

Title 10

PROPERTY AND PUBLIC GATHERINGS

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Chapter 10.04

COUNTY PARKS

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10.04.010 Title for citation.

The ordinance codified in this title shall be known as, and may be cited as, the park ordinance. [Ord. 2954, 1980; prior code § 8.60.020(b)].

10.04.020 Definitions.

As used in this chapter:

- (A) “Alcoholic beverages” includes alcohol, spirits, liquor, wine, beer and every other liquid which is fit for beverage purposes and which contains more than one-half of one percent of alcohol by volume.
- (B) “Commission” means the Parks and Recreation Commission.
- (C) “Department” means the Department of Parks, Open Space and Cultural Services.
- (D) “Director” means the Director of Parks, Open Space and Cultural Services.
- (E) “Motor vehicle” means any multiwheeled, treaded or sled-type vehicle that is propelled by a motor or engine including any vehicle commonly known as a “motorized recreation vehicle.”

(F) "Park" means every park, riding and hiking trail, recreation area, beach, community center or building, historic structure or facility owned, managed or controlled in whole or in part by the County and under the jurisdiction of the Director in either incorporated or unincorporated territory.

(G) "Park waters" means any lake, pond, river, stream or other body of water within a park.

(H) "Vessel" means every description of watercraft used or capable of being used as a means of transportation on water. [Ord. 4488 § 4, 1998; Ord. 2954, 1980; prior code § 8.60.010].

10.04.030 Compliance with rules and regulations.

A person shall not enter, be or remain in any park unless he complies with all of the regulations set forth in this chapter applicable to such park and with all other applicable laws, ordinances, rules and regulations. [Ord. 2954, 1980; prior code § 8.60.020(a)].

10.04.040 Fees and permits.

(A) The Board of Supervisors may adopt a schedule of fees for the use of parks and it shall adopt rules and regulations for the granting of permits issued by the Department pursuant to this chapter. The Director may deny a permit on the basis that the application does not meet the requirements of the rules and regulations or upon making of a finding that the proposed use is detrimental to the public health, safety or welfare on one or more of the following grounds: security, crowd control, traffic control, parking, environmental health, sanitation or fire control; and that such detriment cannot reasonably be mitigated. The Board and Commission shall be advised of this action. An applicant for a permit may appeal the denial thereof to the County Administrator. The determination by the County Administrator may be appealed to the Board of Supervisors.

(B) When such fee schedule, rules and regulations are adopted, it is unlawful to be in a park except by payment of the fee or in accordance with the required permit or rules and regulations of the park. [Ord. 2954, 1980; prior code § 8.60.030].

10.04.050 Applicability of regulations.

The rules and regulations set out in following sections apply to all parks as defined in SCCC 10.04.020, except as otherwise expressly stated. [Ord. 2954, 1980; prior code § 8.60.040(a)].

10.04.060 Hours.

The Director shall designate the hours for the use of the parks. The Director shall post the hours of use at the entrance of each park. [Ord. 2954, 1980; prior code § 8.60.040(q)].

10.04.070 Hunting—Fishing—Molesting animals.

No person shall pick, collect, molest, hunt, disturb, injure, trap, take, net, poison, harm or kill any kind of plant, mineral, animal or fish, or so attempt, except that fish or frogs may be taken other than for commercial purposes in accordance with the State fishing laws and regulations unless otherwise posted by the Director of the Department. The foregoing provision shall not apply to persons employed by any city, the County, the State or the United States to destroy predatory animals or birds or beasts as defined in the Food and Agricultural Code when acting in the course of their employment, nor shall the foregoing provision of this section apply:

(A) If a person is requested by the Director of a park containing a nature museum a person may capture such an animal and deliver it unharmed to the Director;

(B) If a person is a duly authorized Santa Cruz County park employee and is doing so in the performance of normal duties. [Ord. 4429 § 1, 1996; Ord. 2954, 1980; prior code § 8.60.040(m)].

10.04.080 Grazing.

A person shall not permit any cattle, horses, goats, sheep, swine or any domestic animal to graze in any park, except on property designated for such purpose. [Ord. 2954, 1980; prior code § 8.60.040(k)].

10.04.090 Bringing animals into parks.

A person shall not bring into a park any cattle, mule, goat, sheep, swine, dog, cat or other animal of any kind except as specifically provided in this chapter or as otherwise permitted by the Director. [Ord. 2954, 1980; prior code § 8.60.040(g)].

10.04.100 Dogs and cats.

(A) Dogs shall be licensed in accordance with the animal ordinance (Chapter 6.08 SCCC). A person may bring and maintain in any park, exclusive of golf courses, a dog or cat, if such dog or cat is kept on a leash or chain not to exceed six feet in length and under immediate control of its owner or custodian, or upon written permission of the Director when required for authorized park programs, or when dogs are in special areas of parks designated and posted by the Park Director as dog exercise and training areas (dog parks) and so long as the regulations of the Park Director with respect to the use of such areas are followed.

(B) Any person owning or having control of any dog or cat which defecates upon property owned or managed by the Department of Parks, Open Space and Cultural Services must immediately remove and dispose of the feces.

(C) Notwithstanding any other provision of this section, the Director has the authority to prohibit dogs and cats in any park or part thereof after submitting the proposal to the Parks Commission for review and recommendation. [Ord. 4666 § 1, 2002; Ord. 4429 § 2, 1996; Ord. 2954, 1980; prior code § 8.60.040(h)].

10.04.110 Animals on trails.

No person shall bring any animal within or upon any area designated as a nature preserve, nature trail, equestrian trail, or bicycle trail except with written authorization of the Department. This section does not apply to horses that are on marked equestrian trails provided they are under the immediate and reasonable control of the owner. [Ord. 4429 § 3, 1996; Ord. 2954, 1980; prior code § 8.60.040(i)].

10.04.120 Service animals for persons with disabilities.

SCCC 10.04.090, 10.04.100 and 10.04.110 do not apply to service animals used to assist persons with disabilities, such as guide dogs, hearing dogs, assistance dogs, seizure alert dogs or social/therapy dogs; provided, that such service animals shall remain under the immediate control of such persons with disabilities. [Ord. 4666 § 2, 2002; Ord. 2954, 1980; prior code § 8.60.040(j)].

10.04.130 Vehicle regulation in County parks.

The Board shall regulate the use of vehicles within the parks by resolution adopted pursuant to Section 21113 of the Vehicle Code. The Director of Parks, Open Space and Cultural Services shall be responsible for the administration and enforcement of vehicle regulations within any parks in accordance with SCCC Title 9. [Ord. 4018 § 2, 1989; Ord. 2954, 1980; prior code § 8.60.040(n)].

10.04.140 Washing or repairing vehicles.

No person shall engage in the washing, cleaning, polishing, repairing, renovating or painting of any motor vehicle, trailer or other wheeled conveyance or bicycle within a park, except that emergency repairs immediately necessary in order to proceed from the park may be completed. [Ord. 2954, 1980; prior code § 8.60.040(f)].

10.04.150 Model airplanes and boats.

A person shall not operate motorized model airplanes, boats or crafts except in areas designated for such use and subject to all rules and regulations contained in such written permission. [Ord. 2954, 1980; prior code § 8.60.040(o)].

10.04.155 Tobacco products in parks.

(A) No person shall be in possession of a burning tobacco or tobacco-related product, including but not limited to cigars and cigarettes, in or upon any park.

(B) No person shall chew tobacco or tobacco-related products in or upon any park.

(C) No person shall dispose of lighted or unlighted cigars or cigarettes, or cigar or cigarette butts, or any other tobacco-related waste in or upon any park. [Ord. 4861 § 1, 2007].

10.04.160 Alcoholic beverages.

(A) Any person drinking or consuming an alcoholic beverage or possessing any open alcoholic beverage container in any park shall be in violation of SCCC 8.02.020 or 8.02.030 except for beer, wine, or "sparkling wine" such as champagne, as authorized by permit issued by the Director.

(B) Permits issued by the Director pursuant to this section are expressly limited to the service of beer, wine, or "sparkling wine" such as champagne, and shall require proof of any license or permit required by the Alcoholic Control Act, a cleanup and damages deposit, and in those instances where there is an entrance fee charged and alcoholic beverages are

sold, insurance in the amount specified in the rules and regulations. Such insurance shall name the County, its officers, agents and employees as additional insureds, be primary coverage and indemnify the County, its officers, agents and employees for any and all losses, including, but not by way of limitation, attorneys fees and legal costs which the County, its officers, agents and employees may suffer by reason of use of the permit.

(C) Notwithstanding any other provision of this section, the Director may prohibit the consumption of any intoxicating liquor in a park or part thereof after submitting the proposal to the Parks Commission for review and recommendation. [Ord. 4576 § 1, 1999; Ord. 4488 § 5, 1998; Ord. 4429 § 4, 1996; Ord. 2954, 1980; prior code § 8.60.090].

10.04.165 Approved use of park facilities.

(A) No person shall hang glide or golf in any area of a park.

(B) In order to protect or promote the public health or safety or to protect public property from risk of harm, the Director has the authority to prohibit activities such as skateboarding, in-line skating, bicycling, scooter riding, or roller skating in any park or part thereof, after submitting the proposal to the Parks Commission for review and recommendation.

(C) If an activity is prohibited pursuant to subsection (B) of this section, the Director shall cause the area in which the activity is prohibited to be posted in such a manner as to reasonably inform the public of the prohibition.

(D) Any person who engages in an activity that is prohibited by this section is guilty of an infraction, which shall be punishable as provided in SCCC 1.12.040; provided, however, that any offense(s) which would otherwise be an infraction is a misdemeanor punishable in accordance with SCCC 1.12.030 of the Santa Cruz County Code if a defendant has been convicted of three or more violations of this section within the 12-month period preceding the Commission of the fourth offense. For this purpose, a bail forfeiture is deemed to be a conviction of the offense charged. [Ord. 4748 § 1, 2003; Ord. 4429 § 5, 1996].

10.04.170 Camping.

(A) A person shall not camp or sleep overnight in any park except where a family-type camping area is so designated and then only in accordance with the rules and regulations governing the use of such area.

(B) The Director may issue a permit to any youth group and to any special interest group permitting its members as a group to camp overnight at a designated location in a park if the Director finds that the members of such group will be supervised during such camping by an adequate number of responsible adults and such overnight camping will not interfere with or in any way be detrimental to the park or interfere with the uses thereof.

(C) Upon the granting of such a permit, the members of such group, including the adult supervisors, may camp at the time, location and under the conditions specified in such permit. [Ord. 2954, 1980; prior code § 8.60.040(r)].

10.04.180 Changing clothes.

A person shall not change clothes or disrobe in a park except in that portion of a comfort station or other facility which is designated for such purpose. [Ord. 2954, 1980; prior code § 8.60.040(s)].

10.04.190 Dishwashing.

A person shall not place in any park waters any edible matter, dish or utensil or cleanse in any park waters any such edible matter, dish or utensil or commit any nuisance in or near such waters except as provided in SCCC 10.04.270. [Ord. 2954, 1980; prior code § 8.60.040(t)].

10.04.200 Damage or theft.

No person shall disturb, destroy, remove, deface or injure any property of the County park system. [Ord. 2954, 1980; prior code § 8.60.040(l)].

10.04.210 Fires.

No person shall ignite or permit to be ignited, or maintain or permit to be maintained, a fire in any location in a park except in a designated campfire site, barbecue pit, fireplace or cooking area provided by the Department for the purpose of maintaining a fire, or except as specifically permitted in writing by an authorized employee or agent of the Department. [Ord. 2954, 1980; prior code § 8.60.040(e)].

10.04.220 Amplified music.

Amplified music shall not be played except by permit signed by the Director. [Ord. 2954, 1980; prior code § 8.60.040(u)].

10.04.230 Harmful objects.

A person shall not place, throw, leave, keep or maintain any fixed or portable object or weapon in such a manner or in such a place that any person or animal may be injured or any structure or vehicle may be damaged thereby. [Ord. 2954, 1980; prior code § 8.60.040(b)].

10.04.240 Road and trail use.

A person shall not operate any motor vehicle on or over any firebreak or any fire protection roads which are posted or locked against public use or operate any motor vehicle on or over any riding or hiking trail, including a riding and hiking trail established under Article 6 of Chapter 1 of Division 5 of the Public Resources Code of the State or any designated service road, except as otherwise provided for by permission of the Department or in case of emergency. [Ord. 2954, 1980; prior code § 8.60.070].

10.04.250 Rubbish.

A person shall not throw, leave, place, deposit or dispose of any garbage, refuse, wastepaper, bottles or cans in any place in a park other than into a garbage can or other receptacle maintained therein for that purpose, nor shall any person place any household garbage or refuse in any trash receptacle within a park. [Ord. 4429 § 6, 1996; Ord. 2954, 1980; prior code § 8.60.040(c)].

10.04.260 Shooting.

Except as otherwise authorized by law, no person shall use, maintain, possess or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, paint ball gun or any other weapon potentially hazardous to wildlife or human safety within the boundaries of any park or within 200 feet thereof. It is unlawful to shoot any of the weapons mentioned in this section into or across any park. The foregoing provisions of this section shall not apply to the operation and use of shooting, firing or archery ranges or to other areas that have been designated by the Director for the use of firearms nor shall they apply to persons employed by any city, the County, the State or by the United States to destroy predatory animals or birds or beasts as defined in the Food and Agricultural Code when acting in the course of their employment. [Ord. 4429 § 7, 1996; Ord. 2954, 1980; prior code § 8.60.040(d)].

10.04.270 Soliciting.

A person shall not offer for sale, solicit the sale of, announce by any means the availability of, or have in his possession, control or custody any goods, wares or merchandise, which the public may purchase at any time, except:

(A) Pursuant to a concession or other agreement authorized by the Board of Supervisors or pursuant to a permit authorized by the Director.

(B) A sports team which is a member of a regular sports league and which admits all members of the general public to the sporting event to the extent of capacity without discrimination and without charge to any game played may solicit voluntary contributions from the spectators attending such games. [Ord. 2954, 1980; prior code § 8.60.040(p)].

10.04.280 Swimming and boating.

Swimming and boating are prohibited except in those areas designated by the Director. The Director shall adopt water safety rules regulating swimming and boating areas. This section does not apply to waters subject to the provisions of the California Harbors and Navigation Code. [Ord. 2954, 1980; prior code § 8.60.050].

10.04.285 Skate facilities.

(A) No person shall ride a skateboard, in-line skates or roller skates in any temporary or permanent County skate facility unless that person is wearing appropriate safety gear, including a helmet, elbow pads, knee pads and hand/wrist guards.

(B) Signs shall be posted at County skate facilities as notice to any person using the facility that they must wear a helmet, elbow pads, knee pads and hand/wrist guards and that any person failing to do so will be subject to citation for violating this section, prohibition from using the facility, or both. One sign shall be posted at any entrance to the skating area and one or more sign(s) shall be posted at another location within the skating area. [Ord. 4570 § 1, 1999].*

* Code reviser's note: Ord. 4570 added this section as 10.04.280. It has been editorially renumbered to avoid duplication.

10.04.290 Islands.

No person shall go upon or remain upon any island in any park water unless authorized by the Director. [Ord. 2954, 1980; prior code § 8.60.060].

10.04.300 Emergency closure.

(A) Whenever a menace to the public health or safety is created by a calamity such as flood, storm, fire, earthquake, explosion, accident or other disaster, or when, in the opinion of the Department employees charged with the protection and safety of the public, a hazardous condition exists due to overcrowding or civil disorder, or upon formal request by the Director or Park Manager of any County park facility, any duly appointed peace officer or any designated uniformed County employee may close the park or facility to further public entry and may lawfully command the public to vacate the facility or park until, in the opinion of the closing authority, the hazardous condition no longer exists.

(B) Any unauthorized person who wilfully and knowingly enters an area closed pursuant to this section or who wilfully remains within such area after receiving notice to evacuate or leave is guilty of a misdemeanor. [Ord. 4748 § 2, 2003; Ord. 2954, 1980; prior code § 8.60.080].

10.04.305 Limited or prohibited areas.

(A) The Director or designated representative may from time to time establish prohibited or limited areas to avoid interference in development, construction and management, or to provide for security, safeguarding or preservation of property within the County park system, or to preserve or protect the public safety or well-being.

(B) The Director or designate shall declare an area prohibited or limited by written order specifying the period thereof. The order may include such classes of persons who may enter therein and the conduct of such proper activities or official duties as the Director may prescribe. The order may also limit the number of persons in an area.

(C) The Director or designate shall cause the area prohibited or limited to be posted in such a manner as to reasonably inform the public of the restrictions.

(D) If the period of prohibition or limitation is intended or expected to exceed 90 calendar days, within 60 calendar days after imposing the prohibition or limitation, the Director or designate shall submit the matter to the Parks Commission for review and recommendation.

(E) Any unauthorized person who enters an area prohibited or limited pursuant to this section and/or conducts an activity that is prohibited in such area is guilty of an infraction, which shall be punishable as provided in SCCC 1.12.040. [Ord. 4748 § 3, 2003].

10.04.310 Administration.

The Director shall administer the provisions of this chapter. [Ord. 2954, 1980; prior code § 8.60.020(c)].

Chapter 10.08**USE OF COUNTY PROPERTY FOR BUSINESS PURPOSES****Sections:****10.08.010 Permit required.****10.08.020 Violation—Penalty.****10.08.010 Permit required.**

It is unlawful for any person, firm or corporation to use for commercial purposes any real property owned by the County without first obtaining a permit therefor from the Board of Supervisors. [Ord. 422, 1955; prior code § 9.12.010].

10.08.020 Violation—Penalty.

A violation of any of the provisions of this chapter, or the violation of the terms of any permit issued pursuant to the terms of this chapter shall be a misdemeanor and punishable as provided by this code. [Ord. 3620 § 10, 1985; Ord. 422, 1955; prior code § 9.12.020].

Chapter 10.09**FISCAL RESPONSIBILITY****Sections:****10.09.010 Fiscal responsibility (Porter-Sesnon property).****10.09.010 Fiscal responsibility (Porter-Sesnon property).**

The County of Santa Cruz shall not own, operate, lease, maintain or participate financially in any form whatsoever through the use of public funds, including the acquisition of any possessory interest in the real property described herein, in a condominium/hotel/conference center/performing arts facility on any real property located in a portion of Sections 11, 12, 13 and 14 of Township 11 South, Range 1 West bounded by McGregor Drive on the north, Borregas Gulch on the east, Monterey Bay and the Southern Pacific Railway right-of-way on the south, and Porter Gulch and the city of Capitola on the west, Assessor's Parcel Nos. 38-091-01, 38-051-03 and 38-041-04, commonly known as Porter-Sesnon property. [Ord. 3781 § 1, 1986].

Chapter 10.16

NO CAMPING ZONES

Sections:

10.16.010	Intent.
10.16.020	Definitions.
10.16.030	Designation authority.
10.16.040	Camping prohibited in designated areas.
10.16.050	Designated.
10.16.060	Exceptions.
10.16.070	Special events.
10.16.080	Roadside resting.
10.16.090	Violation—Penalty.

10.16.010 Intent.

The Board of Supervisors finds that unauthorized camping may result in trespassing, unattended fires, public disturbances or other public health and safety problems. The intent of this chapter is to establish a procedure by which the Board of Supervisors may designate specified zones within the unincorporated portions of Santa Cruz County as no camping zones. [Ord. 3651 § 1, 1984; prior code § 8.56.01].

10.16.020 Definitions.

“To camp,” and “camping” mean to establish or maintain at any time a temporary or permanent place for cooking and/or sleeping:

- (A) Outdoors, with or without the use of shelter;
- (B) In, on or under any structure not intended for human occupancy;
- (C) In, on or under any parked vehicle, including an automobile, bus, truck, camper, trailer or recreational vehicle; or
- (D) In, on or under any abandoned or unoccupied structure. [Ord. 3651 § 1, 1984; prior code § 8.56.10].

10.16.030 Designation authority.

The Board of Supervisors may designate zones within the unincorporated portions of Santa Cruz County as “no camping zones.” Before such designation the Board shall hold a noticed public hearing. Notice of the hearing shall be given at least 10 days in advance by posting in at least five public locations within the proposed “no camping zone” and by a single display advertisement in a newspaper of general circulation within the proposed “no camping zone.” The proposed zone shall be identified by a description sufficient to enable enforcement. If the Board designates a “no camping zone,” it may also direct that the designated zone be posted or otherwise identified as a “no camping zone.” The Board may remove a “no camping zone” designation in the same manner once it is established. [Ord. 3651 § 1, 1984; prior code § 8.56.60].

10.16.040 Camping prohibited in designated areas.

No person shall camp in any zone designated by the Board of Supervisors as a “no camping zone” except as otherwise permitted by this chapter. [Ord. 3651 § 1, 1984; prior code § 8.56.20].

10.16.050 Designated.

The following zones are designated as no camping zones:

- (A) S.H. Cowell Foundation/Ocean Street Extension Area:

Santa Cruz city limits to the south, Henry Cowell State Park to the north, the San Lorenzo River to the west, and Graham Hill Road to the east.

- (B) Paradise Park Area (APN 061-321-11):

Beginning at a redwood tree sixty inches in diameter on the southerly boundary of the property formerly owned by the California Powder Works and standing on the westerly side of the San Lorenzo River and on the easterly side of the highway leading from Santa Cruz to Felton, and commonly designated as the Big Tree Road, a centerline through said last mentioned tree paralleling the concrete pavement of said highway and distant 7.50 feet from the edge thereof

from the southerly end of said line as the point of beginning, south 70° 00' west 17.50 feet to the center of said last mentioned highway; thence northwesterly along the center of said highway 7002.56 feet to the intersection of the highway with the boundary line of the property formerly owned by the California Powder Works; thence north 38° 12' west 1063.96 feet to a station on the westerly side of the Big Tree Road; thence north 1° 45' west 178.86 feet to a station on the westerly side of said last mentioned highway; thence north 63° 28' east 2212.98 feet to a station on the southerly side of a forty-inch pine; thence south 54° 00' east 1023.00 feet to a station on the southerly side of a sixty-inch redwood tree; thence south 22° 30' east 490.38 feet to a station on the easterly side of a forty-inch redwood tree; thence south 6° 00' east 353.10 feet to the corner of a fence; thence south 42° 02' west 622.86 feet to a station in the center of the San Lorenzo River; thence down the center of said river south 55° 38' east 73.75 feet to a station; thence south 36° 00' east 109.10 feet to a station; thence south 11° 49' east 198.30 feet to a station; thence south 24° 46 1/2' west 166.20 feet to a station; thence south 49° 35' west 171.00 feet to a station; thence south 48° 55' west 136.50 feet to a station; thence south 42° 34 1/2' west 223.20 feet to a station; thence south 33° 00' east 264.00 feet to a station; thence south 48° 53' east 798.61 feet to a station; thence south 62° 24 1/2' east 349.91 feet to a station on the east bank of the San Lorenzo River; thence south 56° 22' east 513.48 feet to a station; thence south 13° 15' east 825.00 feet to a station; thence south 4° 00' west 363.00 feet to a station; thence south 22° 45' west 284.46 feet to a station in the river; thence south 6° 20' west 117.48 feet to a two-inch iron pipe on the east side of the San Lorenzo River; thence west 141.90 feet to the place of beginning.

Beginning at a point on the easterly side of the Southern Pacific Railroad right-of-way, from which the corner of the lands formerly owned by the California Powder Works are located and evidenced by a seventy-two-inch redwood tree marked "14 Cor," bears south 38° 12' east 265.70 feet distant; thence following the easterly side of said Southern Pacific Railroad right-of-way to a point where the produced line from the aforesaid line intersects the easterly side of the said last mentioned right-of-way where the curve of it carries it across the said produced line; thence on a straight line to the point of beginning.

Beginning at a point of intersection of the Powder Mill Road with a line constituting the boundary of property formerly owned by the California Powder Works, the said last mentioned line forming a portion of the southeasterly side of said property, running from a fence south 42° 02' west 489.85 feet to the center of said road, as the point of beginning; thence south 42° 02' west 133.01 feet to a station in the center of the San Lorenzo River; thence down the center of said river 55° 38' east 73.75 feet to a station; thence south 36° 00' east 109.10 feet to a station; thence south 11° 49' east 198.30 feet to a station; thence south 24° 46 1/2' west 166.20 feet to a station; thence south 49° 35' west 171.00 feet to a station; thence south 48° 55' west 136.50 feet to a station; thence 42° 34 1/2' west 223.20 feet to a station; thence south 33° 00' east 264.00 feet to a station; thence 48° 53' east 798.81 feet to a station; thence north 53° 30' east 306.30 feet to a station in the center of the Powder Mill road; thence along the center of said road to the point of beginning.

(C) Carbonera Creek Area (bounded by Highway 17, Carbonera Creek and Carbonera Drive):

Being a part of the Rancho La Carbonera and more particularly described as follows:

Beginning at the northwest corner of Parcel C as said parcel is shown on that parcel map filed for record in the office of the Santa Cruz County recorder on January 14, 1987, in Volume 47 of Parcel Maps at Page 49; thence easterly along the northerly boundary line of said Parcel C to its intersection with the centerline to its intersection with the southeast corner of Parcel D as said Parcel D is shown on that parcel map filed for record in the office of the Santa Cruz County recorder on September 21, 1972 in Volume 8 of Parcel Maps at Page 26; thence North 85° 29' 40" West along the southerly boundary line of said Parcel D and its westerly prolongation thereof to its intersection with the easterly sideline of State Highway 17; thence northerly along said westerly sideline to a point which bears South 61° 01' 21" West, 100 feet more or less from the hereinbefore described point of beginning; thence North 6° 01' 21" East, 100 feet more or less to the point of beginning.

(D) Additional Carbonera Creek Areas (near city-County boundary):

Being a part of the Rancho La Carbonera and more particularly described as follows:

A. Beginning at the southeast corner of Parcel D as said Parcel D is shown on that Parcel Map filed for record in the office of the Santa Cruz County recorder on September 21, 1972, in Volume 8 of Parcel Maps at Page 26 said southeast corner also being on the eastern boundary of the Carbonera Rancho; thence along said eastern boundary of the Car-

bonera Rancho the following three courses, North 26° 05' West 180.69 feet; North 5° 30' West 210.55 feet and North 5° 45' East 51.56 feet to intersection with the existing Santa Cruz city limits line; thence leaving said East boundary of the Carbonera Rancho and following the existing Santa Cruz city limits line to the hereinbefore referred to point of beginning. (Contains 44.1 acres more or less.)

B. All of those parcels of land lying bounded on the North by the southerly boundary line of Parcel D as said Parcel D is shown on that Parcel Map filed for record in the office of the Santa Cruz County recorder on September 21, 1972, in Volume 8 of Parcel Maps at Page 26 and the westerly prolongation of said southerly boundary line to its intersection with the easterly sideline of State Highway 17, on the East by the existing Santa Cruz city limits line, on the West by the easterly sideline of State Highway 17 and on the South by the existing Santa Cruz city limits line as it was adopted by Resolution 597 entitled "Sutphen Street No. 597 Reorganization and East of the easterly sideline of State Highway 17. (Contains 10.5 acres more or less.)

[Ord. 3984 § 1, 1989; Ord. 3974 § 1, 1989; Ord. 3697 § 1, 1985; Ord. 3651 § 1, 1984; prior code § 8.56.70].

10.16.060 Exceptions.

Camping shall be permitted in the no camping zones located in the unincorporated areas of Santa Cruz County in the following circumstances:

(A) Camping shall be permitted in public or private areas specifically set aside and clearly marked for camping purposes;

(B) Camping shall be permitted in connection with events sponsored and conducted under the direction and control of the Santa Cruz County Parks, Open Space and Cultural Services Department;

(C) Camping shall be permitted in connection with any specified event authorized by the Board of Supervisors pursuant to SCCC 10.16.070;

(D) Camping shall be permitted in the yard of a residence with the consent of the owner or occupant of the residence. This subsection does not authorize or validate camping with such intensity, frequency or duration as to constitute a use of land prohibited by any provision of SCCC Title 13;

(E) Camping shall be permitted on open, unimproved land with the specific, express, written or verifiable consent of the owner. This subsection does not authorize or validate camping with such intensity, frequency or duration as to constitute a use of land prohibited by any provision of SCCC Title 13. [Ord. 3651 § 1, 1984; prior code § 8.56.30].

10.16.070 Special events.

The Board of Supervisors may by resolution authorize overnight camping on County-owned property as a special event. [Ord. 3651 § 1, 1984; prior code § 8.56.40].

10.16.080 Roadside resting.

Nothing in this chapter shall prohibit a motorist from sleeping or resting in his or her parked vehicle on any area immediately adjacent to any road or highway unless such area is specifically posted or signed as a no parking area. [Ord. 3651 § 1, 1984; prior code § 8.56.45].

10.16.090 Violation—Penalty.

Any person who violates any section of this chapter is guilty of an infraction. Each day during which any violation of this chapter continues or is committed shall be a separate offense. [Ord. 3651 § 1, 1984; prior code § 8.56.50].

Chapter 10.20

BEACH AREA SPECIAL EVENTS ORDINANCE

Sections:

10.20.010	Intent.
10.20.020	Definitions.
10.20.030	Permit required.
10.20.040	Exemptions.
10.20.050	Application for permit—Content.
10.20.060	Evaluation of application.
10.20.070	Action on application.
10.20.075	Conditions on permits.
10.20.080	Issuance of permit.
10.20.090	Revocation of permit.
10.20.095	Appeal to the County Administrative Officer.
10.20.100	Penalties for violation.

10.20.010 Intent.

The Board of Supervisors finds that the assembling of large numbers of people on the various beaches in Santa Cruz County may create problems seriously affecting the public safety, health and welfare, and that there is a need for comprehensive regulations governing activities involving the assemblage of large numbers of people for special events such as concerts, festivals, large parties, carnivals, races and circuses on various County beaches, because such special events may cause significant public problems.

The Board of Supervisors declares that it is adopting the ordinance codified in this chapter in order effectively to ensure the public safety, health and welfare. [Ord. 3898 § 1, 1988].

10.20.020 Definitions.

(A) “County beaches area,” as used in this chapter, is defined as that area bounded by the Pajaro River to the south, the Pacific Ocean to the west; the first public road paralleling the Pacific Ocean to the east; the boundary between San Mateo County and the County of Santa Cruz to the north; and excluding those areas within the jurisdictions of the City of Santa Cruz and the City of Capitola.

(B) “Person,” as used in this chapter, shall include any individual, association, partnership or corporation, and shall include every individual acting as principal, agent or employee, either for himself or herself or for any other person, association, partnership or body corporate. For the purposes of this chapter, the singular shall include the plural, and vice versa.

(C) “Special event,” as used in this chapter, shall mean any activity that:

- (1) May be reasonably expected to attract more than 200 persons at one time; and
- (2) Impacts public places, areas or facilities including roads, beaches, paths or parks, and is inconsistent with daily routine operations and activities; and
- (3) The scope and size of the activity do not typically occur in the area proposed for the special event.

The term “special event” shall include, but not be limited to, concerts, block parties, other large parties, festivals, carnivals, races and circuses. [Ord. 3898 § 1, 1988].

10.20.030 Permit required.

It shall be unlawful for any person to sponsor, conduct, promote or maintain any special event in the County beaches area without first obtaining the required permit. [Ord. 3898 § 1, 1988].

10.20.040 Exemptions.

(A) The provisions of this chapter shall not be construed to apply if:

- (1) The activities of the special event are confined to the property of the sponsor or promoter; and
- (2) The activities of the special event will not impact:
 - (a) The health, safety or welfare of adjacent or nearby residents, and
 - (b) Adjacent or nearby private or public property.

(B) Within the context of this exemption, adjacent or nearby private or public property shall be construed to include roads or accessways leading to the special event. [Ord. 3898 § 1, 1988].

10.20.050 Application for permit—Content.

(A) An application for a permit required by this chapter to hold a special event shall be made to the Director of Parks, Open Space and Cultural Services (POSCS) at least 45 days before the date of the proposed special event, and shall be accompanied by a nonrefundable fee as established by the Board of Supervisors. The application shall contain sufficient information to ensure that the County can assess the impact of the special event on the health, safety and welfare of the County and its residents. The application shall contain information on the special event's possible need for appropriate personnel, equipment and facilities, including, but not limited to, security, crowd control, sanitation, necessary medical services, site cleanup, traffic and parking controls, and shall further provide a contingency plan to take care of any over-flow crowd.

(B) The Director of POSCS may waive the 45-day time period for submitting an application upon finding that a special hardship exists for the applicant, justifying the waiver, and that no less than 30 days remain before the event. A nonrefundable special handling fee of \$100.00 must be paid in these cases. [Ord. 3898 § 1, 1988].

10.20.060 Evaluation of application.

(A) Upon receipt of an application and the application fee, the Director of POSCS shall solicit an evaluation of the impact of the proposed special event from affected County departments, including the Sheriff. Departments shall provide their recommendations to the Director of POSCS within five working days.

(B) The applicant may request a meeting with the Director of POSCS to discuss the application and clarify any uncertainties, prior to action on the application by the Director of POSCS. [Ord. 3898 § 1, 1988].

10.20.070 Action on application.

Within 15 days of the date a complete application is received, the Director of POSCS either shall approve the application with such restrictions and conditions as he/she determines are required to protect the public safety, health or welfare, or shall deny the application if he/she determines the special event may not be held without endangering the public safety, health or welfare. [Ord. 3898 § 1, 1988].

10.20.075 Conditions on permits.

(A) As a condition to approval of the application, the Director of POSCS shall require payment to cover the cost of anticipated County personnel and materials required to ensure the public's health and safety in connection with the approved special event. The Director of POSCS may determine other appropriate County incurred costs are chargeable to the applicant. Any payment required shall be deposited with the Director of POSCS at least 15 days before the special event, unless the Director of POSCS authorizes in writing a later date prior to the event, based on special circumstances.

(B) As a further condition to the approval of an application, the Director of POSCS shall require the applicant or applicants to agree in writing to indemnify, defend and hold harmless the County of Santa Cruz, its agents, officers and employees for any costs or expenses which may be incurred by the County, its agents, officers or employees to provide services, equipment and/or facilities for the special event which the applicant fails to provide in accordance with restrictions or conditions of the permit or to provide any other services, equipment and/or facilities necessitated by the gathering. As security for such agreement, the Director of POSCS may require the posting of a cash deposit or in lieu thereof indemnity and/or faithful performance bonds in amounts determined by the Director of POSCS to be adequate to provide for such indemnification. Any bonds shall be issued by a corporate bonding company authorized to do business in the State of California by the Department of Insurance.

(C) As a further condition to approval of an application, the Director of POSCS may require the applicant to furnish a liability insurance policy to provide public liability and property damage coverage in amounts and terms approved by the County Risk Manager; set by the Risk Manager on the basis of the potential risks to persons and property posed by the special event. The insurance policy shall name the County of Santa Cruz as an additional insured, shall provide that it will not be reduced or cancelled without 30 days' prior written notice to the County, and shall include coverage of injury to any persons and damage to any property caused by the special event or arising therefrom, whether occurring on or off the site of the event.

(D) Any insurance policy required shall be issued by a corporate insurance company authorized to do business in California by the Department of Insurance. [Ord. 3898 § 1, 1988].

10.20.080 Issuance of permit.

Upon the approval of an application by the Director of POSCS and upon the filing with the Director of POSCS of any cash deposit or bonds in the form and amount required, the Director of POSCS shall issue a permit for the approved special event with the required restrictions and conditions imposed by the Director of POSCS. A permit issued shall only authorize the holding of the special event or series thereof at the time and place specified and in accordance with the required restrictions and conditions imposed, and shall not be transferable or assignable in any manner. [Ord. 3898 § 1, 1988].

10.20.090 Revocation of permit.

(A) To the Director of POSCS is reserved the right, after giving notice to the applicant or applicants as provided in this chapter, to revoke any permit issued hereunder should the Director of POSCS determine upon current information that the special event cannot be held without endangering the public health, safety or welfare. The Director of POSCS also may revoke any permit he/she has issued if he/she determines that the applicant or applicants for the special event have failed to comply with any of the restrictions or conditions of the permit, have sold tickets or advertised such special event prior to the issuance of any permit, without his/her approval, or have violated any other provisions of this chapter. The applicant or applicants shall be given at least 24 hours' notice of such proposed action and shall be given the opportunity to appear and be heard thereon. The Director of POSCS shall attempt to give written notice of the meeting. If time does not permit this, the Director of POSCS shall give notice to the applicant or applicants of such meeting by calling the telephone number or numbers given for that purpose on their application. Failure of the applicant or applicants to answer the calls shall not affect the giving of the notice or invalidate the proceedings to consider the revocation of the permit.

(B) During inspection of the activity, should the County observe violations of the conditions of the permit, it may summarily revoke the permit in its entirety or certain aspects of the permit. [Ord. 3898 § 1, 1988].

10.20.095 Appeal to the County Administrative Officer.

The determination of the Director of POSCS can be appealed. Appeal shall be filed with the County Administrative Officer within 10 working days of the Director of POSCS' determination. The County Administrative Officer will review the determination to see if there was a rational basis for the determination. Within 10 working days of receipt, the County Administrative Officer shall issue his ruling on the appeal. The decision of the County Administrative Officer shall be final. [Ord. 3898 § 1, 1988].

10.20.100 Penalties for violation.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor for each offense, and upon conviction thereof shall be punishable by a fine of up to \$1,000 or by imprisonment in the Santa Cruz County Jail for a period of up to one year, or by both such fine and imprisonment for each such offense. [Ord. 3898 § 1, 1988].

Chapter 10.22**COURTHOUSE SECURITY****Sections:**

- 10.22.010 Breaching courthouse security measures—Entering courthouse through unauthorized entryways.**
- 10.22.020 Sheriff’s security officers—Arrest powers.**
- 10.22.030 Violations.**

10.22.010 Breaching courthouse security measures—Entering courthouse through unauthorized entryways.

(A) It is unlawful for any person to breach, defeat, bypass or tamper with any mechanism, system or facility installed to prevent, bar or restrict access to the Santa Cruz County Courthouse or the Watsonville Court Annex, with the intent to circumvent the courthouse entry screening, or to aid another in such a breach, defeat, bypass or tampering.

(B) It is unlawful for any person to enter, with the intent to circumvent the courthouse entry screening, or exit the Santa Cruz County Courthouse or the Watsonville Court Annex by way of any access door, hallway or entryway which is posted as “restricted” or “no access,” unless authorized to do so by a peace officer or Sheriff’s security officer. [Ord. 4491 § 1, 1998].

10.22.020 Sheriff’s security officers—Arrest powers.

Pursuant to the provisions of Section 836.5 of the Penal Code, Sheriff’s security officers, upon approval by the Sheriff-Coroner, are authorized to arrest a person without warrant whenever they have reasonable cause to believe that the person has committed an infraction or a misdemeanor in their presence which is a violation of this chapter. [Ord. 4491 § 1, 1998].

10.22.030 Violations.

Any person violating or causing or permitting the violation of this chapter shall be deemed guilty of an infraction and shall be punished by a fine in accordance with SCCC 1.12.040; provided, however, that any offense which would otherwise be an infraction shall be a misdemeanor if a defendant has been convicted of three or more violations of this chapter within the 12-month period preceding the commission of the offense alleged in the accusatory pleading. For this purpose, a bail forfeiture shall be deemed to be a conviction of the offense charged. [Ord. 4491 § 1, 1998].

