

ORDINANCE NO.746

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX AMENDING CHAPTERS 12.36 AND 12.40 OF THE FAIRFAX MUNICIPAL CODE REGARDING REGULATIONS FOR PARKS, PLAYGROUNDS, PUBLIC TENNIS COURTS AND CENTRAL BALLFIELD

The Town Council of the Town of Fairfax, California does ordain as follows:

Section 1. Municipal Code Amended:

Chapters 12.36 and 12.40 of the Fairfax Municipal Code are hereby deleted in their entirety and replaced by the following:

Chapter 12.36 REGULATIONS FOR PARKS, PLAYGROUNDS, PUBLIC TENNIS COURTS, AND CENTRAL BALLFIELD

Sections

12.36.010	Town Council authorized to adopt rules and regulations
12.36.020	Nighttime use; permission of Town Clerk, <i>or designee</i> , required
12.36.030	Nighttime use; grant of permission; conditions; construction
12.36.040	Operation and maintenance
12.36.050	Rules and regulations; establishment; posting
12.36.060	Rules and regulations; enforcement

12.36.010 Town Council authorized to adopt rules and regulations.

The Town Council, by resolution, may adopt such rules and regulations as it deems necessary to regulate the use and occupancy of public parks, playgrounds, public tennis courts, and the Central Ballfield.

12.36.020 Nighttime use; permission of Town Clerk, or designee, required.

It is unlawful for any person, except town employees on duty, to go into, walk upon, be in or use the town parks, playgrounds, public tennis courts and Central Ballfield between the hours of sunset and sunrise each day without permission issued by the Town Clerk, or designee, as provided in §12.36.030.

(Prior Code, § 12.36.010)

12.36.030 Nighttime use; grant of permission; conditions; construction

The Town Clerk, or designee, is authorized to grant permission on behalf of the town for the use of the town parks, playgrounds, public tennis courts and Central Ballfield during hours

between sunset and sunrise to groups and organizations whenever it appears that, during the use, there will be available sufficient police protection or adult supervision to avoid malicious conduct on the part of any person in the parks, playgrounds, public tennis courts and Central Ballfield. Permission thus granted to a group or organization shall be construed to be permission to each individual member of the group or party. Public tennis court keys for night use will be available for a fee established by Town Council Resolution.
(Prior Code, § 12.36.020)

12.36.040 Operation and maintenance

- (A) Public tennis courts, parks, playgrounds, and Central Ballfield in the town shall be managed, maintained, operated and controlled as a part of the public recreational facilities of the town as provided in this chapter.
- (B) The maintenance, management, operation and control of all public tennis courts, parks, playgrounds, and Central Ballfield shall be under the direction of the Town Manager, or designee.
(Prior Code, § 12.40.010)

12.36.050 Rules and regulations; establishment; posting

The rules and regulations adopted by Town Council Resolution applicable to each property shall be posted in a conspicuous place at the main entrance thereof. It shall be unlawful for any person to violate any rule or regulation so adopted.
(Prior Code, § 12.40.020)

12.36.060 Rules and regulations; enforcement

Provisions of this chapter may be enforced as an Infraction or Misdemeanor as provided in General Penalty § 1.08.010, or may be enforced by any officer or employee with discretionary duty as provided in Arrest and Citation Authority §1.16.010.
(Prior Code, § 12.40.030)

Section 2. Effect of Enactment

Except as specifically provided herein, nothing contained in this Ordinance shall be deemed to modify or supersede any prior enactment of the Town Council which addresses the same subject addressed herein.

Section 3. Notice of Adoption

Copies of the foregoing Ordinance shall, within fifteen (15) days after its passage and adoption, be posted in three (3) public places in the Town of Fairfax, to wit:

1. Bulletin Board, Town Hall offices;

2. Bulletin Board, Fairfax Post Office; and
3. Bulletin Board, Fairfax Women's Club building;

which places are designated for that purpose.

Section 4. Effective Date

This Ordinance shall take effect thirty (30) days after the date of its adoption.

The foregoing Ordinance was duly and regularly introduced at a regular meeting of the Town Council of the Town of Fairfax held in said town on the 2nd day of September 2009, and thereafter adopted on the 7th day of October, 2009 by the following vote, to wit:

AYES:
NOES:
ABSENT:

Mayor

Attest:

Town Clerk