

ORDINANCE NO. 3337

**AN ORDINANCE OF THE CITY OF CORONA,
CALIFORNIA, AMENDING CHAPTER 12.24 OF THE
CORONA MUNICIPAL CODE RELATING TO RULES AND
REGULATIONS FOR PARKS AND RECREATION AREAS
TO AUTHORIZE IMPLEMENTATION AND
ENFORCEMENT BY CITY MANAGER**

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Corona Municipal Code (“CMC”) Chapter 12.24 sets forth the rules and regulations for the use of public parks, recreation buildings/facilities, amenities and equipment in the City; and

WHEREAS, CMC Chapter 12.24 currently authorizes the General Manager of the Department of Water and Power to implement and enforce certain provisions in CMC Chapter 12.24; and

WHEREAS, as a result of a recent reorganization of the City’s departments, the City Manager or his or her designee is now charged with the implementation and enforcement of these provisions in CMC Chapter 12.24; and

WHEREAS, the City Council has determined that amendments to CMC Chapter 12.24 are necessary to authorize the City Manager or his or her designee to implement and enforce certain provisions of CMC Chapter 12.24.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA,
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

SECTION 1. Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2. CEQA Findings. This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states

that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action makes minor changes to the rules and regulations pertaining to public parks, recreation buildings/facilities, amenities and equipment in the City to authorize implementation and enforcement by the City Manager or his or her designee, and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

SECTION 3. Amendments to Chapter 12.24. Chapter 12.24 (Parks and Recreation Areas) of Title (Streets, Sidewalks and Public Places) of the Corona Municipal Code is hereby amended in its entirety to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 4. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. Conflicting Ordinances. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 6. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption.

PASSED, APPROVED AND ADOPTED this 3rd day of November, 2021.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held on the 20th day of October 2021, and thereafter at a regular meeting held on the 3rd day of November, 2021, it was duly passed and adopted by the following vote of the City Council:

AYES:

NOES:

ABSTAINED:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 3rd day of November, 2021.

City Clerk of the City of Corona, California

(SEAL)

EXHIBIT "A"

CHAPTER 12.24 PARKS AND RECREATION AREAS

Sections

- [12.24.010](#) Statement of purpose; adoption of additional regulations.
- [12.24.020](#) Definitions.
- [12.24.030](#) Prohibited conduct.
- [12.24.040](#) Enforcement.
- [12.24.050](#) Reward for information.
- [12.24.060](#) Signs posted in public parks, recreation buildings/facilities and amenities.
- [12.24.070](#) Hours of operation.
- [12.24.080](#) Reservation of public parks, recreation buildings/facilities, amenities and equipment.
- [12.24.090](#) Denial of a reservation.
- [12.24.100](#) Special events permits.
- [12.24.110](#) Outdoor festivals.
- [12.24.120](#) Amplified sound.
- [12.24.130](#) Closure or restricted use of public parks, recreation buildings/facilities, amenities and equipment.

12.24.010 Statement of purpose; adoption of additional regulations.

The purpose of this chapter is to establish a comprehensive set of rules and regulations for use of public parks, recreation buildings/facilities, amenities and equipment in the city. The City Manager may adopt additional rules and regulations that are not in conflict with this chapter or any other chapter in this code.

12.24.020 Definitions.

For the purpose of carrying out the intent of this chapter, words, phrases and terms used herein shall have their ordinary meaning unless otherwise as follows.

(A) "**Amenities**" shall be defined as any enclosed or partially enclosed public spaces designated for specific purposes and the areas directly adjacent to those spaces. This includes, but is not limited to, picnic shelters, ballfields, playgrounds, skate parks, parking

lots and tennis, volleyball and basketball courts. Such areas may be used informally and without the presence or approval of Department staff.

- (B) "**Camp**" shall be as defined in § [9.26.010](#) of this code.
- (C) "**Camp facility**" shall be as defined in § [9.26.010](#) of this code.
- (D) "**Camp paraphernalia**" shall be as defined in § [9.26.010](#) of this code.
- (E) "**Department**" shall be defined as the City of Corona Community Services Department.
- (F) "**Director**" shall be defined as the Community Services Director or his or her designee.
- (G) "**Electronic smoking device**" means an electronic device that can be used to deliver nicotine or any other substance, including, without limitation, any component, part or accessory of such device, whether or not sold separately. "Electronic smoking device" includes, without limitation, any such device, whether manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.
- (H) "**City Manager**" shall be defined as the City Manager of the City of Corona or his or her designee.
- (I) "**Organized and semi-organized group athletic event**" shall be defined as a group athletic event which would cause more than a total of eight participants, spectators and/or other persons to be using a field or facility at the same time.
- (J) "**Outdoor festival**" shall be defined as any music festival, dance festival, rock festival or similar musical activity at which music is provided by paid or amateur performers or by prerecorded means and which is open to the public as established in Chapter 5.30.
- (K) "**Public parks**" shall be defined as all developed and undeveloped park spaces dedicated for public use, landscape maintenance districts, open space areas, pedestrian or bike trails or access ways, planted parkways and pathways and the area directly adjacent to those spaces that are maintained by the city.
- (L) "**Recreation buildings/facilities**" shall be defined as any structure and the area directly adjacent to that structure that falls under the jurisdiction of the Department. This includes, but is not limited to, the Fiesta Bandshell, Historic Civic Center Theater, City Park and Auburndale pools, Civic Center Historic Community Room, Civic Center Historic Gymnasium, Senior Center, Brentwood, Victoria, River Road Center, Main Street Community Center and Auburndale Recreation Center. Such areas may only be used in the presence of or with the prior approval of the Department.
- (M) "**Sleep**" shall be as defined in § [9.26.010](#) of this code.

(N) **"Smoke or Smoking"** shall be defined as carrying or holding a lighted pipe, cigar, or cigarette, or any other lighted smoking product or equipment used to burn any tobacco products, weed, plant, or combustible substance, or the use of any electronic smoking device. Smoking includes emitting or exhaling the fumes of any pipe, cigar, cigarette, or any other lighted smoking equipment used for burning any tobacco product, weed, plant, or any other combustible substance and the emitting or exhaling of vapor or aerosol from an electronic smoking device.

(O) **"Special event"** shall be defined as any meeting, assembly, parade or other event open to the public and proposed to be conducted in or upon the public streets, highways or public parks of the city as established in [Chapter 9.20](#).

(P) **"Tobacco product"** shall be defined as any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco.

12.24.030 Prohibited conduct.

No person shall perform any of the acts hereafter specified in or upon any public street, alley, sidewalk, parkway, public park, recreation building or facility, or other city facility, except as otherwise provided herein.

(A) **Alcohol:** Consume any alcoholic beverage, or possess or sell any can, bottle or other receptacle containing any alcoholic beverage (as the term "alcoholic beverage" is defined by Business and Professions Code Section 23004, as amended) which has been opened, or a seal broken, or the contents of which has been partially removed. Notwithstanding the foregoing, this prohibition shall not apply to the facility designated in § [9.22.020](#), provided the consumption, possession, or sale of alcohol is in compliance with the terms of a permit issued pursuant to that section.

(B) **Animal abuse:** To hunt, molest, harm, frighten, lull, trap, chase, tease, shoot or otherwise disturb any animal in its natural state or possess or remove any animal from its natural state or any eggs of the same.

(C) **Animals:** To hitch, fasten, lead, drive, ride or free from restraint any animal or fowl of any kind without the written approval of the Department. This shall not apply to dogs within a posted dog park area of a city park, as designated by the City Council pursuant to § [6.12.170](#), or when led by a leash, chord or chain, no more than six feet long and under the immediate care and control of the owner or another person competent to exercise care, custody and control thereof. Owners of said dogs are responsible for the conduct of the animal, for the proper disposal of all waste and fecal matter, and must comply with the rules and regulations set forth in § [6.12.170](#). This subsection shall also not apply to those animals used by the disabled.

(D) **Bathing:** To bathe in any facility not designated for that purpose.

(E) **City employees:** To obstruct, hinder, harass or intimidate city employees or officers while they are performing their assigned job responsibilities for the city.

(F) **Disruptive Behavior:** Participating in riotous or hazardous activities or behaving in such an unruly, destructive, or hazardous manner that it disturbs the public peace, or which may intimidate or disturb other park patrons or residences or businesses near a park or any other city facility, provided that this prohibition shall not be applied so as to infringe the rights of park users to engage in speech or other expressive activity protected by the First Amendment to the Constitution.

(G) **Dumping:** To discard or dump any liquid or solid waste in any area not designated for such purposes, including waterways, lakes or fountains.

(H) **Fire:** Make or kindle a fire with wood, kindling, or any solid fuel other than charcoal without written approval from the Department.

(I) **Fireworks:** To carry or discharge firecrackers or fireworks, except that this prohibition shall not apply to fireworks displays sponsored or arranged by the city.

(J) **Food preparation:** Cook or prepare any meal, barbecue or picnic except in the areas designated for such use without written approval from the Department.

(K) **Glass containers:** No glass containers shall be permitted.

(L) **Golf:** To engage in the game of golf, or to hit or "chip" any golf ball or similar object with a golf club or similar instrument except in areas designated for such activity.

(M) **Graffiti:** To allow or cause graffiti or tagging in, on or around any part of a public park, a recreation building or facility or amenities.

(N) **Loitering:** To gather, loiter, wander or remain prior to or after the hours of operation without the written permission of the Department. No person in a public park, recreation building/facility or amenity that has been declared closed to the public while such person is in the area shall fail to depart from the area within ten minutes or such time as is necessary to remove his or her possessions after having been requested to do so.

(O) **Reckless operation:** To ride or use any roller skates, in-line skates or skateboards at a public park in a reckless manner or with willful disregard for the safety of persons or property or to cause such items to be ridden or used in such a manner.

(P) **Refuse:** To leave garbage, cans, bottles, papers or other refuse elsewhere than in the receptacles provided.

(Q) **Remote controlled toys:** To operate any remote controlled or motorized toy in an unsafe manner or in a manner constituting a public nuisance.

(R) **Sale of goods:** The sale or solicitation for sale of goods, wares, commodities, services, or any other thing without written authorization from the City Manager, including but not limited to sales activities that: (i) use park property or facilities to complete the terms of sale; (ii) provide a service as a result of the sale; or (iii) affect park operations, facility use or visitor safety.

(S) **Smoking:** No person shall smoke or use any tobacco product or any electronic smoking device within the boundaries of any public park or recreation area within the city. This prohibition shall not operate to ban smoking, tobacco product use or electronic smoking device use in or upon public streets or alleys adjacent to any public park or recreation area, but shall prohibit such acts on sidewalks and in off-street public parking areas adjacent to or within public parks or recreation areas.

(T) **Camping:** To camp except as otherwise provided in § [9.26.010](#) of this code.

(U) **Storage:** Store personal property, including camp facilities and camping paraphernalia.

(V) **Unattended vehicles:** To leave any vehicle unattended overnight without the approval of the Department.

(W) **Unauthorized equipment:** To use rockets, torpedoes, air guns, sling shots or similar devices.

(X) **Unlawful entry:** For members of the opposite sex over the age of ten years to enter any toilet, restroom, dressing room or other facility for exclusive use by the opposite sex.

(Y) **Use of electronic equipment:** The use of city electrical outlets to provide power to electronic equipment is prohibited, provided that this prohibition shall not apply to individuals who have made a reservation pursuant to § [12.24.080](#) of this code. Electronic equipment is defined as any device that requires an electrical outlet for power including, but not limited to, televisions, radios, computers, cellular telephones, portable heaters, fans, cooking devices (i.e., hot plates, crock pots, toasters, toaster ovens, and the like) and personal hygiene items (i.e., electronic razors, hair dryers, curling irons, and the like).

(Z) **Vehicle parking:** Vehicle parking unless in compliance with Title 10 of this code;.

(AA) **Vehicle service:** To attempt to service or remove parts from a vehicle. This shall not apply to those instances where service must be provided to a vehicle for the immediate reestablishment of its operation and removal from the area.

(BB) **Vehicles and other means of transportation:** Bicycling, skateboarding (as defined in CMC [10.52.010](#)), roller skating and in-line skating, vehicles, go-carts, motorized scooters, and Segway personal transportation devices, or sporting activities related thereto except in areas designated by council resolution and posted. A bicycle may be wheeled or pushed by hand over any area reserved for pedestrian use.

(CC) **Violation of skate park rules:** Violation of any rules established by the city for the use of the city skate parks including, but not limited to, violations consisting of creating a disturbance; use of the skate park by an unsupervised minor under 14 years of age; and entry into the skate park without wearing all required protective equipment, including knee pads, elbow pads, and a helmet.

12.24.040 Enforcement.

The City Manager and Enforcement Officers (as defined in § [1.08.120](#)) shall have the authority to eject and expel from any public park, recreation building/facility or amenity any person in violation of this chapter. Failure to expeditiously leave the park, building, facility, or amenity after being so directed by the City Manager or an Enforcement Officer, and following a reasonable amount of time to gather personal belongings, shall be a violation of this section.

12.24.050 Reward for information.

There shall be a reward of \$250 for persons offering information leading to the arrest and conviction(s) of person(s) damaging, stealing, defacing or destroying city property in public parks, recreation buildings/facilities or amenities.

12.24.060 Signs posted in public parks, recreation buildings/facilities and amenities.

(A) The City Manager is authorized to post in prominent places in parks signs which shall state as follows:

"\$250 reward for information leading to the arrest and conviction of any person damaging, stealing or defacing city property."

(B) In order to provide reasonable notice to the public, the City Manager shall post signs in one or more conspicuous and visible area(s) of any public park, specifying the requirements of § [12.24.030](#)(X). The City Manager may post signs specifying the requirements of any other prohibited activities described in this chapter. The signs required pursuant to this section shall cite the respective code section being invoked and shall state that any person failing to comply with such code section shall be subject to citation or other enforcement tools or actions available to the city.

(C) The City Manager may post other signs as deemed necessary for operation of the facility, such as signs that provide contact information for city staff, special events, or other purposes.

12.24.070 Hours of operation.

Public parks, recreation buildings/facilities and amenities shall be open from 5:00 a.m. until 10:30 p.m. daily or as otherwise may be posted by the City Manager. It shall be unlawful for any person to use or remain in such facilities in violation of such posting without written consent of the Department.

12.24.080 Reservation of public parks, recreation buildings/facilities, amenities and equipment.

(A) Public parks, recreation buildings/facilities other than athletic fields, amenities and equipment may be made available for the exclusive use of persons and groups for assembly activity on a first come first serve basis. Individuals and groups wishing to reserve public parks, recreation buildings/facilities, athletic fields, amenities and/or

equipment must file an Application for Permit for Use of Recreation Facilities with the Department. Requests cannot be made nor applications filed more than 90 days prior to the event, except that applications may be filed no more than one year in advance for the Historic Civic Center Theater and the Historic Community Room.

(B) Applicable fees will be determined according to the fee schedule established by Council resolution.

(C) No exclusive use permit will be granted for the time and place specified in the application if, prior to the time the application was filed, the city has scheduled a city-sponsored event at the same time and place as the activity proposed in such application.

(D) Reservations will be required for the following:

- (1) Any special event;
- (2) Any outdoor festival;
- (3) Any assemblage or parade;

(4) Any group or individual wishing to use, for a private function, any facility or equipment that by its nature is limited in availability, including the Fiesta Bandshell, Historic Civic Center Theater, City Park and Auburndale pools, Civic Center Historic Community Room, Civic Center Historic Gymnasium, Senior Center, Brentwood, Victoria, River Road Center, Main Street Community Center and Auburndale Recreation Center.

(E) A Permit for Use of Recreation Facilities is required for the use of any athletic field, for any amount of time, by any group of eight or more people. Permits will be issued in accordance with the Department's Athletic Field Allocation Policy (as it may be amended or renamed). Use of any athletic field or recreation building/facility for any amount of time, for any organized or semi-organized group athletic event as defined in § [12.24.020\(K\)](#), is prohibited without a permit.

12.24.090 Denial of a reservation.

(A) The Director may deny the application if it finds that any of the following conditions exist:

(1) The application reveals that the city has inadequate physical facilities to accommodate the proposed use;

(2) The proposed activity or use of the facility or equipment will unreasonably interfere with or detract from the general public use of public parks, recreation buildings/facilities, amenities and/or equipment;

(3) The proposed activity would violate federal, state or local law;

(4) The applicant refuses to agree in writing to comply with all the conditions in the permit;

(5) The applicant has failed to file a timely application unless waived by the Director.

(B) The Director may, at any time, suspend or revoke a permit issued pursuant to this chapter when he or she has reasonable cause to believe that a permittee has violated or is causing or permitting a violation of this chapter, including the conditions set forth by the Director granting the permit or any pertinent federal, state and/or local law or when it has been shown to his or her satisfaction that the activities so permitted are being conducted in a manner detrimental to the public health, peace, safety or welfare of the city. The Director may also suspend or revoke any such permit if the permittee misrepresented, falsified or concealed any material fact in the application.

(C) In the event that the request is denied, suspended or revoked, the applicant will be notified in writing as to the cause. The decision may be appealed pursuant to [Chapter 1.09](#) of this code.

12.24.100 Special events permits.

Groups of more than 25 individuals wishing to use public parks, recreation buildings/facilities, amenities and/or equipment for special events must file an application with the Corona Police Department and follow the procedures as set forth in [Chapter 9.20](#) of this code. All special events and applications for same shall also follow the policies and procedures previously stated.

12.24.110 Outdoor festivals.

Individuals or groups wishing to use public parks, recreation buildings/facilities, amenities and/or equipment for outdoor festivals must file an application with the Corona Police Department and follow the procedures as set forth in [Chapter 5.30](#) of this code. All festivals and applications for same will also follow the policies and procedures previously stated.

12.24.120 Amplified sound.

Individuals or groups wishing to use amplified sound in an area not specifically designated for that purpose must obtain the written permission of the City Manager. Otherwise individuals must obtain written approval of the Director 30 days prior to the event on a first come first served basis.

12.24.130 Closure or restricted use of public parks, recreation buildings/facilities, amenities and equipment.

Any public parks, recreation buildings/facilities, amenities or equipment may be closed to the public or have their use restricted upon the order of the City Manager or of an Enforcement Officer whenever in his or her discretion such facility presents a hazard to the public welfare or safety or otherwise is in need of immediate renovation.