

# PARK AND RECREATION POLICIES AND REGULATIONS

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## **ARTICLE 1. GENERAL**

- 1.1 PURPOSE.** These Park and Recreation Policies and Regulations (the “Policies”) are necessary for the administration, protection and maintenance of public property under the District’s control, management or supervision, regarding, *inter alia*, the following matters: (i) the preservation of property, grounds and structures; (ii) restriction or limitation of the use of such public property as to time, manner or permitted activities; (iii) prohibition of activities or conduct on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others or which may constitute a general nuisance; (iv) necessary sanitation, health and safety measures; (v) camping, picnicking, assemblages and other individual or group usages including the time, place and manner in which such activities may be permitted; (vi) use of all vehicles as to place, time and manner of use; and (vii) control and limitation on fires. These Policies are an appendix to the District’s Rules and Regulations and are subject to all provisions contained therein. To the extent any provision of these Policies conflicts with any provision in the Rules and Regulations, the Rules and Regulations shall prevail unless otherwise determined by the Board or District Manager in their sole discretion.
- 1.2 DEFINITIONS.** In addition to the definitions contained in Article 2 of the Rules and Regulations, the following definitions shall be applicable to these Policies:
- 1.2.1** District Property shall mean any real property owned, operated and/or maintained by the District.
- 1.2.2** District Resident(s) shall mean a person(s) residing within the legal boundaries of the District.
- 1.2.3** Person shall mean any individual, including, but not limited to, a District Resident, Property Owner, Developer, or other individual visiting or using the Recreation Amenities who does not live within or own property within the boundaries of the District.
- 1.2.4** Recreation Amenities shall mean any park, landscaping area or other amenity owned, operated and/or maintained by the District for public use and enjoyment. For purposes of these Policies, the rules, policies and procedures applying to Recreation Amenities shall also apply to any District Property.
- 1.2.5** User shall mean any Person entitled to use the Recreation Amenities.
- 1.3 LOST ARTICLES.** The District is not responsible for any lost or stolen articles or for accidents on District Property. All personal articles should be locked or secured as appropriate to avoid loss to the owner. There will be a collection spot for all lost articles designated in the District’s Office. All lost articles which are not claimed shall be donated to a non-profit collection agency on a monthly basis as determined by the Board or District Manager in their sole discretion.

End of Article.

## **ARTICLE 2. ACCESS TO AND USE OF RECREATION AMENITIES**

- 2.1 PERSONS ENTITLED TO USE OF RECREATION AMENITIES.** The District's Recreation Amenities are open to the public for its use and enjoyment. All District Residents and Property Owners of property within the legal boundaries of the District, or otherwise served by the District through extraterritorial arrangement, shall be entitled to use the Recreation Amenities as permitted in these Policies. Persons who are not District Residents and Property Owners are also permitted to use the Recreation Amenities, subject to any and all fees, rates, tolls, penalties and charges imposed by the District, as may be amended from time to time, as reflected on the Schedule of Fees and Charges set forth in Appendix A of the Rules and Regulations.
- 2.2 USE OF RECREATION AMENITIES FOR COMMERCIAL PURPOSES.** The Recreation Amenities will not be permitted for commercial activities or other private business enterprise.
- 2.3 HOURS OF OPERATION.** The Recreation Amenities shall be open from 5:00 a.m. to 9:00 p.m. Use of the Recreation Amenities outside of these hours shall be considered a violation of these Policies and any Persons on District Property outside of these hours will be considered to be trespassing and will be subject to criminal prosecution.

End of Article.

## **ARTICLE 3. GENERAL RULES**

### **3.1 PROHIBITED AND UNLAWFUL CONDUCT.** It shall be unlawful for any Person:

- 3.1.1** To enter, use, or occupy any public areas during the time such areas, or any portions thereof, are closed to entry, use or occupancy, including seasonal closures, unless approved in writing by the Board or the District Manager.
- 3.1.2** To enter, use or occupy any District Property between the hours of 9:00 p.m. and 5:00 a.m., unless authorized by a written permit or approved in writing by the Board or the District Manager.
- 3.1.3** To remove, destroy, vandalize, deface or damage any building, structure, facility, sign, equipment, fences, gates or locks located on or regulating access to District Property.
- 3.1.4** To construct, place or maintain any kind of road, trail, structure, sign, fence, marker, enclosure, communication equipment or other improvement on, over, through or under any District Property without written approval from the Board or the District Manager.
- 3.1.5** To deposit or leave any refuse, trash, litter, household or construction debris, or commercial garbage or trash, except by depositing such trash, refuse, litter and debris in refuse receptacles specifically designed for such purpose.
- 3.1.6** To install landscaping improvements extending onto District Property including, but not limited to, irrigation, landscape materials, shrub and tree planting, gardening, landscape related structures and retaining walls.
- 3.1.7** To skateboard or rollerblade on District Property except on designated sidewalks and roadways.
- 3.1.8** To solicit, picket, protest or distribute literature without prior approval of the Board or the District Manager and the securing of any required permits.
- 3.1.9** To tamper with, remove or vandalize any life safety equipment on District Property (i.e. fire extinguishers, smoke detectors, fire alarms, lifeguard equipment, etc.).
- 3.1.10** To loiter or block ingress and/or egress to or from District Property.
- 3.1.11** To amplify sound by any means within any District Property without written approval of the Board or the District Manager.
- 3.1.12** To wear apparel commonly recognized as gang-related.
- 3.1.13** To engage in any activity that unreasonably endangers the health, safety and welfare of any Person, animal or property.
- 3.1.14** To engage in disorderly conduct (as defined in § 18-9-106(1), C.R.S.) within District Property.

- 3.1.15** To build, start or light any fire at any location, of any nature, except within properly approved and designated areas (i.e. park grills, etc.), or to leave any fire unattended, or to fail to comply with any fire bans.
- 3.1.16** To install any structure including, but not limited to, tents, booths, stands, awnings, tree houses, rope swings, inflatable amusements and canopies, except as may otherwise be approved by the Board or the District Manager, with the exception that temporary awnings and/or umbrellas for shade are permitted as long as such temporary structures do not exceed twenty-five (25) square feet, are not left unattended and are removed when the visitor leaves.
- 3.1.17** To place or post signs of any type on District Property without prior approval by the Board or the District Manager.
- 3.1.18** To stick or place any handbill, poster, placard, sticker or painted or printed matter upon any District Property, including, but not limited to, any fence, power or light pole, telephone pole or other District structure.
- 3.1.19** To golf or hit golf balls onto or within any District Property.
- 3.1.20** To camp within any District Property.
- 3.1.21** To swim, wade or operate any boat or other flotation device in waters within any District Property.
- 3.1.22** To possess or use any glass bottle or container on District Property.
- 3.1.23** To use any District Property for any private enterprise or to sell or offer for sale any tangible or intangible goods or services on District Property without prior approval by the Board or the District Manager and the securing of any required permits.
- 3.1.24** To hold any public meeting, gathering or other scheduled event, public or private, which the sponsor reasonably anticipates will be attended by fifteen (15) or more persons without prior written approval by the Board or the District Manager, and the securing of any required permits.
- 3.1.25** To interfere or attempt to interfere with any authorized law enforcement, security or District personnel, or to give false or misleading information with the intent to mislead said persons in the performance of their duties.

**3.2 DRUGS AND ALCOHOL ON DISTRICT PROPERTY.** It shall be unlawful for any Person:

- 3.2.1** To sell, possess or consume any illegal drugs or controlled substances prohibited under any section of the Colorado Revised Statutes on District Property.
- 3.2.2** To sell, serve, dispense or consume any alcoholic beverage or possess an open container of any alcoholic beverage on District Property.

- 3.2.3 To sell or consume any tobacco product of any kind on District Property.
- 3.2.4 To sell, possess, use or display marijuana and/or marijuana related products on District Property.

**3.3 FIREARMS, WEAPONS, FIREWORKS, ETC.** It shall be unlawful for any Person:

- 3.3.1 To knowingly possess an unconcealed firearm of any description, or a concealed firearm of any description, unless authorized to do so pursuant to § 18-12-214, C.R.S., or any rifle, spring-gun, bow and arrow, crossbow, sling, paintball gun, air soft gun, blowgun or any other weapon potentially inimical to wildlife or dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any trapping device.
- 3.3.2 To discharge explosives or fireworks or operate or launch model rockets or other devices which use an explosive charge.

**3.4 VEHICLES.** It shall be unlawful for any Person:

- 3.4.1 To park any motor vehicles, trailers, or campers on District Property, except in designated parking lots.
- 3.4.2 To park any motor vehicles, trailers, or campers on District Property between the hours of 9:00 p.m. and 5:00 a.m.
- 3.4.3 To park a semi or commercial truck within any District Property or any parking lots within any District Property without written approval of the Board or District Manager.
- 3.4.4 To operate any motorized vehicle within any District Property, except on public roads or within public parking areas. Emergency, maintenance and patrol vehicles are specifically excluded.

**3.5 PLANTS AND ANIMALS.** It shall be unlawful for any Person:

- 3.5.1 To allow domestic pets to harm, kill, chase or otherwise harass any wild animal, bird, fish, reptile or amphibian within any District Property.
- 3.5.2 To leave any domestic pet unattended within any District Property.
- 3.5.3 To leave on any District Property, except in designated trash receptacles, or in any waters within such property, the fecal matter of any animal that one owns, possesses or keeps.
- 3.5.4 To relocate or release animals, fish, birds or insects onto any District Property without written approval of the Board or District Manager.
- 3.5.5 To hunt, shoot, kill, injure, trap or maim any animal while on District Property.

- 3.5.6** To permit any livestock to graze, or remain to graze, on District Property.
- 3.5.7** To install landscaping improvements extending onto District Property, including, but not limited to, irrigation, landscape materials, shrub and tree planting, gardening, landscape related structures and retaining walls.
- 3.5.8** To knowingly mar, mutilate, deface, disfigure, remove or injure beyond normal use any rocks, trees, shrubbery, flowers, wildflowers or other features of the natural environment.

End of Article.

## **ARTICLE 4. ENFORCEMENT OF POLICIES**

**4.1 DISORDERLY OR OFFENSIVE CONDUCT.** The Board, the District Manager, or their authorized representatives, may request that a Person cease conduct that is:

**4.1.1** In violation of the District's Rules and Regulations, these Policies or other policies promulgated by the District from time to time.

**4.1.2** Interferes with or is abusive toward any District representative in the normal operation of the Recreation Amenities or District Property.

**4.1.3** Interferes with any Person's use or enjoyment of the Recreation Amenities or is abusive to any such Person.

**4.1.4** Criminal, tortuous, intimidating or threatening, or any behavior that might result in bodily harm or property damage.

**4.2 AUTHORIZED ACTIONS.** In the event that the offending party fails to cease such conduct after being requested and warned to do so, the Board, the District Manager, or their authorized representatives, is authorized to use all reasonable means s/he deems necessary to stop such conduct, including, but not limited to, having the offending party removed from the Recreation Amenities and/or suspending the offending party's Recreation Amenities privileges. Any such suspension may be appealed to the Board at the next regular District meeting. Any person refusing removal from the Recreation Amenities or attempting to enter or remain on the premises of the Recreation Amenities after their privileges have been revoked may be subject to arrest and prosecution for criminal trespass under Colorado law.

**4.3 VIOLATION OF POLICIES.**

**4.3.1 District Manager Disciplinary Measures.** If anyone is found abusing the Recreation Amenities or disobeying the Policies, disciplinary measures will be administered by the District Manager as follows without the necessity of any action of the Board:

First offense: Verbal warning

Second offense: Restricted from the Recreation Amenities for two (2) weeks

Third offense: Restricted from the Recreation Amenities for one (1) month

Fourth offense: Restricted from the Recreation Amenities for one (1) year

The Board shall be notified of all disciplinary measures by the District Manager and shall, in its discretion, have the ability to impose other disciplinary measures as it deems appropriate at any point in time, which may include revocation of Recreation Amenities privileges for a Person(s). Any violations and disciplinary measures taken will be recorded in writing and kept on file by the District Manager.

**4.3.2 Law Enforcement Measures.** Offending parties may also be subject to other penalties and sanctions under Colorado law, including, but not limited to, prosecution under § 18-9-117, C.R.S. All violations may be reported to local law authorities as deemed necessary by the Board or the District Manager. Additional fines, suspensions



and other punitive measures may be imposed for violations resulting in law enforcement involvement.

#### **4.4 PENALTIES.**

**4.4.1 CRIMINAL PENALTIES.** Pursuant to § 18-9-117 (3)(a) and (b), C.R.S., any violation of these Policies or the Rules and Regulations is unlawful and violators shall be subject to criminal penalties enforceable by authorized law enforcement officers.

**4.4.2 CIVIL PENALTIES.** A violation of any of these Policies or the Rules and Regulations is subject to any and all civil remedies available to the District under Title 32, C.R.S., or other applicable laws. The District may impose any penalties, charges, costs and fees for any violations, which shall be reflected on the Schedule of Fees and Charges set forth in the Rules and Regulations.

End of Article.