

**ORDINANCE NO. 24-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF ORANGE REPEALING AND REPLACING  
CHAPTER 12.48 OF THE ORANGE MUNICIPAL  
CODE PERTAINING TO PARKS.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES  
HEREBY ORDAIN AS FOLLOWS:**

**SECTION I:**

Chapter 12.48 is hereby repealed and replaced in its entirety as follows:

**Chapter 12.48**

**PARK ORDINANCE**

**Sections:**

- 12.48.010 Applicability.**
- 12.48.015 Definitions.**
- 12.48.020 Parking Vehicles in Park Public Parking Lots.**
- 12.48.025 Obedience to Park Officer.**
- 12.48.030 Use of Alcoholic Beverages.**
- 12.48.035 Fishing and Use of Park Waters.**
- 12.48.040 Defacing or Damaging Park Property.**
- 12.48.045 Camping Prohibition.**
- 12.48.050 Prohibition on the Use of Firearms, Firecrackers and Dangerous Instruments.**
- 12.48.055 Animals and Pets.**
- 12.48.056 Dogs generally.**
- 12.48.060 Games.**
- 12.48.065 Sanitation.**
- 12.48.070 Prohibition of Motorized Vehicles And Motorized Devices.**
- 12.48.075 Swimming and Bathing Prohibition.**
- 12.48.080 Selling, Soliciting and Advertising.**
- 12948.085 Fires.**
- 12.48.090 Hours.**
- 12.48.095 Obstruction of Park Walks or Pathways.**
- 12.48.100 Public Restrooms.**
- 12.48.105 Permits Required.**
- 12.48.110 Permits; Appeal.**
- 12.48.115 Revocation of Permit.**
- 12.48.120 Rules and Regulations.**
- 12.48.125 Violations — Misdemeanor.**

- 12.48-130 Closure of Park Facilities.**
- 12.48.135 Failure to Obtain Required Permit.**
- 12.48.140 Priority of Use.**
- 12.48-145 Exhibiting Permit.**
- 12.48.150 Severability.**
- 12.48.155 Storage of Property Prohibited in Parks.**
- 12.48.160 Repairs and Sales of Bicycles and Bicycle Parts.**
- 12.48.165 Prohibited Activities.**
- 12.48.170 Use of Skate Park Facilities Located on Property Owned by the City.**

#### **12.48.010 Applicability.**

The rules and regulations prescribed in this chapter shall govern public parks, playgrounds, and recreation facilities in the City, including Plaza Square.

#### **12.48.015 Definitions.**

For purposes of this Chapter, the following terms shall have the meanings as set forth herein unless the context in which they are used clearly indicates a contrary meaning:

"Department" shall mean the City of Orange Community Services Department. .

"Director" shall mean the Director of the Department of Community Services or their designee.

"Person" shall mean every person, firm, corporation, group of persons, or organization.

"Park" means any public park or any portion thereof, including body of water, land, recreation, playground area, or any building thereon within the City of Orange owned and maintained by the City as a public park whether or not such has been formally dedicated for such purpose.

"Pollution" means the contamination or other alteration of the physical, chemical, or biological properties of Park lands and/or waters.

"Camping" means the use of public streets or public property for living accommodation or habitation purposes such as sleeping activities, or making preparations to sleep, including but not limited to the laying down of bedding for purposes of sleeping or using or storing personal belongings such as non-designated City cooking equipment, camping stoves, portable barbecues, sleeping bags, cots, beds, hammocks, extra clothing, or personal items when it reasonably appears, in light of all the circumstances, that the participants, in conducting these activities, are, in fact, using the public street or public property for living accommodation or habitation purposes.

"Alcoholic Beverage" shall mean alcohol, spirits, liquor, wine, beer, and every liquid or solid containing one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances. .

"Food Distribution to the Public" means a temporary operation or undertaking by a person for the purpose of offering, distributing, or dispensing with or without charge therefor, food and/or beverages for consumption by the general public which uses the park or park facility for such activity. This activity shall not include any contract, lease, or other agreement for a concession or similar operation or enterprise approved by the Director or City Council.

"Athletic Facilities" shall mean those areas of a park designated for the purposes of athletic play on or at facilities such as, but not limited to sports courts and fields.

#### **12.48.020 Parking Vehicles in Park Public Parking Lots.**

- A.** No person shall between the hours of 11:00 p.m. and 5:00 a.m., stop, park, or leave standing any vehicle whatsoever in any of the public parking lots of any Park.
- B.** Any vehicles stopped, parked, or left standing in violation of this section shall be subject to enforcement by way of a parking citation, and/or an administrative fine and/or being towed away at the owner's expense.
- C.** No person shall assemble, gather, or congregate in such a manner as to obstruct any parking lot within a Park including, but not limited to, blocking the entrance or exit of the parking lot or any parking space.
- D.** Oversize vehicles described as 25 feet or over in length or 9 feet or wider in width are not permitted in any Park without a permit as referenced in Orange Municipal Code section 12.48.105 or permission of the Director. A vehicle pulling a trailer will also be considered an oversized vehicle.
- E.** Appropriate signs shall be posted in and about the parking lots specifying the parking rules and/or prohibitions and that vehicles in violation thereof shall be subject to citation and/or towing.

#### **12.48.025 Obedience to Director.**

It is a violation of this Chapter for any person to refuse to comply with any lawful order of the Director in the enforcement of any provision of this Chapter.

#### **12.48.030 Use of Alcoholic Beverages.**

No person shall:

- A.** Bring, possess, consume, or sell any alcoholic beverages in any Park or Park facility except in the course of an approved permit issued by the Director.
- B.** Enter, be, or remain in any Park or Park facility when under the influence of any intoxicating liquor or drug or otherwise be inebriated.

#### **12.48.035 Fishing and Use of Park Waters.**

No person shall:

- A. Except as otherwise provided, fish in or take any fish at any time from the waters of any Park or Park facility by any means whatsoever except at places as designated by the Director.
- B. The Director may designate Park areas that may be used for fishing and may prescribe and enforce all reasonable rules, regulations and restrictions pertaining thereto.
- C. Pollute any water in the Park, including fountains, lakes, or ponds.

#### **12.48.040 Defacing or Damaging Park Property.**

No person shall:

- A. Willfully mark, deface, or injure in any manner, or displace, or remove, or tamper with any building, monument, fence, bench, walkway, bike trail, parking lot, equipment or other permanent or temporary infrastructure in a Park.
- B. Willfully dig, cut, saw, chop, carve, injure, move, or remove from any Park or Park area any sand, wood, turf, grass, gravel, flower or any other vegetation within any Park

#### **12.48.045 Camping Prohibition.**

No Person shall:

- A. Camp in a Park, including but not limited to outside and/or in a vehicle/recreational vehicle except by permit or under the auspices of a program of the Department of Community Services.
- B. Maintain, erect or permit the erection of any hut, shanty, tent, tarpaulin, or any other type of temporary structure under his/her control in any park except with a permit from the Department of Community Services or as part of an approved recreation activity.

#### **12.48.050 Prohibition on the Use of Firearms, Firecrackers and Dangerous Instruments.**

No person shall:

- A. Except an authorized law enforcement officer, bring, use, carry, or possess upon Park property, other than at such firing ranges as may be specifically designated by the Director, any firearms of any description, or air rifles, bow-and-arrows, spring guns, slings, or any other forms of weapons potentially inimical to wildlife and dangerous to human safety.
- B. Carry or discharge any firecracker, rocket, or torpedo or any other fireworks except as approved for that purpose by the Director.

- C. Shoot into Park areas from beyond park boundaries any items identified in subsection B referenced above.

#### **12.48.055 Animals and Pets.**

No Person shall:

- A. Ride, lead, or drive a horse, mule, donkey, pony or bovine animal except on designated paths or trails or as approved for that purpose by the Director.
- B. Let loose, abandon, or bring into any Park except on leash and not more than six feet long, any animal, reptile, or fowl of any kind. This prohibition shall not apply to service dogs, provided that such service dog is at all times kept under control.
- C. Let loose or bring any non-domesticated animal unless permitted by the City.
- D. Willfully frighten, molest, injure, chase, capture, or annoy, any animal or bird in any Park.

#### **12.48.056 Dogs Generally.**

- A. For purposes of this section, the following words and phrases have the meanings set forth below.
- B. No person shall permit his or her dog(s) to be in or upon any public street, sidewalk, Park or other public place unless such dog(s) is upon a secure leash not more than six (6) feet long held continuously in the hands of a person capable of controlling the dog, or unless the dog is securely confined within an automobile; provided, however, that this subsection shall not apply to a person who is in the possession or operating within the terms of a valid permit from the City to conduct obedience classes or other types of trial or show of dogs in or upon any public place. This subsection shall not apply to dogs under the control of a responsible person in a designated dog park. This subsection shall not apply to service dogs, provided that such service dog is at all times kept under control.
- C. Dog owners (or persons responsible for the dog) shall clean up after their dog(s) and remove all dog feces left by their dog(s) upon any public street, sidewalk, Park or other public place, or any private property not owned by the responsible person, and dispose of it in a sanitary and proper manner.
- D. In addition to such other regulations that may be adopted from time to time by the Director, the following regulations and limitations shall apply to all designated dog parks:
  - 1. No responsible person shall have more than three (3) dogs at once in a designated dog park.

2. Designated dog parks will be open from dawn to dusk and may be closed as posted for maintenance. The operational hours may be adjusted as conditions require or as approved by the Director.
  3. All responsible persons shall, at all times, take all reasonable precautions to prevent their dog(s) from biting, attacking or attempting to bite or attack any person or dog. A responsible person shall immediately remove his dog from the designated dog park if it bites, attacks or attempts to bite or attack any person or dog.
  4. Any dog over the age of four (4) months must be healthy, vaccinated, legally licensed and wearing identification tags prior to use of any designated dog park. Dogs under the age of four (4) months are prohibited from any designated dog park area pursuant to Section 121690 of the California Health & Safety Code.
  5. Female dogs in heat are not permitted in any designated dog park.
  6. Dogs under the age of four (4) months are not permitted in any designated dog park.
  7. There shall be no food or food products, whether intended for human or dog consumption, in any designated dog park.
  8. All responsible persons using a designated dog park must have a leash in their possession at all times for each of their dog(s) in the designated dog park, which shall be worn by the dog(s) at all times when the dog(s) is not in the designated dog park.
  9. All responsible persons shall also comply with all rules governing City Parks and relevant parking regulations.
  10. Use of any designated dog park by a responsible person and his dog(s) shall constitute, implied consent of the responsible person to all of the conditions set forth in this section,
  11. While inside the boundaries of the designated dog park, an adult must accompany minors under the age of sixteen (16).
- E. The provisions of this section shall be enforceable by any police officer, animal control officer, park ranger or other code enforcement officer of the City pursuant to section 1.08.010 of this Code. In addition to any other remedies, the City officer shall have the authority to eject any person who violates this section pursuant to Section 12.48.125 of this Title.

#### **12.48.060 Games.**

No person shall engage or abet in the playing of any game involving thrown or otherwise propelled objects, including but not limited to balls, stones, arrows, javelins, drones, model airplanes, rockets, motorized model cars or motorized remote control devices except in areas set apart or identified by appropriate signage for such purposes or during an approved recreation program.

#### **12.48.065 Sanitation.**

No person shall:

- A.** Discard garbage, cans, bottles, papers, or other refuse or trash other than in receptacles which are provided for that purpose.
- B.** Remove any recyclable materials such as newspapers, metals, cans or bottles from receptacles in any Park unless authorized by the Director.
- C.** Use Park sinks, restrooms or other public water features to launder, wash dishes, or empty any other waste liquids in any Park sinks or restrooms.
- D.** Dispose of human waste from any temporary toilet or other container being used for this purpose.

#### **12.48.070 Prohibition of Motorized Vehicles and Motorized Devices.**

No person shall:

- A.** Operate a motorized vehicle or motorized device including but not limited to an electric bike in a Park except upon designated paved or improved Park roads or driveways, or in or upon designated areas or trails set aside for use by such vehicles or devices, unless directed to do so by a law enforcement officer, or by official signs or markings. This section shall not apply to the operation of a vehicle which is used or part of any event permitted by the City.
- B.** Park a vehicle on Park property, except in an area designated for parking such vehicle, unless there is an emergency or unless directed to do so by a law enforcement officer. Parking shall conform to officially posted signs or markings unless other instructions are given by a law enforcement officer.
- C.** The Director may, in their discretion, designate areas, paths, trails, or roads in a Park where the operation of bicycles, motor-driven cycles, mopeds, motorized bicycles or electric bicycles may be allowed.

#### **12.48.075 Swimming and Bathing Prohibitions.**

No person shall:

- A.** Swim, bathe, or wade in any water or waterway in or adjacent to any Park, except as permitted or designated by the Director or in such water or waterway as the Director may designate, and then only during such hours as the Director may have established for such purposes.
- B.** Change into clothes, except in a locker room or other structure designated for such use.

- C. Fail to wear clothes that cover the genitals and buttocks and in the case of females, the areola and nipples.

#### **12.48.080 Selling, Soliciting and Advertising.**

No Person shall:

- A. Conduct, advertise, announce, or call the public's attention to the purchase, barter or sale of any article, good or service or hire, unless by any regularly licensed business or concessionaire acting by and under the authority and regulation of the City.
- B. Without a permit issued under this Chapter, solicit or collect donations of money, employment, or other goods from the public.

#### **12.48.085 Fires.**

No person shall make or kindle a fire except in a designated barbecuing device using charcoal only.

#### **12.48.090 Hours.**

Parks shall be open to the public every day of the year between the hours of 5:00 a.m. and 11:00 p.m. However, the Director may, in their reasonable discretion, extend or limit such hours for any Park or portion of any Park. No person shall enter, be, or remain in any Park during the time when such Park is closed unless they obtained a permit from the Director. Park closing hours shall be posted at Park entrances.

#### **12.48.095 Obstruction of Park Walks or Pathways.**

No person shall assemble, gather, or congregate in such a manner as to obstruct the free passage of any walkway, pathway, bike path or trail in any Park.

#### **12.48.100 Public Restrooms.**

To protect public health and safety, no person shall loiter at, in, or within fifty (50) feet of any public restroom, or intentionally block the ingress or egress of anyone attempting to use any public restroom. It shall further be unlawful to return to a public restroom within seventy-two (72) hours after having been asked to leave by a peace officer for loitering at, in, or about the restroom. As used in this section "loiter" means to stand, sit, lie or remain on any property under such circumstances that a reasonable person would conclude that the person who remains on the property does not have a purpose connected with the usual and ordinary use to which such property is put, does not have bona fide intent to exercise a constitutional right, and is causing public inconvenience or annoyance.

#### **12.48.105 Permits Required.**

- A. Except in athletic facilities where a permit is required for groups of ten (10) persons or more, no person shall conduct, hold or carry on a gathering, celebration, event, or activity of ten persons or more in any Park without a written permit for such use.



**B.** No person shall conduct, hold, or cause to be carried on the following activities without a permit for the use of a Park from the Director regardless of the number of participants:

1. Any event utilizing any amplification equipment.
2. Musical performances or concerts by one or more persons in which the public participates as an audience.
3. The exhibition/display of animals to the public.
4. Public display of works of art or similar objects or the performance of any feat or skill or the production or performance of any amusement, motion picture, photography or entertainment.
5. Use of an amusement device such as, but not limited to, moon bounce, food machines or specialty items.
6. A wedding ceremony.
7. Any athletic event where a registration fee is charged, or donation required in order to participate in the event.

**C.** A permit will not be issued for the following activities:

1. Foot or wheeled races.
2. Deep fryers.
3. Food Distribution and/or distribution of items.
4. Any activities in parking lots.
5. Water play features.
6. All other activities outside of normal Park use.

**D.** Any person who wishes to use a Park for any activity requiring a permit under Section 12.48.105 shall designate on the application this intended use.

Failure to comply with the application requirements shall result in the application to be marked "incomplete" and the permit will not be issued.

**E.** In the event the applicant identifies that the Park area is to be used on more than a single date for such activity, the Director shall issue a permit for the repetition of the activity on the dates

listed by the applicant under the standards and conditions set forth in this section provided that the:

1. Except for Athletic Facilities, the permit for this repeated use subject to review and approval of the activity in the area designated in the application shall not be issued for a period in excess of ninety (90) days.
2. The dates requested by the applicant for the repeated use of the Park area designated in the application shall be limited to once per week during the ninety (90) day permit period.
3. Except for Athletic Facilities, the applicant must submit the application requesting repeated use of the Park area designated in the application to carry out the activity at least thirty (30) days in advance of the first date the applicant lists on the application. Any application received in which is submitted less than thirty (30) days in advance of the first date listed in the application shall be cancelled and returned to applicant.
4. Not later than seven (7) working days after receipt of the application listing the dates for repeated use of the Park area identified in the application for the activities listed in Section 12.48.105, the Director, in writing, shall inform a person if the dates identified are available or not available to be reserved as set forth in the application. If not available, the Director shall notify applicant of the unavailability together with a list of alternative dates for the repeated use of activity in the Park area identified in the application which can be reserved. On notification that the dates or any one of them for repeated use of the Park area identified in the application is not available, the applicant must, in designate alternate dates within five (5) working days from the date of such notification. Failure to timely respond with alternative dates for repeating the use of the Park shall result in the permit being issued only for the dates which are available as listed on the application.

**F. Standards for Issuance:**

1. The Director will use the following criteria to determine whether a permit will be issued:
  - a. That the proposed activity or use of the Park will unreasonably interfere with or detract from the general public use and enjoyment of the Park.
  - b. That the proposed activity or use of the Park will unreasonably interfere with or detract from the public health, safety or welfare.
  - c. That the conduct of the proposed activity or use is reasonably likely to result in violence to persons or property resulting in serious harm to the public.
  - d. That the proposed activity or use will entail an extraordinary expense or operation by the City.

- e. That the facilities desired have been reserved for another activity or use on the day and hour(s) requested in the application.
  - f. That the proposed activity will include fencing of a portion of the Park for the exclusive use of persons attending the activity and/or charging of an admittance fee to attend unless authorized by the Director.
  - g. That the proposed activity is to be held for the sole purpose of advertising, selling, or distributing any product goods or event and is designed to be held solely for private profit.
2. Permits-Conditions: The Director may impose reasonable conditions or restrictions on the granting of a permit, including, but not limited to, any of the following:
- a. Restrictions on fires, fireworks, amplified sound, decibel rating and distance, dancing, sports, use of animals, equipment, or vehicles, the number of persons to be present, the location of any bandstand or stage, or any other use which appears likely to create a risk of unreasonable harm to the use and enjoyment of the Park by others, or of damage to Park property.
  - b. A requirement that the applicant post a reasonable security deposit for the repair of any damage to Park property, or the cost of cleanup, or both.
  - c. A requirement that the applicant pay a reasonable fee to defray the cost of furnishing adequate security forces by the City at the proposed use or activity.
  - d. A requirement that the applicant pay any required business license tax or other required fees.
  - e. A requirement that the permittee furnish additional sanitary and refuse facilities that might be reasonably necessary based on the use or activity for which the permit is being sought.
  - f. A requirement that the applicant provide private patrol or security where the nature of the use will impose an undue burden on the police service of the City.
  - g. A requirement that the permittee shall be liable for any loss, damage or injury to any person or property whatever by reason of the negligence of the person or persons to whom such permit was issued.
  - h. A requirement that the permit shall not be transferable without the written consent of the permitting authority.
  - i. The Director may, at their discretion, require an insurance policy as a condition of the issuance of the permit. If a policy is required, the permittee must obtain, pay for, and maintain a policy of general liability insurance, approved as to form by the

City Attorney which shall insure the City, its officers, and employees against any liability, or claims of liability, brought or made by or on behalf of any person for personal injury or property damage caused by or arising out of any negligent act or omission of either the permittee or his agents or employees and occurring during the period and as a result of the activities for which such permit was issued. The amount of coverage to be provided by such policy may be determined by the Director.

- G.** A permittee shall be bound by all Park rules and regulations and all applicable ordinances fully as though the same were inserted in his permit.
- H.** A permittee shall be liable for any loss, damage or injury to any person or property whatever by reason of the negligence of the person or persons to whom such permit was issued.
- I.** The City Manager may waive any further permit required by the "Special Pageant" provisions in the Orange Municipal Code Chapter 5.72 upon issuance of a permit under this chapter for groups of less than 300 persons.
- J.** In addition to any requirements in the chapter any gathering of 300 persons or more must comply with the "Special Pageant" provisions of Orange Municipal Code Chapter 5.72.

#### **12.48.110 Permits; Appeal.**

Within five (5) days after receipt of an application, the Director shall apprise the applicant in writing of his reasons for refusing a permit or of any conditions attached to the issuance of a permit. Any aggrieved person shall have the right to appeal in writing within five (5) days to the City Manager. Within five (5) days of the receipt of such appeal, the City Manager shall consider the standards set forth in Section 12.48.105(F) and inform the applicant of the decision, in writing. The City Manager's decision shall be final.

#### **12.48.115 Revocation of Permit.**

Upon giving notice of the grounds therefor and an opportunity for a hearing, the permitting authority shall have the authority to revoke any permit granted under this chapter upon finding of violation of any rule or ordinance or upon violation of any condition or restriction under which the permit was issued.

#### **12.48.120 Rules and Regulations.**

The Director shall issue from time to time as they deem necessary, rules and regulations to implement the provisions of this chapter. Such rules and regulations shall have the force of law, and failure to obey same shall be deemed a violation of the provisions of this chapter.

#### **12.48.125 Violations - Misdemeanor.**

- A. Any person violating the provision of this Chapter shall be guilty of a misdemeanor and subject to the following penalties: a fine of not more than one thousand dollars (\$1,000), by imprisonment for not more than six months in the County Jail, or both such fine and imprisonment

Notwithstanding the classification of a violation of this chapter as a misdemeanor, at the time an action is amended to enforce the provisions of this chapter, the Trial Court, upon recommendation of the prosecuting attorney, may reduce the charge of the offense from a misdemeanor to an infraction pursuant to Section 1.08.010 of this Code. Any person convicted of an infraction of this chapter shall be punished by:

1. A fine not exceeding one hundred dollars (\$100.00) for the first violation;
  2. A fine not exceeding one hundred fifty (\$200.00) for the second violation of this chapter within one year;
  3. A fine not exceeding two hundred fifty dollars (\$500.00) for each additional violation of this chapter within one year.
- B. The Director shall have the authority to revoke a permit upon a finding of violation of any regulation contained in this chapter or upon a finding of a violation of other City ordinance or laws of this State.
- C. The Director or their designee shall have the authority to eject from any Park facility, any person acting in violation of regulations contained in this Chapter.
- D. The regulations contained herein shall not prohibit any person authorized by the Director from the normal exercise of requested, or contractual duties.
- E. Malicious injury or destruction of any real or personal property which constitutes vandalism under the provision of Section 594 of the Penal Code of the State of California shall be prosecuted as a violation of the Penal Code Section 594 and shall be punishable as either an infraction, misdemeanor, or a felony, as provided in Penal Code Section 594.

#### **12.48.130 Closure of Park Facilities.**

The Director shall have the authority to close any Park or portion thereof and require the exit of all persons therein when he or she determines that conditions exist in said facility or portion thereof which present a hazard to the facility or to public safety. The Director shall have the authority to close to the public any Park facility or portion thereof at any time and for any interval of time, either temporarily or at regular or stated intervals, and either entirely or merely to certain uses, as the Director shall find reasonably necessary.

#### **12.48.135 Failure to Obtain Required Permit.**

No person shall use, occupy, or otherwise remain in any Park facility for which a permit is required without first having obtained such permit.

#### **12.48.140 Priority of Use.**

Any person using a Park facility which may be reserved by obtaining a permit, but who has not obtained such permit, shall vacate said area when holders of a valid permit present themselves.

#### **12.48.145 Exhibiting Permit.**

No person shall fail to produce and exhibit a permit he or she claims to have upon request of any department employee or any peace officer who desires to inspect said permit for the purpose of enforcing compliance with any regulation in this chapter.

#### **12.48.150 Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Orange hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

#### **12.48.155 Storage of Property Prohibited in Parks.**

It shall be unlawful for any person to store personal property in any Park. The City may immediately remove and impound abandoned personal property which shall include, but not be limited to, the act of leaving the personal property in a public area so that it may be appropriated by the next comer, which is observed in a Park at the time the Park is closed to the public. Impounded property may be reclaimed by the owner or their representative, subject to verification of the person's identity and authority to reclaim the property by contacting the City of Orange Community Services Department at (714) 744-7264 to arrange a collection time. The property, unless hazardous or a threat to safety, will be stored by the City for a period of 90 days according to the Orange Municipal Code Section 10.22.030.

#### **12.48.160 Repairs and Sales of Bicycles and Bicycle Parts.**

No person shall assemble, disassemble, sale, offer to sell, distribute, offer to distribute, store, or possess the following items in any Park:

- A. A bicycle frame with the gear cables or brake cables cut;

- B. Three (3) or more bicycles and/or bicycle frames, with or without missing parts (the term “parts” shall mean handles, handlebars, wheels, forks, pedals, cranks, seats, or chains); or
- C. Five (5) or more bicycle parts that are not attached to a bicycle.

**12.48.165 Prohibited Activities.**

No person shall:

- A. Skateboard in any Park except in the designated areas;
- B. Smoke or vape in any Park within 25 feet of a playground, facility, or youth activity;
- C. Gamble in any Park;
- D. Use, sell or possess any drug in any Park, including but not limited to marijuana/cannabis, cocaine, methamphetamine, heroin, LSD, ecstasy, ketamine, fentanyl and/or prescription painkillers which are not associated with a valid prescription for use/possession by the individual.

**12.48.170 Use of Skate Park Facilities Located on Property Owned by the City.**

- A. Only non-motorized wheeled devices are allowed in a skate Park facility such as skateboards, roller-skates, rollerblades, scooters, BMX bikes and in-line skates. Any other motor-driven vehicles and/or motor-driven devices are unlawful to use in a skate Park facility.
- B. It is unlawful for any person to bring any temporary or fixed skate feature into a skate Park facility including but not limited to ramps and rails.

**SECTION II:**

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

**SECTION III:**

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Daniel R. Slater, Mayor, City of Orange

**ATTEST:**

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mike Vigliotta, City Attorney

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE     )  
CITY OF ORANGE         )

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the 24th day of September, 2024, and thereafter at the regular meeting of said City Council duly held on the \_\_\_\_ day of \_\_\_\_\_, 2024 was duly passed and adopted by the following vote, to wit:

|          |                 |
|----------|-----------------|
| AYES:    | COUNCILMEMBERS: |
| NOES:    | COUNCILMEMBERS: |
| ABSENT:  | COUNCILMEMBERS: |
| ABSTAIN: | COUNCILMEMBERS: |

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange