TO: Members of the City Council  
VIA: Gene Haroldsen, City Administrator  
FROM: Jeff Jewett, Director of Public Works  
Sandy Jacobson, Recreation & Facilities Manager  
SUBJECT: Resolution Revising the Park Ranger’s Authority

RECOMMENDATION: Adopt Resolution 06-____ revising Resolution 04-32 modifying the Authority of the Park Ranger position.

BACKGROUND: On April 13, 2004, Council adopted Resolution 04-32, authorizing the Park Ranger to enforce park rules and “issue citations for infractions of the Grass Valley Municipal Code when the violation is committed within a city park.”

While the intent of this ordinance was to allow the Park Ranger to enforce all violations of the Grass Valley Municipal Code, the resolution limits the Ranger to the enforcement of infractions. The proposed resolution would expand the authority of the Park Ranger to allow for the enforcement of misdemeanors. This would allow the Park Ranger to issue citations for violations such as graffiti, urinating in public, consumption of alcohol, and misdemeanor violations relating to repeat offenders.

The proposed resolution would also allow the Park Ranger to enforce selected state laws such as minor in possession of tobacco and illegal handicap parking. The proposed resolution limits the enforcement of State laws to a list of laws which is approved by the Director of Public Works. The intent of this authority is to provide the Park Ranger with enforcement alternatives that are better suited for the situations being encountered. The proposed list of State laws, which was developed from situations that have occurred over the past two years, is shown in Exhibit A. It is anticipated that this list of laws will be modified from time to time as the need arises.

FISCAL IMPACT: There is a potential savings in legal fees associated with providing the Park Ranger with the authority to write citations for violations of State laws. Violations of the Grass Valley Municipal Code are prosecuted, at the City’s expense, by the City Attorney; whereas violations of California State Law are prosecuted by the District Attorney without expense to the City.

SRJ:srj

Attachments

CC: Greg Hart, GVPD  
Michael Lewis, Human Resource Manager  
Trent Finch, Park Ranger
RESOLUTION 06 - ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
AUTHORIZING THE CITY’S PARK RANGER TO ISSUE CITATIONS.

WHEREAS, the City of Grass Valley has established an employee position
designated as a Park Ranger; and

WHEREAS, the Park Ranger is responsible to patrol and monitor city parks and the
enforcement of park rules and regulations and city codes; and

WHEREAS, the Park Ranger has been trained to issue citations for infractions and
misdemeanors as specified in Section 832 of the California Penal Code; and

WHEREAS, the Park Ranger’s current authority, provided by Resolution 04-32 does
not provide authority to issue citations for misdemeanor violations; and

WHEREAS, Section 1.12.010, of the City of Grass Valley Municipal Code which
went into effect on May 27, 2006, allows Council to designate positions with
enforcement powers.

NOW, THEREFORE, BE IT RESOLVED that the City Council of City of Grass Valley
hereby:

Authorize by resolution that the Park Ranger - be given the authority to issue
citations for infractions and misdemeanors of the Grass Valley Municipal Code and
selected State Laws approved by the Director of Public Works, when the violation is
committed within a City park, effective December 1, 2006.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
ADOPTED as a Resolution of the Council of the City of Grass Valley at a
meeting thereof held on the 14th day of November, 2006, by the following vote:

AYES: Council Members
NOES: Council Members
ABSENT: Council Members
ABSTAINING: Council Members

____________________________
Gerard Tassone, Mayor

ATTEST: _______________________
Kristi Bashor, City Clerk

APPROVED AS TO FORM: 
____________________________
Ruthann G. Ziegler, City Attorney
EXHIBIT – A
State Laws Enforceable by Park Ranger

The Park Ranger has the authority to enforce all State Code Infractions and the following list of Misdemeanor violations of State Codes:

Penal Code

148(a)(1) – Resist, Obstruct, Delay: Officer or EMT willfully, in the discharge of his/her duties.

148.2 – Interfere with Firefighter or Rescue Personnel.

308(a) – Tobacco product sales to minor: Sell or furnish to a person under age 18yrs. Includes tobacco, cigarette, paper, a instrument or paraphernalia designed for smoking or to ingest tobacco, product prepared from tobacco, or a controlled substance.

314 – Indecent Exposure: Willfully and lewdly. Expose one’s person or procure, counsel, or assist.

372 – Public Nuisance: Maintain or commit anything injurious to health, indecent, or offensive to the senses, or obstructs the free use of property, so to interfere with comfortable enjoyment of life or property by an entire community or neighborhood, or by a large number of persons, or obstructs customary free passage or use, of a lake, or river, etc., or public park, street, etc. or omit a legal duty relating to the removal of such nuisance.

374.3(h)(1) – Dump commercial quantity of waste deposited, dumped, or cause the same.

374.7(a) – Litter: Waterways or shoreline: Litter, or dump waste matter, or cause same in a bay, lagoon, river, creek, slough, or lake, or other stream or body of water, or within 150 feet of the shore high water mark.

375(a) – Offensive Substance; Gas, Liquid, or Solid: Release, deposit, or attempt the same in, on, or about any business place or place of public assemblage.

375(b) – Offensive Substance; Make, Prepare, or Possess with intent to use as in (a).

415 – Disturbing the peace: Fight, noise, or offensive words

416(a) – Refuse to disperse: 2 or more persons; on command or when asked by a public officer, after assembling to disturb the peace, or to commit any unlawful act.

420 – Public lands: Prevent entry or passage on or thru such lands.

485 – Lost Property: Misappropriate: Find property with knowledge of or means of inquiry to the true owner, and appropriate such to his own use, or the use of another, without first making a reasonable effort to find the owner and return the property. (Theft).

499b(a) – Bicycle: Take for temporary use or to operate without the owner’s permission.

594 – Vandalism (Malicious mischief).

594.1(d) – Aerosol paint or etching cream: Carry in posted public facility or recreational area. Carry on the person in plain view such container of paint or cream while in such place.

594.1(e)(1) – Aerosol paint or etching cream: Minor possess to deface property.
594.2(a) – Vandalism tools – Possess a masonry or glass drill bit, carbide bit, glass cutter, grinding stone, awl, chisel, carbide scribe, aerosol paint container, felt tip marker, or other marking substance with the intent to commit vandalism or graffiti.

597a – Cruelty to animal: Carry or cause same in or on a vehicle in a cruel or inhuman manner, or authorize or permit unnecessary suffering or cruelty of any kind to domestic animal.

597s – Abandon any animal willfully.

602 - Trespass

616 – Posted Legal Notice: Intentionally deface, tear down, or destroy a copy, or quote from or of a U.S. or state law, or legally authorized proclamation, advertisement, or notice in any place in CA, or unexpired Court order.

622 – Civic improvements & plants: Destroy, break, cut, deface, etc. a monument, art work, useful or ornamental improvements within city limits, or a shade tree or ornamental plant on private ground or on a public place or way.

647(a) – Lewd conduct: Engage in or solicit anyone to engage in lewd or dissolute conduct in a public place or a place open to the public or exposed to public view.

647(c) – Begging or soliciting alms by confronting persons in a public or place open to the public.

647(d) – Public Toilet: loitering in or about, to engage in or solicit a lewd or lascivious or unlawful act.

647(j) – Lodging without permission in a public or private building, structure, vehicle, or place without the permission of the owner or person entitled to possess or in control.

659 – Misdemeanor: Counsel or aid in the commission of such act, when no other punishment expressly prescribed by law.

664 – Attempted crime: attempt crime, but fail, or prevented or intercepted in its perpetration, to be punished where no provision made by law for those attempts.

12101(b)(1) – Minor: possess live ammunition

12553 – Imitation firearm: Change, remove or obliterate required coloration or markings required by state or federal law or reg., for any imitation firearm, or device that makes the imitation firearm or device look more like a firearm.

12556 – Display of imitation firearm: Openly display or expose any imitation firearm in a public place. First two violations are infractions, 3rd or subsequent violation is Misdemeanor.

23300 – Alcoholic Beverage; sales without a license: exercise privilege or perform act of a license without an ABC issued license.

Fish and Game Code

1052 – Fishing license; Not issued to user, fake or counterfeit, predate or not date, postdate, alter, mutilate, duplicate, etc.

1054.2 – License, etc: Possess on person, immediate presence, or other lawful location when taking
a bird, mammal, fish, amphibian or reptile.

7145(a) – Fishing license required for everyone over 16 years of age.