

CHAPTER 2

AN ORDINANCE REGARDING USE OF THE RECLAMATION AREA OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

ARTICLE I. FINDINGS.

Section 101. The Las Gallinas Valley Sanitary District (“LGVSD”) is the owner of certain real property, commonly referred to as the “Reclamation Area”, Assessor’s Parcel Numbers 155-010-65, 155-010-66 and 155-010-67, which area is open to the public for approved recreational uses. This property and all contiguous property owned or controlled by the LGVSD constitutes the Reclamation Area for purposes of this Ordinance.

Section 102. The Reclamation Area is an environmentally sensitive area, habitat for a variety of wildlife, and an active, operational industrial area. The area also has certain pond facilities and irrigation areas which are off limits to people for health reasons. The LGVSD desires to allow residents to enjoy this beautiful area and recognizes that rules must be enforced for the safety of those people using the area and the protection of the property. Therefore, the LGVSD promulgates these rules.

ARTICLE II. RULES REGARDING USE OF THE RECLAMATION AREA.

Section 201. The following activities are prohibited within the Reclamation Area:

- (a) Any physical or abusive behavior toward LGVSD Employees or others.
- (b) Trespassing or intervening with any construction activity.
- (c) Use of the restroom inside the Laboratory Building.
- (d) Smoking, fires of any nature, barbecues, camp stoves, gas and candle lanterns, birthday candles or any similar items which produce an open flame.
- (e) The disposal of trash anywhere within the reclamation area other than in authorized receptacle.
- (f) Leaving marked trails or roads at any time.

- (g) The possession or use of alcoholic beverages and illegal drugs.
- (h) The collection or disturbance of wildlife, plants and materials, including but not limited to, animals, birds, insects, flowers or rocks.
- (i) The harvesting of berries, flowers, grasses, seeds or any vegetation.
- (j) Feeding wildlife.
- (k) Boating, swimming and wading.
- (l) Camping, hunting, fishing, trapping or use of firearms.
- (m) The abandonment or release of any wild or domestic animals, including fish.
- (n) Dog sledding, ballooning or kite flying.
- (o) The use of motorized vehicles.
- (p) The use of equipment (including tables and chairs).
- (q) The playing of amplified music.
- (r) The use or disposal of rice, bread crumbs, or bird seed.

Section 202. The following activities are permitted with these rules:

- (a) Any dogs or other pets must be on a physical leash of less than eight feet in length at all times. Electronic leashes are not acceptable.
- (b) Organized events are prohibited unless allowed pursuant to a use permit if issued by the LGVSD.
- (c) Use of the Reclamation Area and parking lot between 4 a.m. and 10 p.m. These lands are closed from 10 p.m. to 4 a.m.

Section 203. Requirement for Short Term Use Permit. Pursuant to Chapter 3, Title 6 of the Ordinance Code of the Las Gallinas Valley Sanitary District (“the Code” or “Code”), Short Term Use Permits are required for all scientific and/or educational collecting, photography, filming, commercial activities, events/activities in sensitive areas, and for events or activities having a group size of 20 or more persons. Application forms can be obtained from the District office (415-472-1734). Completed application forms should be received by the District least ten days prior to the event. Submitting an application does not guarantee approval of that application.

Section 204. Permits. Permits are not transferable and may be revoked for failure to comply with any provision of the permit or applicable portions of these regulations. When issued, permits must be carried as directed at all times when using the “Reclamation Area.”

ARTICLE III. GENERAL REGULATIONS.

Section 301. Rules and Regulations. From time-to-time, the Board may promulgate rules and regulations pertaining to the “Reclamation Area,” and by resolution, adopt such policies as it sees fit to ensure appropriate management and administration of the “Reclamation Area.” All persons entering upon the “Reclamation Area” shall comply with applicable federal, state, county and local laws and regulations and with posted signs.

Section 302. Enforcement. Any authorized LGVSD employee or designee, or any peace officer shall have the authority to enforce these regulations and to eject any person(s) acting in violation of these regulations from the “Reclamation Area” or otherwise revoke their permit or permission to use such “Reclamation Area.”

Section 303. Closure of the “Reclamation Area”. The “Reclamation Area” may be closed to the public or have public uses restricted during an emergency or for health, safety, maintenance, or management purposes.

Section 304. Separate Offenses. Any violation of these regulations occurring on more than one calendar day shall constitute a separate offense.

Section 305. Impoundment. The LGVSD may impound any animal, property or equipment found to be in violation of these regulations. Items shall be disposed of in accordance with law.

Section 306. Exemptions. These regulations shall not apply to employees and agents of the District who are engaged in and acting within the scope of their authorized duties and responsibilities. The District, at its sole discretion, may grant written exemption to all or any portion of these regulations by temporary or special permit, license, contract, or lease; however, exemptions shall be limited to uses that do not violate any federal, state or local law.

Section 307. Severability. The provisions of this Chapter and Title are declared to be severable. If any chapter, section, sub-section, paragraph, subparagraph, or sentence of this code, is for any reason held to be invalid or unconstitutional, the Board declares that this ordinance, each chapter, section, subsection, paragraph, sentence, and clause, would have been adopted regardless of any findings of invalidity or unconstitutionality.

ARTICLE IV. PENALTY FOR VIOLATION.

Section 401. Section 6523 of the Health & Safety Code of the State of California provides that the violation of a regulation or ordinance of the LGVSD is a misdemeanor punishable by imprisonment in the county jail not to exceed thirty days or a fine not to exceed \$1,000.00 or both. The LGVSD may also bring forth any other remedies it has at law.