

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.11 (DEPARTMENT OF
GENERAL SERVICES) OF THE SAN LUIS OBISPO COUNTY CODE

NOTE: FOR EASE OF REFERENCE AND CONVENIENCE OF THE CLERK, ONLY THOSE SECTIONS OF CHAPTER 2.11 THAT ARE BEING AMENDED, ADDED OR DELETED ARE INCLUDED BELOW. ALL OTHER PROVISIONS OF CHAPTER 2.11 SHALL REMAIN UNCHANGED.

The Board of Supervisors of the County of San Luis Obispo, State of California, ordains as follows:

SECTION 1: Chapter 2.11 of Title 2 of the San Luis Obispo County Code is amended as follows:

SECTION 2: The Title to Chapter 2.11 is amended to read as follows: _____

CHAPTER 2.11 – ~~DEPARTMENT OF~~ GENERAL SERVICES AGENCY

SECTION 3: New Section 2.11.060, **Use of County government facilities and land: Definitions, purposes, and exclusions**, is added to Chapter 2.11 and shall read as follows:

2.11.060 Use of County government facilities and land: Definitions, purposes, and exclusions.

Chapter 2.11, Sections 11.060 through 11.070, shall apply to all County facilities and vacant land but shall not apply to County parks, County Roads, County airports, County property leased by the County to other parties, and uses approved by the County Library on a Library Meeting Room Use Application. These sections are enacted to establish rules and regulations for the safe and peaceful use and enjoyment of County facilities and vacant land, to advance the public health, safety and welfare at all County facilities and land, for the protection and preservation of property and natural resources, and the general safety and welfare of the public. As used in this chapter, the following terms shall have the following meanings unless otherwise apparent from the context that a different meaning is intended:

"Agency" collectively means the County of San Luis Obispo and/or the County of San Luis Obispo General Services Agency.

"Board of Supervisors" means the Board of Supervisors for the County.

"Camping" means to remain overnight and may include sleeping, cooking, setting up housekeeping, pitching a tent or other temporary shelter, and/or using camp paraphernalia; includes the verb to "camp."

"County" means the County of San Luis Obispo.

“County Administrator” shall mean the County Administrative Officer for the County.

"County Code" means the San Luis Obispo County Code.

“County Government Center” shall mean the buildings in the city of San Luis Obispo located at 1050 and 1055 Monterey Street, 1035 and 1070 Palm Street, 976 Osos Street, and 1087 Santa Rosa Street, and the outdoor areas surrounding buildings, including but not limited to the outdoor hard-surfaced plaza area at 1050 Monterey Street.

“County Roads” means all roads maintained by the County Department of Public Works and identified in the County Maintained Road System Map Books.

"Director" means the General Services Agency Director of the County.

“Facility” and “facilities” means all County owned, controlled, maintained or operated buildings or structures and land appurtenant to said buildings or structures, including but not limited to, parking lots, plazas, patios, and landscaped areas, but not including County parks facilities, County airport facilities, or facilities leased by the County to other parties.

"Fireworks" means anything defined as "fireworks" in California Health and Safety Code Section 12511, including, but not limited to, "dangerous fireworks" (Health and Safety Code Section 12505), "safe and sane fireworks" (Health and Safety Code Section 12529), but not including auto flares when used for the purpose of warning other vehicles or other emergency signaling devices (Health and Safety Code Section 12506) if they are used for emergency purposes.

"General Services Agency personnel" means those persons employed by the County and responsible for the maintenance, operation, protection, or management of any County facility or vacant land.

"Person" means and includes natural persons, firms, co-partnerships, corporations, limited liability companies, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

“Public Works” means the San Luis Obispo County Department of Public Works.

"Road" is that portion of a County facility or vacant land which is improved, designed, ordinarily used, or designated for vehicular travel.

"Unauthorized persons and vehicles" means one whose entry is not approved by the Director or designee.

“Vacant land” means all County owned, controlled, maintained or operated unimproved real property, but not including County parks, County roads, County airport, or vacant land leased by the County to other parties.

"Vehicle Code" means the California Vehicle Code. Whenever any reference is made to any portion of this code or of any other law including, without limitation, the Penal Code and the Health and Safety Code, such reference shall apply to all amendments and additions hereafter made to such sections.

Nothing in this Chapter 2.11 shall be construed to replace or eliminate the requirement to obtain the appropriate licenses and permits relating to land use and zoning as required by Titles 6, 8, 13, 22, and 23 of the County Code.

SECTION 4: New Section 2.11.061, **Authority and enforcement**, is added to Chapter 2.11 and shall read as follows:

2.11.061- Authority and enforcement.

(a) Authority of Director. The Director or designee is authorized and directed to establish rules and regulations as required for the good order, health, safety, well-being and proper management of all County facilities and vacant land. Such rules and regulations, once promulgated by the Director or designee, must be complied with by all users of County facilities and vacant land. Violation of any established rule or regulation promulgated by the Director or designee shall be grounds to terminate any user's right, permission, or privilege to use or occupy any County facility or vacant land.

(b) Enforcement of Ordinances. The Director shall be subject to the direction, authority, and control of the County Administrator and she/he is the official representative for all matters related to County facilities and vacant land in the County. The Director shall have the authority to enforce all rules, ordinances, and regulations affecting County facilities and vacant land including, without limitation, this chapter.

(c) Delegation of Authority. Whenever a power is granted to, or a duty is imposed upon the Director, that power may be exercised or the duty may be performed by the Director or other persons designated by the Director or by persons authorized by the Board of Supervisors, unless provided otherwise in this chapter. Powers granted to the Agency, Director, or to General Services Agency personnel under this chapter shall be construed to be powers delegated by the Board of Supervisors for the purpose of maintaining the peace, management, control, and protecting the property of the County and county visitors, and for the general enforcement of the ordinances of the County.

(d) Delegation of Authority to Public Works. Notwithstanding the foregoing, the Director hereby delegates to the director of Public Works the authority for the enforcement and implementation of this Chapter 2.11 for any facility or vacant land that is managed by Public Works.

(e) Authority of General Services Agency Personnel. General Services Agency personnel are authorized to direct the visiting public in their use of County facilities and vacant land according to the statutes, ordinances, rules and regulations applicable to such facilities and vacant land. In the event of an emergency, fire, flood, earthquake or other natural catastrophe, or to expedite traffic, ensure the safety of the public, prevent pollution, or otherwise protect County facilities and vacant land, General Services Agency personnel may direct the visiting public as conditions may require notwithstanding any other provision of this chapter. If written rules and regulations are established by the Director, designee, or Agency for the good order, health, and safety of the people, property, and waters within County facilities and vacant land, then such rules and regulations, once promulgated, shall be made available to the public upon request and shall be complied with by all users of County facilities and vacant land.

(f) Restriction of Public Use of County Facilities and Vacant Land. The Director and/or designated

General Services Agency personnel are authorized to open all or a portion of any County facility or vacant land. The Director and/or designated General Services Agency personnel are authorized close facilities or vacant land to public use as necessary for reasons including, but not limited to, the following:

- (1) Maintenance and/or repair;
- (2) Sanitary protection of the County facility, vacant land, or watershed;
- (3) Fire prevention;
- (4) Construction;
- (5) Dangerous or unsafe conditions;
- (6) To prevent damage to any County facility;
- (7) Inclement weather;
- (8) Conservation of fish and wildlife;
- (9) Protection of natural habitats;
- (10) Real property accepted by the County but not ready or intended for public use.

(g) Compliance with Lawful Orders. It is unlawful for any person at any County facility or vacant land to fail or refuse to comply with any lawful order, instruction, or direction of any General Services Agency personnel or to refuse to submit to any lawful inspection under this chapter.

(h) Penalties for Violation. Any person violating any of the provisions of this chapter 2.11, except for peace officers and County employees acting under their scope and authority and in the course of the performance of their duties, may be deemed guilty of a misdemeanor, and, upon conviction, is punishable by imprisonment in the County jail for not more than six months, or by a fine of not more than five hundred dollars, or by both. A peace officer issuing a citation for a violation may, at his or her discretion, reduce any offense charged under this chapter to an infraction.

(i) Separate Offense. Any person violating any of the provisions of this chapter, except for peace officers and County employees acting under their scope and authority and in the course of the performance of their duties, shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by such person, and shall be punishable accordingly.

SECTION 5: New Section 2.11.062, **General use**, is added to Chapter 2.11 and shall read as follows:

2.11.062 – General use.

(a) Hours of Use. The Director or designee is authorized to promulgate opening and closing hours for

all County facilities. Vacant land is closed to public access at all times without a permit issued from the director or designee, which shall be secured in advance. No person shall enter, or remain in or on any County facility or vacant land when said facility is closed without a permit issued from the director or designee, which shall be secured in advance. The provisions of this section shall not apply to meetings of public agencies and officials, County employees in the performance of the duties of their office or employment, or to persons in the care or custody of the County.

(b) Disorderly Conduct. No person shall act in a way that unreasonably threatens, disrupts or interferes with the use and enjoyment of a County facility or vacant land. No person shall willfully harass or interfere with members of the public or with County employees in the performance of their duties.

(c) Public Gatherings. Prior to holding any public gathering, meeting, conference, rally, or assembly at a County facility or on vacant land, a permit issued by the Director or designee must be secured.

(d) Sign Posting and Temporary Structure Construction. No person shall post or erect any sign or construct any temporary or permanent structure or displays at a County facility or on vacant land without written authorization of the Director or designee. General Services Agency personnel may remove and dispose of any such signs or structures or displays and recover all costs from the person(s) responsible for posting or erecting such signs or structures.

(e) Public Urination or Defecation. It is unlawful for any person to intentionally urinate, defecate, or otherwise discard or dispose of human waste or excretion at any County facility or vacant land other than in a toilet receptacle or urinal provided for such purpose within the structure of any restroom, bathroom, or similar enclosure.

(f) Disturbance. No person shall conduct himself/herself in a manner that disturbs the operation of County business or impedes public access to County facilities. No person shall, at any time, use electronic or amplified equipment at a volume which might disturb others or may be heard beyond the immediate permitted site or otherwise unreasonably interfere with the quiet enjoyment of those using County facilities.

(g) Food Preparation. No person shall prepare, serve, or sell food or beverages at any County facility or vacant land without a permit issued from the Director or designee or with written department head approval, which shall be secured in advance. The provision of this subsection (h) shall not apply to County employees.

(h) Alcoholic Beverages. No person shall consume any alcoholic beverages at a County facility without securing a permit from the Director or designee in advance of such possession or consumption.

(i) Camping. No person shall camp or remain overnight at any County facility or on vacant land without a permit issued by the Director or designee. The provisions of this section shall not apply to persons in the care or custody of the County or to County employees whose residency or presence at a County facility is required by the terms of their employment. A permit to camp at the County Government Center shall not be issued.

(j) Animals and Pets. An owner or person responsible for the control of a dog or other animal may bring such animal into a County facility or on vacant land subject to the following conditions, requirements, and mandates:

(1) Dogs and other animals must be controlled by a leash not exceeding six feet in length, or by a bridle or halter, and the leash, bridle, or halter shall be held continuously in the hand of a responsible person capable of controlling such animal, or unless the animal shall be securely confined in a vehicle or cage.

(2) No person shall leave an animal unattended or abandoned.

(3) No person shall allow an animal to be at any portion of a County facility or on vacant land where specifically prohibited.

(4) Except for dogs less than five months of age, no person shall bring a dog into, permit a dog to enter or remain, or possess a dog at a County facility or on vacant land without a valid license for the dog.

(5) No person shall permit to remain at any County facility or on vacant land any noisy, vicious, or dangerous animal, or an animal that unduly disturbs, bothers, inconveniences, or endangers other persons.

(6) The owner or any person responsible for bringing an animal, bird, or reptile to any County facility or on vacant land shall be responsible for removing any waste or refuse left by that animal and shall deposit it in a proper receptacle.

Animals in the custody of County animal services or law enforcement and service dogs shall be exempt from these provisions.

(k) Aerial activities. No person at a County facility or on vacant land shall take-off, land, or use any seaplane, aircraft, or any other device capable of carrying a person in the air, including, without limitation, a hang glider, hot air balloon, and paraglider, except in emergency situations or unless authorized in writing in advance by the Director.

(l) Model Airplanes and Rockets. No person shall launch, fly, or land any model airplane, rocket or similar device, or operate any fuel-propelled or jet powered model, at any County facility or on vacant land unless authorized in writing in advance by the Director.

(m) Rock Climbing. No person shall rock climb at any County facility or on vacant land without the prior written permission from the Director or designee.

SECTION 6: New Section 2.11.063 Fees and permits is added to Chapter 2.11 and shall read as follows:

2.11.063 - Fees and permits.

(a) Fees and Permits.

(1) The Director or designee shall adopt procedures governing the issuance of permits provided by the Agency. The Director or designee is authorized to issue permits in a form prescribed by the Agency for the use of County facilities and vacant land, at rates established in the fee schedule adopted by the Board of Supervisors. It is unlawful to use a County facility or vacant land except in

accordance with the required permit.

(2) No person, group, or organization shall make use of County facilities or vacant land for public gatherings, meetings, conferences, rallies, assemblies or other similar purposes, without first having obtained a permit therefore and at rates established in the fee schedule adopted by the Board of Supervisors. The provisions of this section shall not apply to meetings of public agencies and officials or County employees in the performance of the duties of their office or employment.

(3) All permits required by this chapter or other provisions of the County Code shall be obtained and issued in advance. The Director or designee is responsible for collecting permit fees prior to issuance of any permit.

(4) The Director or designee may deny a permit under this chapter upon a finding that the proposed use is likely to unduly interfere with County business or is injurious to the public health, public safety, peace, and/or enjoyment of a County facility or vacant land. An applicant for a permit may appeal the denial thereof to the County Administrator, County Administrative Office within ten days of the denial. The determination of the County Administrator shall be final.

(b) Refund of Fees. The Director or designee is authorized to make refunds, for cause, of any fees or charges collected for the use of any County facilities or vacant land; provided, however, that the person seeking the refund makes a showing to the satisfaction of the Director or designee, that the fees were paid for the use of a County facility or vacant land.

(c) Exemptions from Fees. Officers and authorized agents of the County and other public agencies, when in the course of the performance of their official duties, shall be exempt from the fees referenced in this chapter, and shall have free ingress and egress to County facilities and vacant land for the purpose of inspection, management, enforcement, and protection.

(d) County Government Center. Permits issued for the use of the County Government Center shall be consistent with this chapter and with the Government Center Use Policy adopted by the Board of Supervisors.

(e) Permit Revocation—Removal from County Facility or Vacant Land.

(1) The Director or designee shall have the authority to revoke any permit relating to using, entering or operating at any County facility or vacant land upon a finding of a violation of any regulation in this chapter or upon a finding of a violation of any other County Code provision, regulation or local, state, or federal law.

(2) The Director or designee shall have the authority to eject from any County facility or vacant land any person acting in violation of an issued permit or any regulation in this chapter or upon a finding of a violation of any other County Code provision, regulation, or local, federal, or state law.

(3) The Director or designee is authorized to suspend and/or revoke any County facility or vacant land permit if issued unlawfully or erroneously.

(4) It is unlawful for any person to enter or re-enter any County facility or vacant land when the

permission for such entry has been suspended, revoked, or when such person has been expelled from the County facility or vacant land. Any person aggrieved by such ejection, suspension, or revocation may appeal to the County Administrator within ten days of the ejection, suspension, or revocation. The determination by the County Administrator shall be final.

SECTION 7: New Section 2.11.064, **Motor vehicles and bicycles**, is added to Chapter 2.11 and shall read as follows:

2.11.064 – Motor vehicles and bicycles

(a) General Use. The provisions of the Vehicle Code relating to traffic upon highways shall be applicable to County facilities and vacant land except as provided by such regulations containing the special conditions referred to in Section 21113 of the Vehicle Code. It is unlawful for any person at a County facility or on vacant land to commit any of the following acts:

- (1) To operate any motor vehicle, motor-driven vehicle, motorcycle, or motor-driven cycle, unless the operator is duly licensed pursuant to the Vehicle Code.
- (2) To operate any motor vehicle, motor-driven vehicle, motorcycle, or motor-driven cycle which is not registered pursuant to the Vehicle Code.
- (3) To operate any motor vehicle, motorcycle, bicycle, or motor-driven cycle except on designated blacktop roads, parking lots, or other posted designated areas.
- (4) To leave a motor vehicle during the hours in which the County facility or vacant land is closed without a permit from the Director or designee. The provisions of this section shall not apply to motor vehicles belonging to public agencies and officials or County employees in the performance of the duties of their office or employment or who have obtained department head approval to park a personal vehicle on County property when the facility or vacant land is closed.
- (5) To abandon a motor vehicle.
- (6) To wash or make repairs (other than emergency repairs) to a motor vehicle.
- (7) To operate any motorized vehicle unless it is equipped with a spark arrestor and a properly installed muffler which prevents excessive or unusual noise. No such muffler system shall be equipped with a cutout, bypass, or similar device.
- (8) To operate a motor vehicle at a speed in excess of fifteen miles per hour or to exceed five miles per hour in a parking lot, or to exceed the speed limit posted in any area.
- (9) To throw or otherwise dispose of any material, trash, waste litter, or other debris from a vehicle.
- (10) To operate a vehicle, off-highway vehicle, or bicycle negligently or willfully so as to endanger, harass, or injure the vehicle, its occupants, or any person, equipment, property, facilities, animal, bird, or reptile.

(11) To operate or ride a bicycle, scooter, skateboard, skates, roller blades, or other operator propelled device.

(12) To operate at any County facility or on vacant land an off-highway vehicle except in designated areas.

(13) To operate, drive, use, leave, place, park or stop a motor vehicle, except on a road or in parking areas, at any County facility or on vacant land. No person shall operate a motor vehicle in violation of the conditions, limitations, or restrictions upon such roads. No person, with the exception of members of public agencies and officials or County employees in the performance of their duties of office or employment, shall operate a vehicle at any County facility or on vacant land in violation of closing hours.

(14) To park or leave standing any vehicle at a County facility or on vacant land contrary to the direction and provision of signs or markings that are in place and give notice of County Code.

(15) To park or leave standing a vehicle at a County facility or on vacant land at any time in violation of any curb markings as such are set forth in Vehicle Code Section 21458.

(b) Motor Vehicle Citations. Any person who shall commit the following acts will be cited:.

(1) To park any unauthorized vehicle in a duly designated handicapped parking space at any County facility or on vacant land.

(2) To park a vehicle using more than one parking space (not between lines) or park such that the wheels of the vehicle are more than eighteen inches from the curb at any County facility or on vacant land.

(3) To illegally stop a vehicle or block vehicular traffic, walkways, entries, gateways, or parking areas at any County facility or on vacant land.

(4) To park or leave any vehicle in violation of overtime parking in any posted time limitation zone, including, without limitation, a yellow loading zone or green zone at any County facility or on vacant land.

(c) Moving of Vehicles. The Director or designee shall have the authority to tow or otherwise move motor vehicles and trailers which are parked by their owners or operators at a County facility or vacant land in violation of this chapter, whenever it is determined by the Director or designee that such motor vehicles so parked create a nuisance or a hazard. The Director and any designee shall have the authority to make a reasonable charge against the owner or operator of such vehicles for such towing or moving service, and the motor vehicle towed or moved shall be subject to a lien for such charge. Any peace officer with concurrent jurisdiction at a County facility or on vacant land or any member of the California Highway Patrol is authorized to cause the removal of a vehicle or trailer from the highways, driveways, paths, or grounds of a County facility or vacant land under the provisions of the Vehicle Code including, but not limited to, Section 22659, when such vehicle or trailer is parked or left standing in violation of the California Vehicle Code.

SECTION 8: New Section 2.11.065, **Resource protection**, is added to Chapter 2.11 and shall read as follows:

2.11.065 – Resource protection

(a) Natural Features. No person shall damage, remove, or plant vegetation or damage or deface any natural feature at any County facility or on vacant land without the prior written authorization of the Director or designee.

(b) Geological Features. No person shall remove, disturb, or deposit soil, rock, fossils, sand, stone, other substances, or historic or archaeological artifacts, at any County facility or on vacant land without prior written authorization from the Director or designee.

(c) Water Features. No person shall place into any natural or manmade body of water or fountain at any County facility or on vacant land any trash, waste water, sewage, effluents, polluting substances, soap products, fish or fish parts, amphibians, or aquatic plants or other living organisms without prior written authorization from the Director or designee.

(d) Pesticides and Hazardous Materials. No person, with the exception of General Services Agency personnel in the normal course of their duties, shall disperse or otherwise apply any pesticide or any other hazardous material at any County facility or on vacant land whether to the air, water, ground, or vegetation, unless written authorization has been obtained in advance from the Director or designee.

(e) Animals—Injuring or Killing. No person, with the exception of depredation permits approved by the Director or designee and issued by the California Department of Fish and Game or under County animal services or pest control programs, shall or attempt to molest, hunt, disturb, injure, trap, take, net, poison, harm, tease or kill any kind of wild or domestic animal, fish, bird, or reptile, or their eggs or nests at a County facility or on vacant land.

(f) Feeding Wildlife. No person shall feed wildlife or domestic animals at any County facility or on vacant land unless authorized in advance by the Director or designee.

(g) Animals—Grazing Livestock. No person shall release or abandon any animal, amphibian, bird, or reptile, dead or alive, at a County facility or on vacant land, or permit any cattle, sheep, goats, horses, wild or any domestic animal, bird, or reptile to roam or graze unless written authorization has been obtained in advance from the Director or designee.

SECTION 9: New Section 2.11.066, **Protection of property**, is added to Chapter 2.11 and shall read as follows:

2.11.066 –Protection of property

(a) Damaging County Property or Equipment. It is unlawful for any person at any County facility or on vacant land to mutilate, destroy, deface, vandalize, or otherwise damage any monument, sign, fence, chair, bench, equipment, personal property, or facility owned or leased by, or under the control of, the County. Any person damaging County property or equipment shall reimburse the County for related repairs and cleaning. Furthermore, all County facilities and vacant land shall be used only for the purpose

for which they are intended, unless otherwise approved in advance by the Director.

(b) Locks and Keys. No person other than one acting under the direction of the Director shall duplicate or cause to be duplicated, a key used by the Agency for a padlock or door lock of any type or description at a County facility or vacant land. No person shall divulge the combination or code of any lock used at a County facility or vacant land to any unauthorized person.

SECTION 10: New Section 2.11.067, **Commercial activity**, is added to Chapter 2.11 and shall read as follows:

2.11.067 –Commercial activity

(a) Solicitation. No person shall solicit funds for any purpose at any County facility or on vacant land without the prior permission of the Director or designee. Notwithstanding, this provision shall not apply to General Services Agency personnel authorized by the Director or designee to collect money in the name of the County. It is unlawful to practice, carry on, conduct or solicit for any trade, occupation, business or profession at a County facility or vacant lot without the prior written permission of the Director or designee.

(b) Commercial Still Photography and Motion Picture Production. No person shall take still, motion or sound pictures or any other type of imagery for commercial purposes at any County facility or on vacant land except in accordance with Sections 2.11.050 through 2.11.059 of this chapter.

(c) Commercial Activity Permit. It is unlawful for any person at any County facility or on vacant land to engage in any type of commercial activity without a permit issued by the Director or designee.

(d) Sale of Merchandise. No person shall sell, vend, peddle, expose, offer for sale, or distribute after sale to the public, any merchandise, food, service, or property, or sell tickets for any event, at any County facility or on vacant land without a permit issued by the Director or designee.

(e) Distribution of Handbills. No person shall distribute, circulate, give away, throw, or deposit on the ground, post or affix to any tree, fence, or structure situated at any County facility or on vacant land, any handbills, circulars, pamphlets, papers, notices, or advertisements, which material calls the public attention in any way to any article or service for sale or hire, nor shall any person solicit or collect donations of money or other goods from the public at any County facility or on vacant land, without a permit issued by the Director or designee.

SECTION 11: New Section 2.11.068, **Littering and dumping**, is added to Chapter 2.11 and shall read as follows:

2.11.067 –Littering and dumping

No person at a County facility or on vacant land shall dump or deposit any trash, refuse, garbage, litter, soils, or any kind of materials except in approved containers specifically authorized by the County and designated to receive such materials.

SECTION 12: New Section 2.11.069, **Fires and fireworks**, is added to Chapter 2.11 and shall read as follows:

2.11.069 - Fires and fireworks.

(a) Fire in Stoves. No person shall light, build, use, or maintain a fire at any County facility or on vacant land except in a County barbecue grill provided, maintained, and designated for such purpose.

(b) Burning and Combustible Materials. It is unlawful for any person at a County facility or on vacant land to throw, place or otherwise dispose of any burning material except into designated containers authorized by the County.

(c) Unattended Fires. It is unlawful for persons at a County facility or on vacant land to leave any fire unattended or to fail to put out a fire prior to departure, or to leave a fire burning while one sleeps.

(d) Smoking. It is unlawful for any person to smoke at any part of a County facility or on vacant land in violation of the Title 8, Chapter 8.22 of the County Code.

(e) Fireworks and Explosives. It is unlawful for any person to receive, bring, fire or have in his/her possession at any County facility or on vacant land any fireworks or other explosive substance without a written permit by the Director or designee.

SECTION 13: New Section 2.11.070, **Firearms and weapons**, is added to Chapter 2.11 and shall read as follows:

2.11.070 - Firearms and weapons.

No person shall, at any County facility or on vacant land, possess, use or discharge any firearm, pellet gun, bow and arrow, crossbow, slingshot, or other dangerous weapon except for a peace officer, or a person other than a peace officer who is employed by, in the service of, or has a permit from a governmental agency which authorizes him or her to carry or use any of said weapons or devices in the performance of his or her official duties.

SECTION 13: All other provisions of Chapter 2.11 shall remain unchanged.

SECTION 14: The Board of Supervisors has considered the amendments to Chapter 2.11 that are proposed with respect to the matter described above. The Board of Supervisors has, as a result of its consideration, the evidence presented at the hearings on said matter, and all comments that were received during the public hearing process, determined that this activity is exempt from review pursuant to CEQA Guidelines Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a "significant effect on the environment." The Board of Supervisors finds that it can be seen with certainty that there is no possibility that the adoption of the amendments to Chapter 2.11 as stated above may have a significant effect on the

environment because there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment. The Board of Supervisors hereby approves this adoption of the above amendment to Chapter 2.11 in accordance with the California Environmental Quality Act and the County's regulations implementing said Act.

SECTION 15: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 16: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the _____ day of _____, 20____, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20____, by the following roll call vote, to wit:

YES:

NOES:

ABSENT:

ABSTAINING:

Chairperson of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California
[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

WARREN R. JENSEN

County Counsel

By: _____

Deputy County Counsel

Dated: _____