

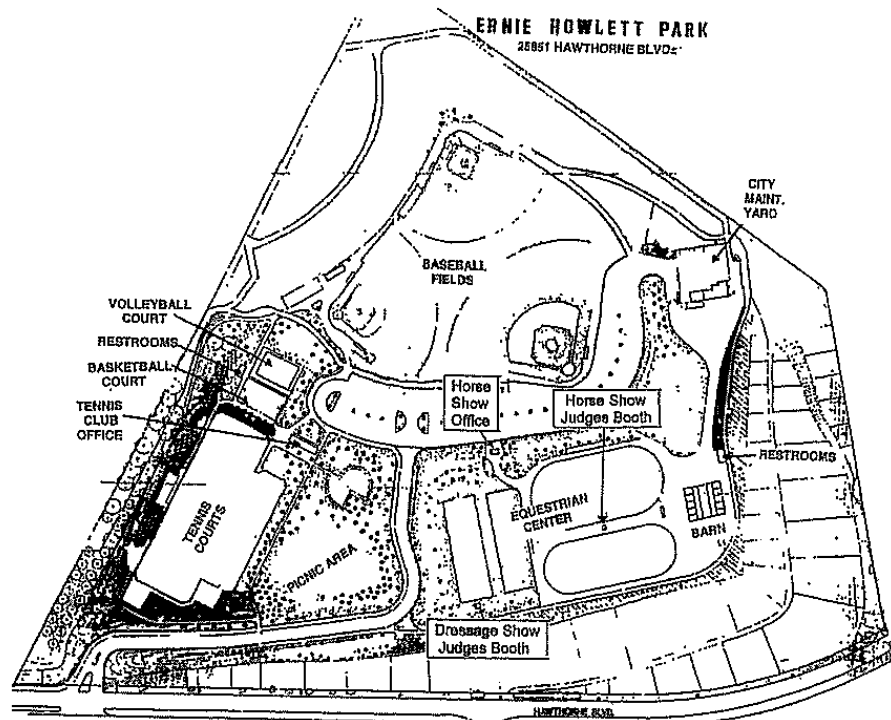
OR INDIRECTLY OUT OF THE OBLIGATIONS UNDERTAKEN IN CONNECTION WITH THIS PERMIT, OR APPLICANT'S USE, OCCUPANCY, POSSESSION OR ACTIVITIES AT THE PARK (COLLECTIVELY "CLAIMS"), AND FURTHER AGREES TO INDEMNIFY AND DEFEND THE CITY FROM AND AGAINST ANY AND ALL SUCH CLAIMS TO THE FULLEST EXTENT PERMITTED BY LAW, EXCEPT FOR CLAIMS ARISING FROM THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY. THIS WAIVER, RELEASE, INDEMNITY AND DEFENSE OBLIGATION WILL CONTINUE FOR THE ENTIRE TIME THAT ANY THIRD PARTY CAN MAKE A CLAIM AGAINST THE CITY.

11. PAYMENT FOR DAMAGE TO CITY PROPERTY

APPLICANT/AGENT MUST, UPON RECEIPT OF A CITY INVOICE, REIMBURSE THE CITY FOR ANY DAMAGE TO ANY CITY PROPERTY OR EQUIPMENT, AND, SHOULD LITIGATION BE NECESSARY TO ENFORCE ANY SUCH A CLAIM IN FAVOR OF THE CITY, THE APPLICANT WILL PAY THE CITY'S REASONABLE ATTORNEY FEES AS DETERMINED BY THE COURT.

SIGNATURE OF AUTHORIZED APPLICANT/AGENT

DATE



FOR OFFICE USE ONLY

EMPLOYEE ACCEPTING APPLICATION: _____ DATE: _____
 APPROVED: _____ DATE: _____ DISAPPROVED: _____ DATE: _____

RECEIVED CLEANING DEPOSIT: \$ _____ RECEIPT # _____
Refundable Cleaning Deposit - \$50 (Indicate Check # or "Cash")

PARK USE FEES: 20-30 People - \$25 FEE RECEIVED (Add Kitchen Fee, if requested): \$ _____
(Circle amount of people) 31-50 People - \$45 (Indicate Amount + Check # or "Cash")
 51-100 People - \$65
 KITCHEN USE - \$40

ONE-DAY BUSINESS LICENSE FEE: \$39 PER BUSINESS RECEIPT # _____
(MUST ATTACHED COMPLETED BUSINESS LICENSE APPLICATION) FEE RECEIVED: \$ _____
(Indicate Amount + Check # or "Cash") RECEIPT # _____

EQUIPMENT RENTAL FEE TOTAL: \$ _____ RECEIPT # _____
 EQUIPMENT RENTAL DEPOSIT: \$ _____ RECEIPT # _____

City of Rolling Hills Estates

MUNICIPAL CODE

Chapter 12.24 - PARK USE REGULATIONS

12.24.010 - Conduct—Rules and regulations.

The rules and regulations set out in this chapter control the conduct of all persons, other than employees, contractors or agents of the city, in or upon public parks located within the city.
(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.020 - Generally prohibited activities and items.

The following activities and items are prohibited in public parks:

- A. Hitting golf balls.
- B. Inflatable bounce units.
- C. Balloons, flags, feather flags, and piñatas.
- D. Flying motorized model airplanes or helicopters, model rockets, or drones within the airspace over public parks within the city.
- E. Repetitive hitting, kicking, or throwing of balls or objects against park fencing.
- F. Riding bicycles on a surface other than a parking lot or park roadway.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.030 - Prohibited damage to city improvements, landscaping and structures.

No person may:

- A. Cut, break, injure, deface, or disturb, any building, cage, pen, monument, sign, fence, bench or any other structure, apparatus or equipment or property of the city in any public park.
- B. Mark or place on any city structure or improvement, any mark, writing or printing.
- C. Attach any sign, card display or other similar device to any city property in a public park.
- D. Dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, growing in any public park.
- E. Remove from or deface or destroy any grass, gravel, rock, sand, soil, turf, or wood groundcover in any public park.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.040 - Alcohol.

Distributing, selling, or consuming alcohol is prohibited in any public park, except where a park permit is approved pursuant to this chapter, and the applicant has obtained an alcoholic beverage control license and provides appropriate insurance coverage for the event.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.050 - Animals.

No person may bring into any public park any cattle, goat, sheep, or swine, except if such person has obtained a park permit under this chapter. Dogs or cats may be permitted in the park if the same are kept upon a leash under the full control of its owner or person in possession, including the proper disposal of animal waste.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.060 - Commercial solicitation and sales.

No person may solicit for any commercial purpose, nor may any person sell or offer for sale any commercial goods, wares, services or merchandise, or distribute or pass out any commercial advertising matter or commercial literature, in any public park.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.070 - Disposal of solid waste.

No person, may throw, place or dispose of any solid waste in any place in any public park, other than in a receptacle maintained for that purpose.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.080 - Disturbance of the peace.

No person may disturb the peace and quiet of any public park, by making any unduly loud or unusual noise, engaging in tumultuous conduct, or using vulgar, profane, or indecent language.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.090 - Equine.

Horses, mules, ponies, and other equine may be ridden, trailered, or led into public parks with equestrian facilities or bridle/hiking trails. Equine may not be ridden, led, tethered, or allowed to graze on park turf areas, sidewalks, sports fields, sport courts, or other non-equestrian designated areas.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.100 - Firearms.

No person may possess, in any public park, any firearm, air gun, slingshot, bow and arrow or B-B gun, nor may any person discharge or shoot any firearm, air gun, slingshot, bow and arrow or B-B gun within any public park within the city.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.110 - Fireworks.

No person may fire or discharge, in any public park, any fireworks, as that term is defined in Section 9.04.040 of this code.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.120 - Horse training—Endangerment prohibited.

Horse training may be conducted for a maximum of two consecutive hours in any public park horse arena by a horse trainer, with a minimum of a one hour break between each two-hour session. Horse trainers must abide by the posted arena regulations for the maximum number of horse trainers, students, and horses allowed in a lesson at each public horse arena. No person may interfere, disrupt, or cause horses to react in a manner that would endanger riders, horse trainers, park patrons, or other horses within any public park.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.130 - Hours.

No person may go upon, remain in or loiter about any public park during the period of time commencing one hour after sunset and ending at sunrise the following day, unless such person has obtained a park permit under this chapter that expressly authorizes such person to remain during such period of time under the permit.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.140 - Smoking.

A. Prohibition. No person may smoke or possess any tobacco products within any public park.

B. Definitions.

1. "Smoke" or "Smoking" has the meaning set forth in Section 22950.5(c) of the Business & Professions Code, as amended, and includes the inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, electronic smoking device, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic.

2. "Tobacco product" has the meaning set forth Section 22950.5(d)(1) of the Business and Professions Code, as amended, and includes: (a) any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff; (b) any electronic device that delivers nicotine or other vaporized liquids to

the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah; or (c) any component, part, or accessory of a tobacco product, whether or not sold separately.
(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

Part II. - Park Permit Procedures

12.24.150 - Commission recommendations for permit rules and procedures.

Periodically, the park and activities commission may recommend to the city council specific rules, regulations and procedures governing the issuance of park permits. To be effective, all recommended rules, regulations and procedures must be adopted by resolution or ordinance of the city council.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.160 - Group defined.

For the purposes of this part, a "group" is defined as a gathering by a club, organization, association or the like, or of any individuals, for a specific, common purpose.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.170 - Park permit (groups)—Required.

No person may use or occupy in a group, or as a part of a gathering of twenty persons or more, any portion of a public park, or any building, structure or facility located within a public park, unless:

1. Such group has obtained the sponsorship of the city for such activity or use; or
2. Such group has obtained a park permit for such occupancy or use under this chapter.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.180 - Park permit—Issuance/denial determination.

A. Issuance. The city manager may issue the park permit requested if the city manager finds all of the following:

1. That the proposed activity or use will not unreasonably interfere with the general public's enjoyment of the park.
2. That the proposed activity or use will not unreasonably interfere with the promotion of the public health, welfare, safety, recreation and interest.
3. That the proposed activity or use is not unlawful.
4. That the proposed activity or use will not entail unusual, extraordinary or burdensome expense to the city, or involve extensive police operations to the detriment of the general welfare.
5. That the facilities desired to be used have not been reserved for another use at the time and place requested in the application.

B. Denial. The city manager may deny the issuance of any park permit if the city manager finds, from the application and after any investigation, all of the findings in subsection (A) cannot be made.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.190 - Park permit—Applicant's liability.

Each permittee must observe all rules and regulations applicable to conduct in public parks as set forth in this chapter or any other applicable law or regulation. Prior to the actual issuance of any permit, the applicant must sign and file with the city manager a statement agreeing to hold the city, its officers and/or employees, free and harmless from any loss, damage or injury sustained, arising out of, or by virtue of the issuance of such permit or the proposed use and/or operation. The city manager may, at the city manager's discretion, require the applicant to obtain and maintain satisfactory liability insurance, if the proposed activity appears hazardous. If so required, the policy must name the city as coinsured. In addition, the applicant's statement must indicate that the applicant must, upon receipt of a city invoice, reimburse the city for any damage to any city property or equipment, and, should litigation be necessary to enforce such a claim in favor of the city, that the applicant will pay to the city's reasonable attorney fees as determined by the court.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.200 - Park permit—Suspension/revocation.

The city manager has the authority to suspend or revoke any park permit after finding that operations under the permit have or will violate any provisions of this chapter or any other applicable law, or for any other good cause.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.210 - Park permit—Notice of action taken by city manager.

Written notice of the city manager's action on a park permit will be given to the applicant at the address provided in application.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)

12.24.220 - Park permit—Appeals.

Any person dissatisfied with the decision of the city manager concerning the issuance, denial, suspension or revocation of a park permit, may, within ten days after the date of issuance of the notice of the city manager's action, appeal the city manager's action to the city council. Such appeal must be in writing and filed with the city clerk. Upon receipt of such an appeal, the city clerk will place the matter upon the next council agenda for hearing, and will give the appealing party at least five days' written notice of the time and place of the hearing, unless notice is waived, in writing, by the applicant. At the time set for hearing on the matter, the city council will determine whether the city manager's action was consistent with the requirements of this chapter, and any other applicable law. The appealing party has the burden of proof to show how the city manager's action was arbitrary, capricious or unreasonable. The city council's determination of the appeal will be final.

(Ord. No. 710, § 3 (Exh. A), 9-27-2016)