

# Park and Recreation Advisory Board

## Topic: 2012 Rules and Regulations Update

### **Background:**

Efforts to update the DPR Rules and Regulations have been underway for over ten years. The last full update was completed in 1993. Many of the 1993 Rules and Regulations are still valid and appropriate and no effort will be made to change these existing regulations. There are, however, a variety of revisions and additions that are needed to bring them up to date. These include:

- The numbering and organization of the 1993 Rules and Regulations is no longer accurate and an update is warranted.
- Some clarifications and corrections of existing Rules and regulations are needed.
- There is a need to add some new Rules and Regulations to address current issues
- There is a need to add language to enable and govern the use of Administrative Citations for enforcement.

Given the scope of the entire project, the Department has determined that it will be best to perform the revisions in phases with this set of revisions being Phase 1. This briefing paper summarizes the proposed additions and clarifications that are recommended in the 2012 Rules and Regulations update. This briefing paper is not a substitution for a thorough review of the entire 2012 Rules and Regulations package that will be presented at a public meeting early next year.

### **Process:**

Sec. 39-1. - Rules and regulations; enforcement.

(a) Under section 2.4.4 of the City Charter, the Manager of Parks and Recreation has the power and authority to adopt rules and regulations for the management, operation and control of parks, parkways, mountain parks and other recreational facilities, and for the use and occupancy, management, control, operation, care, repairing and maintenance of all structures and facilities thereon, and all land on which the same are located and operated.

Sec. 39-2. - Adoption of rules.

(a) Any proposed rules and any amendments to the rules shall be referred to the Board of Parks and Recreation by the Manager. The Board of Parks and Recreation (PRAB) shall consider the proposed rules or amendments to the rules and make recommendations to the Manager within forty-five (45) days of the board's receipt of the proposed rules or amendments to the rules.

### **Elements for Review:**

Four specific elements must move forward for the 2012 Rules and Regulations update to be completed.

### **RULES & REGULATIONS**

Governing Public Activities, Uses and Behavior in Parks, Parkway, Mountain Parks, Recreation Facilities, and other Public Facilities under the Auspices of the Denver Department of Parks and Recreation. This update to the DPR Rules and Regulations is under the purview of the Manager and must go through a PRAB public meeting process.

### **RULES & REGULATIONS**

Governing Use of Administrative Citations for the Enforcement of Article I of Chapter 39 of the Denver Revised Municipal Code and for the Recovery of Costs and Restitution for Damages Resulting from Violations of Article I of Chapter 39. This update to the Rules and Regulations

Governing Administrative Citations is under the purview of the Manager and must go through a PRAB public meeting process.

#### ATTACHMENT A

Penalty Fines for Violations of Art. 1, Ch. 39, DRMC Adopted in accordance with Sec. 2-293, DRMC (there is a one page list of proposed fines for Administrative Citations). This update to the DPR Rules and Regulations is under the purview of the Manager and must go through a PRAB public meeting process. Fines for Administrative Citations may be recommended by the manager and PRAB, but must be approved by Council.

#### ORDINANCE (final step)

For an ordinance amending Article I (In General) of Chapter 39 (Parks and Recreation), Denver Revised Municipal Code, with respect to enforcement of rules and regulations and implementation of administrative citations and recovery of enforcement costs and damage restitution. This ordinance amending Chapter 39 is necessary to formally implement the Administrative Citation process and associated fines.

#### **Summary of Proposed Changes:**

Mountain Parks Curfew: Change curfew for Mountain Parks to one hour after sunset and one hour before sunrise. This is consistent with Jefferson County Open Space regulations; the current curfew is 11:00 p.m. to 5:00 a.m. which allows use in the Mountain Parks after dark (a problem).

Red Rocks: Clarified "rock climbing" prohibition. Limits use to designated trails and facilities only.

Summit Lake: Limits use to designated trails and use areas.

Wildlife: Updates definition of "wildlife" --prohibits the feeding of wildlife.

Trails and human-powered devices: Updates trail regulations to include regulation of human powered devices. Established a 15 mph speed limit on DPR Trails unless otherwise signed--establishes rules concerning careless and reckless operation of human powered devices.

Compliance with lawful order; identification; interference or evasion: All persons must comply with any lawful order issued by an Enforcement Official (ranger) when the Official has reason to believe that a violation has occurred. All persons must provide appropriate and correct identification to an Enforcement Official when the Official has reason to believe that a violation has occurred. A person may not interfere with an Enforcement Official in the performance of that Official's duties or to evade lawful actions.

Administrative Citations: The establishment of administrative (civil) citations, penalties and procedures for violations of DPR Rules and Regulations. Administrative Citations are already being used for enforcement by Forestry, Animal Control, Environmental Health, Neighborhood Inspections, and Right-of-Way Control.

Fines: Sets fines for most administrative citations at \$100

Ordinance amending Chapter 39: This includes the following: proposed Mountain Parks Curfew, Trails and Human-powered Devices, general updates to language and organization.