

TITLE II -- ADMINISTRATION

DIVISION 7

COUNTY FACILITIES

CHAPTER 1

COUNTY PARK SYSTEM

271-1. DEFINITIONS.

For the purposes of this chapter, the following terms, phrases, words and their derivatives shall have the meaning given herein:

(a) *County Park Beach Area.* "County park beach area" means those portions of County park lands located from the mean high tide level of the Pacific Ocean up to and including the adjacent upland, sand dunes or bluff. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) *Director.* "Director" shall mean the Director of Public Works of the County of Humboldt and duly authorized employees of the County acting on behalf of the Director of Public Works. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) *Domestic Animal.* "Domestic animal" includes domesticated dogs, cats, and horses. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(d) *Endangered Species.* A species is "endangered" when it is in danger of becoming extinct throughout all or a significant portion of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease or other factors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(e) *Exclosure.* "Exclosure" refers to a small, fenced area placed over or around sensitive species to protect them from disturbance. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(f) *Four-Wheel Drive Motor Vehicle.* "Four-wheel drive motor vehicle" means any street-licensed vehicle that can transmit driving force to both the front and rear axles. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(g) *Park.* "Park" is a park, historic preserve, nature preserve, trail, reservation, playground, recreation center or other area in the County owned or used by the County for recreation purposes under the direction of the Board of Supervisors of the County of Humboldt. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(h) *Park System.* "Park system" is the network of the parks and trails administered and/or maintained under the direction of the Board of Supervisors of the County of Humboldt. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(i) *Rare Species.* A species is "rare" when, although not presently threatened with extinction, it exists in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(j) *Sensitive Species.* A species is "sensitive" if it is considered

rare, threatened, or endangered, as defined in this section. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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(k) *Species*. "Species" means a species or subspecies or population of animal or plant or a variety of plant. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(l) *Take*. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, catch, capture, or collect, or to attempt to engage in such conduct. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(m) *Threatened Species*. A species is "threatened" if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range in the absence of special protection and management efforts. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(n) *Trail*. "Trail" means a designated trail in a County park or in the Humboldt County Trails Plan adopted and amended from time to time thereafter. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(o) *Vehicle*. "Vehicle," as defined in the California State Vehicle Code § 670, is "a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks." Vehicles shall not be construed to mean bicycles, wheelchairs, or vehicles in the service of the County of Humboldt or any public agency, or emergency vehicles such as ambulances. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(p) *Vehicle Play*. "Vehicle play" means driving for sport, including but not limited to driving in a zigzag pattern or driving in circles, or purposefully spinning the wheels of the vehicle. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(q) *Vessel*. "Vessel" is any boat, craft, or watercraft whether motor powered or not, provided, however, that vessels shall not be construed to mean vessels in the service of the County or any public agency. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(r) *Waveslope*. "Waveslope" means the area of the beach that shows evidence of having been washed by waves during the last tidal cycle. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-2. PERMIT PROVISIONS.

(a) Permits required by this chapter to be obtained from the Director shall be issued only in conformity with this chapter and standards adopted by resolution of the Board of Supervisors. Subject to the provisions of subsection (b), (c), (d), (e), and (f) of § 271-2, permits required by Chapter 3 of Division 6 of Title II of this Code (commencing with § 263-1) shall be issued in conformity with said Chapter 3. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Within seven (7) days after receipt of a written application for any permit provided for by this chapter, or by Chapter 3 of Division 6 of Title II, the Director shall issue the permit, refer the matter to the Board of Supervisors, or refuse the permit. The Director shall apprise the applicant of his action on the permit including his reasons for refusing any permit. Any person aggrieved by the determination of the Director shall have the right to appeal in writing to the Board of Supervisors within ten (10) days after the date

of mailing of the notice of refusal by the Director. The Board of Supervisors shall, subject to the rules and regulations regarding the time for placing matters on its agenda, consider the application at its next regular meeting. The Board of Supervisors shall either sustain or overrule the appeal within thirty-five (35) days. A permittee shall carry the permit on his person at all times

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while performing the permitted activity and shall display the permit to a park employee or peace officer on demand. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) A permittee, under this chapter or Chapter 3 of Division 6 of Title II, shall be bound by all park rules and regulations and all applicable Code sections fully as though the same were inserted in said permits unless specifically set forth otherwise in said permit. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(d) The person or persons to whom is issued a permit under this chapter or under Chapter 3 of Division 6 of Title II shall be solely liable for any loss, damage, or injuries sustained by any person whatever by reason of the negligence of any person or persons who are present upon any park area under provisions of a permit issued by authority of this chapter. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(e) Fees may be adopted for such permits by resolution of the Board of Supervisors as may be deemed proper. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(f) The Director shall have the authority to revoke a permit immediately upon his finding a violation of any rule or Code section or permit condition. The Director shall notify the permittee of the reasons for the revocation. A permittee whose permit has been revoked may appeal the revocation within the time and in the manner specified in § 271-2(b) of this chapter. (Ord. 1592, § 2, 5/3/82; Ord. 1651, § 6, 8/7/84; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-3. SENSITIVE SPECIES PROTECTION.

(a) The Board of Supervisors may take measures deemed necessary, after consultation with the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game, to protect sensitive species and/or sensitive communities, pursuant to the Endangered Species Act of 1973 (ESA) and the California Endangered Species Act of 1984 (CESA). These measures shall include the adoption of reasonable rules and regulations for the protection and preservation of sensitive species. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) No person in a park shall willfully remove, harm, disturb, harass, or in any other way "take" any sensitive species. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-4. PARK PROPERTY.

No person in a park shall:

(a) Enter any park area posted closed. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Willfully mark, deface, disfigure, injure, tamper with, displace or

remove any building, bridges, tables, benches, fireplaces, railing, paving material, water lines or other public utilities, or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, fences, gates, or other boundary marker, other structures or equipment, facilities or park property, or appurtenances whatsoever, either real or personal. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) Remove any beach sand, whether submerged or not, or soil, gravel, rocks exceeding four inches (4") in diameter, trees, shrubs or plants, or make any excavation by tool, equipment, blasting or other means or agency unless authorized by permit obtained from the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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(d) Damage, cut, carve, transplant or remove a tree or plant, or injure the bark or pick any flowers or seeds of any tree or plant; attach any rope, wire or other contrivance to any plant nor attach any wire, nail or other contrivance to any tree; dig in or otherwise disturb grass areas or in any other way injure or impair the natural beauty or usefulness of any area, unless authorized by permit obtained from the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(e) Appropriate, excavate, injure, destroy or remove any historic or prehistoric ruin or monument or any object or antiquity unless authorized by permit obtained from the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(f) Remove wood from any County park or collect firewood within any County park, except at ocean beach parks, where limited wood collection is allowed according to the provisions of § 271-4(g). (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(g) At ocean beach parks, wood collection is allowed as follows:

(1) Without obtaining a permit, the size of wood and the amount that may be collected are restricted to that which can be collected and carried manually in one armload. The use of tools, vehicles, or other equipment to collect wood requires a permit as specified below. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(2) A permit may be obtained from the Director allowing removal of limited sizes and quantities of wood from certain ocean beach areas during certain times of the year as follows:

(A) The season for wood collecting is limited to October 1 through February 28(29) of the following year. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(B) The driftwood collection area includes the waveslope and open sand areas seaward of the dunes. No wood may be collected in the dunes or in vegetated areas. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(C) Pieces of wood that are larger than 8 feet in length and/or 3 feet in diameter within any portion thereof must be left intact on the beach. Smaller pieces of wood may be cut on-site to make them easier for transport. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(D) Dragging wood is prohibited. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(E) The maximum amount of wood that may be collected is three cords per year. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(3) All wood collecting shall be conducted in accordance with other provisions of this chapter, with the exception that, for the sole purpose of loading wood, permit-holders may drive street-licensed four wheel drive vehicles perpendicular to the shoreline above the waveslope to wood on the beach (but not in the dunes, or on the vegetation), at times and locations authorized under the permit. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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271-5. HUNTING, FISHING AND USE OF FIREARMS AND OTHER WEAPONS.

No person in a park shall:

(a) Hunt, molest, harm, kill, chase, tease, shoot, or throw missiles at any mammal, amphibian, reptile or bird, including the nests, eggs, or burrows of any such animal; nor shall he remove or have in his possession the young of any wild animal or the eggs or nest or young of any reptile or bird. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Fish or clam except as allowed by State law; provided, however, that the Board of Supervisors has not ordered additional restrictions for certain areas and/or has not designated certain areas as "No Fishing" areas by resolution. Fishing is prohibited from any trail, bridge, or trestle. If fish are cleaned in County park beach areas, then all entrails shall be carried off-site, or buried a minimum of 12" deep, or wrapped and disposed of in a proper receptacle; but in no case shall the entrails be left lying open on the beach. Night fishing for night smelt may be permitted at Centerville, Clam Beach, Luffenholtz and Big Lagoon County Parks, if authorized by permit issued by the Director in accord with § 271-2 of the Code. (Repealed and reenacted by Ord. No. 2265, § 1, 03/05/2002; Ord. 2268, 04/09/2002)

(c) Use any firearm of any size or description, air rifle, pellet gun, spring gun, bow and arrow, sling, or any other weapon or instrument which when so used creates a significant risk of harm to wildlife or human safety, or any instrument that can be loaded with and fire blank cartridges; nor shall any person shoot any weapon into a park from beyond park boundaries. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

This sub-section shall not apply to a peace officer in the discharge of his duties and using reasonable care. Also, this sub-section shall not apply to persons authorized by special permit issued by the Director for the purpose of wildlife management. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(d) Use any kind of trapping device unless authorized by special permit issued by the Director for the purpose of scientific research and/or the protection of wildlife resources. (Repealed and reenacted by Ord. No. 2265, § 1, 03/05/2002)

271-6. POSSESSION OF WEAPONS IN MAD RIVER COUNTY PARK.

(a) Except as provided in sub-section (b), no person while in Mad River County Park shall have in his or her possession or under his or her custody or control any weapon described in § 271-5 (c). (Repealed and reenacted by Ord. No. 2265, § 1, 03/05/2002)

(b) Sub-section (a) shall not apply to any of the following:

- (1) Persons possessing a weapon that is stored in a vehicle parked in a designated parking area. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (2) Persons carrying a weapon pursuant to the authority of Article 3 (commencing with § 12050) of Chapter 1 of Title 2 of Part 4 of the Penal Code, authorizing the carrying of concealable firearms. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (3) Peace officers. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (4) Members of the military forces of this state or of the United States engaged in the performance of their duties. (Amended by Ord. 1828; 4/19/88; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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271-7. FIRES AND FIREWORKS.

No person shall:

(a) Build, set or maintain any open fire in any park except in metal fire rings provided for such use or within ocean beach areas according to the provisions of § 271-7 (c); build, set or maintain any open fire in violation of regulations or temporary restrictions of the California Department of Forestry and Fire Protection; leave any fire unattended so as to create a fire hazard or other hazard; leave park boundaries without extinguishing open fires with approved fire suppression devices, wet sand, or water to extinguish all hot ashes that may create fire or other hazards. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Bring, have in his possession, or set off or otherwise cause to explode, discharge or burn any firecrackers, torpedo rockets or other fireworks or explosives, or discharge them or throw them into any such area from land or highway adjacent thereto unless authorized by permit obtained from the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) Build, set, or maintain any open fire within ocean or river beach areas of any park with the following exceptions:

- (1) At all ocean beach parks except Moonstone (where no fires are allowed regardless of size or location), small fires no larger than 30 inches in diameter may be built provided they are located a minimum of 50 feet away from large pieces of driftwood or other flammable materials, a minimum of 500 feet from any known western snowy plover nest, and a minimum of 100 feet seaward of the vegetated dunes. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

- (2) At all ocean beach parks except Moonstone (where no fire permits will be issued), a person may apply for a permit for special events from the Director and the appropriate fire department to build an open fire on the beach larger than 30 inches in diameter provided it is located a minimum of 50 feet away from large pieces of driftwood or other flammable materials, a minimum of 500 feet from any known western snowy plover nest, and a minimum of 100 feet seaward of the vegetated dunes. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-8. DOMESTIC ANIMALS.

No person shall:

(a) Have been responsible for the entry of any domestic animal at Tooby Park or Freshwater Park, or the beach area of Swimmers Delight at Van Duzen Park, except that at Freshwater Park dogs are permitted provided they are confined to the owner's vehicle. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Allow a dog to run at large in any park or on any trail. Where entry is permitted, all dogs shall be restrained at all times on adequate leashes not greater than ten feet (10') in length, except as permitted by Resolution approved by the Board of Supervisors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(1) Where dogs are permitted, the dog owner is responsible for disposing of animal waste in a sanitary manner. The fecal matter shall be placed in a sealed container and deposited in a trash receptacle. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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(c) Have been responsible for the entry of any horse at the following locations: A.W. Way, Big Lagoon; Fields Landing Angling Access; Freshwater Park; Luffenholtz Park; Samoa Angling Access; Van Duzen County Park; and Tooby Memorial Park. At other County parks, including Moonstone, Clam Beach, Mad River Park, Table Bluff, and Centerville Beach, entry by horse is permitted. Where entry is permitted, horses shall be properly restrained and ridden with due care, and shall not be allowed to graze or go unattended, or to violate any of the provisions of § 271-3. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-9. LENGTH OF STAY.

(a) *Hours.* The hours that various County Parks are open to the public are set by Resolution adopted by the Board of Supervisors. (Repealed and reenacted by Ord. No. 2265, § 1, 03/05/2002; Ord. 2290, 12/17/2002)

(b) *Camping.* Overnight camping is permitted in various County Parks for periods of time as specified by Resolution adopted by the Board of Supervisors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002; Ord. No. 2290, 12/17/2002)

(1) Camping shall be conducted in a manner consistent with the provisions of § 271-3 for the protection of sensitive plant and animal species. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002; Ord. 2290, 12/17/2002)

(2) Campers shall use designated restrooms. (Repealed and reenacted

by Ord. 2265, § 1, 03/05/2002; Ord. 2290, 12/17/2002)

- (3) Camping shall be conducted in a manner consistent with the provisions of § 271-3 for the protection of sensitive plant and animal species. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (4) Campers shall use designated restrooms. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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(c) *Other Regulations.* No person shall:

- (1) Reside, camp, remain or otherwise park in any park for more than the number of days specified by Resolution adopted by the Board of Supervisors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002; Ord. No. 2290, 12/17/2002)
- (2) Leave any property unattended in any park over 24 hours. Unattended property may be seized and if unclaimed after five days, may be disposed of at the discretion of the Director.
(Repealed and reenacted by Ord. 2265, § 1, 03/05/2002; Ord. 2290, 12/17/2002)

271-10. DISTURBANCES.

No person in a park shall disturb the peace of any other person or persons in a park or persons in nearby private homes at any time. Additional rules and regulations regarding disturbances may be posted at individual park locations.
(Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-11. SALE OF ITEMS.

No person in a park shall sell or offer for sale any article or things; or station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing; or announce, advertise or call the public

attention in any way to any article or service for sale or hire. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

Exception is hereby made as to any concessionaire acting by and under the authority and regulation of the Director, pursuant to order of the Board of Supervisors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-12. REFUSE.

No person in a park shall:

(a) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park, or any tributaries, stream, storm sewer or any drain flowing into such waters any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Deposit refuse or trash in any waters in or contiguous to any park or anywhere on the grounds of any park. Persons shall place such refuse in the proper receptacles where those are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) Bring or deposit any refuse or trash, not generated by use or activities related to any park, for disposal in any areas or receptacles of any park. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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(d) Discharge or dispose of sewage, including greywater, anywhere in any park. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(e) Bring glass containers to any ocean or river beach areas. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-13. VEHICLE REGULATIONS.

(a) *Speed Limit:* The maximum speed allowed in any County park is fifteen(15) miles per hour (24 km/hr.) except upon such roads as the Director may designate for higher or lower speed limits. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) *Restricted Areas:* No person shall operate any vehicle within any area except park roads or parking areas or such other areas designated by resolution of the Board of Supervisors or authorized by permit obtained from the Director. Ocean beach parks are subject to the additional restrictions set forth in § 271-14, and to any other regulations issued by the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) *Attendance and Repairs:* No person in a park shall:

(1) Leave a vehicle unattended for more than 24 hours. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

- (2) Allow a vehicle to remain in non-operating condition for more than 24 hours. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (3) Perform repair and/or maintenance work to a vehicle. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(d) *Towing:* No person shall tow or draw any object behind a motor vehicle in a County park in a manner that endangers the safety of persons or property. Not more than one motor vehicle or trailer shall be towed by a motor vehicle in a County park. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-14. MOTORIZED VEHICLES ON COUNTY PARK BEACHES.

(a) Except on roads and in designated parking areas, no vehicles of any kind are allowed any time at the following County park beaches: *Big Lagoon, Luffenholtz, and Moonstone.* (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) In addition to use on roads and in designated parking areas, vehicle use is allowed on County park beaches as specified by Resolution adopted by the Board of Supervisors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002; Ord. 2290, 12/17/2002)

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(c) At all locations where vehicle use is permitted, the following rules shall apply:

(1) *No Driving in Dunes.* No vehicles are allowed above the waveslope, including all dune areas and all vegetated areas, of any ocean beach park at any time except within designated access routes. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(2) *No Driving in Creeks.* Vehicles may drive across creeks to access the beach only within designated vehicle access routes. Driving in creek channels for purposes other than crossing or for a distance greater than the minimum needed for crossing is prohibited. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(3) *No Vehicle Play.* No person shall operate any motor vehicle on a County park beach area for the purpose of vehicle play. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(4) *Speed Limit.* The speed limit for vehicle use in ocean beach park areas is 15 miles per hour (24 km/hr). (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(5) *Waveslope Day Use Only.* The hours authorized for vehicle use on the waveslope are from ~~one hour before~~ sunrise until

~~one hour~~ 30 minutes after sunset, unless otherwise authorized by permit issued by the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002; Ord. ____, § __, __/__/2003)

- (6) *Sensitive Species Protection.* All vehicle use authorized in ocean beach park areas shall be conducted in a manner consistent with the provisions of § 271-3 for the protection of sensitive plants and animals. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-15. VESSEL REGULATIONS.

No person in a park shall:

(a) Operate a vessel within any pond, lake, stream, bay or other body of water where prohibited by this Code or by any rule or regulation issued by the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Operate a vessel within any area of any pond, lake, stream, bay or other body of water in excess of the posted speed or in violation of any rule or regulation issued by the Director. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) At any beach or boat launching ramp, operate a vessel at a speed in excess of five miles per hour (5 mph) within a 100-yard radius of any such area or ramp. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

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- (e) Tie a vessel up for more than thirty (30) minutes.

271-16. TRAIL REGULATIONS.

In addition to the other provisions of this chapter, the following regulations are applicable to trails: (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(a) Trail users shall limit trail use to the prepared surface and other areas designated by appropriate signs. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) On multiple use trails, horses shall always have the right-of-way on bridges, ramps, trestles, or any other area where pedestrians, equestrians and bicyclists have to use the same tread or structure. When pedestrians or bicyclists meet an on-coming equestrian at these points, the pedestrian or bicyclist shall move to the edge of the trail and allow the equestrian to safely pass before continuing on the trail. At posted locations where steep grades, narrowness of the trail, or other features pose a potential hazard, bicyclists must dismount and walk their bicycles for their own safety and the safety of other trail users. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

- (c) Trail users shall close all gates opened in passage. (Ord. 758, § 3,

4/13/71; Ord. 1592, § 3, 5/3/83; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(d) Motorized vehicles are prohibited on any trail. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-17. ORGANIZATIONAL ACTIVITIES.

Organizational activities and use of any park, including day use, overnight camping, group picnics and other park activities appropriate to the park area for which the permit is sought, are allowed subject to the obtaining of a permit from the Director. (Ord. 758, § 4, 4/13/71; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-18. SCIENTIFIC RESEARCH.

Scientific research projects that may cause a disturbance of the natural condition or otherwise cause possible violation of this chapter shall be allowed only by permit obtained from the Director. (Ord. 758, § 4, 4/13/71; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-19. STRUCTURES.

Temporary or permanent structures or facilities may not be constructed in any park unless authorized by permit obtained from the Director. (Ord. 758, § 4, 4/13/71; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-20. USE FEES.

(a) Use fees, to offset in part or in whole the cost of maintaining any park area facility, may be established by the Board of Supervisors by ordinance or resolution. Use fees specific to each park are posted at the entry to that park. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

Day use fees (where required) and camping fees shall be payable by the driver of any vehicle entering a county park, and by each individual who enters on foot, bicycle, or horse. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

121.5

§ 271-20

(b) No person shall park any vehicle within any county park or enter a County park by foot, bicycle, or horse, unless the required fees have been paid. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(c) This section may be enforced by any procedure available under State law for the enforcement of parking violations including, but not limited to, the procedures set forth in Article 3 of Chapter 1 of Division 17 of the Vehicle Code of the State of California. (Ord. 1950, § 1, 12/4/91; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-21. AUTHORIZED COUNTY EMPLOYEES.

The provisions of this chapter shall not be construed or applied so as to prevent or interfere with any duly authorized County employee from carrying out his official duty or responsibility. (Ord. 758, § 8, 4/13/71; repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-22. ADDITIONAL RULES AND REGULATIONS.

(a) The Director is authorized to issue such rules and regulations as he deems necessary and appropriate to carry out the provisions of this chapter. Any such regulations issued by the Director shall: (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

- (1) Be consistent with the intent and purpose of this chapter; (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (2) Recognize the most current scientific and technical information relevant to the subject matter of the regulation; (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (3) Be adopted by Resolution of the Board of Supervisors; and (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)
- (4) Be available to the Public in booklet form, at a fee set by the Board of Supervisors. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

271-23. PENALTY.

(a) Any person who violates any of the provisions of this chapter shall be guilty of an infraction punishable by a fine not exceeding \$500. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

(b) Any vehicle found in violation of § 271-9 or § 271-13(c) may be towed at owner's expense by park personnel or any peace officer. Unclaimed vehicles will be turned over to the Sheriff Department's Abandoned Vehicle Program. (Repealed and reenacted by Ord. 2265, § 1, 03/05/2002)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, meeting of May 20, 2003

Resolution No. 03-56

**RESOLUTION RESCINDING RESOLUTION 03-41
AND ADOPTING REGULATIONS OF THE
COUNTY PUBLIC WORKS DEPARTMENT SPECIFYING
THE HOURS COUNTY PARKS ARE OPEN TO THE
PUBLIC, WHERE OVERNIGHT CAMPING IS
PERMITTED, THE LENGTH OF TIME CAMPING
IS PERMITTED AND REGULATING VEHICLE
USE ON CERTAIN COUNTY PARK BEACHES.**

WHEREAS, on December 17, 2002, the Humboldt County Board of Supervisors adopted Title II, Division 7, chapter 1 of the Humboldt County Code governing activities in County Parks; and

WHEREAS, Sections 271-9(a), 271-9(b), 271-9(c) and 271-14(b) provide that certain rules and regulations regarding use of the county park beaches shall be established by resolution adopted by the Board of Supervisors; and

WHEREAS, Section 271-22 authorizes the Director of Public Works to issue such rules and regulations as he deems necessary and appropriate, subject to adoption by resolution of the Board of Supervisors; and

WHEREAS, the Board of Supervisors has reviewed the proposed regulations and finds that they are consistent with the intent and purpose of Chapter 1, of Division 7, of Title II of the Humboldt County Code; and

WHEREAS, it has become necessary to rescind Resolution 03-41 adopted April 15, 2003, by the Humboldt County Board of Supervisors in order to change the hours at some County Parks.

NOW, THEREFORE, BE IT RESOLVED that:

1. The following regulations are hereby adopted specifying the hours various County Parks are open to the public.

- (a) Freshwater County Park shall be open daily from 10:00 a.m. to 8:00 p.m. for the period beginning on Memorial Day and continuing through Labor Day of each year. Freshwater County Park may be open on other dates.
- (b) Table Bluff County Park shall be open daily from one hour before sunrise to one hour after sunset. During waterfowl hunting season, October 1 through January 31 the park will be open at 4:00 a.m.
- (c) Hours at all other day-use parks and day-use park areas are 5:00 a.m. to midnight.
- (d) All park areas in which camping is permitted are closed to all but fee-paying campers between the hours of 12:00 a.m. (midnight) and 5:00 a.m.

2. The following regulations are hereby adopted governing camping in County Parks.

(a) Overnight camping is permitted only at the following parks:

A.W. Way Memorial Park; Big Lagoon County Park; Van Duzen Redwood Groves; Samoa Angling Access (except along the waterfront), and Clam Beach.

- (1) Camping shall occur only within designated areas. Occupation of a campsite after 8:00 p.m. shall be considered camping.
- (2) No person shall reside, camp, remain, or otherwise park for more than three (3) days in any 30 day period commencing upon the first day of camping in Clam Beach County Park.
- (3) No person shall reside, camp, remain or otherwise park for more than seven (7) days in any 30 day period commencing upon the first day of camping in Big Lagoon County Park and Samoa Angling Access.
- (4) No person shall reside, camp, remain or otherwise park for more than ten (10) days in any 30 day period commencing upon the first day of camping in A.W. Way Park and Van Duzen Groves County Park.
- (5) No person shall reside, camp, remain or otherwise park for more than ten (10) days in any 30 day period commencing upon the first day of camping, within the County Park system.

3. The following regulations are hereby adopted governing vehicle use on certain specified County Park Beaches.

- (a) At Clam Beach County Park, only street-licensed 4-wheel drive vehicles are allowed and are restricted to the waveslope, which shall be accessed only by the designated route located at the south end of Clam Beach Drive.
- (b) At Mad River County Park, vehicle access is only by permit, issued by the Director of Community Development Services pursuant to Title 9, Division 1, Chapter 7 of the Humboldt County Code.
- (c) At Centerville Beach County Park, street licensed 4-wheel drive and licensed all-terrain vehicles are restricted to the waveslope, which shall be accessed only by the designated access route.
- (e) At Table Bluff County Park, street licensed 4-wheel drive and licensed all-terrain vehicles are restricted to the waveslope, which shall be accessed only by the designated access route at the south end of the south spit.

4. The following regulations are hereby adopted to preserve the traditional practices of Native American tribes.

- (a) Certified members of the Wiyot Tribe are permitted access to the mouth of the Eel River via the designated access for traditional and ceremonial fishing activities. This right of access shall not be restricted by the hours specified above in section 1(b).

5. Resolution 03-41, adopted by the Board of Supervisors on April 15, 2003, shall be rescinded and the new Resolution shall take effect and be in force thirty (30) days after its adoption.

Adopted on motion by Supervisor Geist, seconded by Supervisor Neely, and the following vote:

AYES: Supervisors-- Smith, Rodoni, Woolley, Neely, and Geist
NAYS: Supervisors-- None
ABSENT: Supervisors-- None
ABSTAIN: Supervisors-- None

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STATE OF CALIFORNIA)
) ss
County of Humboldt)

I, LORA CANZONERI, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California, as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Lora Canzoneri

Clerk of the Board of Supervisors of the
County of Humboldt, State of California.

By 
May 20, 2003

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on May 20, 2003

RESOLUTION NO. 03-57

**RESOLUTION RESCINDING RESOLUTION 02-29
AND ADOPTING REGULATIONS ISSUED BY THE
COUNTY PUBLIC WORKS DEPARTMENT FOR THE
PROTECTION OF SENSITIVE SPECIES IN COUNTY PARKS**

WHEREAS, on March 5, 2002, the Humboldt County Board of Supervisors adopted Title 2, Division 7, Chapter 1 of the Humboldt County Code governing activities in County Parks; and

WHEREAS, Section 271-3 of the Humboldt County Code states the Board of Supervisors may take measures deemed necessary, after consultation with the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game, to protect sensitive species and/or sensitive communities, pursuant to the Endangered Species Act of 1973 (ESA) and the California Endangered Species Act of 1984 (CESA); and

WHEREAS, Section 271-22 authorizes the Director to issue such rules and regulations as he deems necessary and appropriate, subject to adoption by Resolution of the Board of Supervisors; and

WHEREAS, the Board of Supervisors has reviewed the proposed regulations and finds that they are consistent with the intent and purpose of Chapter 1 of Division 7 of Title II of the Humboldt County Code.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following regulations are hereby adopted for the protection of the Pacific Coast population of the western snowy plover, which is federally listed as threatened under the provisions of the Endangered Species Act of 1973 (as amended), and which inhabits ocean beach areas of Humboldt County parks:

(a) Beach users shall not go beyond the access restriction signs surrounding nest enclosures or, in the absence of an enclosure or signs, shall move away from any nest that is discovered on the beach and then stay a minimum of 200 feet away from the nest.

(b) The Director, subject to review and approval by the Board of Supervisors, may determine, after consultation with the U.S Fish and Wildlife Service, that certain County park beach areas need to be closed to all vehicles during the nesting season (March 1 through September 30) of the western snowy plover. Such areas will be posted seasonally. No vehicles shall enter any beach area posted closed.

(c) Neither kites nor model airplanes shall be flown within 400 feet of an identified plover nest, nor shall the kite or airplane be allowed to fly over a 400-foot area around any nest.

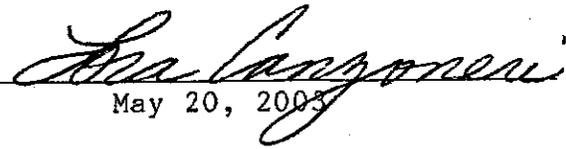
I, LORA CANZONERI, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

LORA CANZONERI

Clerk of the Board of Supervisors of the
County of Humboldt, State of California

By


May 20, 2003