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Attorneys for Defendant  
COUNTY OF SAN MATEO

**ENDORSED FILED**  
**SAN MATEO COUNTY**

DEC 15 2011

Clerk of the Superior Court  
By S. Peyrot  
DEPUTY CLERK

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**IN AND FOR THE COUNTY OF SAN MATEO**

ULYSSES S. GRANT EARLY IV, et al.,

Plaintiffs,

vs.

COUNTY OF SAN MATEO,

Defendant.

Case No. 509185

**REQUEST FOR JUDICIAL NOTICE**

Hearing:

*April 24, 2012*

Date: ~~March 5, 2012~~

Time: 9:00 a.m.

Dept: Law and Motion

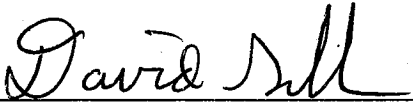
1 **TO ALL PARTIES AND TO THEIR ATTORNEYS ON RECORD:**

2 PLEASE TAKE NOTICE THAT the County is requesting pursuant to California Rules of Court,  
3 Rule 3.1113 and 3.1306 that the Court take judicial notice of (a) Section 3.68.080 of the San Mateo  
4 County Ordinance Code; (b) Santa Clara County Ordinance Section Sec. B14-31.1. - Firearms and  
5 Weapons; (c) Los Angeles County Ordinance Code 17.04.620 Firearms and other weapons; (d) Daly City  
6 Ordinance Code 12.36.050 - Prohibited Acts; and (e) San Mateo County Ordinance 415 (1934), each of  
7 which is attached hereto.

8  
9 Dated: December 15, 2011

Respectfully submitted,

10 JOHN C. BEIERS, COUNTY COUNSEL

11  
12 By:   
13 David A. Silberman, Deputy

14 Attorneys for Defendant  
15 COUNTY OF SAN MATEO  
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# EXHIBIT A

San Mateo County, California, Code of Ordinances >> Title 3 - PUBLIC SAFETY, MORALS AND WELFARE >> Chapter 3.68 - COUNTY PARK AND RECREATION AREA RULES >>

## Chapter 3.68 - COUNTY PARK AND RECREATION AREA RULES

### Sections:

- 3.68.010 - Violations, a misdemeanor.
- 3.68.020 - Exceptions.
- 3.68.030 - Definitions.
- 3.68.040 - Permits and fees—Violation as infraction.
- 3.68.050 - Method of payment of fees.
- 3.68.060 - Camping regulations.
- 3.68.070 - Fires.
- 3.68.080 - General protective regulations.
- 3.68.090 - Motor vehicles.
- 3.68.100 - Parking.
- 3.68.110 - Motor vehicle speed limits.
- 3.68.120 - Operation of bicycles: violation.
- 3.68.130 - Noise.
- 3.68.140 - Unlawful assembly.
- 3.68.150 - Dangerous activities.
- 3.68.160 - Hiking and riding trails.
- 3.68.170 - Beaches and swimming areas.
- 3.68.180 - Dogs on Sheep Camp Trail.

### **3.68.010 - Violations, a misdemeanor.**

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be guilty of a misdemeanor.

*(Prior code § 3385; Ord. 415, 06/25/34; Ord. 2394, 09/21/76)*

### **3.68.020 - Exceptions.**

The provisions of this ordinance shall not apply to employees of the San Mateo County Parks and Recreation Department, or the San Francisco Water Department, or other public officials acting within the scope of their authorized duties and concession activities. However, Department employees, public officials and concessionaires and their employees shall abide by the laws of the State of California and all applicable County and/or municipal ordinances.

*(Prior code § 3385.1; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82)*

### **3.68.030 - Definitions.**

- (a) "Commission" shall mean the San Mateo County Parks and Recreation Commission.
- (b) "County Park" shall mean any park, recreation area, reserve or preserve, historical site or any other facility operated by the San Mateo County Parks and Recreation Department.
- (c) "Department" shall mean the San Mateo County Parks and Recreation Department.
- (d) "Director" shall mean the Director of the San Mateo County Parks and Recreation Department.
- (e) "General Manager and Chief Engineer" shall mean the General Manager and Chief Engineer of the San Francisco Water Department of the City and County of San Francisco.
- (f) "San Francisco Fish and Game Refuge" means that area defined in the State of California Fish and Game Code, division 7 REFUGES, chapter 2, article 1, section 10772 and under the jurisdiction of the San Francisco Water Department.
- (g) "Hiking and Riding Trail" shall mean all trails which have been dedicated to the County or other public agency for hiking or horseback riding purposes, or both, or any trail which is open to the general public for such purpose.
- (h)

- "Motor Vehicle" shall mean any automobile, truck, bus, van, motorcycle, off-road vehicle, four-wheel drive vehicle, dirt bike, motor-driven vehicle, or any vehicle which is self-propelled.
- (i) "Person" as used in this chapter shall be construed to mean and shall include natural persons, firms, co-partnerships, corporations, clubs and all associations or combinations of persons whatever, whether acting by themselves or by a servant, agent or employee.
  - (j) "Recreation Area" as used in this chapter shall be construed to mean and shall include all land, facilities and other property for public recreation owned and/or operated by the County of San Mateo, or the San Francisco Water Department, including parks, playgrounds, camping areas, swimming pools, golf courses, picnic grounds, athletic fields, beaches, parkways, public squares, hiking and bicycling paths, horse trails, roadside viewing areas, rest stops, historical monuments, and all grounds surrounding public buildings, all planting and areas for planting along roads, streets and highways, and all other recreation areas, including all buildings, structures, improvements, monuments, apparatus and equipment existing in or that may be erected in any of such areas.
  - (k) "Sound Amplifying Equipment" shall mean any machine or device for the amplification of the human voice, music, or any other sound, but shall not include standard automobile radios or automobile tape decks when used and heard only by the occupants of the vehicle in which the automobile radio or tape deck is installed, nor radio receiving sets, non-electrical musical instruments, or television sets. "Sound Amplifying Equipment" as used in this chapter, shall not include warning devices or sound amplification equipment on Parks and Recreation Department, or San Francisco Water Department vehicles, or other authorized emergency vehicles, or horns, or other warning devices on any vehicle used only for traffic safety purposes.
  - (l) "Vessel" shall be used to describe any water craft, board or similar equipment capable of being used as transportation in or on water.
  - (m) "Beach" shall mean the shore of any body of water within any County Park and Recreation Area or the San Francisco Fish and Game Refuge.

(Prior code § 3385.2; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

#### **3.68.040 - Permits and fees—Violation as infraction.**

- (a) No person shall enter, occupy or use a County park or recreation area, or any area or facility therein, for which a user fee, deposit or permit is required without first obtaining any applicable permit and paying any applicable fees or deposits in the manner provided by this chapter. Any person obtaining a permit to enter or use a County park or recreation area shall display such permit in the manner provided by such permit.
- (b) No person shall enter a self-registration fee payment area without first (1) depositing the applicable fees; and (2) completing and prominently displaying the permit, so that the permit number is clearly legible from the outside of the vehicle entering the park or recreation area, according to all applicable guidelines either posted at the fee collection vault or printed on the permit.
- (c) A violation of this section shall be an infraction punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of this section within one year; and (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of this section within one year.

(Prior code § 3385.3; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 3651, 5/16/95)

#### **3.68.050 - Method of payment of fees.**

- (a) Except as otherwise provided by this code, all fees and deposits established by the Parks and Recreation Commission for entry or use of County park and recreation areas or for designated privileges, services or materials, shall be paid to the Director or his or her designee in the manner determined by the Director. All fees collected shall be deposited in the Treasury of the County of San Mateo and shall be credited to the appropriate fund.
- (b) The Director may, subject to approval by the Parks and Recreation Commission, designate any recreation area or county park a "self-registration fee payment area." Payment of applicable fees for entry or use of a self-registration fee payment area shall be by deposit into a fee collection vault located at the entrance to such park or recreation area. The Director may establish, subject to approval by the Parks and Recreation Commission, policies and procedures for collection of such fees including the hours and dates of collection. Pursuant to guidelines approved by the Parks and Recreation Commission, the Director may waive payment and suspend collection of applicable fees at any self-registration fee payment area.
- (c) All fee deposit envelopes, permits and receipts shall remain the property of the County of San Mateo and shall be subject to inspection by, and surrendered upon demand to, the Director, or any County Park Ranger or law enforcement officer. Fees deposited in any fee collection vault, including any overpayment, are non-refundable. If the fee deposited is insufficient to pay in full the applicable fee, the remaining balance shall be due and payable to the Director or County Park Ranger upon demand.

*(Prior code § 3385.4; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 3651, 5/16/95)*

### **3.68.060 - Camping regulations.**

- (a) **Permits.** A permit must be obtained from the County Parks and Recreation Commission or its authorized staff before camping in any recreation area or in any County Park, and camping is not permitted outside the campsite or sites designated on said permit.
- (b) **Camping by Minors.** Persons under the age of 18 are not permitted to camp overnight in any recreation area or in any County Park unless accompanied by an adult.

*(Prior code § 3386; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 2307, 05/06/75; Ord. 2394, 09/21/76)*

### **3.68.070 - Fires.**

- (a) No person shall light, build, use or maintain a fire within any Recreation area or any County Park, or on the San Francisco Fish and Game Refuge, except in places specifically provided therefor, and said places shall not be used until user has removed all dead wood, moss, dry leaves or other combustible material which may have gathered around said place so that there is no possible danger of any fire spreading.
- (b) No person responsible for an authorized fire in any Recreation area or in any County Park, or on the San Francisco Fish and Game Refuge, shall leave said fire unattended. When the user has finished with the fire, it shall be completely extinguished.

*(Prior code § 3386.1; Ord. 1639, 02/25/64; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82)*

### **3.68.080 - General protective regulations.**

- (a) **Vegetative.** No person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn, carry away, collect or gather any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, ferns, mushrooms and dead wood in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or on any hiking and riding trail. Nothing in this section shall prevent the taking of any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, ferns, mushrooms and dead wood in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, any hiking and riding trail by public officials pursuant to their official duties or by scientific permit from the San Mateo County Parks and Recreation Department, or San Francisco Water Department, for the areas under their respective jurisdictions.
- (b) **Vandalism (Property).** No person shall disturb, destroy, remove, deface or injure any property of the County of San Mateo or the City and County of San Francisco which is located in any Recreation area or in any County Park or hiking and riding trail, or on the San Francisco Fish and Game Refuge. No person shall cut, carve, paint, mark, paste, or fasten on any tree, fence, wall, building, monument or other property in any County Park or Recreation area, or hiking and riding trail, or other property in any County Park or Recreation area, or hiking and riding trail, or on the San Francisco Fish and Game Refuge, any advertisement, sign or inscription.
- (c) **Littering.** No person shall place or throw bottles, broken glass, crockery, ashes, waste paper, cans or any decaying or putrid matter or other rubbish in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except in a receptacle designated for that purpose, and no person shall import or deposit any rubbish into or in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail. No person shall transport or dump any rock, rubble, dirt, sand, fill or other similar material into or in any County Park or Recreation area without the permission of the Director, or the General Manager and Chief Engineer, or their representatives for the areas under their respective jurisdiction.
- (d) **Reserves and Preserves.** All geological and archeological features, plants and animals (dead or alive) are protected and taking is prohibited except the taking of such plants and animals as are permitted by regulations specific to the area.
- (e) **Watershed Protection.** No person shall contaminate in any way whatsoever any watershed or water supply in any Recreation area or in any County Park, or in the Watershed, or water supplies of any water purveyor holding a water purveyor's permit issued by the California Department of Health Services pursuant to Public Health Code, chapter 7, section 4011.
- (f) **Water Quality Protection.** No person shall wash clothing or cooking utensils, bathe in, or in any other manner pollute the waters of any Recreation area or any County Park, or in the Watershed, or water supplies of any water purveyor holding a water purveyor's permit issued by the California Department of Health Services pursuant to Public Health Code, chapter 7, section 4011.
- (g) **Geological Features Protection.** No person shall destroy, disturb, mutilate or remove earth, sand, gravel, oil, minerals, rocks, or features of caves, or lay, or set off any explosive material or cause to be done or assist in doing any of said things in any County Park or Recreation area, or on the San

San Francisco Fish and Game Refuge, or hiking and riding trail without the specific permission of the Director or the General Manager and Chief Engineer, or their representative, for the areas under their respective jurisdictions.

- (h) **Protection of Historical Features.** No person shall remove, injure, disfigure, deface or destroy any object of paleontological, archaeological, or historical interest or value in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or hiking and riding trail nor shall any person engage in any excavation for said objects without first receiving written permission from the Director, or the General Manager and Chief Engineer, or their representatives, for the areas under their respective jurisdictions.
- (i) **Domestic Animals.** No dogs, cats, fowl or other domesticated animals shall be permitted to enter or go at large in any County Park or Recreation area, either with or without a keeper. Nothing in this section shall prohibit a guide dog under the control of a person with a vision or hearing impairment or "police dog" under the control of a peace officer from entering a County Park or Recreation area. No person shall release any captured wild animal within any County Park or Recreation area except authorized public officials pursuant to their duties.
- (j) **Abandoned Animals.** No person shall abandon a dog, cat, fowl or other animal within any County Park or Recreation area, or in the San Francisco Fish and Game Refuge.
- (k) **Feeding Domesticated Animals.** No person shall feed any abandoned domesticated animal in any County Park or Recreation area, or in the San Francisco Fish and Game Refuge.
- (l) **Grazing.** The running at large, herding or grazing of livestock of any kind in any County Park or Recreation area, or driving of livestock over same, is prohibited unless a lease of the land has been granted for that purpose. Livestock found in any County Park or Recreation area may be impounded and held until claimed by the owner and payment made for any damages caused and for any expenses incurred by the County in impounding and holding such livestock.
- (m) **Horses Off Trails or Out of Designated Areas.** No person shall ride, drive, lead, or keep a saddle horse, pony, mule or other such animal in any County Park or Recreation area except on such roads, trails or areas so designated and posted by the Department.
- (n) **Wildlife.** All County Parks and Recreation Areas and the San Francisco Fish and Game Refuge are sanctuaries for wildlife. No person shall feed, approach, disturb, frighten, hunt, trap, capture, wound, kill, or disturb the natural habitat of, any wild bird, mammal, reptile, fish, amphibian or invertebrate within a County Park or Recreation Area or within any San Francisco Fish and Game Refuge area located within the County. This prohibition shall not apply to the following:
  - (1) Action taken by public officials or their employees or agents, within the scope of their authorized duties, to protect the public health and safety.
  - (2) The taking of fish as permitted by State Fish and Game Regulations.
  - (3) The capturing and/or taking of park wildlife for scientific research purposes when done with written permission from the Director of the San Mateo County Division of Parks and Recreation or, in the San Francisco Fish and Game Refuge, from the San Francisco Water Department.
- (o) **Firearms and Dangerous Weapons.** Except as provided in subsection (p) and subsection (q), no person shall have in his possession within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, and no person shall fire or discharge, or cause to be fired or discharged, across, in, or into any portion of any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, any gun or firearm, spear, bow and arrow, cross bow, slingshot, air or gas weapon or any other dangerous weapon.
- (p) **Shooting Ranges.** The discharge or firing of firearms is permitted in areas designated by the Parks and Recreation Commission, or San Francisco Water Department, specifically for the purposes of rifle and/or pistol and/or shotgun shooting, and the transportation of such firearms through the County Park or Recreation area, or on the San Francisco Fish and Game Refuge, in which said area (s) is/are located is permitted providing said firearms are unloaded. "Unloaded" shall mean that there is no ammunition in either the chamber or magazine of the gun.
- (q) **Archery Ranges.** The use of a bow and arrow, but not a crossbow, is permitted in areas designated by the Parks and Recreation Commission specifically for the purpose of archery, but all bows must be unstrung during transportation to and from such designated areas.
- (r) **Loitering After Closing Time.** It shall be unlawful for any person to remain in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, or in any facility within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, after the posted closing time, unless said person has lawful business therein.
- (s) **Gambling.** Gambling in any form, or the operation of gambling devices for merchandise or otherwise in any County Park or Recreation area is prohibited.
- (t) **Alcoholic Beverages.** No person shall possess or consume alcoholic beverages, other than beer or wine, in any form within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge. Alcoholic beverages as described herein are permitted at Coyote Point County Park only in designated areas and during designated times. No person shall possess or consume any alcoholic beverages in any form at the Coyote Point Rifle and Pistol Range, or within twenty-five feet

(25') of the San Francisco Watershed vehicle parking lots or areas. This section shall not prohibit the dispensing of all types of alcoholic beverages by a licensee under the laws of the State of California, under a food and bar concession from the County or the consumption of such beverages on the premises of such concessionaire, or the consumption of alcoholic beverages by persons holding a written occupancy permit issued by the Parks Director, or his or her representative, for areas under his or her jurisdiction.

- (u) Private Operations. It shall be unlawful for any person to engage in the business of soliciting, selling or peddling of any liquids or edibles for human consumption or to distribute circulars or to hawk, peddle or vend any goods, wares or merchandise of any kind, except upon specific concession or permit secured from the Commission, or the General Manager and Chief Engineer, or his representative, for areas under his jurisdiction.
- (v) Authorized Operations. All persons, firms, or corporations holding concessions shall keep the grounds used by them properly policed and shall maintain the premises in a sanitary condition to the satisfaction of the Director or General Manager and Chief Engineer for areas under their respective jurisdictions. No operator of any concession shall retain in his employment any person whose presence is deemed by the District or General Manager and Chief Engineer for their respective jurisdictions not to be conducive to good order and management.
- (w) Commercial Filming. No person shall operate a still, motion picture, video or other camera for commercial purposes in any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except pursuant to a written permit from the Director or the General Manager and Chief Engineer, or their representative, for the areas under their respective jurisdictions authorizing such activity. This section shall not apply to the commercial operation of cameras as part of the bonafide reporting of news.
- (x) Closed Areas. No person shall enter any road, trail or area that is posted as closed or restricted without permission from the County Parks and Recreation Director.

*(Prior code § 3387; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 1287, 05/06/58; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90; Ord. 3796, 11/4/97; Ord. 3863, 12/1/98)*

### **3.68.090 - Motor vehicles.**

No person shall operate any motor vehicle except upon established paved roads or other established paved areas specifically designated and maintained for normal ingress, egress, and parking. This section shall not apply to any emergency or County vehicle, physically handicapped persons operating wheelchairs or similar devices, or to any person acting in compliance with the directions of a Park Ranger or Peace Officer.

*(Prior code § 3388; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 2394, 09/21/76)*

### **3.68.100 - Parking.**

No person shall park any motor vehicle as defined in this chapter within a County Park or Recreation area, or on the San Francisco Fish and Game Refuge, except upon areas designated for such use. No person shall park a motor vehicle, except an authorized emergency vehicle or when in compliance with the directions of a Peace Officer or Park Ranger in any of the following places: In areas where prohibited by "NO PARKING" signs. On any fire trail, road or access. On any equestrian or hiking trail. Blocking or obstructing any gate, entrance or exit. On any lawn or grassy area. In any picnic area. On any beach. In such a manner as to take up more than one "Marked" space in any authorized parking area. In any area where such vehicle blocks or obstructs the free flow of traffic. Within 15 feet of a fire hydrant. Adjacent to any curb painted red. In any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, after closing time except pursuant to a valid permit.

*(Prior code § 3388.1; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)*

### **3.68.110 - Motor vehicle speed limits.**

No person shall drive a motor vehicle within any County Park or Recreation area, or the San Francisco Fish and Game Refuge, at a speed greater than is reasonable or prudent, having due regard for traffic and the surface and width of the road, and in no event at a speed which endangers the safety of person, property, or wildlife, provided, however, that in no event shall a motor vehicle be driven at a speed greater than the posted speed limit for that area as designated by the Parks and Recreation Commission.

*(Prior code § 3388.2; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)*

### **3.68.120 - Operation of bicycles; violation.**

- (a) No person shall operate a bicycle in any County Park or Recreation Area, including but not limited to Sawyer Camp Trail or San Francisco Fish and Game Refuge, other than on a path designated and signed for that purpose or on a paved vehicular road meant for motor vehicles. All bicyclists shall ride in single file, except to pass. No bicyclist shall exceed a safe speed.
- (b) No bicyclist on Sawyer Camp Trail shall exceed a speed of 5 miles per hour within one-eighth-mile from each end of Sawyer Camp Trail. No bicyclist on Sawyer Camp Trail shall exceed a speed of 15 miles per hour on the rest of Sawyer Camp Trail.
- (c) A violation of the provisions of this section shall be an infraction. Any person to whom a citation is issued for a violation of this section shall be subject to a fine of Fifty Dollars (\$50) for a first violation within a period of one year, One Hundred Dollars (\$100) for a second violation within a period of one year, and Three Hundred Dollars (\$300) for each additional violation within a period of one year.

(Prior code § 3388.3; Ord. 415, 06/25/34; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90; Ord. 3272, 10/23/90; Ord. 3351, 12/10/91; Ord. 3471, 02/02/93)

### 3.68.130 - Noise.

- (a) Declaration of Noise Policy. It is hereby declared to be the policy of the Parks and Recreation Commission, and the San Francisco Water Department, to prohibit unnecessary, excessive, and annoying noises in all County Parks, and the San Francisco Fish and Game Refuge. At certain levels, noises are detrimental to the health and welfare of persons using County Parks or Recreation areas, and it is in the public interest to proscribe such noises.
- (b) Sound Amplifying Equipment. It shall be unlawful for any person to operate any sound amplifying equipment as defined in section 3.68.030 in any County Park or Recreation area, or the San Francisco Fish and Game Refuge. This section shall not apply to a person operating sound amplifying equipment under a permit granted by the Parks and Recreation Department, or the San Francisco Water Department, as provided in section 3.68.140
- (c) Peace and Quiet. It shall be unlawful for any person within any County Park or the San Francisco Fish and Game Refuge to use or operate any radio receiving set, musical instrument, machine or device for producing or reproducing sound or any device which produces noise in such a manner as to disturb the reasonable peace, quiet and comfort of persons using any County Park or Recreation area or the San Francisco Fish and Game Refuge.
- (d) Noise, Absolute Prohibition. No person shall use or operate any of the devices mentioned in subsection (c) within the campgrounds of any County Park or Recreation area and the San Francisco Water Department area(s) between the hours of 10:00 P.M. and 8:00 A.M.

(Prior code § 3389; Ord. 415, 06/25/34; Ord. 976, 01/15/52; Ord. 1287, 05/06/58; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

### 3.68.140 - Unlawful assembly.

It shall be unlawful for any person or group to conduct a group meeting, rally, or similar gathering in any County Park or Recreation area without first obtaining a permit from the Parks and Recreation Department for the use of the area or facility involved. The division shall grant such permit unless it finds that the time and/or place and/or size of the meeting, rally, or similar gathering may unreasonably interfere with the normal use or operation of the area or facility requested. Said permit shall be obtained at least ten days prior to such activity.

(Prior code § 3390; Ord. 976, 01/15/52; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

### 3.68.150 - Dangerous activities.

Except in areas specifically designated and set aside from time to time by the Parks and Recreation Commission, or the San Francisco Water Department for such activities, no person shall engage in any of the following activities within any County Park or Recreation area, or on the San Francisco Fish and Game Refuge, and in no case shall any person engage in any activity or operate any device recklessly or negligently so as to endanger the life, limb or property of any person:

1. Use or possess fireworks of any kind.
2. Drive, chip, or in any other manner play or practice golf, or hit golf balls.
3. Operate self-propelled model airplanes, boats, automobiles, or other model craft of any kind or description.
4. Throw, release, or discharge missiles, rockets, or similar projectiles.
5. Hang-glide or parachute.
6. Operate any gas or hot air balloon (other than a toy balloon).

(Prior code § 3391; Ord. 415, 06/25/34; Ord. 2307, 05/06/75; Ord. 2394, 09/21/76; Ord. 2807, 10/26/82; Ord. 3252, 07/31/90)

### 3.68.160 - Hiking and riding trails.

The following regulations shall apply to any and all persons using hiking and riding trails in the County of San Mateo.

- (a) No loaded firearm shall be carried on any hiking and riding trail, except by Peace Officers, nor shall any person discharge across, in or into any portion of a hiking and riding trail any firearm or other device capable of injuring or killing any person, animal or damaging or destroying any public or private property.
- (b) No person shall disturb, destroy, remove, deface or injure any property on a hiking and riding trail. No person shall cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument or other property along or on such trail any bill, advertisement or inscription.
- (c) No person shall use threatening, abusive, boisterous, insulting or indecent language or make indecent gestures on a hiking or riding trail; nor shall any person conduct or participate in a disorderly assemblage thereon.
- (d) No person shall operate a vehicle on a hiking and riding trail other than a vehicle used for emergency or maintenance purposes or such other vehicle as may be especially designated by the Director of Parks and Recreation Department, unless the trail traverses a common right-of-way.
- (e) No person shall molest livestock encountered on or adjacent to a hiking and riding trail.
- (f) No person shall ride any saddle animal on a hiking and riding trail in a manner that might endanger life or limb of any person or animal, and no person shall allow his/her saddle or pack animal to stand unattended or insecurely tied.
- (g) All persons using a hiking and riding trail shall respect the rights of property owners along the trail and shall not trespass on their property or invade their privacy in any way.
- (h) Every person using a hiking and riding trail shall promptly report any uncontrolled fire in sight of the trail to the nearest Peace Officer, Park Ranger or fire station.
- (i) All persons opening a closed gate on or near a hiking and riding trail shall securely close same after passing through it.
- (j) No campfire shall be built on or adjacent to a hiking and riding trail except in areas specifically provided and marked for that purpose.
- (k) Smoking on hiking and riding trails is prohibited.

(Prior code § 3392; Ord. 2394, 09/21/76; Ord. 3252, 07/31/90)

### 3.68.170 - Beaches and swimming areas.

- (a) No motor or wind-powered vessel shall be permitted in any designated swimming area in any San Mateo County Park or Recreation area.
- (b) No vessel with motor or capable of carrying a motor may be launched in any San Mateo County Park or Recreation area except in designated launching areas.

(Prior code § 3393; Ord. 3252, 07/31/90)

### 3.68.180 - Dogs on Sheep Camp Trail.

- (a) Dogs shall be permitted on the portion of Sheep Camp Trail located between Canada Road and Highway 280 subject to the conditions and requirements of this section.
- (b) No person shall cause or allow any dog under his or her ownership, possession or control to enter or remain on Sheep Camp Trail unless the dog is licensed as provided in section 6.04.040(a), is wearing around its neck a collar and valid license tag and the owner or possessor of the dog complies with all other conditions of this section 3.68.180.
- (c) No person shall cause or allow any dog under his or her ownership, possession or control to enter or remain on Sheep Camp Trail unless such person restrains such dog with a leash not to exceed six (6) feet in length and insures that the leash and control by the person are sufficient to prevent endangering other persons or animals.
- (d) No person shall cause or allow any dog under his or her ownership, possession or control to enter or remain on or to defecate upon any part of Sheep Camp Trail including the path, parking area or any property abutting on Sheep Camp Trail (including but not limited to the San Francisco Watershed, Canada Road and any state right-of-way) used by the general public unless the owner or person with control or custody of the dog immediately removes the feces and properly disposes of it in a sanitary manner.

- (e) No person shall walk a dog on Sheep Camp Trail or allow or cause a dog under his or her ownership, possession or control to enter Sheep Camp Trail without carrying at all times a suitable container or other suitable instrument for the removal and disposal of canine feces.  
*(Prior code § 3387.5; Ord. 3370, 02/11/92; to be in effect for one year)*

# EXHIBIT B

Santa Clara County, California, Code of Ordinances >> TITLE B - REGULATIONS >> Division B14 - PARKS AND RECREATION >> CHAPTER III. - GENERAL PUBLIC CONDUCT >> ARTICLE 1. - FIREARMS AND WEAPONS >>

**ARTICLE 1. - FIREARMS AND WEAPONS**

Sec. B14-31.1. - Firearms and weapons.

**Sec. B14-31.1. - Firearms and weapons.**

- (a) No person shall have in his possession, set, leave or deposit, fire or discharge, or cause to be fired or discharged, across, in, on or into County park lands any weapon, spear, missile, sling shot, trap or hunting device, air or gas weapon, throwing knife or axe, or any other weapon or device capable of injuring or killing any person or animal, damaging any property or natural resource, except in areas established for such use or while in direct transit to or from such areas and available parking .
- (b) Violation of Subsection (a) shall be punishable as a misdemeanor.
- (c) No person shall have in their possession air guns or paintball guns in any park, except in areas established by the Director for target practice or while in direct transit to or from such areas.
- (d) No person shall discharge air guns or paintball guns in any park except in areas established by the Director for target practice.
- (e) The Director shall establish rules and regulations for the use of archery, shotgun, rifle and pistol ranges. Rules and regulations pertaining to the use of the ranges and areas designated for such use that have been established by the Director shall be clearly posted at each range, and copies of the rules and regulations shall be placed on file in the office of the Clerk of the Board of Supervisors.
- (f) No person shall violate any rule or regulation established pursuant to this section.

*(Ord. No. NS-702.89, § 2, 12-18-01; Ord. No. NS-702.91, § 9, 9-25-07)*

# EXHIBIT C

Title 17 PARKS, BEACHES AND OTHER PUBLIC AREAS\*

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**Chapter 17.04 PARKS AND RECREATION AREAS**

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**17.04.300 Violation--Penalty.**

A. Any person who, within the unincorporated territory of the county of Los Angeles, violates any provisions of this chapter, the conditions of any permit issued pursuant thereto, or any rule or regulation relating to parks and recreation areas, is guilty of an infraction.

B. Notwithstanding the above provisions, violation of Sections 17.04.435, 17.04.440, insofar as it prohibits the consumption of alcoholic beverages, 17.04.450, 17.04.510, 17.04.520, 17.04.580, 17.04.590, 17.04.620, 17.04.690, 17.04.720, 17.04.800, 17.04.880, 17.04.910, 17.04.920, 17.04.970, 17.04.1120, 17.04.1130, 17.04.1140 and 17.04.1170 of this chapter is a misdemeanor, punishable by a fine of up to \$500.00 and/or imprisonment in the County Jail for a period of up to six months.

C. A repetition or continuation of any violation of any provision of this chapter, or of any order or direction of the director on successive days, constitutes a separate offense for each day during any portion of which such violation is committed, continued or permitted. (Ord. 95-0036 § 1, 1995; Ord. 89-0166 § 3, 1989; Ord. 87-0066 § 1, 1987; Ord. 10309 Art. 2 § 26, 1971.)

**17.04.310 Severability.**

If any provision of the ordinance codified in this chapter, or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. (Ord. 10309 Art. 2 § 22, 1971.)

**Part 3 PARK RULES AND REGULATIONS****17.04.320 Applicability of regulations.**

The following rules and regulations set out in this Part 3 apply to all parks as defined in Part 1 of this chapter except as otherwise expressly stated. (Ord. 10309 Art. 3 § 31, 1971.)

**17.04.330 Hours of operation.**

A person shall not enter, be or remain in any park or in any building in any park between the hours of 12:00 midnight and 8:00 a.m. except where such person is camping as provided for under Section 17.04.390 or as authorized by a written permit issued by the director. The director may, from time to time, change the hours of use as stated above for any individual park. All persons shall comply with such changed hours. (Ord. 10309 Art. 3 § 50, 1971.)

**17.04.340 Park property and vegetation--Damaging or removing prohibited--  
Exception.**

A person, other than a duly authorized park employee in the performance of his duties, shall not:

A. Dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, grass, fruit or flower, or any portion thereof, growing in the park;

B. Remove any wood, turf, grass, soil, rock, sand or gravel from any park;

C. Cut, break, injure, deface or disturb any rock, building, cage, pen, monument, sign, fence, bench, structure, apparatus, equipment or property in a park or any portion thereof; or mark or place thereon, or on any portion thereof, any mark, writing or printing; or attach thereto any sign, card, display or other similar device. (Ord. 10309 Art. 3 § 36, 1971.)

**17.04.350 Islands--Use restrictions.**

A person shall not go upon or remain upon any island in any park waters unless direct access is

provided or unless authorized by the director. (Ord. 10309 Art. 3 § 57, 1971.)

#### **17.04.360 Children under eight years--Restrictions for parks with lakes.**

No parent or guardian, or any person having the custody of any child under the age of eight years, shall cause, permit or allow such child to enter or visit any park having a lake within the boundaries of such park unless such child is accompanied by a person of not less than 16 years of age. (Ord. 10309 Art. 3 § 59, 1971.)

#### **17.04.370 Motor vehicle restriction--Parking.**

A person shall not bring to or operate in any park any motor vehicle except at such times and at such places as permitted by the director in written regulations or permits issued by him from time to time, and any such operation of a motor vehicle shall be in accordance with the conditions contained in such regulation or permit. A person shall not park any motor vehicle in any park except in areas designated by the director for parking. Vehicles displaying valid veterans special license plates issued pursuant to the provisions of California Vehicle Code sections 5007(a)(2) (disabled veteran), 5101.3 (Pearl Harbor survivor), 5101.4 (Medal of Honor and Distinguished Service Cross), 5101.5 (former American prisoner of war), 5101.6 (Congressional Medal of Honor), or 5101.8 (Purple Heart recipient) shall be exempt from the payment of vehicle entry fees at regional parks, except on weekends or holidays, other than Veterans Day, to the extent vehicle entry fees are otherwise payable on such days. Vehicles entitled to the above fee exemption shall be subject to any other applicable restrictions pertaining to the use of the involved regional park facilities. (Ord. 2007-0071 § 3, 2007; Ord. 10309 Art. 3 § 44, 1971.)

#### **17.04.380 House trailers and other camping vehicles.**

A person shall not bring a house trailer or other recreation travel-trailer type vehicle which can be used for overnight sleeping purposes into any park not having a designated overnight camping area except when authorized by the director for firefighting or other public emergencies. (Ord. 10309 Art. 3 § 51, 1971.)

#### **17.04.390 Overnight camping restrictions--Permit issuance conditions.**

A. A person shall not camp or sleep overnight in any park except where a family-type camping area is so designated, and then only in accordance with the rules and regulations governing the use of such area. The director may issue a permit to any youth group of a character-building nature and to any special-interest group permitting its members as a group to camp overnight at a designated location in a park if he finds:

1. That, in the case of a youth group, the group was organized in good faith and not for the purpose of obtaining a permit under this section, and the members of such group will be supervised during such camping by an adequate number of responsible adults and such overnight camping will not interfere with or in any way be detrimental to the park or interfere with the uses thereof; and

2. That the group has agreed to the conditions contained in the permit.

B. Upon the granting of such permit, the members of such group, including the adult supervisors, may camp at the time, location and under the conditions specified in the permit. (Ord. 10309 Art. 3 § 52, 1971.)

#### **17.04.400 Animals--Prohibited when.**

A person shall not bring into a park any cattle, horse, mule, goat, sheep, swine, dog, cat or other animal of any kind except as hereafter specifically provided or as otherwise permitted by the director. (Ord. 10309 Art. 3 § 39, 1971.)

**17.04.410 Dogs and cats permitted when.**

A person may bring and maintain, in any park exclusive of golf courses, a dog or cat if such dog or cat is kept on a leash or chain and under full control of its owner or custodian, or upon written permission of the director when required for authorized park programs. (Ord. 10309 Art. 3 § 40, 1971.)

**17.04.420 Horses and similar animals permitted when.**

A person may only lead or ride a horse, mule, donkey or other similar animal on designated trails or in designated equestrian areas subject to all rules and regulations governing their use, or in other park areas upon written permission of the director, subject to the regulations of such use permit. (Ord. 10309 Art. 3 § 41, 1971.)

**17.04.430 Grazing livestock prohibited--Exceptions.**

A person shall not permit any cattle, horses, goats, sheep, swine or any domestic animal to graze in any park, except on property designated for such purpose. (Ord. 10309 Art. 3 § 42, 1971.)

**17.04.435 Disturbances prohibited.**

A person shall not disturb the peace and quiet of any park by:

- A. Any unduly loud or unusual noise; or
- B. Tooting, blowing or sounding any siren, horn, signal or noise-making device; or
- C. Any obscene, violent or riotous conduct; or
- D. The use of any vulgar, profane or indecent language therein. (Ord. 10309 Art. 3 § 38, 1971.)

**17.04.440 Alcoholic beverages and narcotics or dangerous drugs.**

A person shall not enter, be or remain in any park while in possession of any can, bottle, or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, or while consuming any alcoholic beverage except at a concession facility duly authorized by the board of supervisors and properly licensed or in connection with a special event duly authorized by the director of the department of parks and recreation for which the sponsoring organization is properly licensed by the State Department of Alcoholic Beverage Control. A person shall not enter, be or remain in any park while in possession or transporting, purchasing, selling, giving away or consuming any narcotics and dangerous drugs. (Ord. 95-0036 § 2, 1995; Ord. 84-0153 § 1, 1984; Ord. 10309 Art. 3 § 49, 1971.)

**17.04.450 Public intoxication prohibited.**

A person shall not enter, remain in or be in any park while he is under the influence of any alcoholic beverage or narcotic and dangerous drug. (Ord. 10309 Art. 3 § 48, 1971.)

**17.04.460 Soliciting for or selling merchandise--Restrictions.**

A person shall not solicit in any manner or for any purpose, or sell or offer for sale any goods, wares or merchandise, or distribute or pass out any handbill, advertising matter or literature therein except:

- A. Pursuant to a concession or other agreement authorized by the board of supervisors of the county;
- B. A sports team which is a member of a regular sports league and which admits all members of the general public to the sporting event to the extent of capacity without discrimination and

without charge to any game played may solicit voluntary contributions from the spectators attending such game;

C. Pursuant to permission granted by a member of the board of supervisors in whose district the park or any portion thereof is located for one event, if the acts permitted will not in any way detract from the use of the park by the public and if the proceeds are used for charitable purpose and the supervisor so finds;

D. When found by the director to be consistent with the policies of the department of parks and recreation or to promote the programs of said department, under conditions prescribed by him. (Ord. 10309 Art. 3 § 47, 1971.)

#### **17.04.470 Animals--Injuring or killing prohibited--Exceptions.**

A person shall not molest, hunt, disturb, injure, shoot at, take, net, poison, wound, harm, kill or remove from any park or riding and hiking trail any kind of animal except:

A. When necessary to avoid bodily harm;

B. When fishing or hunting are permitted by the director;

C. If requested by the administrative head of a park containing a nature museum, he may capture such an animal and deliver it unharmed to the administrative head;

D. If a person is a duly authorized park employee and is doing so in the performance of his duties. (Ord. 10729 § 9, 1976; Ord. 10309 Art. 3 § 43, 1971.)

#### **17.04.480 Nudity and disrobing prohibited--Exceptions.**

A. No person shall appear, bathe, sunbathe, walk, change clothes, disrobe or be in any park in such a manner that the genitals, vulva, pubis, pubic symphysis, pubic hair, buttocks, natal cleft, perineum, anus, anal region or pubic hair region of any person, or any portion of the breast at or below the upper edge of the areola thereof of any female person, is exposed to public view, except in those portions of a comfort station, if any, expressly set aside for such purpose.

B. This section shall not apply to persons under the age of 10 years, provided such children are sufficiently clothed to conform to accepted community standards.

C. This section shall not apply to persons engaged in a live theatrical performance in a theater, concert hall or similar establishment which is primarily devoted to theatrical performances. (Ord. 11175 § 2, 1975; Ord. 10309 Art. 3 § 53, 1971.)

#### **17.04.490 Washing dishes or polluting water.**

A person shall not place in any park waters any edible matter, dish or utensil, or wash or cleanse in any park waters any such edible matter, dish or utensil, or commit any nuisance in or near such waters, or pollute any parks' waters, or, except as provided in Section 17.04.530, bathe, swim or wade in park waters except at places and times designated by the director. (Ord. 10309 Art. 3 § 54, 1971.)

#### **17.04.500 Rubbish disposal.**

A person shall not throw, place or dispose of any garbage, refuse, waste paper, bottles or cans in any place in a park other than into a garbage can or other receptacle maintained therein for that purpose. (Ord. 10309 Art. 3 § 33, 1971.)

#### **17.04.510 Concessions and other facilities--Sanitation requirements.**

The lessee, agent, manager or person in charge of a facility or water area under lease or concession from the county, or owned in fee in any county park, shall at all times maintain the premises under his charge in a clean, sanitary condition, free from malodorous materials and accumulations of garbage, refuse, debris and other waste materials. Should the director find that any facility or water area under concession or lease is not so maintained, he shall in writing notify said concessionaire, lessee, agent, manager or other person in charge of said facility or area to

immediately commence and diligently prosecute to completion the necessary correction of the unsanitary condition to the satisfaction of the director. Failure to do so with reasonable dispatch shall be cause for the director to cause the condition to be corrected as he deems necessary, and the costs of such correction to be charged to said lessee, concessionaire, agent, manager or person in charge. (Ord. 10729 § 13, 1976; Ord. 10309 Art. 3 § 61, 1971.)

#### **17.04.520 Flammable and combustible liquids and materials.**

A. Within a park, no person shall sell, offer for sale or deliver in bulk any class of flammable liquid or combustible material, nor dispense any flammable or combustible liquids into the fuel tanks of a vessel, except when in compliance with all requirements of the Los Angeles County Fire Code, and any other laws or regulations applicable thereto.

B. A person shall not store, transfer, handle or use any flammable liquid or combustible liquids on docks, floats or wharves within a park, except under the following conditions:

1. The storage of Class I flammable liquid within a closed storage container or cabinet shall be limited to three gallons in aggregate capacity;
2. Flammable liquids when stored shall be in an approved safety container;
3. The storage of combustible liquids within a closed storage container or cabinet shall be limited to six gallons in aggregate capacity;
4. A person shall first obtain a permit from the fire department to handle or use any flammable liquid or combustible liquid in excess of the quantities mentioned in subparagraphs 1 and 2 above.

C. A person shall not leave stored on any dock, float, wharf of a park or park water any empty tanks and containers previously used for flammable or combustible liquids, unless free from explosive vapors, except that empty, approved safety containers may be kept in storage.

D. A person shall not use any Class I flammable liquid within a vessel moored to a dock, float or wharf of a park for washing parts or for removing grease, dirt or other substances. (Ord. 10729 § 14, 1976; Ord. 10309 Art. 3 § 62, 1971.)

#### **17.04.530 Swimming.**

A person shall not swim in any park waters except at places and times designated by the director and as provided in Part 6 of this chapter. Within park waters the director may establish protected swimming areas, and it shall be unlawful to operate or navigate any vessel within the bounds of such area except as may be specifically permitted by other provisions of this chapter. (Ord. 10729 § 10, 1976; Ord. 10309 Art. 3 § 55, 1971.)

#### **17.04.540 Skindiving and other underwater activities.**

A person shall not engage in skindiving or underwater diving requiring apparatus for underwater breathing, or engage in any other underwater activity requiring such breathing apparatus in park waters except by written permit and in areas designated by the director for said use, and subject to all rules and regulations contained in such written permission. (Ord. 10729 § 12, 1976; Ord. 10309 Art. 3 § 60, 1971.)

#### **17.04.550 Boating and related activities.**

A person shall not use, operate or maintain on any park waters any vessel, surfboard, aquaplane, paddleboard, surfmat or model boat, or other object of any sort, except as authorized by the director or otherwise provided for in Parts 4, 5 or 6 of this chapter. (Ord. 10729 § 11, 1976; Ord. 10309 Art. 3 § 56, 1971.)

#### **17.04.560 Fishing.**

A. A person shall not fish by any means in park waters except as provided in Part 5 of this chapter and in other areas so designated by the director.

B. A person shall not:

1. Take more fish from park waters than the limit established by the director in conformance to state laws;
2. Fish without a valid license unless under 16 years of age;
3. Clean fish on the water or on the shore immediately adjacent to the water, except in areas so designated. (Ord. 10309 Art. 3 § 58, 1971.)

#### **17.04.570 Walkways in boating areas--Obstructions prohibited.**

A person shall not cause any mooring line, water hose, electric cable or other service line to extend across a main walkway, or cause any obstacles such as ladders, tools, canvas or other materials or equipment to obstruct free and easy passage along any walkway, float or gangway, or create any hazardous condition which would cause accident or injury. No person shall leave or store on any walkway, float or gangway any rowboat, skiff, dory, dinghy, canoe or other craft without written authorization of the director. (Ord. 10729 § 15 (part), 1976; Ord. 10309 Art. 3 § 63, 1971.)

#### **17.04.580 Unsafe or dangerous conditions--Barricades or other measures authorized when.**

Whenever any buildings, structures or floating facilities within a park, either on land or water, are found to be defective or damaged so as to be unsafe or dangerous to persons or property, it shall be the duty of the concessionaire, agent, lessee, operator or person in charge thereof to immediately post a proper notice and fence or barricade and at night to adequately light such unsafe area or areas, and such unsafe area or areas shall be kept posted and lighted and fenced or barricaded until necessary repairs are made. In the event the concessionaire, agent, lessee, operator or person in charge fails or neglects to repair or to put up fences or other barriers to prevent persons from using or going upon the unsafe areas, the director may then take such measures as he may deem necessary for the protection of the public, and charge the cost of same to such concessionaire, lessee, agent, operator or person or persons having charge of the buildings, structures or floating facilities that are defective or dangerous. (Ord. 10729 § 15 (part), 1976; Ord. 10309 Art. 3 § 64, 1971.)

#### **17.04.590 Fires.**

A person shall not light or maintain any fire in any park other than in a stove, fire circle or area designated for such purpose, except upon written authorization from the director. All fires lighted or maintained pursuant to this section shall be in compliance with all applicable rules and regulations of the Los Angeles County Air Pollution Control District, United States Forest Service, and any fire department having jurisdiction over the respective park areas. (Ord. 10729 § 8, 1976; Ord. 10309 Art. 3 § 37, 1971.)

#### **17.04.600 Harmful objects.**

A person shall not place, throw, leave, keep or maintain any object in such a manner or in such a place that any person or animal may be injured or any structure or vehicle may be damaged thereby. (Ord. 10309 Art. 3 § 32, 1971.)

#### **17.04.610 Firecrackers and other explosives.**

A person shall not take or transport into any park, or have in his possession therein, or fire or discharge therein any firecracker, rocket, torpedo, fireworks or other explosive substance unless he first obtains a permit to do so from the director and complies with all other applicable ordinances. (Ord. 10309 Art. 3 § 35, 1971.)

**17.04.620 Firearms and other weapons.**

A person shall not bring into, discharge, or shoot any firearms, air gun, slingshot, or bow and arrow in any park except at areas designated for such purpose by the director. (Ord. 10729 § 7, 1973; Ord. 10309 Art. 3 § 34, 1971.)

**17.04.630 Model airplanes and boats.**

A person shall not operate model airplanes, boats or crafts except in areas designated for such use, and subject to all rules and regulations contained in such written permission. (Ord. 10309 Art. 3 § 45, 1971.)

**17.04.640 Sleds, skis and other winter sports equipment.**

A person shall not hitch or pull by any vehicle upon, along or across any road or driveway any toboggan, sled, skis or any other type of winter sports equipment. A person shall not use any toboggan, sled, skis or any other type of winter sports equipment upon, along or across any road or driveway. (Ord. 10309 Art. 3 § 46, 1971.)

**17.04.645 Smoking prohibited.**

Smoking shall be prohibited at all parks, except:

1. Smoking shall be permitted by actors who are acting during a permitted production or by models during a permitted photography session, unless otherwise determined by the Director, in consultation with the applicable Fire Official; and
2. Smoking shall be permitted within contract-operated facilities, in designated areas, at the discretion of the Director, in consultation with the operators of said facilities. (Ord. 2009-0044 § 3, 2009)

**Part 4 BOATING[3]****17.04.650 Applicability of Part 4 provisions.**

A person shall not use, operate or maintain any vessel, as provided in Section 17.04.550, except in accordance with all of the provisions of this Part 4. (Ord. 10729 § 16 (part), 1973; Ord. 10309 Art. 5 § 101, 1971.)

**17.04.660 Vessels--Registration required.**

A person shall not use, operate or maintain any vessel which is not registered as required by law. (Ord. 10729 § 16 (part), 1973; Ord. 10309 Art. 5 § 103, 1971.)

**17.04.670 Vessels--Records and information required.**

The director shall keep an accurate record of the number, size, type and description of all vessels within or using park waters, and it is unlawful for any person having knowledge thereof to fail or refuse to provide said information to the director on demand. (Ord. 10729 § 16 (part), 1973; Ord. 10309 Art. 5 § 121, 1971.)

**17.04.680 Vessels--Permit required for operation.**

# EXHIBIT D

Daly City, California, Code of Ordinances >> Title 12 - STREETS, SIDEWALKS AND PUBLIC PLACES >> Chapter 12.36 - PARKS AND RECREATIONAL AREAS >>

## Chapter 12.36 - PARKS AND RECREATIONAL AREAS

### Sections:

- 12.36.010 - Definitions.
- 12.36.020 - Closing hours—Designated.
- 12.36.030 - Closing hours—Exceptions.
- 12.36.040 - Closing hours—Obedience required.
- 12.36.050 - Prohibited acts.
- 12.36.051 - Park and recreational facilities rules and regulations.
- 12.36.060 - Enforcing agent.
- 12.36.070 - Closure of parks—Removal of persons.
- 12.36.080 - Permits.
- 12.36.083 - City to maintain system— Consumer caused damage.
- 12.36.086 - Tampering with property of the parks and recreation department.
- 12.36.090 - Violation—Penalty.

### 12.36.010 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"City" means the city of Daly City.

"Commission" means the parks and recreation commission of the city.

"Director" means the director of parks, recreation and maintenance of the city.

"Maintained areas" means a median, street tree well, easement, right-of-way, used in connection therewith or under the operation, maintenance or responsibility of the parks and recreation department.

"Parks" means a park, reservation, playground or recreation center, including all buildings and personal property located therein and all parking areas adjacent thereto, all buildings used in connection therewith, and all roadways used in connection thereto.

(Ord. 1214 § 1, 1995; Ord. 864 § 1 (part), 1978; prior code § 19A-1)

### 12.36.020 - Closing hours—Designated.

The parks, recreational areas and all facilities located therein, including the parking lot serving said recreational facilities shall be closed to the public as follows:

- A. In all lighted parks between the hours of eleven p.m. and six a.m. the following morning;
- B. In all unlighted parks between the hours of ten p.m. and six a.m. the following morning.

(Ord. 864 § 1 (part), 1978; prior code § 19A-2)

### 12.36.030 - Closing hours—Exceptions.

The hours established by Section 12.36.020 shall not apply to the parking lot serving the immediate area of:

- A. Any municipal recreation building during the time said building shall be used for recreation or other authorized purposes and for one hour after the closing thereof;
- B. Any recreation program conducted or authorized by the recreation department and for one hour after the completion thereof.

(Ord. 864 § 1 (part), 1978; prior code § 19A-3)

**12.36.040 - Closing hours—Obedience required.**

No person shall enter, use, cross or remain in any park or recreation area and the parking lots adjacent thereto, except during the hours such park, recreation area and parking lots shall be open to the public as set down in Sections 12.36.020 and 12.36.030.

*(Ord. 864 § 1 (part), 1978; prior code § 19A-4)*

**12.36.050 - Prohibited acts.**

No person, group or organization in any park or recreational area shall:

- A. Open, expose or interfere with any water or gas pipe, hydrant, stop cock, sewer basin or other construction;
- B. Remove turf, soil, grass, rock, sand or gravel, tree, shrub or wood or portion thereof;
- C. Make or kindle a fire for any purpose except in places provided for such purposes or in a portable barbecue used in an area designated for such purpose;
- D. Play or practice golf or archery, or fly motor-driven model airplanes except in areas specifically designated and posted for such purpose;
- E. Take into, exhibit or use any firearm, airgun, slingshot, firecracker, torpedo, rocket or weapon of any sort designed to cast fear into another, whether manufactured or improvised, including the use of any item or utensil of whatever design or intended use in such manner as to approximate a weapon or to cast fear into another;
- F. Cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus, or property; or mark or write upon any building, monument, fence, bench or other structure;
- G. Practice, carry on, conduct or solicit for any trade, occupation, business or profession without a license therefor filed with the director and approved by the commission;
- H. Sell or offer for sale, for commercial purposes, any merchandise, article, or thing, whatsoever, without a license therefor filed with the director and approved by the commission;
- I. Use or attempt to use or interfere with the use of any table, space or facility which at the time is reserved for any other person or group;
- J. Enter any area which is posted as being closed to the public to protect growth or establish plants or which is used as a service facility or which is under repair;
- K. Operate or park any vehicle, whether licensed or unlicensed under the provisions of the Vehicle Code of the state, except upon areas designated or as may be permitted by the director and/or the commission;
- L. Place litter or debris elsewhere than in containers designed to receive such litter or debris; and
- M. Play any game of chance or carry on betting of any kind;
- N. Play or practice baseball, softball or other ball-playing in areas where it is determined unsuitable for such ball-playing and where it is posted that such ball-playing is prohibited.
- O. Ride or use a skateboard, roller skates, roller-blades, in-line skates, or similar devices at a city skate park facility without wearing safety equipment which shall include a helmet, elbow pads and knee pads. Notwithstanding any other provision of this section, violation of this subsection (O) shall be an infraction.

*(Ord. 1285 § 2 (part), 2001; Ord. 1201 § 1, 1994; Ord. 864 § 1 (part), 1978; prior code § 19A-5)*

**12.36.051 - Park and recreational facilities rules and regulations.**

The director may promulgate rules and regulations governing the use of the city's parks and recreational facilities and shall provide for the posting or other distribution of said rules and regulations. Copies of said rules and regulations shall be maintained at the city clerk's office.

*(Ord. 1285 § 3 (part), 2001)*

**12.36.060 - Enforcing agent.**

The director shall enforce the provisions of this chapter.

*(Ord. 864 § 1 (part), 1978; prior code § 19A-6)*

**12.36.070 - Closure of parks—Removal of persons.**

The city manager may close any park or recreational area and remove all persons therefrom when in his judgment such closing will best preserve the public peace, prevent damage to public property or quell riots, mobs or violence. The city manager may also cause any and all persons, whose presence on the premises is disruptive to the normal and safe use and enjoyment thereof by the greatest number of people, to be removed.

(Ord. 864 § 1 (part), 1978: prior code § 19A-7)

### **12.36.080 - Permits.**

- A. As to any permit required either by rules and regulations of the recreation commission or by the provisions of this chapter, the applicants shall file an application upon a form to be approved by the director. The director, upon receipt of the application, shall submit the same to the commission at its next regular meeting, with the director's comments in connection therewith.
- B. The commission shall either approve, disapprove or may continue the granting of such application, and in connection with its approval, may impose any conditions that are reasonably necessary to effect the purposes of this section, the use of the park and to prevent injury and destruction to the park.
- C. In the event that any person disapproves of the action of the commission in granting or denying a permit, then an appeal can be filed with the city clerk within ten days of the action of the commission denying or approving the application. The city council shall set the matter for hearing at its next regular meeting of the city council after the appeal has been filed with the city clerk. The matter shall be set not less than fourteen days nor more than forty-five days after the date which it sets the hearing.
- D. The decision of the city council upon such appeal shall be final.
- E. The city council may reverse, modify or affirm the actions of the commission upon such terms and conditions as it may deem appropriate.
- F. A permittee shall be bound by all rules and regulations of the commission, the director, the permit and all applicable ordinances as if the same were inserted in said permit.
- G. The commission shall have the authority to revoke a permit after a hearing, upon giving ten days' notice of the hearing to permittee for a violation of any rule, ordinance or upon good cause shown.

(Ord. 864 § 1 (part), 1978: prior code § 19A-8)

### **12.36.083 - City to maintain system— Consumer caused damage.**

The city shall maintain and keep in repair the parks system, maintained areas, and all of the park amenities; provided, that the failure of such service or the injury thereto rendering repairs necessary does not result from the careless or improper act or omission on the part of the property owner or tenant on the premises underlying the city easement or right-of-way. In which event, the person causing the improper act or omission shall pay the cost of repairing or replacing the same. Otherwise the property owner shall be billed until all charges, costs, unpaid bills, and the cost of repairs are paid.

(Ord. 1214 § 2 (part), 1995)

### **12.36.086 - Tampering with property of the parks and recreation department.**

Only persons authorized by the city shall in any way alter any property or maintained areas of the parks and recreation department. No person, unless authorized by the city, shall work with, on, or around, or in any way disturb the property or maintained areas of the parks and recreation department.

(Ord. 1214 § 2 (part), 1995)

### **12.36.090 - Violation—Penalty.**

Violation of any provision or section of this chapter shall be deemed to be an infraction. Each person convicted of a violation determined to be an infraction shall pay the following:

- A. A fine not exceeding fifty dollars for a first violation;
- B. A fine not exceeding one hundred dollars for a second violation of the same chapter within one year; and
- C. A fine not exceeding two hundred fifty dollars for each additional violation of the same chapter within one year.

(Ord. 864 § 1 (part), 1978: prior code § 19A-9)

# EXHIBIT E

ORDINANCE NO. 41

" ORDINANCE OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ESTABLISHING REGULATIONS APPLYING TO RECREATION AREAS UNDER THE SUPERVISION OF THE RECREATION COMMISSION OF SAID COUNTY; PROVIDING CERTAIN FEES FOR CERTAIN SERVICES AND FOR THE USE OF CERTAIN FACILITIES IN SUCH AREAS; AND PROVIDING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREOF.

The Board of Supervisors of the County of San Mateo, State of California, do ordain as follows:

Section 1. The regulations hereinafter in this ordinance set forth shall apply to and be in full force and effect in all recreation areas which now are or which may hereafter be under the supervision of the Recreation Commission of the County of San Mateo, State of California. Said regulations shall govern the use of all such recreation areas and the observance of such regulations shall be a condition under which the public may use such recreation areas.

Section 2. General Protective Regulations

1. No person shall pick flowers, foliage or fruit, or cut, break, dig up, or in any way mutilate or injure any tree, shrub, plant, fern, grass, turf, railing, seat, fence, structure, or any other thing, or cut, carve, paint, mark, peck or otherwise fasten on any tree, stone, fence, wall, building, monument or any other object any sign, notice, advertisement or inscription.
2. No person shall dig up or remove any dirt, stones, rock or other thing whatever, make any excavation, quarry any stone or lay or set off any blast, or cause to be done or assist in doing any of said things, without the specific permission of said Commission therefor.
3. No person shall deposit, place, throw, or in any manner dispose of any rubbish, trash, garbage or any decaying or putrid matter, or any material or substance which is or might become injurious to the health of any person, except in containers provided for such purpose.

4. No person shall place, throw, deposit or leave any bottle, glass, crockery, sharp or pointed article or thin, pointed object in containers provided for such purpose, nor keep or maintain any such object or material in any manner whereby any person using any such recreation area or any portion thereof may be cut or in any way injured thereby.

Section 7. Camping Regulations.

1. No camping is permitted outside the specifically designated camp sites.
2. The following charges will be made for camping privileges, for each automobile, first three nights, 50¢ each; additional nights up to one week, 25¢ each; after first week, \$2.00 per week.
3. All camp sites shall be kept clean and free from all rubbish and litter of any kind. Combustible rubbish shall be burned on camp fires and all other garbage and refuse of any kind shall be placed in containers or pits provided for the purpose.
4. No person shall contaminate in any way whatsoever any watershed, water supply or any water used for domestic purposes.
5. No person shall wash clothing or cooking utensils or in any other manner pollute the waters of any recreation area. Bathing in any stream or pool is not permitted without suitable bathing clothes.
6. No wood shall be cut or picked up. Wood for fires can be secured from the Superintendent at the following prices: one arm full, 25¢; one sack, 50¢; one square load, \$3.50.

Section 8. Fires.

1. No fire shall be lighted except in places specifically provided therefor.
2. All dead wood, moss, dry leaves or other combustible material which may have gathered around any place provided for fires shall be carefully removed so that there is no possible danger of any fire spreading.
3. When any fire is no longer needed, it shall be completely extinguished, and all embers smothered with earth or water, so that there remains no possibility of re-ignition.
4. The possession of fireworks of any description shall be unlawful.

Section 5. Miscellaneous.

1. Firearms. It shall be unlawful for any person to have firearms in their possession. No fire arms shall be discharged into any Park or Recreation Area from the outside.
2. Hunting. All recreation areas of the County of Essex are sanctuaries for wild life of every sort. All hunting or killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from inflicting personal injury, is prohibited.
3. Authorized Operators. All persons, firms, or corporations holding concessions shall keep the grounds used by them properly policed and shall maintain the premises in a sanitary condition to the satisfaction of the Superintendent. No operator of any concession shall retain in his employment any person whose presence is deemed by the Superintendent to be subversive of good order and management.
4. Private Operations. It shall be unlawful for any person to engage in the business of soliciting, selling or peddling of any liquids or edibles for human consumption or to distribute circulars or to hawk, peddle or vend any goods, wares or merchandise of any kind, except upon specific concession or permit secured from the Recreation Commission.
5. Cameras. Still and motion-picture cameras may be freely used for general purposes. For the filming of motion pictures or sound pictures requiring the use of artificial or special settings, or special equipment, or involving the performance of a professional act, permission must first be obtained from the County Recreation Commission.
6. Gambling. Gambling in any form, or the operation of gaming devices for merchandise or otherwise, is prohibited.
7. Domestic Animals and Fowl. No dogs, cats, fowl or other domestic animals shall be permitted to enter or roam at large in any recreation areas, either with or without a keeper.
8. Grazing. The running at large, herding, or grazing of livestock of any kind in any recreation area, or the driving of livestock over same, is prohibited. Livestock found in any recreation area may be impounded and held until claimed by the owner and payment made for the impoundment.

...therefore set forth for the privileges, services  
...designated shall be paid to the Superintendent  
...or to such other person as may be designated by  
...Recreation Commission and shall by him be deposited  
...of the said County of San Mateo and shall be  
...to the Recreation Commission Fund.

Definition.

The word "person" as used in this Ordinance shall be construed  
to include natural persons, firms, copartners,  
partners, clubs and all associations or combinations  
of persons, whether acting by themselves or by  
their employees.

The word "recreation areas" as used in this Ordinance shall be  
construed to include all land, facilities and  
equipment for public recreation owned and/or operated by  
the County of San Mateo, State of California, including parks,  
play grounds, swimming pools, golf courses, picnic  
grounds, fields, beaches, parkways, public squares,  
and all grounds surrounding public buildings, all  
grounds for planting along roads, streets and high-  
ways, and all recreation areas, including all buildings,  
equipment, apparatus and equipment existing in  
any of such areas.

Protection of Facilities.

The Board of the Recreation Commission of the  
County of San Mateo shall protect all recreation areas from damage  
as provided in this Ordinance.

Any person who is obnoxious in any recreation area  
and whose conduct or bad behavior shall be subject to the  
penalties prescribed for violation of the regu-  
lations of this Ordinance and/or they may be  
removed from such recreation areas by the Superintendent.

The Sheriff of the County of San Mateo,  
and all officers of said County herein  
authorized by law with the enforcement of this  
Ordinance and all the provisions of

Whoever violates any of the provisions of this ordinance  
shall be guilty of a misdemeanor and shall be subject to  
a fine of not more than three hundred (\$300) dollars or imprison-  
ment in the County of San Mateo for a term not  
exceeding ninety days, or by both such fine and imprisonment,  
and to all costs of proceedings.

Regularly passed and adopted by the Board of Supervisors  
of the County of San Mateo, State of California on the 25th day of  
June, 1934, in regular meeting of said Board by the  
following vote:

Ayes and in favor of the passage of said ordinance:

Supervisors

J. H. Coates  
Robert W. Brown W. J. ...  
W. J. ...

Noes and against the passage of said ordinance:

Supervisors

A. J. ...

Absent Supervisors not voting:

None

Signed W. J. ...  
Chairman, Board of Supervisors  
County of San Mateo, State of California

Attest: W. J. ...  
Clerk, Board of Supervisors  
County of San Mateo, State of  
California

SEAL

INDEXED

BOARD OF SUPERVISORS, FILED June 25, 1934

W. J. ...

RECORDED SEP 7 1934

Book 2 Page 304

In the *Board of Supervisors of the* County of San Mateo,  
STATE OF CALIFORNIA

IN THE MATTER OF ..... Affidavit of Publication of .....

*Ordinance No 415*

STATE OF CALIFORNIA }  
County of San Mateo. } HN.

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DO IT AT

Primary Election (Tuesday)

Complete Sign Service

*MP Pullen*

GEORGE E. DUNN, being duly sworn, deposes and says that all the times herein named he was, and now is the owner, printer and publisher of the HALF MOON BAY REVIEW, a newspaper regularly printed, published and circulated in said County of San Mateo, State of California, and as such owner, printer and publisher he has charge of all legal notices and advertisements in said newspaper; that said HALF MOON BAY REVIEW is and was at all times mentioned in this affidavit, a newspaper of general circulation, published for the dissemination of local news and intelligence of a general character, having a bona fide list of paying subscribers and was not and is not devoted to the interests, nor published for the entertainment of any particular class, profession, trade, calling, race or denomination, or any number thereof; and that at all times said newspaper has been established, printed and published in Half Moon Bay, in said County for more than one year; that the *Ordinance No 415*

which the annexed is a full, true and correct printed copy, was printed and published in said newspaper for the full period of *one* consecutive weeks, to-wit: *from the 28 day of June* A. D. 19*24* to the *4* day of *July*, A. D. 19*24*, both days inclusive in *one* *non-circular* issues of said newspaper and as often during said period as said newspaper was printed, published and issued, viz: on *June 28<sup>th</sup> 1924*

A. D. 19*24* and in each and every issue, edition and number thereof printed, published and issued on each of said days.

*George E. Dunn*  
A. D. 19*24* day of *July* A. D. 19*24*  
*George E. Dunn*  
Secretary-Printer for the County of San Mateo, State of California.



