

Title 13 - PARKS AND RECREATIONAL FACILITIES^[1]

Footnotes:

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Cross reference— Administration and personnel, tit. 2; business regulations, tit. 5; integrated waste management regulations, ch. 6.10; abatement of weeds, ch. 6.15; noise control, ch. 6.35; sanitary sewers, ch. 6.60; building and housing codes, ch. 8.02; grading and excavation code, ch. 8.10; planning and zoning, tit. 9; major thoroughfare and bridge fees, ch. 9.90; peace, morals and safety, tit. 11; traffic, tit. 12; streets and sidewalks, tit. 14.

CHAPTER 13.02. - OPERATIONAL POLICIES^[2]

Footnotes:

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Editor's note—Ord. No. 04-222, adopted March 1, 2004, amended ch. 13.02 in its entirety and enacted similar provisions as set out herein. The former ch. 13.02 derived from Ord. No. 88-16, §;s 2(13.02.010)—2(13.02.160), adopted Aug. 8, 1988.

Sec. 13.02.010. - Opportunities for use of recreational facilities.

- (a) The city council of the city finds that:
- (1) The city has developed an outstanding park and recreation system for its residents.
 - (2) Groups and individuals may be denied access to the parks and recreational facilities and recreational programs as a result of their extreme popularity.
- (b) Based on these findings, the city shall provide priority to residents of Mission Viejo in the use of park and recreational facilities and recreational programs, as set forth in this chapter, in order to allow residents the use of their popular park and recreational facilities.
- (c) Any and all individuals using the park and recreational system pursuant to the rules and regulations of this chapter shall be provided equal opportunity for use of any recreational facility and any recreational program without regard to physical limitation, age, race, color, national origin, religion, political beliefs or sex.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.020. - Reserved use.

- (a) Reserved use (defined as exclusive, permitted use for one or more occasions) of community, neighborhood and other recreational facilities shall require obtaining a use permit in a form established by the city. Permits shall be approved, conditionally approved or denied by the director of recreation and community services department ("director") or his or her designee in accordance with this section.

- (b) In determining whether or not to issue a permit, the director shall consider the following and any other factors deemed relevant:
 - (1) The suitability of the particular facility for the proposed activity.
 - (2) The effect of the proposed activity on the neighborhood surrounding the facility.
 - (3) The limitation on the availability of the facility for spontaneous recreational use or nonreserved uses by the public caused by the reserved use of the facility.
 - (4) Priority shall be given to groups composed of residents of the city, as defined by the council resolution establishing user group categories.
- (c) The director may place such reasonable conditions on the issuance of a permit as he deems necessary and proper to protect the public welfare and the facility including, but not limited to:
 - (1) Restrictions on the number and other designations of persons who may participate in such permitted activities.
 - (2) Restrictions on the days of the week and the time of day that the particular facility may be used by the permittee.
 - (3) Provisions for maintenance by the permittee of the sanitation, cleanliness, and appearance of the facility. At times, portable restrooms may be required for special events.
 - (4) All applicable fees shall be paid prior to use, unless other payment arrangements have been authorized.
 - (5) A certificate of insurance, naming the city as the additional insured, must be on file at the city prior to any contract or permits being approved. This shall not apply for infrequent use.
- (d) The director may revoke or suspend a permit upon finding:
 - (1) The permittee has violated one or more applicable conditions of approval of the permit or
 - (2) The information supplied to the city as part of the application for the permit is incorrect or
 - (3) Other good cause.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.025. - Organized play: permits required.

- (a) No person shall participate in any organized play on any park, soccer field, baseball field, softball field or other recreational facility owned, operated or controlled by the city without first receiving a permit which is issued by the recreation and community services department and which authorize the organized play at the particular site.
- (b) The term organized play as used in this section shall mean six persons or more engaging in a team sport athletic contest, such as, but not limited to, soccer, lacrosse, baseball, softball, football, basketball, or volleyball. This shall not apply for infrequent use.
- (c) In determining whether or not to issue a permit, the director, or designee of the recreation and community services department shall consider the following and any other factors he deems relevant:
 - (1) The suitability of the particular facility for the proposed play.
 - (2) The effect of the activity on the neighborhood.
 - (3) The limitation on the availability of the facility for spontaneous recreational use by the public caused by the permitted use of the facility.
 - (4) Priority shall be given to groups composed of residents of the city, as defined by the council resolution establishing user group categories.

- (d) The director, or designee, of the recreation and community services department may place such reasonable conditions on the issuance of a permit as he deems necessary and proper to protect the public welfare, including but not limited to:
 - (1) Restrictions on the number, age and other designations of persons who may participate in such permitted play.
 - (2) Restrictions on the season, days of the week and time of day that the particular facility may be used by the permittee.
 - (3) Provisions for the maintenance by the permittee of the sanitation, cleanliness and appearance of the facility. At times, portable restrooms may be required for special events.
 - (4) Provisions for security and the maintenance of law and order, including compliance with noise, parking, safety and other appropriate regulations. It is at the city's discretion to require security on the premises to enforce the policies of field use. If security is deemed necessary, it is the responsibility of the user group or individual to obtain security personnel at the user's expense. A letter of confirmation from the security agency must be submitted prior to field approval.
 - (5) Restrictions on the installation of apparatus or modification in any manner, either temporary or permanent, by the permittee to the sports field or adjacent structures.
 - (6) Provisions for the posting liability insurance by the permittee.
- (e) In the event that any of the conditions of the permit are violated by the permittee or for other good cause shown, the director, or designee, of the recreation and community services department may suspend or revoke the permit after notice to the permittee.
- (f) When a permit is issued for organized play at a park, soccer field, baseball field, softball field, or other recreational facility pursuant to this section for use of said facility at a particular time, and that facility is being used by one or more persons who do not hold a permit to use the facility at that particular time, the non-permit holders shall immediately vacate the facility upon arrival of the permit holders.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.030. - Neighborhood park unreserved use.

Use of all neighborhood park facilities (defined as a site that serves immediate residential areas) will be based on a first-come, first-served basis. No organized play shall be permitted in a neighborhood park unless a permit is issued pursuant to section 13.02.025.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.040. - Multiple facility reservations.

If more than one recreational facility is reserved (e.g., two sports fields) applicable fees and deposits shall be charged for each facility reserved.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.050. - City-sponsored uses.

Any use of recreational facilities scheduled for city-sponsored or cosponsored uses shall be deemed a use for city purposes, and shall be exempt from fees, deposits and permit requirements listed herein. Such determination shall be made by the city council.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.060. - User groups.

User groups are established and defined pursuant to the city's sports field use and allocation policy, as the same may be amended from time to time, and are hereby incorporated by reference.

(Ord. No. 04-222, 3-1-04; Ord. No. 16-310, § 1, 1-26-16)

Sec. 13.02.065 - Liability insurance.

- (a) The city requires each organized activity taking place at any city facility have insurance for said activity. Permittee shall procure and maintain for the term of the permit insurance against claims for injuries to persons or damages to property which may arise from or in connection with the activities described hereunder performed by the permittee, his agents, representatives, or employees. Insurance is to be placed with insurers authorized to do business in the state and acceptable to the city. This may not apply for infrequent use; however a one-time special event may be subject to requirement.
- (b) The certificate of insurance, naming the city as the additional insured along with an endorsement, is to be submitted prior to permit authorization. A 30-day written notice of cancellation clause is required.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.070. - Recurring use.

Recurring use is generally defined as repeated use of recreational facilities on a regularly scheduled basis (i.e., leagues, organized play, etc.). Renewals of permits are limited to applicants who are in good standing with all fees paid up to date.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.080. - Nonrecurring use.

Nonrecurring use is generally defined as infrequent use of recreational facilities or special event basis (i.e., annual picnics, private parties or company-sponsored events).

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.085 - Additional items.

The use of generators, pitching machines, bounce-house-type apparatus, climbing walls, portable toilets, dumpsters, or any other large equipment of similar function, use or applicability as determined in the sole discretion of the recreation and community services department is prohibited in any park or facility unless a permit is issued by the director of recreation and community services or designee. Liability insurance coverage may be required in the sole discretion of the city.

(Ord. No. 04-222, 3-1-04; Ord. No. 16-311, § 1, 1-26-16)

Sec. 13.02.090. - Exemption.

Due to special or unusual circumstances, the city council may exempt user groups from applicable fee requirements for the use of recreational facilities. It is the responsibility of the specific user group to formally request exemption from the city council. The request should specify the special or unusual circumstances that necessitate exemption.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.100. - Scheduling priorities.

Scheduling priorities shall be established and defined by city council resolution.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.110. - Sports fields and facilities.

It is recognized that recreational facilities and sports fields vary in type, location and ancillary improvements. However, applicable fee schedules shall generally apply equally to all sports fields and facilities depending on the level of service required for an individual facility.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.115. - Athletic activities.

No person shall conduct or participate in any sport or in any organized athletic activities within any recreational area other than in such areas as may be designated for such sports, games or athletic activities, or in any areas where the director has posted signs prohibiting such activities.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.120. - Fee payments.

If paid by check, the fees applicable to the use of the facility are due and payable in full, 14 days prior to the use of that facility. Less than 14 days, cash payment will be required, unless other payment arrangements have been authorized. When fees are due and payable at the time a permit is issued, refunds are permitted if sufficient notice is given to the city upon cancellation (seven days' notice for nonrecurring groups). Applicable fees and permits are required only when reserved use is requested.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.130. - Sales and uses.

Authorized user groups which desire to use facilities for fundraising purposes shall be allowed to do so subject to policies and fees requirements contained herein. Proposed uses which are determined by the city to be solely a commercial undertaking and without educational, recreational or cultural benefit to the community, shall be allowed only upon approval of the city council.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.135. - Park maintenance closure.

Director or designee of the maintenance services division of public works may close any park, field, or other recreational area or facility when such an area or facility needs to be reconstructed, renovated, refurbished, repaired or maintained, or the area or facility needs to be closed because of a hazardous condition that poses potential danger to citizens, city employees.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.140. - Inclement weather.

- (a) Inclement weather is generally defined as weather which, in the judgment of the city council or its designated representative, has left recreational facilities in a condition such that use of the facilities would present a risk of damage to the facilities or injury to the users.
- (b) The city shall have the authority to deny use of all or any portion of a facility to a user based on inclement weather. The city reserves the exclusive right to determine that a use of city facilities is precluded by inclement weather, and no refund of fees paid shall be made on grounds of bad weather or field condition unless the city so determines.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.150. - Denial of facility use.

The city shall have the authority, based on cause, to deny use of all or any portion of a facility to any group or individual who has abused the privilege of facility use, including failure to comply with the general policies and rules governing the use of community and neighborhood parks.

(Ord. No. 04-222, 3-1-04)

Sec. 13.02.160. - Establishment of fees.

The city council may establish fees for the use of public parks and recreational facilities by resolution. Any amendment of such fees shall also be by resolution of the city council.

(Ord. No. 04-222, 3-1-04)

CHAPTER 13.04 - USE REGULATIONS³

Footnotes:

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Editor's note—Ord. No. 4-222, adopted March 1, 2004, amended ch. 13.04 in its entirety and enacted similar provisions as set out herein. The former ch. 13.04 derived from Ord. No. 88-12, § 1(2-5-94, 2-5-95); adopted June 27, 1988; Ord. No. 88-16, §§ 3(13.04.010)—3(13.04.040), adopted Aug. 8, 1988; Ord. No. 97-174, § 22, adopted Aug. 18, 1997; and Ord. No. 99-200, §§ 2, 3, adopted July 6, 1999.

Cross reference— Smoking, ch. 6.40; offenses against property, ch. 11.16; bicycles, ch. 12.15.

Sec. 13.04.010. - Definitions.

The following words shall have the meanings indicated in this chapter unless the context clearly indicates a different meaning:

Amplified sound and/or sound-emanating equipment means music, sound wave, vibration or speech projected or transmitted by electronic equipment, including amplifiers, horns, megaphones.

Council means the city council or any person authorized by the council, pursuant to law, to act in its stead.

Knife or dagger means any knife, dirk, or dagger having a blade of three inches or more in length; any ice pick or similar sharp stabbing tool; any straight-edge razor or any razor blade fitted to a handle.

Organized play means six persons or more engaging in a team sport athletic contest, such as, but not limited to, soccer, lacrosse, baseball, softball, football, basketball, or volleyball. This shall not apply for infrequent use.

Park means any community park, neighborhood park, recreational facility, trailway, greenbelt, pathway, parcel, or contiguous parcels of land, which is owned, operated and or maintained by the city.

Playground means any park or recreational area specifically designed to be used by children that has play equipment installed, or any similar facility located on public or private school grounds, or on city, county, or state park grounds.

Smoke or smoking means the carrying of a lighted pipe, lighted cigar, or lighted cigarette of any kind, or the lighting of a pipe, cigar, or cigarette of any kind, including, but not limited to, tobacco, or any other weed or plant.

Tot lot sandbox area means a designated play area within a public park for the use by children under five years of age. Where the area is not contained by a fence, the boundary of a tot lot sandbox area shall be defined by the edge of the resilient surface of safety material, such as concrete or wood, or any other material surrounding the tot lot sandbox area.

Vehicle means any device by which any person or property may be propelled, moved, or drawn, excepting a device moved by human power.

Vehicular travel means travel by a vehicle.

(Ord. No. 04-222, 3-1-04)

Sec. 13.04.020. - Duty to comply.

No person shall enter, be, or remain in any city park unless he complies at all times with all of the city regulations applicable to such park and with all other applicable laws, ordinances, rules and regulations.

(Ord. No. 04-222, 3-1-04)

Sec. 13.04.030. - Rules and regulations applicable in city parks.

The following rules and regulations apply in all city parks unless expressly stated otherwise elsewhere in this title:

(a) *Operations of vehicles.*

(1) *Roads for public use.* The provisions of the vehicle code are applicable in the city parks with respect to any way or place of whatever nature which is publicly maintained and open to the use of the public for purposes of vehicular travel. All violations of such vehicle code shall be enforced and prosecuted in accordance with the provisions thereof.

(2) *Surfaces other than roads for public use.* No person shall drive or otherwise operate a vehicle in a park upon surfaces other than those maintained and open to the public for purposes of vehicular travel, except upon temporary parking areas as may be designated from time to time by the council, and further excepting vehicles in the service of the city, animal control vehicles, law enforcement vehicles, and motorized wheelchairs.

(b) *Solicitation prohibited.* No person shall practice, carry on, conduct or solicit for any occupation, business, or profession in any park; or sell or offer for sale any food, beverage, merchandise,

article, or anything whatsoever in any park. This section shall not apply to any person acting pursuant to a contract with the city or under a permit granted by the council.

(c) *Prohibition of animals, fowl or reptiles in the park.* No person shall cause, permit, or allow any animal, fowl, or reptile, owned or possessed by him/her or any animal in his/her care, custody, or control to be present in any park except:

- (1) Equine animals being led or ridden under reasonable control upon any bridle path or trail provided for such purpose.
- (2) Equine or other animals that are hitched or fastened at a place expressly designated for such purpose.
- (3) Dogs or cats when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle.
- (4) Dogs that have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements.
- (5) Small pets that are kept on the person of the possessor at all times.
- (6) In connection with activities authorized in writing by the council.
- (7) Animals, fowl, or reptiles turned loose at the direction of the council.

It shall be the mandatory duty of all persons owning, possessing, in control of, or otherwise responsible for a dog, cat, or an equine animal in a park to promptly collect, pick up, and remove all fecal matter left behind by such animal in or upon any park; provided, however, that this subsection (3) shall not apply to guide dogs for blind or disabled persons or to equine animals on bridle paths.

(d) *Amplified sound and/or sound-emanating equipment in parks.*

- (1) *Purpose.* The council enacts this legislation for the sole purpose of securing and promoting the public health, comfort, safety, and welfare of its citizenry. While recognizing that certain uses of sound amplifying or sound emanating equipment are protected by constitutional rights of free speech and assembly, the council nevertheless feels obligated to reasonably regulate the use of sound amplifying or sound emanating equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from the public nuisance of loud and unnecessary sound.
- (2) *Permit required for amplified sound or sound-emanating equipment.* It shall be unlawful for any person to install, use, and operate within a park a loudspeaker, horn, megaphone device, sound amplifying or sound emanating equipment for the purposes of giving instructions, directions, talks, addresses, or lectures, or of transmitting music to any persons or groups of persons in any park, or in the vicinity thereof, except when installed, used, or operated in compliance with one of the following provisions:
 - (a) By authorized law enforcement.
 - (b) Under a reservation or permit issued by the council or director, and when operated in accordance with terms of the reservation or permit.
- (3) *Granting or denial of permit.* In determining whether to grant or deny a permit, the council or director shall be guided by the following considerations:
 - (a) The constitutional free speech and assembly rights of all persons, including the applicant.
 - (b) The possible effects upon the peaceable passage or presence of persons in the park.
 - (c) The potential for disorder or unlawful injury to persons or property.
 - (d) The potential invasion of other persons' rights of privacy.

- (f) The possible unlawful breach or disturbance of the peace.
- (g) Any actual conflict with other scheduled park uses or events.

The council or director shall not deny a permit on the basis of any dislike for or disagreement with the content of any proposed talks, addresses, lectures, or musical presentations. The council may, however, deny a permit for any such events which are designed for the purpose of advocating imminent lawless conduct.

- (4) *Power source for amplifiers.* Amplifiers permitted in parks shall be operated only through a power source provided or approved by the city or with a battery.
- (e) *Prohibition of firearms, fireworks, BB guns, toy weapons.* No person shall carry or discharge firearms, firecrackers, rockets, torpedoes, or other types of explosives; or carry or discharge any gun, pistol, slingshot or similar device, or any bows and arrows, or carry or use any other object capable of propelling a projectile; or carry or use any object calculated to make a noise sufficient to disturb the peace or quiet of the park; or bring into any park any of the above objects or articles.
- (f) *Prohibition of dangerous weapons.* The provisions of the California Dangerous Weapons' Control Law are applicable in city parks and shall be enforced and prosecuted in accordance with the provisions thereof. No person shall carry on his person, in plain view, any knife or dagger.
- (g) *Exceptions to applicability.* The provisions of subsection (f) above shall not be deemed to prohibit the carrying of ordinary tools or equipment for use in a lawful occupation or for the purpose of lawful recreation.
- (h) *Damaging property.* No person shall cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus, or property; or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark or write upon, paint or deface in any manner any building, monument, fence, bench or other structure.
- (i) *Damaging land.* No person shall cut, dig, or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer, except park maintenance personnel.
- (j) *Golf.* No person shall play or practice the game of golf, including chipping, putting, driving or any other type of play or practice, which includes the hitting of a golf or similar type ball with a golf or similar type club.
- (k) *Water.* No person shall swim, fish, bathe, wade, release pet animals in, or pollute the water of any fountain, pond, lake, stream or reservoir except by permission of the council.
- (l) *Fires and fireplaces.* No person shall kindle a fire except in fireplaces provided for that purpose or in barbecues approved by the council, except by permission of the council.
- (m) *Waste liquids and refuse.* No person shall wash dishes, or empty salt water or other waste liquids, or leave garbage, cans, bottles, papers or other refuse elsewhere than in the receptacles provided therefor.
- (n) *Loitering at night.* No person shall be or remain in any park between the hours of 11:00 p.m. and 7:00 a.m. of the following day without permission of the council. The provisions of subsection (d)(3) of this section shall govern the granting or denial of such permission.
- (o) *Meetings.* No person shall hold any meeting, service, concert, exercise, parade or exhibition in any public park without first obtaining a permit from the council. The provisions of subsection (d)(3) of this section shall govern the issuance or denial of a permit under this section.
- (p) *Alcoholic beverages.* No person shall consume any alcoholic beverage within any park.
- (q) *Controlled substances.* The provisions of the California Uniform Controlled Substances Act are applicable in city parks and shall be enforced and prosecuted in accordance with the provisions thereof.
- (r) *Glass containers.* No person shall possess any glass container in city parks.

- (s) *Smoking.* No person shall smoke a cigarette, cigar, or other tobacco-related product within 25 feet of any playground or tot lot sandbox area.
- (t) *Prohibition of skateboards; scooters:* No person shall ride or operate a skateboard or scooter in any park where restrictions are posted.

(Ord. No. 04-222, 3-1-04)

Sec. 13.04.035. - Skateboarding, roller skating prohibited in certain areas; skate facility regulations.

- (a) Skateboarding, roller skating, in-line skating, and similar activities are prohibited in city parks and recreational facilities unless specifically authorized in areas designated by this section. The skate facility in Beebe Park is hereby designated for skateboarding and in-line skating (the "skate facility"). The boundaries of the skate facility shall be defined by a fence and the signs required by this section.
- (b) Within the skate facility, it shall be unlawful for any person to:
 - (1) Ride, operate, or use a skateboard or in-line skates unless that person is wearing a helmet designed for skateboard and/or in-line skating use with a chin strap, elbow pads designed for skateboard and/or in-line skating use with plastic elbow caps, and knee pads designed for skateboard and/or in-line skating use with plastic knee caps, which equipment shall be in good repair at all times during use.
 - (2) Ride, operate, or utilize a skateboard or in-line skates unless such equipment is in good repair at all times during use.
 - (3) Enter or use an amenity within the skate facility while another person is using it.
 - (4) Place or utilize additional obstacles or other material (including but not limited to ramps or jumps) within the skate facility.
 - (5) Use the skate facility amenities when the surface of the amenities is wet or other conditions exist which could adversely affect the safety of skateboarders or skaters.
 - (6) Enter the skate facility unless actively skateboarding or in-line skating in accordance with these regulations.
 - (7) Use, consume, or have within his or her custody or control, food or beverages within the skate facility.
 - (8) Use, consume, or have within his or her custody or control, alcohol, tobacco products, or illegal drugs within the skate facility.
 - (9) Enter or be upon the skate facility while under the influence of alcoholic beverages or illegal drugs.
 - (10) Use or possess glass containers, bottles or other breakable glass products within the skate facility.
 - (11) Use or engage in profanity, reckless and boisterous behavior (including, but not limited to, tandem riding, pushing, horseplay, and bullying), or any other activity which could endanger the safety of persons using the skate facility or spectators.
 - (12) Engage in graffiti, tagging or other defacing of city property or the property of others.
 - (13) Enter or be upon the skate facility at any time except during its hours of operation of 7:00 a.m. to dusk.
 - (14) Ride, operate, or utilize any device other than a skateboard or in-line skates (prohibited devices include, but are not limited to, bicycles or motor vehicles) on the skate facility.
- (c) The skate facility shall be posted with signs at the following locations:
 - (1) At each entrance to the skate facility.

- (2) On the fences of the skate facility, facing the interior of the skate facility. The signs shall be not less than two feet by three feet in size and shall use black letters on a white background. The signs may, but shall not be required to, summarize the regulations governing the use of the skate facility. Each sign shall contain, in letters not less than one inch in height, the following language:

WARNING

Skateboarding and in-line skating are hazardous recreational activities. Use of this facility may result in serious injuries or death. The city does not assume any responsibility for injuries or death. Each person entering the facility assumes all risk of injury or death. California Health and Safety Code §§ 115800 and 115800.1.

It is unlawful for any person to ride, operate, or utilize a skateboard or in-line skates unless that person is wearing a helmet designed for skateboard use and/or in-line skating with a chin strap, elbow pads designed for skateboard and/or in-line skating use with plastic elbow caps, and knee pads designed for skateboard and/or in-line skating use with plastic knee caps, which equipment shall be in good repair at all times during use. Any person failing to comply with this section shall be subject to citation and penalties pursuant to Mission Viejo Municipal Code sections 13.04.035 and 13.04.040.

(Ord. No. 04-222, 3-1-04)

Sec. 13.04.040. - Violations.

- (a) Every act prohibited or declared unlawful and every failure to perform an act made mandatory by this chapter shall be prosecuted as a misdemeanor or an infraction as provided in section 1.01.200 of this Code and in accordance with the requirements of chapter 1.01 of this Code.
- (b) Every act prohibited by subsections (e) or (f) of section 13.04.030 of this chapter shall subject the possessor of the prohibited items to confiscation of those items.

(Ord. No. 04-222, 3-1-04)

Sec. 13.04.050. - Camper trucks and trailers hours of closure; vehicular parking and camping.

- (a) *Scope.* This section shall apply to all public lands or easements, which are owned, operated or maintained by the city.
- (b) *Unauthorized camping.* It shall be unlawful for any person to camp or sleep overnight between the hours of 11:00 p.m. of one day and 7:00 a.m. of the next day in a vehicle or otherwise, or to park a camper truck, camper trailer, tent trailer or other vehicle overnight between the hours of 11:00 p.m. of one day and 7:00 a.m. of the next day upon any lands or easements owned, operated or maintained by the city, except upon such portions thereof as may have been specifically designated and set aside by the city council or the director for such purposes.
- (c) *Removal from city-owned property.* A sign not less than 17 by 22 inches in size and lettering not less than one inch in height shall be posted at all of the vehicular entrances to the city land or easements to which the prohibitions of this section are applicable indicating the parking restrictions and further indicating that any vehicle parked in violation of this section will be subject to removal at the owner's expense, and containing the telephone number of the local traffic law enforcement agency.

(Ord. No. 04-222, 3-1-04)