

## 12.20 Beach and Strand Regulations

### CHAPTER 12

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#### Chapter 12.20 Beach and Strand Regulations

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### 12.20.010 Definitions.

As used in this chapter:

"Alcoholic beverage" means and includes alcohol, spirits, liquor, wine, beer and every liquid or solid containing one-half (1/2) of one (1) percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.

"Beach" means that certain strip of land within the city lying between the westerly line of the Strand and the line of ordinary tide of the Pacific Ocean.

"Strand" means that certain strip of land used as a public walkway and lying between the oceanfront lot line and a line twenty-six (26) feet west and parallel with said oceanfront lot line.

"Vessel" means and includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. Vessel includes a raft, but does not include a surfboard, paddleboard or a standard surf mat. (Prior code § 5-1)

### 12.20.020 Compliance.

No person shall enter, be or remain on the beach or Strand unless he complies with all of the regulations set forth in this chapter and with all other applicable rules and regulations. (Prior code § 5-2)

### 12.20.030 At own risk.

A person exercising any of the privileges authorized by this chapter does so at his own risk without liability on the part of this city for any injury to person or property resulting therefrom. (Prior code § 5-3)

### 12.20.040 Alcoholic beverages--Violation--Penalty.

A. No person shall consume or drink any alcoholic beverage while on the beach or the Strand.

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B. No person who has in his or her possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, shall enter, be, or remain on the beach or the Strand.

C. Violation Defined--Penalties. Any person violating any provisions of this section shall be deemed guilty of an infraction, except that a violation of subsection (A) of this section that occurs within the boundaries of and during the effective dates and times of the holiday safety enhancement zone shall be a misdemeanor pursuant to Section 1.04.060. (Ord. 14-1348 §9, 2014: prior code § 5-4)

### 12.20.050 Animals.

No person shall bring or maintain, under any circumstances or conditions, any dog, cat, domesticated animal or other animal or reptile of any kind on or upon the beach, or ride or lead a horse, mule, burro or donkey or other similar animal onto the beach or the Strand, or along the waters of the Pacific Ocean, and a violation of this section shall be an infraction. (Prior code § 5-5)

### 12.20.060 Balls on beach and the Strand.

A. No person shall cast, bat, toss, throw, kick or roll any ball, tube, boomerang, flying saucer or any similar object, or use any volleyball or other athletic equipment, or conduct or participate in any sport or game at any place upon or over the beach or the Strand outside of an area provided therefor.

Exception: This prohibition shall not apply to any activity which is part of a supervised sports event or recreational activity of the city, nor to any activity expressly approved by the park and recreation commission or the city council.

B. No person shall conduct or participate in any sand throwing, blanket throwing, or any sport that constitutes a hazard to any person on the beach or Strand.

C. No sport or throwing of missiles of any kind shall be permitted on the Strand walkway.

D. A violation of any provision of this section shall be an infraction. (Prior code § 5-6)

### Section 12.20.070 Beach Volleyball Courts

A. The volleyball courts directly adjacent to the pier, between 10<sup>th</sup> Street and 15<sup>th</sup> Street may be reserved by the city for special events or city contracted classes. (Prior code § 2-5.6)

B. All volleyball courts south of 10<sup>th</sup> Street and north of 15<sup>th</sup> Street are for general community use, may not be reserved, shall comply with Section 8.24 (Noise Ordinance), and will operate on a challenge basis.

C. Any commercial group, non-profit organization, or fitness instruction for compensation must obtain the proper Special Event, -Contract Class, or Outdoor Fitness Instruction Permits and are limited to use of the volleyball courts or other facilities on the beach between 10<sup>th</sup> Street and 15<sup>th</sup> Street.

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**Comment [LS1]:** This was previously in 12.28 and has been modified in the text as well

**Comment [LS2]:** Question for Lauren – what is the typical numbering/renumbering process for inserting section s?

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### 12.20.0870 Bathing.

No person shall swim, bathe or immerse ~~himself~~themselves in the waters of the Pacific Ocean adjacent to the beach more than two hundred (200) yards from shore, except:

A. A person who is the owner of a vessel, or who acts at the request of such owner while engaged in servicing or repairing such vessel, and then only in the immediate area of such vessel;

B. A person engaged in the sport commonly known as aquaplaning, water skiing, or any derivation thereof, provided that such person is at all times wearing a safety belt as approved by the director of the Los Angeles County department of beaches;

C. A skin diver equipped with swim fins and a face plate if at all times he maintains within fifty (50) yards of himself a boat or a surf mat, paddleboard or surfboard upon which there is a rectangular flag twelve (12) by fifteen (15) inches, orange-red in color with a white diagonal stripe three (3) inches wide running from one corner to the diagonally opposite corner. The flag shall be flown high enough so as not to touch the water;

D. No person shall swim, skin dive, or use self-contained underwater breathing apparatus in the waters of the Pacific Ocean within one hundred (100) feet of this city's municipal pier.

The distance from shore as specified above shall mean the distance measured at right angles to the tangent of the actual line between the water and the unsubmerged beach as it exists at the time of measurement. A violation of this section shall be an infraction. (Prior code § 5-7)

### 12.20.080 Beach equipment.

A. No person shall write upon, cut, mark, stain or otherwise deface, damage or move, remove, use or otherwise interfere with or commit other act or acts of vandalism on any of the umbrellas, backrests, blankets, pillows, robes, rugs or other beach equipment while same is upon the beach or on private property of any person whatsoever.

B. All beach equipment shall be removed from the beach during the nighttime.

C. A violation of this section shall be an infraction. (Prior code § 5-8)

### 12.20.090 Boating.

A. No person shall operate any vessel within three hundred (300) yards of the shoreline of the beach except when necessary in taking it to or from its lawful mooring place or when necessary in the case of emergency.

The distance from shore as specified above shall mean the distance measured at right angles to the tangent of the actual line between the water and the unsubmerged beach as it exists at the time of measurement.

B. No person shall launch any motorized vessel from the beach.

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C. A violation of this section shall be an infraction. (Prior code § 5-9)

### 12.20.100 Changing clothing.

A. No person shall change clothes for any reason in any washroom or toilet on any part of the beach.

B. No person shall use or permit to be used any vehicle or portion thereof at any place within the city as a room or space for changing clothes before or after bathing in the ocean, or for any other reason.

C. A violation of this section shall be an infraction. (Prior code § 5-10)

### 12.20.110 Fires.

No person shall build, light or maintain any fire upon any portion of the beach or strand at any time. (Prior code § 5-12)

### 12.20.120 Fireworks.

A. No person shall take or transport onto the beach or strand, or have in his possession thereon, or fire or discharge thereon, any firecracker, rocket or torpedo.

B. The use of safe and sane fireworks on the beach shall be deemed a violation of this regulation, and a violation of this subsection shall be an infraction. (Prior code § 5-13)

### 12.20.125 Smoking.

No person shall smoke on the beach. "Smoking" is as defined in Section 8.40.010 of this Code. A violation of this section shall be an infraction. (Ord. 06-1267 §2, June 2006)

### 12.20.130 Fishing--Safety practices.

A. Every person carrying or using any fishing tackle, line, hook or other equipment on the beach or strand, or from or in the surf or on the waters of the Pacific Ocean within the city, shall at all times have due regard for the safety of other persons near or in the vicinity of such person.

B. No person shall fail or refuse to obey any reasonable command, order, instruction or direction of any lifeguards or police officers given in connection with or with reference to any such fishing and the related use of fishing tackles, lines, hooks or other equipment, or fail to remove same from the beach or strand or the surf or waters of the Pacific Ocean adjacent to the beach when requested to do so by any of such lifeguards or police officers.

C. A violation of this section shall be an infraction. (Prior code § 5-14)

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### 12.20.140 Flora.

No person shall dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, or any portion thereof anywhere on the beach or strand. A violation of this section shall be an infraction. (Prior code § 5-15)

### 12.20.150 Glass or other sharp objects.

No person shall place, throw, leave, keep or maintain any bottle, glass, crockery, sharp or pointed articles or thing in such a manner that any person on the beach or strand is or may be cut, pricked, or in any way injured thereby. A violation of this section shall be an infraction. (Prior code § 5-16)

### 12.20.160 Glass and rubbish--Deposit in receptacle.

A. No person shall throw, place or dispose of, any refuse, garbage, rubbish, trash, bottle, can or paper upon the beach or strand other than into a container authorized by this city and located thereon for that purpose.

B. No parent or guardian having the care, custody or control of any minor under the age of eighteen (18) shall permit or allow said minor to throw, place or dispose of any refuse, garbage, rubbish, trash, bottle, can or paper upon the beach or strand other than into a container authorized by this city and located thereon or therein for that purpose.

C. No person shall place any garbage or rubbish accumulating on any private premises in any public garbage or rubbish container or receptacle placed upon the beach or strand which has been furnished for the use of the general public. (Prior code § 5-17)

### 12.20.170 Hazardous areas--Designation.

Whenever any lifeguard finds that because of extra high surf, riptide or other hazardous conditions, it is unsafe for the average person to swim or bathe within a certain area of the waters of the Pacific Ocean adjacent to the beach, during the time such hazardous conditions exist such lifeguard may instruct all persons not to swim or bathe in such area. Every person shall comply with such instructions. (Prior code § 5-18)

### 12.20.180 Inflated equipment.

No person shall use in the Pacific Ocean adjacent to the beach any inflated equipment of any kind except a standards surf mat which is:

- A. Constructed of a durable material with a nonslippery surface; and
- B. So constructed that, when inflated for use, it will not fold in any direction; and
- C. Not smaller than twenty-four (24) inches by forty (40) inches; and

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D. Not larger than thirty (30) inches by sixty (60) inches; and

E. Equipped with a safety rope. (Prior code § 5-19)

12.20.190 Lifeguards and police officers.

No person shall fail or refuse to obey any reasonable command, order, instruction or direction of any lifeguard or police officer given in connection with or with reference to the use, operation, manipulation or handling of any boat, surfboard, paddleboard or other surf or wave riding equipment or device, or fail or refuse to remove the same from the surf or waters of the Pacific Ocean adjacent to the beach when requested to do so by any of such lifeguards or police officers. (Prior code § 5-21)

### 12.20.200 Lifesaving apparatus.

No person shall unwind or remove or in any way tamper with a buoy or lifeline, or rope, reels or other paraphernalia connected with the lifesaving apparatus on any portion of the beach or strand or any lifeguard station or tower or similar facility except to use the same for the purpose for which they are intended, and only for the purpose of attempting to rescue or save any person in actual or apparent danger. (Prior code § 5-22)

### 12.20.210 Loitering.

No person shall loiter on any portion of the beach or strand at any time during the hours of twelve midnight and six a.m. of the following day. (Prior code § 5-23)

### 12.20.220 Motorized bicycles and motor vehicles.

No pedal-powered motorized bicycle, or motorized vehicle of any kind other than those used for the purpose of protecting life or property, shall be ridden, pedaled, walked, carried onto or otherwise enter any portion or the Strand walkway or beach at any time. A violation of this section shall be an infraction. (Prior code § 5-24)

### 12.20.224 Designated ~~recreational areas~~in-line skating areas.

The following areas are designated recreational areas in which in-line skating is permitted:

A. The Strand.

B. The bike path between 24th Street and the northern city limit. (Ord. 98-1183, Added, 09/10/98)

### 12.20.230 Wheeled vehicles or devices on strand walkway.

A. Prohibited. It is unlawful for any person to ride or operate any wagon, box on wheels, or any other method of riding or locomotion on wheels, including use of an electric personal assistive mobility device ("EPAMD") (as defined by Vehicle Code Section 313) on any portion of the Strand walkway and the Pier Plaza, except for the following:

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1. Roller skates;
2. Skateboards;
3. Pedal-powered, nonmotorized bicycles or tricycles with a width of not more than thirty-six (36) inches used for recreational purposes;
4. Conveyances, including EPAMDs, by any person, who by reason of physical disability, is unable to move about as a pedestrian and is in possession of a distinguishing disabled parking placard issued pursuant to the California Vehicle Code; and
5. EPAMDs operated by federal, state or local government personnel in the performance of official duties. (Ord. 04-1236 §3, February 2004)

B. Required to Yield Right-of-Way to Pedestrians. Under all circumstances, the rider or operator of a wheeled vehicle or device, including bicycles, skateboards and roller skates, on the Strand walkway shall yield the right-of-way to pedestrians, and due and proper care shall at all times be exercised by the rider or operator for the pedestrians.

C. Group Riding. When more than two persons in a group are riding or operating wheeled vehicles or devices, including bicycles, skateboards and roller skates, on the Strand walkway, no more than two shall ride side by side.

D. Racing--Trick riding. It is unlawful for any person riding or operating any wheeled vehicle or device to race any other such vehicle or device or person along the Strand walkway, or to indulge in any kind of trick or unsafe riding or operating.

E. Dangerous Speed--Penalty. It shall be deemed reckless and dangerous if any person rides or operates any wheeled vehicle or device permitted on the Strand walkway, including bicycles, skateboards and roller skates, in excess of ten miles per hour, at an unsafe speed under existing conditions, or operates such vehicle or device permitted on the Strand walkway in such a reckless, wanton or careless manner as to constitute unsafe riding or operating, and any person so operating or riding said vehicle or device shall be guilty of an infraction of the law as set forth in Sections 19c and 19d of the Penal Code of the state of California.

F. Designated Walk Zones. The city council by a majority vote, may designate certain areas of the Strand walkway as hazardous for bicycling and skateboarding, based on appropriate studies and/or staff recommendations, and may designate those areas as walk zones by amendment to this subsection and ordering the placement of appropriate signs, barricades, markings, flashing lights, delineations or devices signifying "Walk Zone Ahead" at least fifty (50) feet prior to the designated zone; and the placement of appropriate regulatory signs at the beginning of the walk zone such as, "Walk Bikes and Skateboards when Flashing." The end of the walk zone shall be designated by signs indicating "resume riding beyond this point." It is unlawful to ride a bicycle or skateboard when the following designated walk zone is in effect:

The Strand walkway between the centerline of 10th Street and 15th Street.



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G. Parking. No person operating any wheeled vehicle or device on the Strand walkway shall park said vehicle or device in front of any entrance to the public beach or to public or private property, or in any way hinder, delay or obstruct the movement of pedestrians or emergency vehicles or other wheeled vehicles or devices upon the surface of said walkway.

H. Applicability of Traffic Regulations. Every person riding a bicycle on the Strand walkway shall be granted all the rights and be subject to all of the duties applicable to the driver of a vehicle by Title 10, except those provisions which by their very nature can have no application to such persons.

I. Violation. Violation of any provision of this section shall be an infraction. (Prior code § 5-24.5)

### 12.20.240 Overnight camping.

No person shall camp on or use for overnight sleeping purposes any portion of the beach or strand, or bring a house trailer or similar vehicle onto the beach or strand, and a violation of this section shall be an infraction. (Prior code § 5-25)

### 12.20.250 Pollution of water.

A. Oil Pollution. No person shall deposit, throw, divert or in any manner dispose of, or cause or permit to be deposited, placed, thrown, diverted or in any manner disposed of within the city, any petroleum, refined petroleum, engine oil or any oily by-product thereof, or any tar or any product containing tar, or any oily substance into or upon the waters of the Pacific Ocean, or into or upon the waters of any lagoon, bay, inlet or tributary thereof; or shall deposit, throw, place, divert or in any manner dispose of, or cause or permit to be deposited, thrown, placed, diverted or in any manner disposed of, any crude petroleum, refined petroleum or any oily substance upon any beach, tideland, or submerged land or any portion thereof, within the city.

B. Indirect Oil Pollution. No person shall deposit, place, throw, divert, keep, maintain or in any manner dispose of, or cause or permit to be deposited, placed, thrown, diverted, kept, maintained or in any manner disposed of, any crude petroleum, refined petroleum, engine oil or any oily by-product thereof or any tar or any product containing tar, or any oily substance into, along or upon any land, premises or place within the city in such manner that the same, or any portion thereof, may run or be transferred or carried to, or be in any manner deposited upon or conveyed to any beach, tideland or submerged land, or any portion thereof, or into or upon the waters of the Pacific Ocean, or into or upon the waters of any lagoon, bay, inlet or tributary thereof.

C. Discharge of Bilge Water Containing Petroleum Products. No person owning, managing, controlling, operating, navigating or otherwise handling any boat, vessel, ship or barge used, or having been used, for the transportation in bulk of crude petroleum, refined petroleum, engine oil or any oily by-product thereof other than gasoline, distillate, tops or other similar volatile product, shall discharge, or cause or permit to be discharged, from such boat, vessel, ship or barge any ballast water, bilge water or waste water containing, or contaminated with, any such crude petroleum, refined petroleum, engine oil or oily by-product within the city unless such ballast water, bilge water or waste water is discharged into suitable and adequate settling basins, tanks or other receptacles.

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No person owning, managing, controlling, operating, navigating or otherwise handling any boat, vessel, ship or barge using fuel oil for the generation of power, shall discharge, or cause or permit to be discharged, from such boat, vessel, ship or barge any bilge water or waste water containing, or contaminated with, any such fuel oil within the city, unless the same is discharged into suitable and adequate settling basins, tanks or other receptacles.

The provisions of this section, however, shall not be deemed nor construed to require any such ballast water, bilge water or waste water to be discharged into any such settling basin, tank or other receptacle if such ballast water, or waste water, before the discharging thereof, shall have been passed through, or treated by, some adequate oil separating device or process and such crude petroleum, refined petroleum, engine oil, oily by-product or fuel oil be separated or removed therefrom.

D. Other Pollution. No person shall deposit, throw, place or in any manner dispose of any dead animal or portion thereof, or any vegetable matter or animal matter, or any offal, night soil, manure, rubbish, trash, garbage or any decaying or putrid matter, material or substance, or any matter, material or substance which is or might become injurious to health or which is or might become a nuisance or offensive to the senses of any persons coming into proximity thereto, into the waters of the Pacific Ocean, or into the waters of any lagoon, bay, inlet or tributary thereof; or in, upon or along any beach, tideland or submerged land, or any portion thereof within the city, or to keep or maintain or cause or permit to be kept or maintained upon the premises or in or at any place in the city any article, substance or thing hereinabove in this section enumerated, in such a manner that any such article, substance or thing, or any portion thereof, may be transferred or carried to, or be in any manner deposited upon or conveyed to any beach, tideland, or submerged land, or any portions thereof, or into or upon the waters of the Pacific Ocean or into or upon the waters of any lagoon, inlet or tributary thereof. (Prior code § 5-26)

### 12.20.260 Safety practices.

A. Every person engaged in the operation, manipulation or handling of boats, surfboards and other surf and wave riding devices or equipment in and upon the beach or in or upon the waters of the Pacific Ocean adjacent to the same shall at all times have due regard for the safety of other persons in the vicinity.

B. It shall be the duty of lifeguards and police officers patrolling the beach and strand and safeguarding the lives and property upon the same to observe the manner in which all boating, fishing and wave riding devices and equipment are being handled and to issue such orders and commands, directions and instructions in connection with or with reference to the aforementioned activities as may be necessary to safeguard lives and persons or property near or in the vicinity of such persons so engaged. (Prior code § 5-27)

### 12.20.270 Removal of sand.

No person shall remove any sand or gravel from any part of the beach, and a violation of this section shall be an infraction. (Prior code § 5-28)

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### 12.20.280 Shooting.

No person shall discharge or shoot any firearms, air gun, slingshot, or bow and arrow anywhere on the beach or strand. (Prior code § 5-29)

### 12.20.290 Signals of danger.

No person shall give or transmit a signal or cause or permit to be transmitted or given signals in any manner, which signal calls attention to a person drowning or in danger, if it appears that there is no reasonable cause for such signal or if such signal is given jokingly or for no other reason than to excite alarm. A violation of this section shall be an infraction. (Prior code § 5-30)

### 12.20.300 Solicitation.

A. Except as provided in paragraph D below, no person shall solicit, peddle, offer for sale or conduct or consummate the sale of any commodity, merchandise, wares, product or service on the beach or the Strand.

B. Except as provided in paragraph D below, no person shall sell or offer for sale any foods, refreshments or beverages on the beach or the Strand.

C. No person shall distribute any handbills, advertising matter or literature on the beach or the Strand unless such material is personally delivered to persons who indicate a willingness to accept the same in hand.

D. The prohibitions contained in this Section shall not apply to the sale of food, ~~and non-alcoholic beverages~~, or branded merchandise from the event producer on the beach allowed pursuant to a special event permit in connection with events located on the beach and as to which the City Council determines that food and beverage sales are necessary and convenient to accommodate persons in attendance. (Ord. 05-1249 § 1, 5/2005; Ord. 96-1151 §4, 1996; prior code § 5-31)

### 12.20.310 Destruction or mutilation of structures.

No person, other than a duly authorized person in the performance of his duties, shall:

A. Cut, break, injure, deface or disturb any building, monument, sign, fence, bench, structure, apparatus, equipment, or property on the beach or strand; or

B. Mark or place thereon or over any portion thereof any mark, writing or printing, or attach thereto any sign, card, display or similar device; or

C. Break, destroy or otherwise tamper with any electric light poles, globes, lights or other material or apparatus belonging to, or connected with, the electric lighting system of this city.

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A violation of any provision of this section shall be an infraction. (Prior code § 5-32) The cost for repairs for any damage incurred as the result of activities related to a special event, will be deducted from the event deposit or shall be required to pay the cost of the repair if more than the deposit

### 12.20.320 Surfboards, surf mats and paddleboards--Use of.

A. A person may surf not more than fifty (50) yards beyond the farthest breaking wave when such farthest breaking wave is more than one hundred fifty (150) yards from shore.

B. No person shall use, possess or operate in the waters of the Pacific Ocean adjacent to the beach any object commonly known as a surfboard, paddleboard or other similar device (but not including surf mats and belly boards) at such times when said waters are restricted for swimming and bathing only.

Such restriction shall be effective when a yellow flag having dimensions of not less than two feet by two feet and having a solid black circle in the center (commonly known as a "blackball flag") is prominently displayed from a lifeguard tower, lifeguard station, pier or similar structure. At such times as the blackball flag is displayed, swimming and bathing only shall be permitted in the waters of the Pacific Ocean adjacent to the beach within two hundred (200) yards of the point of display of said blackball flag; provided, however, that where said blackball flag is displayed from consecutive operational lifeguard towers, lifeguard stations and similar structures then all waters of the Pacific Ocean adjacent to said beach shall be restricted to swimming and bathing only.

Such restrictions shall also be indicated by pairs of red flags put in place by lifeguards. At such times as said red flags are displayed, swimming and bathing only shall be permitted in the waters of the Pacific Ocean adjacent to those areas of the beach lying between a given pair of such red flags.

C. No person shall use, possess or operate in the waters of the Pacific Ocean adjacent to the beach any object commonly known as a surf mat, paddleboard, belly board, surf-board or similar device except within two hundred (200) yards from shore or seventy-five (75) yards seaward of the point at which the average wave is breaking, whichever distance is greater, or when used by a skin diver to hold flag required by Section 12.20.070(C).

D. No person shall bring or permit or allow in the waters of the Pacific Ocean adjacent to the beach any object commonly known as, or used as, a paddleboard or surfboard, within one hundred (100) feet of any person in the waters thereof who is not at that time using or possessing a similar object.

E. No person shall operate or otherwise use a surfboard in the waters of the Pacific Ocean within one hundred (100) feet of this city's municipal pier.

F. A person in violation of the restrictions set forth in this section shall not fail, refuse or neglect to leave the waters of the Pacific Ocean adjacent to the beach when such restrictions are in force.

G. The distance from shore as specified above shall mean the distance measured at right angles to the tangent of the actual line between the water and the unsubmerged beach as it exists at the time of measurement. (Prior code § 5-33)

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### 12.20.330 Tents.

No person shall erect, maintain, use or occupy on the beach during the daylight hours any tent or other temporary covering or shelter unless such tent or other temporary covering or shelter shall have two sides thereof entirely open, and unless there shall be an unobstructed view into such tent or other temporary covering or shelter from the outside thereof on at least two sides thereof. Tents and other temporary structures or equipment erected in conjunction with a permitted special event may remain overnight provided that a security guard is present at all times. A violation of this section shall be an infraction. (Prior code § 5-34)

### 12.20.340 Exceptions.

The provisions of this chapter are not applicable to acts performed:

- A. In an emergency, for the purpose of protecting life or property;
- B. By employees of the city or of the county of Los Angeles or other public body maintaining the beach, for the purpose of performing their duties;
- C. For the purpose of giving instruction, training or exhibitions, when specific permission to give such has been obtained from the city council or the park and recreation commission. (Prior code § 5-35)

### 12.20.350 Obstructing free movement.

No person shall stand, sit, lie or congregate on the Strand in such manner as to interfere with or impede the free flow of travel along the Strand. (Ord. 00-1209, §6, 12-12-00)



## 12.28 Parks, Playgrounds and Other Public Areas

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### Chapter 12.28 Parks, Playgrounds and Other Public Areas

~~Section 12.28.0130~~ Park Regulations Generally

~~Section 12.28.040~~ Special Event Permits

Section 12.28.020 Obstructing Pathways in Parks

Section 12.28.0340 Permit Requirements for Outdoor Fitness Classes in City Parks and on the Beach

Section 12.28.0450 Damaging Trees and Buildings

~~Section 12.28.060~~ Permits Required for Use by Commercial Groups

~~Section 12.28.070~~ Nonprofit Organizations—Permit Required

~~Section 12.28.080~~ Nonprofit Organizations—Pass-throughs—Permit Required

~~Section 12.28.090~~ Block Party Permits

Section 12.28.0540 Park Reservations

~~Section 12.30.060~~ Park Permits for Fundraising Activities

~~Section 12.28.110~~ Park Permits for Fundraising Activities

~~Section 12.28.120~~ Beach Permits

~~Section 12.28.130~~ Commercial Filming Permits

~~Section 12.28.140~~ Application for Permit or Reservations

~~Section 12.28.150~~ Waiver of Permit Fees

Section 12.28.07460 Rules and Regulations

Section 12.28.08470 Fees and Charges

Section 12.28.09480 Designated In-Line Skating Areas

~~Section 12.28.100~~ Reqs for the Use of Publicly Owned or Publicly Operated Skateboard Facilities

Section 12.28.1090 Violations—Infractions

#### ~~Section 12.28.0130~~ Parks Regulations Generally

Within the limits of any public park or playground, no person shall:

- A) Lead or let loose any cattle, horse, mule, goat, sheep, swine, dog or fowl of any kind; provided, that in this subsection shall not apply to dogs when led by a cord or chain, not more than six feet long;
- B) Carry or discharge any firearms, firecrackers, rockets, torpedoes or any other fireworks, or air gun or slingshot;
- C) Cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property, or pluck, pull up, cut, take or remove any

**Comment [LS3]:** I am showing here the changes to sections in the chapter, but simplified the red-line in the rest of the section so you could see specific text changes rather than just full cut and paste marks

## 12.28 Parks, Playgrounds and Other Public Areas

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shrub, bush, plant or flower or mark or write upon any building, monument, fence, bench or other structure;

- D) Cut or remove any wood, turf, grass, soil, rock, sand or gravel;
- E) Distribute any handbills or circulars, or post, place or erect any bills, notice, paper or advertising device or matter of any kind; provided, however, the same may be personally delivered to persons who are willing to accept the same in hand;
- F) Swim, bathe, wade in, or pollute the water of any fountain, pond or stream;
- G) Make or kindle a fire except in picnic stoves or fire pits provided for that purpose;
- H) Camp or lodge, except in municipal automobile camps designated as such by the city manager;
- I) Ride or drive any horse or other animal, or propel any vehicle, cycle or automobile elsewhere than on the roads or drives provided for such purpose;
- J) Sell or offer for sale any merchandise, article or thing, whatsoever, without the written consent of the city manager;
- K) Hitch, or fasten any horse, or other animal, except at a place especially designated and provided for such purpose;
- L) Ride or drive at a rate of speed exceeding fifteen miles per hour, except upon the roads especially provided and set apart by the city manager for faster driving;
- M) Ride or drive any horse or animal not well broken and under perfect control of the driver;
- N) Practice, carry on, conduct or solicit for any trade, occupation, business or profession or circulate any petition of whatsoever kind or character without the permission of the city manager;
- O) Drive, or have any dray, truck, wagon, cart or other traffic vehicle carrying goods or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand or soil or any article of trade or commerce, or any offensive article or material whatsoever, upon any road or drive except such as may be especially provided or designated for such use;
- P) Play, or engage in any game, excepting at such place as shall be especially set apart for that purpose;
- Q) Remain, stay or loiter, in any public park between the hours of ten-thirty p.m. and five a.m. of the following day;
- R) Drive any truck, dray, wagon, cart or other traffic vehicle of more than one-ton capacity, carrying or regularly used or employed in carrying goods, wares, merchandise, lumber, machinery, oil,



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manure, dirt, sand, soil or any article of dirt or commerce along or upon any road or drive in any park or playground without first securing a permit to do so from the superintendent of streets;

- S) Deposit any paper, fruit, rubbish, debris or any waste material of any kind, except in such receptacles as may be located in such park thereof;
- T) Within the limits of any public park or playground, no person shall putt, pitch, chip or drive any golf ball, or any practice ball in any park or take part in the playing of any games or activities which involve hazardous or dangerous, thrown or otherwise propelled objects such as arrows, javelins or darts;
- U) Lead or let loose any dog on or off leash in Sea View (19th Prospect) and Fort Lots-o-Fun (6th and Prospect) parks;
- V) Lead or let loose any dog on or off leash on active school grounds. (Ord. 96-1151 § 3, 1996; Ord. 94-1110 § 1, 1994; Ord. 93-1090 § 1, 1993; prior code § 22-3)

### Section 12.28.020 Obstructing Pathways in Parks

No persons shall assemble, collect or gather together in any walk, driveway, passageway or pathway in any park or in other places set apart for the travel of persons or vehicles in or through any park or occupy the same so that the free passage or use thereof by persons or vehicles passing along the same shall be obstructed in any manner. (Prior code § 22-2)

### Section 12.28.0340 Permit Requirement for Outdoor Fitness Classes in City Parks and on the Beach

No person shall for compensation conduct physical fitness, sports, or athletic instruction or classes of any kind in a City park or on the beach without an Outdoor Fitness Instruction Permit or a Contract Class Agreement. The Community Resources Department is authorized to establish and promulgate regulations governing the process for grounds for approval or denial of and conditions to be imposed on issuance of Outdoor Fitness Instruction Permits, including the size and duration of classes and the specific locations and times of day for which permits will be issued for outdoor fitness and athletic instruction in City parks and on the beach. Permittees will be ~~14~~ required to provide such insurance and indemnification of the City as are required by the ~~45~~ regulations. The application and permit issuance fees for an Outdoor Fitness Instruction Permit ~~46~~ may be established by Resolution of the City Council. (Ord. 13-1343, §1, July 2013; Prior code § 22-3.5)

### Section 12.28.0450 Damaging Trees and Buildings

No person shall:

- A) Cut, break, deface, mark or write upon, or in any manner injure or damage any public building, stadium, bleachers, grandstands, toilet and sanitary facilities, street tunnel, lighting standards or any fixtures, furniture or appurtenances attached thereto;

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- B) Cut, break, deface or disturb any tree, shrub, plant, fence, bench or other structure, apparatus or property, or pluck, pull up, take or remove any shrub, bush, plant or flower within any parkway or other public area not designated as a public park;
- C) Tamper with, take, remove or carry away any machinery, equipment, motor vehicle, apparatus, furniture, or fixture of any kind from any public building, playground, park, yard, stadium, pier, strand or other area without permission from the custodian in charge of such buildings or premises. (Prior code § 22-4)

### Section 12.28.05100 Park Reservations

Park reservations shall be available year round to accommodate Hermosa Beach residents for informal or neighborhood gatherings. Reservations are optional and there shall be no charge except when the city incurs direct costs on behalf of the event. Reservations shall be submitted to the community resources department and can be made for the following parks only:

- Valley Park: Corner of Gould and Valley Dr.
- Bicentennial Park: 4th and Ardmore
- Greenwood Park: PCH and Aviation
- South Park 425 Valley Drive (Ord. 96-1155 § 24, 1996; prior code § 22-5.4)
- Clark Field: 861 Valley Drive
- Edith Rodaway Park: Prospect & Hollowell Ave

### Section 12.28.060 Park Permits for Fundraising Activities

A permit shall be required for any nonprofit organization requesting use of a park for fundraising activities. The above-referenced organizations shall be permitted to reserve the park for this type of activity up to four times per fiscal year. Such permits shall be subject to a permit processing fee established by resolution of the city council plus any direct costs incurred by the city on behalf of the event. (Prior code § 22-5.5)

### Section 12.28.07160 Rules and Regulations

Rules and regulations shall be established for the administration of this policy. Said rules and regulations may be amended for each event to address public safety concerns. All pertinent city ordinances shall be enforced. (Prior code § 22-5.10)

### Section 12.28.08170 Fees and Charges

All fees and charges may be changed by resolution of the city council. (Prior code § 22-5.11)

### Section 12.28.090 Designated In-Line Skating Areas

The following areas are designated recreational areas in which in-line skating is permitted:

- A) ~~South park, including, but not limited to, the roller hockey rink; and,~~

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- A) Any publicly owned or publicly operated skateboard facility, unless otherwise specifically excluded from this designation by resolution of the city council. (Ord. 98-1183, § 2, 09/10/99)

## ~~Section~~ 12.28.180 Requirements for the Use of Publicly Owned or Publicly Operated Skateboard Facilities

Every person riding a skateboard or in-line skating at a publicly owned or publicly operated facility that is designed and maintained for the purpose of recreational skateboard use must wear a helmet, elbow pads, and knee pads. (Ord. 98-1183 §3, 09/10/98)

## ~~Section~~ 12.28.1090 Violation—Infraction

All violations of the provisions of this chapter shall be infractions. (Prior code § 22-19 (part))

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## 12.30 Special Events on Public Property

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### Chapter 12.30 Special Events on Public Property

#### Section 12.30.010 Special Event Regulations Generally

#### Section 12.30.020 - Special Event Application Required

#### Section 12.30.030 - Special Event Approval and Permit Issuance

#### Section 12.30.040 Commercial Groups – Permit Required

#### Section 12.30.050 Nonprofit Organizations—Permit Required

#### Section 12.30.060 Pass-throughs—Permit Required

#### Section 12.30.070 Block Party Permits

#### Section 12.30.080 Commercial Filming Permits

#### Section 12.30.010 Special Event Regulations Generally

- A) For purposes of this Section, a "special event" shall mean any organized event, activity, celebration or function involving the use of City property, rights-of-way, parkland or use of the beach at which one hundred (100) or more persons are to be assembled.
- B) Activities hosted by commercial groups or non-profit organizations described in Sections 12.30.020 and 12.30.030 with twenty-five (25) or more people are subject to the special events permit process.
- C) No person shall organize or conduct a special event without first obtaining a permit to do so as prescribed by this Section. In addition to the permit requirements prescribed by this Section, certain special events occurring or planned to occur on summer days within the Coastal Zone may be required to obtain a Coastal Development Permit, as described in Municipal Code Section 17.37.250.
- D) On at least one weekend during each summer season, the Parks, Recreation and Community Resources Advisory Commission shall recommend that no organized events be held on the beach.
- E) To balance coastal access with beach events, the City Council shall establish peak season event limits for the beach/Pier Plaza up to a maximum number of days used by events between the Saturday preceding Memorial Day through Labor Day:

#### Section 12.30.020 Special Event Application Required

- A) Application for a special event permit shall be made on forms provided for that purpose by the Community Resources Department, and shall contain the following information:

**Comment [LS4]:** Making this distinction so that it is clear the difference between this and 17.42.150 – but would like to talk about whether there are changes we should suggest to 17.42.150 as well to clarify

## 12.30 Special Events on Public Property

- 1) Name, address, telephone number and other identification information about the person or organization responsible for organizing the event, including its commercial/nonprofit status.
- 2) The proposed dates and hours of operation of the event, including the period required for set-up and break-down/clean-up.
- 3) An evaluation of the event impact on city facilities, coastal access, and staff resources.
- 4) The estimated daily and total attendance at the event (including organizers, participants, spectators, volunteers and others), with an explanation as to the factual basis for the estimate.
- 5) A description of all organized activities proposed to take place during the event, and whether admission is to be charged.
- 6) A description or diagram showing the proposed location of the event, including all temporary facilities/structures/signage/equipment to be erected, ingress and egress, number and type of vehicles and whether existing structures/facilities are to be relocated or modified.
- 7) A parking plan showing the number of public parking spaces to be occupied by the event organizers, the location of satellite parking lots to be used for attendee parking, arrangements for shuttle bus transportation, and plans for publicizing the availability of off-site public parking.
- 8) An environmental protection plan showing proposed compliance with specified measures to reduce impacts and costs to the environment, the City, and the community. Such measures may include, but shall not be limited to:
  - i) Waste recycling and reduction.
  - ii) Energy efficiency.
  - iii) Protection of the marine environment.
  - iv) Community education opportunities.
  - v) Monitoring and reporting compliance with the environmental protection plan.
- ~~8)9)~~ Such other information determined by the Community Resources Manager to be necessary to evaluate the proposed event.
- ~~9)10)~~ An application fee in any amount determined by resolution of the City Council.
- ~~10)11)~~ A dated signature of the organizer or its authorized agent attesting to the truth, completeness and accuracy of the contents of the application.

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### Section 12.30.030 Special Event Approval and Permit Issuance

- A) Special Events will be categorized as a Level I, II, or III event based on the number of participants, years of reoccurrence, location, time of the year, day(s) of the week, number of consecutive days, number of events in one year, and any additional requests.
- B) Special Events Applications must be submitted as follows:
- 1) Level III events: Must be submitted no later than July 30 for the following calendar year.
  - 2) Level II events: Must be submitted at least ninety(90) days, but no more than one year prior to the event date.
  - 3) Level I events: Must be submitted at least thirty (30) days, but no more than one year prior to the event date.
- C) The Parks, Recreation, and Community Resources Advisory Commission and City Council will evaluate and recommend approval of Category III events and a "Nothing Weekend" first, and then recommend Category II events within the targets established in Peak Season Event Limits.
- D) At the discretion of the Community Resources Manager, applications may be submitted and approved after the application submittal deadline has passed, provided:
- 1) there are unforeseeable circumstances (memorial service, team victory celebration, need for minimal marketing/advertising)
  - 2) the event does not exceed Peak Season or Off Season Event Limits
  - 3) the event can still meet all of the event approval findings (as noted in 12.30.xxx F)
- E) Special events will be reviewed by the following:
- 1) Level III Events: Will be subject to a public hearing by both the Parks, Recreation, and Community Resources Advisory Commission and the City Council. Event organizers for Category III events and any event that is new to Hermosa Beach are expected to be present at Parks, Recreation, and Community Resources Advisory Commission and City Council Hearings to review/approve special events.
  - 2) Level II Events: Will be subject to approval by the Parks, Recreation, and Community Resources Advisory Commission and appealable to the City Council.
  - 3) Level I Events: Will be reviewed and approved by the Community Resources Manager and appealable to the Parks, Recreation, and Community Resources Advisory Commission.
- ~~A)F)~~ The Community Resources Manager may issue a special events permit upon finding that:

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- 1) The special event, is considered by the appropriate level of review identified in 12.30.xxx.E
- 2) The applicant reimburses the City for all costs incurred by the City in connection with the event, including public safety, traffic control and monitoring.
- 3) The number of estimated attendees can be accommodated at the proposed location and surrounding area.
- 4) The applicant is capable and qualified to manage the event in a competent, professional manner in accordance with all conditions of approval.
- 5) Adequate provision as been made for satellite parking, shuttle transportation and traffic control.
- 6) Adequate provision has been made for security, crowd control, ingress and egress, and clean-up.
- 7) The total number of days required for the event shall not exceed sixteen (16) days.
- 8) The applicant provides required insurance, deposits, bonding and indemnification of the City.

| ~~B)(G)~~ The Community Resources Manager may impose such conditions and operational rules and regulations on the special event permit as are necessary to minimize its impact on the community and to assure that it will not be a detriment to public health and safety. Such conditions include, but are not limited to:

- 1) Monetary deposits, bonds and other security as may be necessary to guarantee performance of all required conditions, clean-up and repair of any City property or facilities damaged as a result of the event.
- 2) Procurement of liability and other insurance policies to protect the applicant and attendees, naming the City and its officials and employees as additional insureds.
- 3) Limitations on the hours of operation and volume of public address systems and/or amplified music.

| ~~G)(H)~~ Any person may appeal a decision of the Community Resources Manager as regards a special event permit application by filing an appeal in writing to the City Clerk within ten (10) days of the decision. The appeal shall set forth the grounds upon which the appellant believes the decision is in error or contrary to applicable law. The City Council shall consider and take action on the appeal at its next regular meeting following receipt of the appeal, provided that it may continue its deliberations to a date certain with the consent of the applicant. The decision of the City Council shall be final. (Or. 03-1230 §1, June 2003)



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### Section 12.30.040 Commercial Groups – Permit Required

Permits shall be required for any commercial group requesting use of any outdoor area or public facility within the city. Such permits shall be subject to a fee established by City Council plus all costs incurred by the city on behalf of the event.

### Section 12.30.050 Nonprofit Organizations—Permit Required

Permits shall be required for any nonprofit group requesting use of any outdoor area or public facility within the city. Nonprofit groups shall file a non-profit waiver request with the Community Resources Manager, subject to approval by the City Council, prior to requesting any reduction or waiving of fees. Such permits shall be subject to a fee established by the City Council plus all costs incurred by the city on behalf of the event.

### Section 12.30.060 Pass-throughs—Permit Required

Permits shall be required for any group requesting use of any outdoor area or facility for a pass-through event within the city. Such events shall be subject to a permit processing fee established by resolution of the city council plus all costs incurred by the city on behalf of the event. (Prior code § 22-5.2)

### Section 12.30.0750 Block Party Permits

Requests for permits for use of public rights-of-way for block parties may be made only by Hermosa Beach residents to the Chief of Police. All permit requests shall be subject to review and approval by the department director or designee. Such permits are subject to a permit processing fee established by resolution of the city council. (Prior code § 22-5.3)

### Section 12.30.080 Commercial Filming Permits

As determined by the California Legislature in California Government Code Section 14998.1, motion picture production is an important industry to the economy of California and local governments in this state should accordingly provide an environment conducive to the undertakings of the motion picture industry. To that end, the city expresses its desire and intention to create and maintain an environment in the city conducive to motion picture production activities in all areas of the city.

In accordance with this purpose, film permits for non-permanent filming activities may be issued for filming on or in any private or city-owned property in any area of the city, irrespective of zoning in the area in which the permit is issued; provided, that such transient activity to which the permit applies will not be unduly disruptive of neighboring land uses. The community resources department is vested with the authority to approve or deny film permits for nonpermanent filming activities in any area of the city and in making such determination to approve or deny a film permit application, to exercise its discretion to determine: (i) whether a particular filming activity is permanent or nonpermanent; (ii) whether a particular filming activity would unduly interfere with or disrupt neighboring land uses so as to justify denial of the permit; and (iii) mitigation measures to reduce any adverse impact on neighboring land uses. Conditions imposed under

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any permit shall reduce, to the extent the community resources department determines appropriate in light of both the neighbors' and permittees' concerns, any adverse impact on neighboring land uses.

A "nonpermanent" filming activity, for purposes of this section is an activity under an approved permit which involves no more than fifteen (15) days of consecutive filming at a single location.

The city council may adopt or amend from time to time the filming policy and procedures, which shall be consistent with this section and shall act as guidelines to the community resources department in issuing or denying permits including appeal rights thereto, and which shall be incorporated by reference into any film permit which the community resources department may issue. All film permits shall be subject to imposition of fees which shall be set forth in the filming policy and procedures. (Ord. 94-1108 § 2, 1994; prior code § 22-5.7)