § 3388; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 2394, 09/21/76)

3.68.100 - Parking.

No person shall park any motor vehicle as defined in this chapter within a County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except upon areas designated for such use. No person shall park a motor vehicle, except an authorized emergency vehicle or when in compliance with the directions of a Peace Officer or Park Ranger in any of the following places: In areas where prohibited by "NO PARKING" signs. On any fire trail, road or access. On any equestrian or hiking trail. Blocking or obstructing any gate, entrance or exit. On any lawn or grassy area. In any picnic area. On any beach. In such a manner as to take up more than one "Marked" space in any authorized parking area. In any area where such vehicle blocks or obstructs the free flow of traffic. Within 15 feet of a fire hydrant. Adjacent to any curb painted red. In any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, after closing time except pursuant to a valid permit.

(Prior code § 3388.1; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.110 - Motor vehicle speed limits.

No person shall drive a motor vehicle within any County Park or Recreation area, or the San Francisco Fish and Game Refuge, at a speed greater than is reasonable or prudent, having due regard for traffic and the surface and width of the road, and in no event at a speed which endangers the safety of person, property, or wildlife, provided, however, that in no event shall a motor vehicle be driven at a speed greater than the posted speed limit for that area as designated by the Parks and Recreation Commission.

(Prior code § 3388.2; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.120 - Operation of bicycles; violation.

(a) No person shall operate a bicycle in any County Park or Recreation Area, including but not limited to Sawyer Camp Trail or San Francisco Fish and Game Refuge, other than on a path designated and signed for that purpose or on a paved vehicular road

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meant for motor vehicles. All bicyclists shall ride in single file, except to pass. No bicyclist shall exceed a safe speed.

- (b) No bicyclist on Sawyer Camp Trail shall exceed a speed of 5 miles per hour within one-eighth-mile from each end of Sawyer Camp Trail. No bicyclist on Sawyer Camp Trail shall exceed a speed of 15 miles per hour on the rest of Sawyer Camp Trail.
- (c) A violation of the provisions of this section shall be an infraction. Any person to whom a citation is issued for a violation of this section shall be subject to a fine of Fifty Dollars (\$50) for a first violation within a period of one year, One Hundred Dollars (\$100) for a second violation within a period of one year, and Three Hundred Dollars (\$300) for each additional violation within a period of one year.

(Prior code § 3388.3; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90; Ord. 3272, 10/23/90; Ord. 3351, 12/10/91; Ord. 3471, 02/02/93)

3.68.130 - Noise.

- (a) Declaration of Noise Policy. It is hereby declared to be the policy of the Parks and Recreation Commission, and the San Francisco Water Department, to prohibit unnecessary, excessive, and annoying noises in all County Parks, and the San Francisco Fish and Game Refuge. At certain levels, noises are detrimental to the health and welfare of persons using County Parks or Recreation areas, and it is in the public interest to proscribe such noises.
- (b) Sound Amplifying Equipment. It shall be unlawful for any person to operate any sound amplifying equipment as defined in section 3.68.030 in any County Park or Recreation area, or the San Francisco Fish and Game Refuge. This section shall not apply to a person operating sound amplifying equipment under a permit granted by the Parks and Recreation Department, or the San Francisco Water Department, as provided in section 3.68.140.
- (c) Peace and Quiet. It shall be unlawful for any person within any County Park or the San Francisco Fish and Game Refuge to use or operate any radio receiving set, musical instrument, machine or device for producing or reproducing sound or any device which produces noise in such a manner as to disturb the reasonable peace, quiet and comfort of persons using any County Park or Recreation area or the San Francisco Fish and Game Refuge.
- (d) Noise, Absolute Prohibition. No person shall use or operate any of the devices mentioned in subsection (c) within the campgrounds of any County Park or Recreation area and the San Francisco Water Department area(s) between the hours of 10:00 P.M. and 8:00 A.M.

(Prior code § 3389; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 1287, 05/06/58; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.140 - Unlawful assembly.

It shall be unlawful for any person or group to conduct a group meeting, rally, or similar gathering in any County Park or Recreation area without first obtaining a permit from the

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Parks and Recreation Department for the use of the area or facility involved. The division shall grant such permit unless it finds that the time and/or place and/or size of the meeting, rally, or similar gathering may unreasonably interfere with the normal use or operation of the area or facility requested. Said permit shall be obtained at least ten days prior to such activity.

(Prior code § 3390; Ord. 976, 01/15/52; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.150 - Dangerous activities.

Except in areas specifically designated and set aside from time to time by the Parks and Recreation Commission, or the San Francisco Water Department for such activities, no person shall engage in any of the following activities within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, and in no case shall any person engage in any activity or operate any device recklessly or negligently so as to endanger the life, limb or property of any person:

1. Use or possess fireworks of any kind.
2. Drive, chip, or in any other manner play or practice golf, or hit golf balls.
3. Operate self-propelled model airplanes, boats, automobiles, or other model craft of any kind or description.
4. Throw, release, or discharge missiles, rockets, or similar projectiles.
5. Hang-glide or parachute.
6. Operate any gas or hot air balloon (other than a toy balloon).

(Prior code § 3391; Ord. 415, 06/25/34; Ord. 2307, 05/06/75; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

3.68.160 - Hiking and riding trails.

The following regulations shall apply to any and all persons using hiking and riding trails in the County of San Mateo.

- (a) No loaded firearm shall be carried on any hiking and riding trail, except by Peace Officers, nor shall any person discharge across, in or into any portion of a hiking and riding trail any firearm or other device capable of injuring or killing any person, animal or damaging or destroying any public or private property.
- (b) No person shall disturb, destroy, remove, deface or injure any property on a hiking and riding trail. No person shall cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument or other property along or on such trail any bill, advertisement or inscription.
- (c) No person shall use threatening, abusive, boisterous, insulting or indecent language or make indecent gestures on a hiking or riding trail; nor shall any person conduct or participate in a disorderly assemblage thereon.

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- (d) No person shall operate a vehicle on a hiking and riding trail other than a vehicle used for emergency or maintenance purposes or such other vehicle as may be especially designated by the Director of Parks and Recreation Department, unless the trail traverses a common right-of-way.
- (e) No person shall molest livestock encountered on or adjacent to a hiking and riding trail.
- (f) No person shall ride any saddle animal on a hiking and riding trail in a manner that might endanger life or limb of any person or animal, and no person shall allow his/her saddle or pack animal to stand unattended or insecurely tied.
- (g) All persons using a hiking and riding trail shall respect the rights of property owners along the trail and shall not trespass on their property or invade their privacy in any way.
- (h) Every person using a hiking and riding trail shall promptly report any uncontrolled fire in sight of the trail to the nearest Peace Officer, Park Ranger or fire station.
- (i) All persons opening a closed gate on or near a hiking and riding trail shall securely close same after passing through it.
- (j) No campfire shall be built on or adjacent to a hiking and riding trail except in areas specifically provided and marked for that purpose.
- (k) Smoking on hiking and riding trails is prohibited.

(Prior code § 3392; Ord. 2394, 09/21/76; Ord. 3252, 07/31/90)

3.68.170 - Beaches and swimming areas.

- (a) No motor or wind-powered vessel shall be permitted in any designated swimming area in any San Mateo County Park or Recreation area.
- (b) No vessel with motor or capable of carrying a motor may be launched in any San Mateo County Park or Recreation area except in designated launching areas.

(Prior code § 3393; Ord. 3252, 07/31/90)

3.68.180 - ~~Dogs on Sheep Camp Trail.~~

- (a) ~~Dogs shall be permitted on the portion of Sheep Camp Trail located between Canada Road and Highway 280 subject to the conditions and requirements of this section. No dogs shall be permitted in any San Mateo County Park or Recreation Area, unless such area is specifically designated and signed to allow dogs. This subsection shall not apply to (i) service dogs under physical control, specifically trained to assist persons with disabilities in accordance with the American's with Disabilities Act or (ii) a "police dog" under the control of a peace officer.~~
- (b) In any San Mateo County Park or Recreation Area where dogs are allowed, no person shall have more than three dogs.

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Item 4.2.1

- ~~(cd)~~ No person shall cause or allow any dog under his or her ownership, possession, or control to enter or remain ~~on Sheep Camp Trail in any San Mateo County Park or Recreation Area~~ unless the dog is licensed as ~~provided in section 6.04.040(a), required by the County of San Mateo,~~ is wearing around its neck a collar and valid license tag, and the owner or possessor of the dog complies with all other conditions of this section 3.68.180.
- ~~(de)~~ ~~Noe~~ In any San Mateo County Park or Recreation Area where dogs are allowed, ~~no~~ person shall cause or allow any dog under his or her ownership, possession, or control to enter or remain ~~on Sheep Camp Trail in such area~~ unless such person restrains such dog, ~~at all times,~~ with a leash not to exceed six (6) feet in length ~~(sixteen (16) feet when unretracted)~~ and insures that the leash and control by the person are sufficient to prevent endangering other persons or animals. ~~Where dogs are permitted only on designated trails, any dog shall be restricted to the designated trails at all times and shall not be allowed to enter the natural habitat abutting the designated trails.~~
- ~~(d)~~ ~~No person shall cause or allow any dog under his or her ownership, possession or control to enter or remain on or to defecate upon any part of Sheep Camp Trail including the path, parking area or any property abutting on Sheep Camp Trail (including but not limited to the San Francisco Watershed, Canada Road and any state right-of-way) used by the general public unless the owner or person with control or custody of the dog immediately removes the feces and properly disposes of it in a sanitary manner.~~
- ~~(e)~~~~(e)~~ ~~No person shall walk a dog on Sheep Camp Trail or allow or cause a dog under his or her ownership, possession or control to enter Sheep Camp Trail~~~~(f)~~ Any person bringing a dog into any San Mateo County Park or Recreation Area shall immediately remove any feces deposited by such dog. Dog feces must be placed in garbage cans or removed from the San Mateo County Park or Recreation Area. No person shall bring a dog into any San Mateo County Park or Recreation Area without carrying at all times a suitable container or other suitable instrument for the removal and disposal of ~~caninedog~~ feces.
- ~~(f)~~ A violation of the provisions of this section shall be an infraction. Any person to whom a citation is issued for a violation of this section shall be subject to a fine of:
- ~~1. One Hundred Dollars (\$100) for a first violation;~~
 - ~~2. Two Hundred Dollars (\$200) for a second violation within a period of one year from the first violation; and~~
 - ~~3. Five Hundred Dollars (\$500) for each additional violation within a period of one year from the first violation.~~

(Prior code § 3387.5; Ord. 3370, 02/11/92; to be in effect for one year)

COUNTY OF SAN MATEO
PARKS DEPARTMENT

DATE: December 6, 2018

TO: Honorable Parks Commissioners
FROM: Peggy Jensen, Interim Parks Director
SUBJECT: Dog Management Committee - Vacant Seat

RECOMMENDATION

Appoint a Commission member to the vacant Commission seat on the Dog Management Committee.

BACKGROUND

In 2016, the Parks Commission established the Dog Management Committee to develop new dog management policies for the Department. The Committee had ten members including two Parks Commissioners, a Park Ranger, representatives from the three community advisory councils and representatives from the cyclist, equestrian, environmental and dog-owner communities. Mike Cooney and Neil Merrilees were the two Parks Commission representatives. When Mr. Cooney's term on the Parks Commission ended in 2016, he stepped down from the Committee. The second Commission position has not been filled since Mr. Cooney's departure.

DISCUSSION

The Dog Management Committee developed an overarching policy for managing dog access to County parks, a set of 10 secondary policies, and recommended a two-step process to implement their recommendations. The first implementation step was to amend the existing County ordinances to be consistent with current Parks practices. This was the first step because in some parks, dogs were allowed prior to the County taking responsibility for the property and Parks continued to allow leashed dogs in those parks even though the existing county ordinance did not allow for such use. On November 6, 2018, the Board of Supervisors amended the County's dog ordinance to allow for up to three leashed dogs per owner to walk on trails in specific parks where they had historically been allowed. The amendment also changed violation of the ordinance from a misdemeanor to an infraction with progressive fines of \$100, \$200 and \$500 for multiple violations in twelve consecutive months.

The second implementation step recommended by the Committee was for the Department, working in collaboration with the Dog Management Committee, to develop

one or more dog management pilot program(s) to assess the impacts of the recommended secondary policies. When the Board of Supervisors amended the dog ordinance, they directed staff to report back on two items. The first report, due six months from the enactment of the amendments, will be on the impacts of allowing dogs in specific areas of the parks. The second report, requested within twelve months of the enactment of the amendments, is to develop a pilot program for an off-leash area. Parks has retained Pat Brown, who facilitated the first meetings of the Dog Management Committee, to continue to work with the Department to develop the pilot programs. The Committee held their first meeting on December 3, 2018. A Dog Management Implementation Work Group will be formed by committee members who wish to assist in the development of the pilot programs.

To ensure that the Parks Commission is appropriately represented on the Committee, the Department recommends that a Commissioner be appointed to fill the vacancy created by Mr. Cooney's departure.

FISCAL IMPACT

There is no fiscal impact associated with appointing a Parks Commissioner to the Dog Management Committee.