

SUMMARY: Amends Chapter 95 of the Washoe County Code relating to the Washoe County Park Commission by providing for establishment of a citizen's committee, restricting the use of radios and bicycles in county parks, redefining the responsibilities of the Commission and other matters relating thereto.

BILL NO. 888

ORDINANCE NO. 713

AN ORDINANCE AMENDING CHAPTER 95 OF THE WASHOE COUNTY CODE RELATING TO THE WASHOE COUNTY PARK COMMISSION BY PROVIDING FOR ESTABLISHMENT OF A CITIZEN'S COMMITTEE, RESTRICTING THE USE OF RADIOS AND BICYCLES IN COUNTY PARKS, REDEFINING THE RESPONSIBILITY OF THE COMMISSION AND OTHER MATTERS RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 95 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as sections 2 through 6, inclusive, of this ordinance.

SECTION 2.

95.081 Citizens' committee. The commission shall have the authority to appoint citizens' committees to assist the commission in making recommendations to the board of county commissioners concerning the matters set forth in section 95.080 of this code. Membership in citizens' committees shall be subject to the approval of the director. A commissioner shall be delegated to attend meetings of the citizens' committee. The citizens' committee shall report its recommendations directly to the commission.

SECTION 3.

95.085 Duties of director. The director shall attend meetings of the commission and shall make such reports to the commission, to the county manager, or to the board of county commissioners as shall be required of him. All recommendations of the commission made to the board of county commissioners shall first be submitted to the director and his approval or disapproval shall be a part of or accompany any such recommendation.

SECTION 4.

95.255 Radios, tape players; noise levels. Notwithstanding any other provision of this code and in addition

thereto, it is unlawful for any person to permit or cause any noise, sound, music or program to be emitted from any radio, tape player, tape recorder, record player or television set or similar device outdoors on or in any park when such noise, sound, music or program emitted therefrom is audible to a person of normal hearing sensitivity within a distance of 100 feet.

(a) As used herein, "a person of normal hearing sensitivity" means a person who has a hearing threshold level of between 0 decibels and 25 decibels HL averaged over the frequencies 500, 1,000 and 2,000 Hertz.

SECTION 5.

95.275 Possession and consumption of alcoholic beverages or controlled substances.

1. It shall be unlawful for any person to possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened or the seal broken in any area of a county park facility which has been posted as a nonalcoholic area.

2. It shall be unlawful for any person to possess or use any controlled substance prohibited by NRS chapter 453 in any county park facility.

SECTION 6.

95.365 Unauthorized use of bicycle trails. It shall be unlawful for any person to:

(a) Operate any motorized vehicle, including, without limitation, motorcycles, trail bikes, or motorized bicycles upon any bicycle trail except as necessary to cross a street, driveway or access road intersection without authorization from the director;

(b) Hold any competitive event on any bicycle trail without authorization from the director or ride a bicycle on a designated off-street bicycle trail in excess of 15 miles per hour, except during authorized competitive events, or in a manner which is unsafe or which may be injurious to the rider or other persons.

SECTION 7. Section 95.010 of the Washoe County Code is hereby amended to read as follows:

95.010 Definitions. As used in sections 95.010 to 95.100 inclusive:

1. "Director" means the director of the county parks and recreation department or his designee.

2. "Facilities" means any recreational or park property under the jurisdiction and control of the board of county commissioners.

3. "Commission" or "Park Commission" means the Washoe County park and recreation commission.

4. "Commissioner" or "Park Commissioner" means a member of the Washoe County park commission.

SECTION 8. Section 95.040 of the Washoe County Code is hereby amended to read as follows:

95.040 Terms of office; vacancies; compensation and expenses of park commissioners.

1. All commissioners shall be appointed for terms of 4 years.

2. The terms shall be staggered in such manner as to provide that no more than 3 vacancies will occur in any year.

3. Commissioners shall hold office until their successors are appointed and qualified.

4. Any vacancy in the office of commissioner shall be filled for the unexpired term in the same manner as original appointments.

5. Commissioners shall serve without compensation but shall be entitled to the same travel expenses and subsistence allowances as county officers.

SECTION 9. Section 95.060 of the Washoe County Code is hereby amended to read as follows:

95.060 Officers; term.

1. The commissioners shall elect a chairperson, vice chairperson, and such other officers as are necessary from among their members during the first regularly scheduled meeting of the commission in January, and annually thereafter at the first regularly scheduled meeting in January.

2. The term of office shall be 1 year.

3. The director shall act as ex-officio secretary of the commission.

SECTION 10. Section 95.070 of the Washoe County Code is hereby amended to read as follows:

95.070 Meetings; records; quorum.

1. The commission shall hold at least 9 meetings each year and shall keep a complete record of all its transactions. A commissioner's absence from a meeting of the commission may be authorized in advance by the chairman. Three consecutive unauthorized absences from meetings of the commission by any commissioner shall automatically result in a vacancy in the office of that commissioner.

2. Five commissioners constitute a quorum for the transaction of business.

3. Any resolution or motion may be adopted or other action ordered taken by a majority of the commissioners forming a quorum.

SECTION 11. Section 95.080 of the Washoe County Code is hereby amended to read as follows:

95.080 Powers of the commission. The powers of the park commission are:

1. To act in advisory capacity to the board of county commissioners in promoting, aiding and encouraging public recreation including the development of recreation and park facilities.

2. To act in an advisory capacity to the director in maintenance, development and operation of all county-owned or operated recreation areas and facilities and to develop rules and regulations governing the use of those facilities.

3. To establish general procedures to carry out the purpose of the commission; and recommend rules and regulations to the board of county commissioners as it may deem necessary to facilitate the carrying on of a recreation and park system.

4. To study and make recommendations on the department's operating procedures and policies, fiscal policies and plans, and acquisition and development plans and policies.

5. To interpret the recreation program to public officials and to the general public in order that the recreation and park program may receive adequate support from public and private sources.

6. To consult with the director on methods of financing a county-wide parks and recreation program, and make recommendations thereon.

7. To make recommendations to the board of county commissioners on deviations from, alterations to, or additions to the master plan for parks and recreation.

8. To make recommendations to the board of county commissioners on a schedule of priorities for acquisition and development of park property in accordance with the master plan.

9. To recommend to the board of county commissioners a time schedule for acquisition and development of park and recreation facilities.

10. To review and recommend annual budgets to the board of county commissioners.

11. To recommend to the board of county commissioners, rates, tolls and charges for services and the use or availability of facilities.

12. To recommend to the board of county commissioners

the purchase, lease or exchange of lands for recreation or park purposes.

13. To review and recommend contemplated contracts to the board of county commissioners for the operation, construction and development of park and recreation facilities.

14. To exercise such other powers and perform such other duties as may be delegated by the board of county commissioners.

SECTION 12. Section 95.090 of the Washoe County Code is hereby amended to read as follows:

95.090 Responsibility for facilities. The jurisdiction of the commission includes, in addition to those enumerated, responsibility for study, analysis and recommendations for all existing and all future facilities when requested by the board of county commissioners.

SECTION 13. Section 95.100 of the Washoe County Code is hereby amended to read as follows:

95.100 Financial support. It shall be the policy of the county, to the extent allowed by law, to credit moneys received from or generated by park facilities for the use and benefit of those facilities.

SECTION 14. Section 95.110 of the Washoe County Code is hereby amended to read as follows:

95.110 Definitions. As used in sections 95.110 to 95.500, inclusive, unless the context otherwise requires:

1. "Camping" means to erect a tent or shelter or use any motor vehicle for the purpose of, or in such a way as will result in, overnight occupancy thereof in any county park.
2. "County park" includes any area designated by the board of county commissioners as a public park, playground or recreational facility.
3. "Department" means the department of parks and recreation.
4. "Director" means the director of the department or his designated representative.
5. "Facility" means any part of a county park.

SECTION 15. Section 95.140 of the Washoe County Code is hereby amended to read as follows:

95.140 Leash law; animal control.

1. Except as otherwise provided in this section, no person may:

- (a) Bring an animal into, permit an animal to enter or

remain in, or possess an animal in any county park unless the animal is on a leash of no more than 6 feet in length and under the immediate control of that person or is confined in a vehicle.

(b) Bring a dog into, permit a dog to enter or remain in, or possess a dog on any beach adjacent to any body of water within any county park except in areas designated for dogs. Animals are prohibited in the water in any bathing or swimming area.

(c) Keep any noisy, vicious or dangerous animal, or one which is disturbing to other persons, in any county park, or remain therein with the animal after he has been asked to remove the animal by a park ranger or other county parks department officer or employee.

(d) Lead or possess any animal, with or without a leash, while he is attending a conducted tour of an historic area or grounds within any county park.

2. The director may, upon proper posting, prohibit animals in certain areas of county parks which are extensively used by the public.

3. The provisions of this section do not apply to any visually handicapped person who uses a guide dog specially trained by a guide dog school to assist him as an aid to his mobility.

SECTION 16. Section 90.170 of the Washoe County Code is hereby amended to read as follows:

95.170 Plant molesting or harming. No person may willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn or carry away any tree, plant or portion thereof, including foliage, flowers, berries, fruit, grass, turf, humus, shrubs, cones and dead wood, except in specific portions of county parks and upon authorization by the director.

SECTION 17. Section 90.220 of the Washoe County Code is hereby amended to read as follows:

95.220 Firearms, archery devices: Possession or discharge in county parks.

1. Except as otherwise provided in this section, no person may possess or discharge any weapon from which a projectile may be propelled by means of explosive, spring, gas, air or other force in any county park.

2. The provisions of this section relating to possession or discharge of firearms do not apply if the firearm or archery device is possessed or discharged:

(a) At a designated shooting or archery facility owned and operated by the county; and

(b) Under the supervision and control of the range-master at the facility.

3. Each rangemaster may, upon approval of the director, adopt reasonable rules governing the possession and discharge of firearms and archery devices at the facility of which he is in charge, and all persons using the facility shall adhere strictly to those rules.

SECTION 18. Section 90.250 of the Washoe County Code is hereby amended to read as follows:

95.250 Disturbing the peace, trespassing.

1. Except when authorized by the director to do so, no person may:

(a) Operate any electrically powered or gasoline-powered device in any county park in such a manner as to disturb the peace in the park at any time.

(b) Conduct himself in such a manner as to disturb the peace in any county park at any time.

2. A person violating any provision of this section shall be ordered to immediately cease the violation. Failure to comply with the order constitutes a violation of sections 95.110 to 95.500, inclusive, and constitutes grounds for the imposition of the penalty specified in section 95.500.

3. The director or his designee may order any person violating any provision of this code, or any applicable city ordinance or state or federal law to immediately leave the facility. Refusal or intentional failure to comply with such order shall constitute trespassing.

SECTION 19. Section 95.290 of the Washoe County Code is hereby amended as follows:

95.290 Sewage dumping; sanitation.

1. No waste, water, sewage or effluent from sinks, portable toilets or other plumbing fixtures may be deposited directly upon or into the surface of the ground or water in any county park.

2. To maintain the sanitation and orderly appearance and for the protection of the natural resources of a county park, the director may specify the size, type and arrangement of camping equipment and the number of persons permitted in a park under his control.

SECTION 20. Section 95.310 of the Washoe County Code is hereby amended to read as follows:

95.310 Curfew limitations.

1. The director may set a curfew for persons under 18 years of age in any county park, upon finding that conditions therein are such as to warrant special measures for the protection of juveniles and others, and for the safety and welfare of the general public.

2. When a curfew has been set, no person under 18 years of age may, during the curfew period, remain or be in the park unless he is:

- (a) Accompanied by his parent or guardian;
- (b) Part of a group permitted to occupy a county park and is supervised by at least one responsible adult per 15 juveniles; or
- (c) Camping after having furnished written consent of his parent or guardian, with the inclusive dates for which permission is granted to camp at the park involved, including the name, address and telephone number of his parent or guardian.

SECTION 21. Section 95.360 of the Washoe County Code is hereby amended to read as follows:

95.360 Bicycles and other operator-propelled vehicles. No person may operate or ride a bicycle, scooter, skateboard or other operator-propelled vehicle or device in any county park when the director has determined that conditions are unsafe for the operation of the vehicle or device and has issued an order prohibiting such activity.

SECTION 22. Section 95.370 of the Washoe County Code is hereby amended to read as follows:

95.370 Payment for use of facilities.

1. No person shall use, occupy or be within the boundaries of any facility for which a fee has been established by the board of county commissioners without having first paid the required fee.

2. The fees may be collected by a park ranger or other authorized personnel in the manner prescribed pursuant to the provisions of section 95.380 of this code.

SECTION 23. Section 95.380 of the Washoe County Code is hereby amended to read as follows:

95.380 Fees; method of establishment and collection.

1. The director shall submit to the board of county commissioners a schedule which defines categories and time limits of use of facilities within the county park system and which sets forth proposed fees for each category of use. The categories, time limits and fees shall become effective upon entry of an order of the board of county commissioners.

2. The director may provide to the board of county commissioners a schedule of proposed fees for the sale or rental of personal property intended for use within a facility of the county park system. The fees shall become effective upon entry of an order of the board of county

commissioners.

3. The director shall also submit a proposed method of collection of fees, which method will minimize collection costs and maximize revenues. The method shall, whenever practical, involve the use of drop boxes and an envelope system similar to that used by the United States Forest Service.

SECTION 24. Section 95.390 of the Washoe County Code is hereby amended to read as follows:

95.390 Camping: Designated areas; limitations. For purposes of sections 95.390 to 95.420, camping shall mean setting up or leaving equipment designed or intended for use for sleeping or cooking for any period in excess of 8 daytime or 3 nighttime hours.

1. No person may camp in any county park except in areas designated and marked for that purpose.

2. No person under the age of 18 years may camp in any county park unless he is:

(a) Accompanied by his parent or guardian;

(b) Part of a group permitted to occupy a county park and is supervised by at least one responsible adult per 15 juveniles; or

(c) Camping after having furnished to an authorized department employee written consent of his parent or guardian, with the inclusive dates for which permission is granted to camp at the park involved, including the name, address and telephone number of his parent or guardian.

SECTION 25. Section 95.400 of the Washoe County Code is hereby amended to read as follows:

95.400 Number of persons occupying campsites. Except by express authorization of the director or authorized department employee:

1. The number of persons occupying a campsite shall not exceed 10.

2. The number of vehicles occupying a campsite shall not exceed 1.

SECTION 26. Section 95.420 of the Washoe County Code is hereby amended to read as follows:

95.420 Occupancy right of campsites.

1. A campsite is considered occupied when it is being used or has been reserved for camping purposes by any person who has paid the daily use fee within the applicable time limits.

2. No person may take possession or maintain possession of a campsite when he has been informed by an authorized department employee that the site has been reserved or

when a person authorized to occupy the campsite has shown evidence of his right to occupy the campsite.

SECTION 27. Section 95.450 of the Washoe County Code is hereby amended to read as follows:

95.450 Disturbance of water conduits. Except for employees of the general services or parks departments in pursuit of their official duties, no person may:

1. Enter into, remain upon or disturb the natural or artificially constructed conduits transporting water to or within any county park; or
2. Swim, wade in or otherwise contaminate waters being transported by such conduits.

SECTION 28. Section 95.490 of the Washoe County Code is hereby amended to read as follows:

95.490 Posting of signs and notices: Compliance required; prohibition against posting. No person may be or remain in any county park unless he complies with all officially posted signs and notices, nor may any person disturb, alter, create or erect signs or markers of any type without a written permit from the director.

SECTION 29. Section 95.500 of the Washoe County Code is hereby amended to read as follows:

95.500 Compliance with code, rules and regulations; penalty. Any person who:

1. Enters or remains at any county park in violation of any provision contained in sections 95.110 to 95.500, inclusive, or in violation of any permit issued or rule adopted by the director; or
2. Enters or remains at any shooting facility in violation of any rule adopted by the director or the facility's rangemaster, is guilty of a misdemeanor and shall be punished as provided in section 125.050.

Proposed on the 9th day of December, 1986.

Proposed by Commissioners Williams.

Passed on the 13th day of January, 1987.

Vote:


Ayes: Commissioners: Beck, Cornwall, McDowell, Lillard & Williams

Nays: Commissioners: None

Absent: Commissioners: None


Chairman of the Board

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after
the 26th day of January, 1987.