City Council
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Vice Mayor Una Glass
John Eder
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City Manager-City Attorney
Larry McLaughlin

City Clerk
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City of Sebastopol
City Council Staff Report

Reviewed by City Manager

Meeting Date: September 20, 2016
To: Mayor and City Council
From: Kenyon Webster, Planning Director
Subject: Amendment of Parks Ordinance Regarding Skategarden Park Hours
Recommendation: Introduce Ordinance for First Reading
Funding: Currently Budgeted: ___ Yes ____ No __x__N/A
Net General Fund Cost:
If Cost to Other Fund(s):
____ Yes ____ No __x__N/A

Introduction:

On September 9 the City Council accepted the improvements for the Skategarden Expansion project, which added about half an acre of new park area to the existing Skategarden Park.

The Expansion project included installation of night lighting in both the existing and new areas. The new lighting in the existing park was intended to allow night skating and to improve security lighting.

Background:

The existing Parks Ordinance states the following regarding Skategarden hours:

> Hours of Use. Notwithstanding other provisions of this chapter, unless otherwise approved by the City Council, or by City Manager approval of a special event permit, the park will be closed to the public between sunset and sunrise, with specific hours within such period set by the Public Works Department based on staffing availability and related operational and budget considerations.

In anticipation of a change to the permitted hours, the new lights in the skate structure area are set to turn off at 10:00 p.m. This hour is also consistent with hours for other City parks, which are to 10:00 p.m. (with the exception of the Laguna Preserve, which has hours of sunrise to sunset). The attached ordinance would implement this time. The Council has discretion to set hours of use.

Recommendation:

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Staff recommends that the Council conduct a public hearing, and introduce the attached ordinance for first reading.

Attachment: Ordinance for Introduction and First Reading

Ordinance No. _____

AN ORDINANCE FOR INTRODUCTION

OF THE CITY OF SEBASTOPOL, CALIFORNIA,

AMENDING THE SEBASTOPOL MUNICIPAL CODE

TO AMEND HOURS FOR SKATEGARDEN PARK

Whereas, the City opened Skategarden Park in 2008 to provide a recreational facility for skaters and to create a community garden; and

Whereas, in September 2016 the City completed a half-acre expansion of the park, which included provision of night lighting to allow expansion of park use and skating hours, as well as other improvements to recreational amenities; and

Whereas, on September 20, 2016, the City Council conducted a duly-noticed public hearing regarding proposed amendments to the park ordinance to change Skategarden hours of use.

Now, therefore, the City Council does hereby amend Section 9.24.380 to read as follows:

9.24.380 Skatepark.

In addition to other provisions of the Municipal Code and other applicable law, any skatepark on City property shall be subject to the following provisions:

A. Hours of Use. Notwithstanding other provisions of this chapter, unless otherwise approved by the City Council, or by City Manager approval of a special event permit, the park will be closed to the public between 10:00 p.m. and sunrise, with specific hours within such period set by the Public Works Department based on staffing availability and related operational and budget considerations.

B. State Law. Users are hereby on notice that skatepark use may be defined as a hazardous recreational activity under California law.

C. Helmet, Elbow and Knee Pads Required. It shall be unlawful for any person riding a skateboard, in-line skates, and skates at any City skatepark, or any other designated public recreational park or area in which skateboarding, in-line skating and skating is permitted, to fail to wear a helmet, elbow pads and knee pads.

D. Prohibitions. No person shall operate, drive or ride upon any skateboard, in-line skates or skates, bicycle, unicycle, horse or any other animal in any park or park areas except in areas posted and designated for such use.

E. Smoking. There shall be no smoking of tobacco or other products in any park that includes a skating area.

F. Portable Stereos. Music from portable stereos or other such devices that is clearly audible and causes discomfort or annoyance to any reasonable person of normal sensitiveness at any residential parcel or a place of business shall be prohibited.

G. Prohibited Items and Activities. The following items and/or activities are prohibited in any area specifically designated for skate use: glass containers, food, drink, vehicles, bicycles, unicycles, tricycles, motorcycles or wagons, automobiles, animals, or other domestic animals, portable jumps, ramps or other movable objects, or the throwing of objects such as Frisbees, balls, or other objects.

H. Vandalism. Graffiti is prohibited in the park.

I. Closure. In addition to other Municipal Code provisions regarding park closure, with approval of the City Manager, the Public Works Department is authorized to temporarily close the skate area or the entire park in the event of any substantial vandalism, including but not limited to graffiti and other damage to the skate area or other park facilities.

This Amendment is hereby introduced for first reading.

Introduced by the City Council on the ____ day of _____, 2016

Approved: _____

Mayor

Ayes:

Noes:

Absent:

Abstain:

Attest: _____

City Clerk