SEC. 41.101. PURPOSE.

The County owns, leases and manages a diverse collection of properties that include areas for active and passive recreational use, community and recreation centers, open space areas, ecological reserves, historical sites, monument sites, and landmark sites. The County Department of Parks and Recreation (Parks Department) manages and/or supervises the management of these properties and as necessary, maintains and protects the properties for the public benefit. The purpose of this chapter is to provide regulations for the safe and orderly use of properties for which the Parks Department is responsible to maximize the public benefit while safeguarding valuable resources for future generations.

(Added by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

SEC. 41.102. DEFINITIONS.

The following definitions shall apply to this chapter:

(a) "Animal" means any living thing that is a member of the animal kingdom, other than a human being.
(b) "County park" means any park, trail, easement, community center, recreation facility, sports complex, open space preserve, ecological reserve, landmark site or monument site owned, leased or managed by the County.
(c) "Department" means the County of San Diego Department of Parks and Recreation.
(d) "Designated sports facility" means a baseball field, soccer field, basketball court, tennis court, hockey rink, volleyball court, bocce ball court or other park sports facility that the Department has posted as requiring a reservation when used by certain groups.
(e) "Director" means the Director of the Department of Parks and Recreation or the Director's designee.
(f) "Ecological reserve" means land or water areas the State establishes and the County manages, that are to be preserved in a natural condition for the benefit of the public to observe native flora and fauna and for scientific study or research.
(g) "Game of chance" means a game whose outcome is determined by use of a device such as dice, cards or some other random selector.
(h) "Historical site" means an object, building or structure that has historical or cultural significance.
(i) "Landmark site" means a building, site, district or object recognized by the County of San Diego Historic Site Board, State Register of Historic Resources or National Register of Historic Places.
(j) "Minor" means a person under the age of 18 years.
(k) "Monument site" means a place where something has been erected in memory of a person, group, or event.
(l) "Open space preserve" means land that contains sensitive natural biological and cultural resources and may allow limited passive recreational activities depending on the sensitivity of the resources involved.
(m) "Park ranger" means a person employed or appointed by the County to manage County parks and to enforce park rules and regulations.
(n) "Pet" means a dog, cat, bird, domesticated pygmy goat or pot-bellied pig owned by a park visitor.
(o) "Service animal" means a "guide dog," "signal dog" or "service dog," as those terms are defined in Penal Code section 365.5. The service dog must be individually trained to work or perform tasks for people with disabilities. A "service animal" also includes a "guide dog," "signal dog" or "service dog" in training accompanied by a trainer or an individual with a disability, who is training the dog.
(p) "Vehicle" has the same meaning as the term "vehicle" in California Vehicle Code section 670.
(q) "Water body" means any natural or manmade lake, river, stream, creek, pond, pool, recreational water feature, or reservoir located in a County park.
(r) "Youth group" means an organization that serves youth 18 years of age or younger, including but not
limited to, the Boy Scouts, the Girls Scouts, YMCA, YWCA, Boys' and Girls' Clubs or any other similar organization.

(Amended by Ord. No. 3965 (N.S.), effective 10-19-72; amended by Ord. No. 6370 (N.S.), effective 7-8-82; amended by Ord. No. 8316 (N.S.), effective 11-25-93; amended by Ord. No. 9578 (N.S.), effective 8-8-03; amended by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 9925 (N.S.), effective 4-11-08; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

Cross reference(s)--Definitions, § 12.101 et seq.

**SEC. 41.103. COUNTY DEPARTMENT TO OPERATE PARKS.**

The Department shall be responsible to operate and supervise the operation of all County parks and perform functions as listed in Article XXIV Sec. 430.4, to maintain and protect County park resources from misuse. If a County park is leased to a person as provided under the Government Code or is leased from a person, the Department's responsibility to maintain the park shall be governed by the terms of the lease.

(Amended by Ord. No. 3965 (N.S.), effective 10-19-72; amended by Ord. No. 4195 (N.S.), effective 12-13-73; amended by Ord. No. 6370 (N.S.), effective 7-8-82; amended by Ord. No. 7309 (N.S.), effective 7-2-87; amended by Ord. No. 9494 (N.S.), effective 9-13-02; amended by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

Cross reference(s)--Animals and poultry, § 62.101 et seq.; animal control, § 62.601 et seq.; disposal of dead animals, § 62.801 et seq.; pollution of water by animals prohibited, § 67.201.

**SEC. 41.104. ENFORCEMENT RESPONSIBILITIES OF DEPARTMENT OF ANIMAL SERVICES.**

An employee of the Department of Animal Services authorized to enforce animal control laws in the unincorporated area of the County and in cities under contract with the County shall have the authority to enforce sections 62.601 et seq. of this code in any County park located in the unincorporated area of the County and in any city in which the County is under contract to perform animal control services.

(Added by Ord. No. 4183 (N.S.), effective 11-15-73; amended by Ord. 7182 (N.S.), effective 9-11-86; amended by Ord. No. 9528 (N.S.), effective 2-27-03; amended by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

Cross reference(s)--Animals and poultry, § 62.101 et seq.; animal control, § 62.601 et seq.; disposal of dead animals, § 62.801 et seq.; pollution of water by animals prohibited, § 67.201.

**SEC. 41.105. FEES, RULES AND REGULATIONS.**

(a) The Director shall establish park user fees. The fees shall become effective when they are approved by the Board of Supervisors.

(b) The Director shall adopt and implement rules and regulations for the uses allowed and the hours of operation for each park. As necessary, the Director shall also adopt and implement rules and regulations for the safe operation of County parks. The Department shall make the rules and regulations available to any interested person during normal business hours.

(Amended by Ord. No. 9494 (N.S.), effective 9-13-02; amended by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

**SEC. 41.106. COMPLIANCE WITH INSTRUCTIONS AND SIGNS.**

(a) No person shall refuse or fail to comply with any lawful order, rule or regulation adopted by the Director, warning or other instruction given by a park ranger in a County park, when the park ranger determines that a person is violating a provision of this chapter or engaging in conduct that presents an immediate threat to the safety of any person or property.

(b) No person shall disregard, deface, alter or tamper with any warning or instructional sign located in a County park.

(c) A park ranger, any other Department employee or any law enforcement officer may order a person to leave a County park if the person violates subsection (a) or (b) above or if the person violates any other provision of this chapter.

(d) It shall be unlawful for any person to refuse to leave a County park after being ordered to leave pursuant to subsection (c) above. A person may not refuse to leave a park on the grounds that the person believes the order to leave is unjustified.
SEC. 41.107. VIOLATIONS.

(a) Violations of the following sections shall be infractions: section 41.116(a), section 41.123(a)-(c), (f) and (h), section 41.124, section 41.127, section 41.128, section 41.129, section 41.130(b) and (c), section 41.131 and section 41.142. All other violations of this chapter shall be misdemeanors.

(b) In addition to initiating a criminal prosecution under paragraph (a) above, the County may also recover civil penalties of up to $2,500 a day against a person for each day the person violates any of the following sections: section 41.111, section 41.112, section 41.113 and section 41.122.

(Added by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

SEC. 41.111. PLANTS AND TREES.

It shall be unlawful for any person, without written authorization from the Department to:

(a) Remove, burn, move, cut, trim, deface, disfigure, affix an object to, destroy or damage in any manner, any shrub, tree, plant, aquatic plant or any other type of vegetation in a County park.

(b) Add any shrub, tree, plant, aquatic plant or any other type of vegetation in a County park.

(Added by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

SEC. 41.112. PROTECTION OF PARK ANIMALS.

It shall be unlawful for any person without written authorization from the Department to:

(a) Hunt, catch, chase, trap, kill, poison, wound, injure, mistreat or attempt to hunt, catch, chase, trap, kill, wound, injure or mistreat any wild or domesticated animal in a County park.

(b) Allow any animal that the person brings into a County park to hunt, catch, chase, trap, kill, wound, harass, or injure any wild or domesticated animal in a County park.

(Added by Ord. No. 3965 (N.S.), effective 10-19-72; amended by Ord. No. 9578 (N.S.), effective 8-8-03; amended by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

SEC. 41.113. GEOLOGICAL FEATURES.

It shall be unlawful for any person, without written authorization from the Department to engage in or retain any person to engage in any of the following activities in a County park:

(a) Dig or excavate.

(b) Remove earth, sand, gravel, rock, oil, natural gas, gold, silver, salt or any other mineral, fossil, remnant of a fossil, artifact or remnant of an artifact.

(c) Disturb, deface, disfigure, mark on or destroy any cave, rock formation or any other naturally occurring feature.

(Added by Ord. No. 6370 (N.S.), effective 7-8-82; amended by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

SEC. 41.114. GROUNDS FOR WRITTEN AUTHORIZATION.

The Department may grant a person written authorization to engage in any activity that would otherwise be prohibited under sections 41.111-41.113 if the Department determines that granting the authorization will be in the County's best interest.

(Added by Ord. No. 9890 (N.S.), effective 10-26-07; amended by Ord. No. 10412 (N.S.), effective 2-26-16)

SEC. 41.115. DAMAGE TO FACILITIES PROHIBITED.

It shall be unlawful for a person to destroy, deface or damage any road, path, walkway, door, fence, wall, room, building, railing, sign, playground equipment, bench, table, monument or any other manmade object or