

TITLE 11

PUBLIC PARKS AND FACILITIES

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TITLE 11

PUBLIC PARKS AND FACILITIES

Chapter 11.01

GENERAL PROVISIONS

Sections:

11.01.010 Use of parks.

11.01.020 Definitions.

11.01.010 Use of parks.

The use of all public parks and other areas under the direction of the city is permitted under the rules and regulations hereinafter set forth in this title. (94-15)

11.01.020 Definitions.

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Community and Human Services Director” means the Director of Community and Human Services or any person designated by the City Manager or the Director of Community and Human Services to perform the director’s duties under this title.

“Permit” means a certificate or written approval to engage in activities in public parks in the city as specified in this title. Unless otherwise expressly provided in this title, all permits required under this title shall be obtained from the Community and Human Services Director.

“Public park” means a specific piece of ground, owned, operated, maintained or under the control of the City and set apart for the recreational use of the general public, whether developed or undeveloped, including natural parks, and that is usually, or may be, planted with trees, lawns and other shrubbery. A park may include within its boundary facilities for sports, entertainment, dancing, recreation, swimming, or a park may be planned for any beneficial use by the public. A park may have numerous facilities or consist of only a single facility. Facilities means any building, playground equipment, basketball court, tennis court, skate court, croquette court, volleyball court, baseball field, softball field, soccer field, wading pool, and/or recreation area which are owned or operated by the City, or for which the City has enforcement and/or maintenance responsibilities. (00-06; 08-12, 12-04)

Chapter 11.02

PUBLIC PARKS AND FACILITY REGULATIONS

Sections:

- 11.02.010 Closing hours.
- 11.02.020 Fires.
- 11.02.030 Firearms.
- 11.02.040 Missiles.
- 11.02.050 Noise.
- 11.02.060 Parking.
- 11.02.070 Roads.
- 11.02.080 Rubbish.
- 11.02.090 Commercial enterprises.
- 11.02.100 Speed limits.
- 11.02.110 Vandalism.
- 11.02.120 Dogs.
- 11.02.125 Off-leash areas for dogs.
- 11.02.130 Golf.
- 11.02.140 Smoking prohibited.

11.02.010 Closing hours.

A. No person shall remain, stay, or loiter in any public park, or in a building therein, or the park parking lot, or park a vehicle in any public park parking lot, between the hours of ten p.m. and six a.m., or during any time that a park closure notice has been issued and posted pursuant to subsection B. below, unless an exception permit has been issued by the City.

B. The City Manager or his/her designee may issue a park closure order if he or she determines that there are threats to health, safety and welfare of the public or if use of the park by the public would cause damage to turf, landscaping or equipment. Once a park closure order is issued, City staff shall cause a park closure sign or notice to be placed in a prominent location within the park. (11-03)

11.02.020 Fires.

No person shall light or maintain any fire, except in a stove, fire circle or other place provided for that purpose, without first having obtained a permit from the Community and Human Services Director. (94-15, 12-04)

11.02.030 Firearms.

No person shall possess, carry or discharge any firearms, firecrackers, rockets or any other fireworks, air gun or slingshot in a public park in the city. (94-15)

11.02.040 Missiles.

No person shall throw along, upon or across any public highway or driveway within a public park any missile capable of causing personal injury or damage to personal property. (94-15)

11.02.050 Noise.

No person shall disturb the peace and quiet in a public park by any making undue, loud or unusual noise, or by tooting, blowing or sounding any automobile siren or signal, or by any tumultuous conduct or the use of any vulgar, profane or indecent language therein. (94-15)

11.02.060 Parking.

No person shall park or stand any vehicle on any road or path except at places designated by the city traffic engineer. No person shall park in any lot within the park in violation of posted restrictions. New

restrictions effective after January 1, 1976, shall be adopted under the procedures of Chapter 10.32 of this code. (94-15)

11.02.070 Roads.

No person shall ride or drive any horse or other animal or propel any vehicle, cycle or automobile in a public park other than on roads, trails or driveways provided for that purpose and in the directions posted. (94-15)

11.02.080 Rubbish.

No person shall throw, discard, place or dispose of any garbage or refuse in a public park, in any place other than a garbage can or other receptacle maintained for that purpose. No person shall bring or transport garbage or refuse to a public park and place such garbage or refuse in a garbage can or other receptacle maintained for that purpose in a public park. (94-15)

11.02.090 Commercial enterprises.

Public parks in the city are intended as places for recreation and relaxation and the free exchange of ideas, but not as a forum for commercial enterprise. Therefore, no person shall sell, offer or solicit the sale of goods or services within a park, or pass out commercial handbills or advertising, or offer commercial teaching services within a park. This prohibition shall not apply to such activity when authorized by a special event permit, or other city permit. (94-15)

11.02.100 Speed limits.

No person shall drive any vehicle in any public park at a speed greater than is reasonable for prudence, having due regard for the traffic on the roadway, and the surface and width of roadway. In any event, no vehicle shall be driven at a speed in excess of five miles per hour. (94-15)

11.02.110 Vandalism.

No person shall:

- A. pick, dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, or any portion thereof growing in a public park;
- B. Cut, break, deface or injure any building, monument, sign, fence, bench, equipment or property in a public park;
- C. Cut or remove any wood, turf, grass, soil, rock, sand or gravel in a public park. (94-15)

11.02.120 Dogs.

No person shall:

- A. Take or permit any dog within any public park in the City. Such prohibition shall apply irrespective of whether or not the dog may be restrained by a leash; provided, however, that the provisions of this section may be waived for activities or events of a recreational nature authorized and/or supervised by the Community and Human Services Department. This section shall apply only where prohibitory signs are erected.
- B. In areas within city parks designated by the city council as off leash areas, dogs are permitted off-leash under the rules in section 11.02.125.
- C. Notwithstanding subsection (A) above, dogs that are restrained by a leash shall be permitted on Thompson Creek Trail and solely upon those areas of the Padua Park Trail that are adjacent to the soccer fields and adjoining sidewalks. Any person having care or custody of a dog on Thompson Creek Trail or Padua Park Trail shall remove any waste product left by such dog(s). (12-04, 11-03; 08-12; 96-06; 94-15)

11.02.125 Off-leash areas for dogs.

The following rules apply within off-leash areas:

- A. No dog is permitted in the off-leash area except in the care, custody and control of a person thirteen years old or older. No person may have more than two dogs in the off-leash area at any one time. All dogs must be under the voice control of their caretakers at all times. No dogs are permitted in the off-leash area except during posted hours of operation.

- B. All dogs must be at least four months of age, vaccinated for rabies, and have a current animal license. No dog that is sick, in heat, or aggressive is permitted in the off-leash area.
- C. Any person having care or custody of a dog in the off-leash area shall quiet the dog if it barks and shall promptly remove the animals litter.
- D. No animals other than dogs are permitted in an off-leash area. No dog obedience classes may be conducted in an off-leash area.
- E. The use of an off-leash area by a dogs owner or other person having care, custody, or control of that dog shall constitute agreement by the dogs owner and the person having care, custody or control of that dog to follow the rules in this Section 11.02.125 and a waiver of liability of the city, and his or her agreement to protect, indemnify, defend and hold harmless the city from any claim, injury or damage arising from or in connection with such use. (Ord. 96-06)
- F. It shall be unlawful for any person to have a dog in an off-leash area between 9:00 p.m. and 7:00 a.m. (01-07)

11.02.130 Golf.

No person shall take part in or abet the playing of a game of golf or the practice thereof, nor cause to be propelled objects such as balls or stones by use of a golf club or similar instrument within any public park in the city. The provisions of this section may be waived for activities of a recreational nature authorized and/or supervised by the Community and Human Services Department. (00-06, 12-04)

11.02.140 Smoking prohibited.

In accordance with Chapter 8.18 of this Code, smoking is prohibited in any public park within the City of Claremont. (08-15)

Chapter 11.04

ALCOHOLIC BEVERAGES IN PARKS

Sections:

- 11.04.010 Permit required.**
- 11.04.020 Use of alcoholic beverages in park buildings.**
- 11.04.030 Alcohol permit and fees.**
- 11.04.040 Restrictions.**

11.04.010 Permit required.

No person shall enter, be or remain in any public park while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage except as permitted by this chapter. (94-15)

11.04.020 Use of alcoholic beverages in park buildings.

Alcoholic beverages may be dispensed and consumed in Taylor Hall, Garner House, Alexander Hughes Community Center, and Joslyn Senior Center, when these facilities are being used for private parties such as weddings, anniversaries, birthday parties, and similar uses. Alcoholic beverages may also be sold and consumed for organizational fund-raising activities of nonprofit organizations, church functions, political fundraising dinners, and parties and other similar noncommercial uses. (00-06)

11.04.030 Alcohol permit and fees.

Prior to the use of alcoholic beverages as permitted in Section 11.04.010 of this chapter, the applicant shall obtain an alcohol permit from the Community and Human Services Director. The applicant shall also pay a fee in addition to the building rental fee for the alcoholic beverage permit. Such fee shall be determined pursuant to an alcoholic beverage permit fee schedule adopted by resolution of the city council. The applicant shall also obtain any permit or license required by the California Alcoholic Beverage Control Board prior to dispensing or consuming alcohol at public park facilities as permitted in Section 11.04.010 of this chapter. (94-15, 12-04)

11.04.040 Restrictions.

Alcoholic beverages shall not be allowed and a permit shall not be issued for any function where alcohol will be served, in a public park or building, primarily designated for people under the age of twenty-one years, nor for any profit-making organization or individual wherein an admission fee is charged and is open to the general public. (94-15)

Chapter 11.06

RESERVATIONS AND PERMITS FOR GROUP EVENTS IN PARKS

Sections:

- 11.06.010 Intent.**
- 11.06.020 Definitions.**
- 11.06.030 Permit--Required for group events.**
- 11.06.040 Permit--Application.**
- 11.06.050 Permit--Review and issuance.**
- 11.06.060 Fees.**
- 11.06.070 Signs.**

11.06.010 Intent.

The use of public parks in the city by large groups causes wear and tear on the turf, park equipment, and facilities, and it requires staff time to provide coordination. Additional supplies, restroom cleaning and trash service are required. Such uses can subject neighboring residents to excessive noise and traffic, particularly when the park is small or use is particularly intense. Groups wishing to use a park sometimes find that their use is in conflict with that of another group, and on occasion, group use is so intense that casual use by families and individuals, which is one of the principal purposes of the parks, is not possible. Because the parks are attractive and well maintained, their use is intensifying, particularly for such activities as employee picnics, by groups from other cities. These groups do not contribute to the maintenance of the parks through the payment of property taxes and assessments. If the city does not regulate the intensity of group use of its parks, and provide for the payment of fees where appropriate, it will not be able to maintain the very qualities in its parks that make them attractive. (94-15)

11.06.020 Definitions.

For purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them below:

"Community and Human Services Director" means the Director of Community and Human Services or any person designated by the City Manager or the Director of Community and Human Services to perform the director's duties under this chapter.

"Group event" means an organized picnic, exhibit, show, class, or similar gathering at which food is served, or for which the group brings to the park furniture and equipment such as tables, booths, tents or play equipment. It does not include city-sponsored or co-sponsored events. A group event shall be considered Claremont-based if the applicant is a city resident, a business or school located in the city, or a nonprofit community organization, a majority of whose member or board are city residents, or which provides services to a significant number of city residents on a continuing basis. All other group events shall be considered nonresident group events. (00-06, 12-04)

11.06.030 Permit--Required for group events.

No group of fifty or more individuals shall use a public park for a group event without first obtaining a park permit from the Community and Human Services Director. (08-05, 12-04)

11.06.040 Permit--Application.

Applications for group event permits shall be made in writing on forms provided by the Community and Human Services Director, and shall be filed with the Community and Human Services Director together with such application fees as may be established from time to time by resolution of the city council. The application shall accurately identify the applicant, the nature of the event, the preferred date, time and location, the attendance at it, the activities proposed, and any furniture, equipment, banners, or sound amplification proposed, together with such other information as the Community and Human Services

Director shall determine is necessary to determine if the application should be issued under the standards of this chapter. (00-06, 08-05, 12-04)

11.06.050 Permit--Review and issuance.

A. The city council shall, by resolution, establish time limits within which applications must be filed or reservations made, establishing and designating those portions of public parks for which reservations and permits shall be allowed or required for group events, setting insurance requirements, setting priorities among categories of city-based and nonresident group events, length of time for which an area may be reserved, and otherwise establishing the procedures and standards for group events. No park may be entirely reserved for group events.

B. The Community and Human Services Department shall provide notice to owners of property within three hundred feet of any public park when the Community and Human Services Department approves any park use by any group of three hundred or more or by any group which wishes to use amplified sound.

C. The Community and Human Services Director shall issue a group event permit upon determining that the proposed group event can be accommodated at the time and date requested, and at a location in which it can take place without damaging the park landscaping and equipment, overloading any restroom and other facilities, conflicting with other events, or creating traffic congestion or excessive noise in the neighborhood. In allocating sites for group events, the director shall consider both the impact of the particular group event and the cumulative impact of events in that location. The permit shall be issued with such conditions as are necessary to carry out the intent of this chapter, and may include a requirement that city staff be present during the event. Equipment and activities that may damage the park or adversely impact the neighborhood may be prohibited. While applicants may designate a preferred location, the decision as to which site may be used shall be made by the Community and Human Services Director.

D. A permit shall be denied if the findings of subsection (C) of this section cannot be made, and it may be denied if, within the past two years, the applicant or the group has failed to abide by the terms of a previously issued permit, or has otherwise violated the provisions of this title.

E. The Community and Human Services Director's decision may be appealed to the Community and Human Services Commission by filing an appeal, in writing, with the Community and Human Services Department within the time limits established by resolution of the City Council. (00-06, 12-04)

11.06.060 Fees.

The city council shall from time to time, by resolution, set the application fee for group event permits and the park use fee for group event permits. Such fees shall not exceed the reasonable costs of providing the services. Fee for nonresident group events shall reflect the fact that nonresident groups do not contribute to the support of the city's public parks through the payment of real property taxes and assessments. (94-15)

11.06.070 Signs.

This chapter shall only apply in parks where signs are erected advising of the requirement of permits for group events. (94-15)

Chapter 11.08

LA PUERTA SPORTS PARK

Sections:

- 11.08.010 Lighting of athletic fields*.**
- 11.08.020 Use of fields on Sunday.**
- 11.08.030 Amendment of this chapter.**

11.08.010 Lighting of athletic fields*.

The athletic fields at La Puerta Sports Park shall be lighted only for use at youth soccer practice sessions. The lights may be used every year from September 1st through March 31st only. They may be used Monday through Thursday only, between the hours of four p.m. and nine p.m. only.

(95-01; 94-15)

***Editor's note:** Ordinance 95-01 amended subsection (A) of §9.44.170, which was repealed by 94-15 and recodified as §11.08.010.

11.08.020 Use of fields on Sunday.

No formally organized sports competitions may be held in La Puerta Sports Park on Sundays unless a permit has been authorized by the Community and Human Services Commission; provided, that when games originally set for other days must be rescheduled because of rain, they may be played on Sunday without obtaining a permit up to four times in any calendar year. Permits may be issued only after notice as provided in this section. Before authorizing the manager to issue the permit, the Community and Human Services Commission shall determine that the park is adequate to accommodate the proposed use, that the traffic generated by it can be properly managed, and that the proposed use will not have any adverse effect on adjacent property. In making these findings, the Community and Human Services Commission shall consider the frequency with which such permits have been issued and their cumulative impact on the neighborhood. The decision of the Community and Human Services Commission may be appealed to the City Council at its next regular meeting following the action of the Community and Human Services Commission on the proposal by filing a notice of such appeal with the city clerk or by the request of any city councilmember at such meeting.

(94-15, 12-04)

11.08.030 Amendment of this chapter.

This chapter may be amended only after a public hearing before the city council. Notice of the public hearing shall be posted at La Puerta Sports Park and mailed to the owners of each home within three hundred feet of the park, as listed on the latest assessor's roll, at least ten days before the hearing.

(94-15)

Chapter 11.10

CLAREMONT HILLSIDES WILDERNESS PARK

Sections:

- 11.10.010 Intent.**
- 11.10.020 Permitted uses.**
- 11.10.030 Entry to park.**
- 11.10.040 Vehicle parking.**
- 11.10.050 Closing hours.**
- 11.10.060 Fires and matches.**
- 11.10.070 Weapons.**
- 11.10.080 Horses and bicycles.**
- 11.10.090 Littering.**
- 11.10.100 Glass containers.**
- 11.10.110 Vandalism.**
- 11.10.120 Animals.**
- 11.10.130 Hunting.**
- 11.10.140 Commercial services.**
- 11.10.150 Groups and group events.**

11.10.010 Intent.

The intent of this chapter is to provide additional rules and regulations concerning the public's use of the Claremont Hillside Wilderness Park from the time of its acquisition by the City. This chapter shall not apply to the Padua Hills Theater. The use of the Claremont Hillside Wilderness Park is permitted under the rules and regulations hereinafter set forth in this chapter. (96-03)

11.10.020 Permitted uses.

Permitted uses within the park area shall include:

- A. Recreational activities such as hiking, running, bicycling, horseback riding, photography and picnicking provided they are restricted to established trails, roads, and rest areas.
- B. Conservation projects, student research or other educational programs involving the study of nature, ecology or earth sciences with prior City approval.
- C. Outdoor programs, lectures, and organized community activities. (96-03)

11.10.030 Entry to park.

No person shall enter the park area from any point other than an officially designated entrance location as identified by the City. No person shall enter the park area in a motorized vehicle. This section shall not apply to maintenance personnel, law enforcement personnel or persons responding to an emergency situation requiring vehicular access to the park area. (96-03)

11.10.040 Vehicle parking.

- A. No person entering the park area shall park or stand any motorized vehicle on any road, path, or property except that designated by the City as parking for the park area. This section shall not apply to maintenance personnel, law enforcement personnel or persons responding to an emergency situation requiring vehicular access to the park area.
- B. No person shall park, caused to be parked or stand any vehicle in the Claremont Hillside Wilderness Park parking lot during hours that the park is not open as specified in Section 11.10.050 or during any time the park or parking lot have been closed pursuant to Section 11.10.050(E). (13-01; Prior Code 96-03)

11.10.050 Closing hours.

A. No person shall enter, remain, stay, or loiter within any area of the Claremont Hillside Wilderness Park or in the adjacent or nearby city-owned or operated parking lot when the park or parking lot is closed.

B. Claremont Hillside Wilderness Park and parking lot are open during the following hours:

January	6:30 a.m. – 5:00 p.m.
February	6:30 a.m. – 5:30 p.m.
March	6:30 a.m. – 6:30 p.m.
April	6:00 a.m. – 7:30 p.m.
May	5:30 a.m. – 8:00 p.m.
June	5:30 a.m. – 8:30 p.m.
July	5:30 a.m. – 8:30 p.m.
August	6:00 a.m. – 8:00 p.m.
September	6:30 a.m. – 7:00 p.m.
October	6:30 a.m. – 6:00 p.m.
November	6:00 a.m. – 5:00 p.m.
December	6:30 a.m. – 5:00 p.m.

C. The City Manager may authorize access to or use of the Claremont Hillside Wilderness Park and/or its parking lot during hours that the park and/or parking lot are otherwise closed as stated herein for special events or uses for which other related permits required under the Code have been obtained from the City.

D. Overnight camping is prohibited.

The City Manager or designee may authorize the closure of the Claremont Hillside Wilderness Park and/or the north parking lot for reasons of public health and safety..

(13-01; Prior Code 96-03)

11.10.060 Fires and matches.

No person shall light any match or start or maintain any fire including smoking, camp stoves, pyrotechnics and fireworks. Flammable liquids are not permitted within the park. (96-03)

11.10.070 Weapons.

No person shall possess, carry or discharge any firearms, bow and arrow, firecrackers, rockets or any other fireworks, air gun or slingshot or other weapons. (96-03)

11.10.080 Horses and bicycles.

No person shall ride or drive any horse or propel any bicycle other than on roads or trails provided for that purpose and in the directions posted. Bicycles shall yield to horses on all roads and trails. (96-03)

11.10.090 Littering.

No person shall throw, discard, place or dispose of any garbage or refuse in any place other than a designated waste container or other receptacle maintained for that purpose. All persons using the park area shall carry out of the area all garbage or refuse that they bring into the park area. (96-03)

11.10.100 Glass containers.

No person shall bring into the park area glass containers or bottles. (96-03)

11.10.110 Vandalism.

No person shall:

A. Pick, dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, or any portion thereof growing;

B. Cut, break, deface or injure any building, monument, sign, fence, bench, equipment or property;

C. Cut or remove any wood, turf, grass, soil, rock, sand or gravel;

- D. Perform any action that creates a nuisance, poses a real or immediate threat to, results in damage to, or destruction of the parks resources or other public property;
- E. Removal or the intentional destruction of archeological materials for any reason.
- F. Conservation and management activities undertaken by the City, other public agencies, or by members of the public in accordance with written authorization from the City, shall not be a violation of this section. (96-03)

11.10.120 Animals.

No person shall:

- A. Take or permit any dog, horse or other exotic pet within the park area unless the animal is restricted by a leash or other restraint.
- B. Fail to clean up any waste products left by their dog(s).
- C. Graze livestock including the use of natural forage for commercial purposes. (96-03)

11.10.130 Hunting.

All forms of hunting, trapping and the use of poisonous baits are prohibited. (96-03)

11.10.140 Commercial services.

Commercial services such as those provided by concessionaires or equestrian outfitters and guides are prohibited. (96-03)

11.10.150 Groups and group events.

- A. No group of more than twenty (20) individuals, and no organized group event, shall use the park for any purpose, including but not limited to hiking and field trips, without first notifying and obtaining written permission from the Community and Human Services Director at least ten (10) business days before the visit or event is scheduled. Permission shall be denied if the visit or event is determined by the Community and Human Services Director to have an adverse impact on the park, park environment, adjacent properties, or public safety.
- B. No organized group event of fifty (50) or more individuals is permitted in the park area without first obtaining a park permit from the Community and Human Services Director. No park permit shall be issued if the event is determined by the Community and Human Services Director to have an adverse impact on the park, park environment, adjacent properties, or public safety.
- C. Competitive group event, including but not limited to, bicycle races, horse races, or foot races, are prohibited. (96-03, 12-04)

11.10.160 Violations-Penalties.

Any violation of any provision of this Chapter shall be punishable as a misdemeanor unless the citing officer or the prosecuting attorney determines that it would be in the interests of justice to cite or prosecute the violation as an infraction. (13-01)