BILL NO. 1065-C.S.
ORDINANCE NO. -C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EUREKA AMENDING TITLE IX, CHAPTER 93, SECTIONS 93.01 THROUGH 93.58 AND SECTIONS 93.70 THROUGH 93.99, REMOVING SECTION 93.02, AND ADDING SECTIONS 93.59 THROUGH 93.62

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

Bill Section 1. Title IX, Chapter 93, Sections 93.01 through 93.99 are hereby repealed, amended, and added to read as follows:

CHAPTER 93: PARKS AND RECREATION

General Provisions

93.01 Definitions

93.02 [RESERVED]

93.03 Vehicles for habitation

93.04 Euthanasia of zoo animals

93.05 Ball playing in streets restricted

93.06: Depositing remains prohibited

Municipal Golf Course

93.25 Establishment

93.26 Rules and regulations

93.27 Control and maintenance

Parks and Playground

93.50 Closing hours

93.51 Damaging or interfering with property

93.52 Molesting birds and animals

93.53 Zoo animals

93.54 Animals prohibited

93.55 Playing sports and other recreational activities in parks

93.56 Vending

93.57 Intoxicating beverages

93.58 Depositing garbage

93.59: Bicycles and other wheeled devices - use in playgrounds and public parks - restricted

§ 93.60: Use of metal detectors prohibited

§ 93.61: Fires prohibited

Skate Park

93.70 Purpose

93.71 Definitions

93.72 Helmet, elbow pads and knee pads required

93.73 Posting of signs at skate park

93.74 Regulations of use and rules of conduct

Penalty

93.99 Penalty

Cross-reference:

Open Space, Parks, and Recreation Commission, see §§ 33.045 and 33.046

GENERAL PROVISIONS

§ 93.01 DEFINITIONS.

(A) Definitions. For purposes of this section, the following definitions apply, unless the context clearly indicates or requires a different meaning:

PARK PATHWAY. Any paved walkway, trail, or other designated route within a public park that is intended for pedestrian travel or shared use by pedestrians and other authorized users.

PLAYGROUND. An area of a public park or other public property that is designated for children's play and contains play equipment or play features intended for recreational use.

PLAZA. An area of public property accessible to the public and designed for pedestrian circulation and temporary gathering.

PUBLIC PARK. Any area set aside or established in the City by any public entity, whether federal, state or local, for the use of the public as a place for recreation, education, exercise, inspiration, or enjoyment.

PUBLIC PROPERTY. Any property owned or controlled by any public entity, whether federal, state or local, but does not include easements, encroachments and other property that are located on the property of the public entity, but are not owned or controlled by the public entity.

TRAIL. Any unpaved road which provides access to fishing, hunting, camping, hiking, riding, including animal and all types of vehicular riding, water sports, recreational or scenic areas; any paved walkway, path, or sidewalk on an easement of way which has been granted to a public entity, which easement provides access to any unimproved property or to recreational activity, or on which recreational activity takes place; and any bike path, either paved or unpaved.

VEHICLE. Passenger vehicle, house car, trailer coach, camp trailer, fifth-wheel travel trailer, trailer, camper, semi-trailer, or pickup truck, as those terms are defined in Division 1 of the Vehicle Code; and mobilehome or recreational vehicle as defined in the "Mobile Home Park Act," Chapter 1, Part 2.1, Division 13 of Cal. Health and Safety Code, the "Special Occupancy Parks Act," Chapter 2, Part 2.3 Cal. Health and Safety Code, and Cal. Admin. Code Title 20, as amended.

WHEELED RECREATIONAL DEVICE. Any device designed or used primarily for recreational or personal transportation that is propelled by any means, including but not limited to human power, electric or gasoline motor, and travels on one or more wheels. This includes, but is not limited to, bicycles, electric bicycles, scooters, electric scooters, skateboards, longboards, roller skates, inline skates, hoverboards, self-balancing boards, and similar devices. This does not include wheelchairs or other mobility devices used by individuals with disabilities, or strollers used to transport children.

§ 93.02 [RESERVED]

§ 93.03 VEHICLES FOR HABITATION.

(A) Except as provided in Title XV, Chapter 155 of this Code, it is unlawful for any person to use a vehicle or other movable structure for habitation within the City outside a state-licensed campground, RV park, or mobile home park.

(B) Development Services is hereby authorized and directed to enforce the regulations and laws of the health and safety regulations and laws of the state and the regulations and laws of the City regarding the construction, operation, and regulation of campgrounds, RV parks, and mobilehome parks in the City.

Penalty, see § 10.99

§ 93.04 EUTHANASIA OF ZOO ANIMALS.

(A) Animals in the care of the Zoo will be treated and cared for in accordance with the guidelines and standards established by the Association of Zoos and Aquariums. No healthy Sequoia Park Zoo animal shall be euthanized without approval of the Zoo Advisory Board and prior public notice. As used herein "healthy" animal means one free

of disease or debility as judged by competent veterinary authority and “zoo animal” means an animal who has come into ownership of the Sequoia Park Zoo through authorized means and is used for public display.

(B) Nothing in division (A) herein precludes appropriate disposal of animals judged sick and diseased or debilitated or injured by competent veterinary authority or the emergency destruction of an animal to protect human life.

(C) Willful violation of this section by any City employee is grounds for dismissal from employment from the City.

Penalty, see § 10.99

§ 93.05 BALL PLAYING IN STREETS RESTRICTED.

Every person who plays ball, or engages in throwing, pitching, or catching a ball, on any street or alley in the City after being requested by any police officer to forbear or discontinue the same is guilty of a misdemeanor.

Penalty, see § 10.99

§ 93.06: DEPOSITING REMAINS PROHIBITED

It is unlawful for any person to dispose of human or other animal remains, including scattering ashes, in any public park, garden, forest, playground or other public open space owned or controlled by the City without prior permission by the City Manager or their designee.

Penalty, see § 10.99

MUNICIPAL GOLF COURSE

§ 93.25 ESTABLISHMENT.

The parcel of land conveyed to the City by Fred H. Lundblade and Patricia N. Lundblade, his wife, and C. Robert Barnum and Patricia B. Barnum, his wife, for use as a municipal golf course shall be known as the “Lundblade-Barnum Eureka Municipal Golf Course.” It shall be developed, used, and maintained for the benefit of the public generally subject, however, to the restrictions and limitations contained in this chapter and such further rules and regulations as the Council may by resolution adopt.

§ 93.26 RULES AND REGULATIONS.

It is unlawful for any person to do any of the following acts upon the Lundblade-Barnum Eureka Municipal Golf Course:

(A) To trespass upon the course;

(B) To play golf on the course, or any part thereof, without first obtaining a permit in proper form so to do. A separate permit is required for each player for each and every

round of golf played over the course, a round of golf being a continuous play over nine or 18 holes in their sequence, unless the player has a monthly or yearly ticket; to fail or refuse to show such golf permit to any employee of the City connected with the course when requested so to do; to cut in on or double back over any portion of the course; or to play on or attempt to play with or by authority of a permit other than the one regularly issued for the round then being played;

(C) Willfully or maliciously to injure the turf of the course or in any way destroy or injure property thereon or remove property or equipment from the premises without permission of the keeper or professional in charge thereof;

(D) To drive or park any vehicle on or over any part of the land comprising the course except at the designated parking areas;

(E) To take possession of golf balls other than those belonging to themselves upon or from the course or the lands and streets adjacent thereto, or to sell or offer to sell thereon golf balls or equipment, food, drinks, or other commodities except as may be provided by the rules and regulations which may be adopted by the Council; or,

(F) To deposit rubbish, garbage, cut grass, or other foreign matter upon the course, or any part thereof.

Penalty, see § 10.99

§ 93.27 CONTROL AND MAINTENANCE.

The Council is hereby authorized from time to time by resolution:

(A) To control, regulate, and manage the Lundblade-Barnum Eureka Municipal Golf Course in all particulars not inconsistent with this chapter;

(B) To specify the conditions under which the same may be used or played upon;

(C) To establish the fees to be paid for the use thereof and provide for their collection and payment into the City treasury;

(D) To specify the compensation to be paid the professional or keeper and other employees thereof, to provide for the employment of such employees and to enter into contracts therefor, and to require bonds for all employees handling any money;

(E) To provide for the construction and maintenance of a clubhouse and for the sale thereat by concession, or otherwise, of golf equipment and refreshments;

(F) To provide for practice greens and practice fairways and for exhibition matches and tournaments; and,

(G) To provide for the control, regulation, maintenance, and upkeep of the course in every other manner and to every extent of the premises.

PARKS AND PLAYGROUNDS

§ 93.50 CLOSING HOURS.

The Director of Community Services is hereby authorized to designate the closing hours for any public park, playground, plaza, or other facility, or portion thereof, under the management of any Department of the City. Whenever closing hours are so designated, appropriate signs shall be placed and maintained giving notice thereof. No person shall enter or be present in a park, playground, plaza, or other facility, or portion thereof, designated closed during closing hours, except authorized City employees or persons on official City business authorized by the City Manager or their designee.

§ 93.51 DAMAGING OR INTERFERING WITH PROPERTY OR PUBLIC BUSINESS.

(A) It is unlawful for any person to damage, break, mutilate, or destroy any of the trees, shrubs, bushes, buildings, fencing, signage, benches, seats, or play equipment in any public park, playground, or plaza.

(B) It is unlawful for any person to uproot, take, or carry away any maidenhair, or other fern, or any bushes or shrubs from any public park, playground, or plaza, except authorized City employees or persons on official City business authorized by the City Manager or their designee.

(C) It is unlawful for any person to damage, break, mutilate, or destroy, including uprooting, taking, or carrying, away any flowers, tubers, bulbs, or saplings in any public park, playground, plaza, garden, or public open space owned or controlled by the City except authorized City employees or persons on official City business authorized by the City Manager or their designee.

(D) It is unlawful to intentionally or repeatedly obstruct, interfere with, or disrupt the use and enjoyment of public parks, playgrounds, plazas, and trails by others, including, but not limited to, by using the facility in a manner that unreasonably excludes others or by engaging in verbal threats, physical intimidation, or targeted harassment directed at City employees, contractors, or other members of the public using the facility.

Penalty, see § 93.99

§ 93.52 MOLESTING BIRDS AND ANIMALS.

It is unlawful for any person to set spring or other traps or to catch, shoot with air pistols or other weapons, disturb, or molest in any manner any birds or animals in any public park or playground.

Penalty, see § 10.99

§ 93.53 ZOO ANIMALS.

(A) It is unlawful for any person, other than authorized City personnel, to feed, offer to, or toss any object at any animal exhibited at Sequoia Park Zoo;

(B) It is unlawful for any person to enter into, or attempt to enter into, any animal enclosure or habitat at the Zoo, without written authorization by the Zoo staff;

(C) It is unlawful for any person to tease, injure or frighten any of the animals, (including birds, reptiles or fish) in the care of the Zoo; and

(D) It is unlawful for any person to fail to follow all rules of the Zoo, or any direction or instruction given by Zoo staff.

Penalty, see § 93.99

§ 93.54 ANIMALS PROHIBITED.

It is unlawful for any person to permit any dog, horse, or other domestic animal to enter, be, or remain at large, as defined in Title IX, Chapter 91 of this Code, upon any public park, playground, or recreation area, including the streets and roads traversing such park, playground, or recreation area, except in such areas as may be specifically designated and posted by the Director of Community Services.

Penalty, see § 93.99

§ 93.55 PLAYING SPORTS AND OTHER RECREATIONAL ACTIVITIES IN PARKS.

No person shall play with a ball or device in a manner that is unsafe for existing conditions or that endangers or interferes with pedestrians or other public park users. The Director of Community Services is hereby authorized and empowered to specify the conditions under which a sport or activity involving a ball or device may be engaged in or played at any public park or playground.

Penalty, see § 93.99

§ 93.56 VENDING.

(A) No person shall solicit, sell, hawk, or vend any goods, wares, merchandise, liquids, or edibles for human consumption at any public park or recreational facility owned by the City except as follows:

(1) Regularly-licensed concessionaires of the City;

(2) Persons or organizations who have secured permits therefor from the Director of Community Services, upon such terms and conditions as they may prescribe and subject to the approval of the City Manager;

(3) Sidewalk vendors, stationary sidewalk vendors, and roaming sidewalk vendors who have secured permits from the Department of Finance, upon the terms set forth in Title XI, Chapter 118 of the Eureka Code of Ordinances; or

(a) Sidewalk vendors, stationary sidewalk vendors, and roaming sidewalk vendors who vend food in or at any park or recreational facility owned by the City must

do so in accordance with the terms set forth in Title XI, Chapter 118 of the Eureka Code of Ordinances.

(b) Sidewalk vendors, stationary sidewalk vendors, and roaming sidewalk vendors who violate this section are subject to the penalties described in § 118.99.

(B) Any person or group selling goods for profit at any public park or recreational facility shall pay a fee to the City equal to 10% of the gross revenue of such enterprise. Notwithstanding the above, non-profit service organizations will not be subject to said fee.

For the purposes of this section, non-profit organizations are defined as those organizations whose primary purpose is to provide a charitable or philanthropic service available to the public, including those organizations which may not have official non-profit status. The waiver of fees shall not apply to organizations that may have non-profit status that promote specialized interests, and shall not apply to organizations that do not provide services to the citizens of the City.

Penalty, see § 93.99

§ 93.57 INTOXICATING BEVERAGES.

(A) No person shall drink or possess upon his person an open container of any beer, wine or other intoxicating beverage on any park or playground.

(B) Any person who violates any provision of this section is subject to the provisions of § 10.99 and may be charged with an infraction or misdemeanor at the discretion of the City Attorney.

(C) Notwithstanding division (A) above, it is unlawful to drink beer and wine on any public park or playground during such time as a permit to sell beer or wine, issued by the Director of Community Services pursuant to § 93.56, is in effect on any such public park or playground.

Penalty, see § 93.99

§ 93.58 DEPOSITING GARBAGE.

It is unlawful for any person to transport garbage or trash to any public park, playground, or plaza and deposit such garbage or trash in any public park, playground, or plaza.

Penalty, see § 93.99

§ 93.59: BICYCLES AND OTHER WHEELED DEVICES - USE IN PLAYGROUNDS AND PUBLIC PARKS - RESTRICTED.

(A) It is unlawful to operate a wheeled recreational device within playgrounds.

(B) It is unlawful to operate a wheeled recreational device within athletic fields, turf, and landscape areas.

(C) It is unlawful to operate a wheeled recreational device on a park pathway at a speed or in a manner that is unsafe for existing conditions or that endangers or interferes with pedestrians or other public park users. Operators shall yield the right-of-way to pedestrians at all times.

Penalty, see § 93.99

§ 93.60: USE OF METAL DETECTORS PROHIBITED

It is unlawful for any person to use a metal detector in any public park, garden, forest, playground or public open space owned or controlled by the City, except authorized City employees or persons on official City business authorized by the City Manager or their designee.

Penalty, see § 93.99

§ 93.61: FIRES PROHIBITED

It is unlawful to ignite, set, or maintain a fire on public property owned or controlled by the City unless it is fully contained in a fire pit or barbeque provided by the City in an area designated by the City, continually attended by a person age 18 or older, is not a risk to nearby persons or property, and is fully extinguished after use. The City Manager or their designee has the authority to waive this section for any special event, subject to the provisions of Title IX, Chapter 96 of this Code.

Penalty, see § 93.99

SKATEBOARD PARK

§ 93.70 PURPOSE.

The purpose of this subchapter is to comply with Cal. Health & Safety Code, § 115800 that requires skateboard operations to adopt an ordinance requiring persons riding skateboards, in-line skates, and other wheeled recreational devices at the facility to wear a helmet, elbow pads, and knee pads.

§ 93.71 DEFINITIONS.

For the purposes of this subchapter, the following definitions apply unless the context clearly indicates or requires a different meaning.

SKATEBOARD. A mechanism with wheels that are fastened to a platform commonly constructed to accommodate a standing person. SKATEBOARDS are normally propelled by the operator pushing off the ground with one foot, or by the force of gravity.

SKATES. Any footwear device which may be attached to the foot or footwear, which may be used to aid the wearer in moving or propulsion, including in-line skates, roller blades and roller skates.

§ 93.72 HELMET, ELBOW PADS AND KNEE PADS REQUIRED.

It is prohibited for any person to ride skateboards, in-line skates, or other wheeled recreational devices in the skate park unless that person is wearing a helmet, elbow pads, and knee pads.

Penalty, see § 93.99

§ 93.73 POSTING OF SIGNS AT SKATE PARK.

Signs shall be posted at the skate park giving notice that any person riding a skateboard, in-line skates, or wheeled recreational device, must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation and prohibition of use of the facilities for up to one year, as specified in Section 93.99. Signs shall also be posted setting rules for use of the skate park as set from time to time by resolution, and violation thereof will be subject to citation.

Penalty, see § 93.99

§ 93.74 REGULATIONS OF USE AND RULES OF CONDUCT.

Any person using the skate park must comply with the following rules and regulations:

(A) The hours of use of the skate park will be established by City Council and must be posted at the skate park. Use of the park at any time outside the hours posted is prohibited.

(B) While using skates, skateboards, or other wheeled recreational devices, the participant may only use those areas designated for skateboarding or related skating activities.

(C) While using the facility, the participant must use personal safety equipment comprised of at least head, knee, and elbow protection.

(D) No food or drink is allowed in the designated skate area.

(E) No moveable obstacles or materials (i.e., ramps/jumps) are allowed in the park.

(F) The use of e-bikes, e-scooters, and any other wheeled recreational devices that are not propelled by human power is prohibited within the skate area.

(G) Stunt, trick, or luge skateboarding is limited to persons 12 years of age or older.

(H) Placing of graffiti anywhere in or on the park is prohibited and the park will be closed until the graffiti is removed and/or repaired. In addition to other penalties provided herein, any person putting graffiti on any part of the skate park shall pay for the

cost of removal and damages thereof. Parents or guardians are also liable for such costs. (Cal. Health & Safety Code, § 1714.1(b).)

(I) Personal conduct and behavior. The following are prohibited in the park area at all times:

(1) Possession or use of drugs or alcohol or being under the influence;

(2) Fighting or other violence;

(3) Possession or use of firearms, knives, or other weapons of any kind;

(4) Smoking or use of tobacco products;

(5) No amplified music or other excessive noise;

(6) No excessive profanity.

(J) Everyone must treat others with respect and courtesy.

Penalty, see § 93.99

PENALTY

§ 93.99 PENALTY.

(A) Infractions and misdemeanors.

(1) The violation of sections 93.50 through 93.74, is deemed an infraction for a first offense, punishable by a fine not exceeding $50 for a first violation.

(2) Second and subsequent offenses within one year may be prosecuted as an infraction or misdemeanor. A second infraction within a year may be punishable by a fine not exceeding $100.

(3) A third or further infraction within a year may be punishable by a fine not exceeding $250.

(B) Exclusion orders.

(1) Any person who violates this chapter may have their permission to remain at the public park, including the skate park, revoked by any authorized employee of the City; the person may then be excluded from the public park or skate park where the violation occurred for the remainder of the day.

(2) Any person who violates this chapter a second time with one calendar year may have their permission to remain at the public park, including the skate park, revoked by any authorized employee of the City; the person may then be excluded from the park or skate park where the violation occurred for up to one week.

(3) Any person who violates this chapter a third time with one calendar year, or whose behavior is physically disruptive or constitutes a crime that endangers the public, may have their permission to remain at the park revoked by any authorized

employee of the City; the person may then be excluded from the park where the violation occurred for up to six months.

(4) Any person who violates of an exclusion order listed above is guilty of trespass, and may also be subject to civil and criminal nuisance penalties.

(C) Notice

Any notice of exclusion described in section (B)(2) or (3) above shall be in writing and contain the following information:

(1) the date of the violation;

(2) the address or a definite description of the location where the violation occurred or is occurring;

(3) the section of this code which has been violated and a description of the violation;

(4) the duration of the exclusion order;

(5) a description of the appeal process, including the time within which the exclusion order may be contested and the manner in which review of the order may be requested;

(6) the consequence(s) for violation of the order; and

(7) the name and signature of the citing enforcement officer.

(D) Service and filing of exclusion orders.

The enforcement officer shall serve the original order on the person cited in the manner set forth in §§ 10.44 and shall forward a copy of the order to the affected department and the City Manager.

(E) Review and Appeal

Fines and exclusion orders under this section are administered pursuant to the administrative citation process set out in §§ 10.35 through 10.59.

BILL SECTION 2. The City Clerk will certify to the adoption of this Ordinance and will cause the same or a summary thereof to be published as required by law.

BILL SECTION 3. This Ordinance takes effect and will be in full force and effect thirty (30) days after the date of its final passage and adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the _____ of _____, 2026, by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

_____
Leslie Castellano, Mayor Pro Tem

The above ordinance was presented to the MAYOR on the ___ day of _____, 2026, and hereby approved.

_____
Kim Bergel, Mayor

Approved as to Administration:

_____
Miles Slattery, City Manager

Approved as to form:

_____
Robert N. Black, City Attorney

The above ordinance was attested by the City Clerk of the City of Eureka on the____ day of _____, 2026.

_____
Pamela J. Powell, City Clerk