



**\*\*\*NOTICE TO THE PUBLIC\*\*\***

The City Manager of the City of Boulder proposes to adopt a regulation to

identify clear and consistent procedures regarding the suspension of individuals from department facilities, programs or services in the event of a Parks and Recreation Rules and Regulations violation.

Persons in violation of these regulations are subject to suspension from the Facility where the violation occurred as well as other city facilities and programs for violating these regulations.

**Copies are available for public review at Central Records at the Municipal Building, 1777 Broadway 2nd floor.**

Written comment should be directed to Sarah DeSouza ,  
Policy Manager , Parks and Recreation , 303-413-7205 ,  
City of Boulder, P.O. Box 791, Boulder, CO 80306

Adoption will be considered after the 15-day comment period.

# Department of Parks and Recreation Rules, Regulations and Suspension Policy

## **I. POLICY**

It is the policy of the Parks and Recreation Department to ensure compliance with its rules and regulations regarding the use of all Parks and Recreation facilities. In furtherance of this policy violators may be subject to suspension of their privilege to use any Facility in accordance with the procedures set forth in this document and Section 5-5-18, B.R.C. 1981.

## **II. PURPOSE**

The purpose of the Rules, Regulation and Suspension Policy is to identify clear and consistent procedures regarding the suspension of individuals from department facilities, programs or services in the event of a Parks and Recreation Rules and Regulations violation.

## **III. PROCEDURES**

### **General**

These rules, regulations, and suspension policy apply to all City of Boulder Parks and Recreation Facilities. The term "Facility" as used in this document shall mean all lands donated to the city for park or recreation purposes, acquired by the city through purchase, dedication, deed, or condemnation for park or recreation purposes, or purchased or improved in whole or in part with funds from the permanent parks and recreation fund. These rules and regulations may be enforced by suspending the privilege of a violator to use any Facility in accordance with the procedures set forth in Section 5-5-18, B.R.C. 1981.

City of Boulder Parks and Recreation staff may intervene to prohibit any of the activities or behaviors listed below. Violators will be asked to stop such activity immediately. If the activity or behavior continues, the violator will be instructed to leave the Facility by an authorized manager on duty for the balance of that calendar day or for a longer period of time depending on the situation. If a violator refuses to leave the Facility after being instructed to do so, police will be requested to intervene.

A record of violations resulting in suspension will be kept by City of Boulder Parks and Recreation staff. Suspension periods can range from a warning, equivalent to a suspension for the remainder of the day, to one year or longer. Parks and Recreation staff retain the discretion to suspend a violator for any period of time, consistent with the provisions of Section 5-5-18, B.R.C. 1981, when in staff's opinion, circumstances warrant.

### **Prohibited Activities and Behaviors**

Persons in violation of these regulations are subject to suspension from the Facility where the violation occurred as well as other city facilities and programs for violating these regulations. The following behavior is prohibited in all City of Boulder Parks and Recreation Facilities unless as indicated otherwise below:

#### **No person shall:**

1. Steal, damage, or alter any Facility property;
2. Smoke, as defined in Chapter 6-4, B.R.C. 1981, in any indoor Facility, or within fifteen feet of an outdoor pool or, within fifteen feet of a main entryway to any indoor Facility, or where posted as prohibited. No person may chew tobacco or products containing tobacco in any indoor Facility, at any outdoor pool, or where posted as prohibited;
3. Commit harassment of another person (including city employees), within the meaning of Section 18-9-111, C.R.S., or any successor statute, in or around any Facility;
4. Commit indecent exposure, within the meaning of Section 18-7-302, C.R.S., or any successor statute, in or around any Facility;
5. Commit criminal invasion of privacy, within the meaning of Section 18-7-801, C.R.S., or any successor statute, in or around any Facility. A person commits criminal invasion of privacy when a person knowingly takes a photograph of another person's intimate parts, as defined in Section 18-3-401(2), C.R.S., without that person's consent, and where the person photographed has a reasonable expectation of privacy;
6. Ride a skateboard, bring or ride a bicycle, wear or use rollerblades, roller-skates, skate shoes, scooters, or any other apparatus that has wheels, or jeopardize the safety of anyone in any indoor Facility or outdoor pool, with the exception of strollers and ADA-approved devices;
7. Carry, lead, bring an animal into, or cause an animal to enter any indoor Facility or outdoor pool, with the exception of a properly identified service animal for a person with disabilities which is under the control of its guardian or if authorized by city permit;
8. Bring a "weapon", as that term is defined in Chapter 5-8, B.R.C. 1981, into or possess such weapon in or around any Facility. Legal knives with blades no longer than three and one-half inches in length are not weapons. This prohibition does not apply to police officers carrying service weapons in accordance with their department's policies;

9. Lie down, doze, or sleep anywhere, in any Facility, including any bench located just outside any Facility, except that this rule shall not apply to children under the age of six or with respect to parks this prohibition does not include napping during the day;
10. Possess or sell illegal drugs in or around any Facility;
11. Possess or consume alcoholic beverages at any Facility without a city-issued alcohol permit pursuant to Section 5-7-5, B.R.C. 1981. However, this prohibition does not apply to Coot Lake, Boulder Reservoir, Flatirons Golf Course, E. Mapleton Ball Fields, or Stazio Recreation Complex;
12. Sell or dispense to the public alcoholic beverages at any Facility unless granted prior city approval pursuant to Rule 5-7-5(A)(89) in the form of a city-issued alcohol permit and granted a special event permit for the sale of alcoholic beverages pursuant to state law Section 12-48-101 through 108, C.R.S.;
13. Enter or remain in any Facility, without the permission of an authorized City of Boulder Facility employee, before or after that Facility's operating hours;
14. Enter or remain in any part of any Facility which is not open to the public;
15. Fail to leave any portion of any Facility immediately upon being told by a Facility employee that the area is closed to the public;
16. Enter or use any portion of any Facility for which a fee for entry or use must be paid, without paying such fee;
17. Fail to abide by any posted rules concerning length of use of any equipment or part of any Facility;
18. Communicate a request to another patron to cease using equipment or areas of any Facility in order so that person may use such equipment or areas. If someone is violating the posted rules concerning length of use, complaints should be made to Facility employees who will deal with the offender;
19. Disturb other patrons or employees of any Facility so as to substantially interfere with their use and enjoyment of the Facility or constitute a general nuisance within the meaning of Section 18-9-117 and 18-9-106, C.R.S., or any successor statute. Disturbances may arise from inappropriate use of personal equipment including but not limited to: cellular phones, computers of any kind, PDAs, radios, music players, MP3 players, portable televisions or video display devices; extended use of equipment such as weight machines, courtesy telephones, and conversations which contain any obviously offensive utterance, gesture, or display, which tends to incite an immediate breach of the peace;

20. Solicit donations of money or any thing of value, or sell or take orders for anything of value in any Facility with the exception of persons who have entered the Facility in order to conduct a commercial transaction with the City and at its request, or those officially affiliated with the city; or those who are city sponsored;
21. Seek or collect signatures on a petition while in any Facility;
22. Fail to supervise a child ten years old or younger, of whom he or she is a parent, legal guardian, or caregiver, and/or ensure that the child does not disturb other persons in the Facility or damage Facility property. A "caregiver" is defined as a person who has been given temporary authority over a child;
23. Fail to adequately supervise and check-in a child ten years old or younger, of whom he or she is a parent, legal guardian, or caregiver, to an enrolled class or program so that the child does not remain unsupervised prior to the parent or guardian's departure of the Facility. "Check-in" shall mean registering with authorized facility personnel;
24. Enter any Facility while that person's abilities are impaired to the slightest degree by alcoholic beverages or illegal drugs, or remain in any Facility while in such a state of impairment;
25. Fail to abide by rules for use of any portion of a Facility or of any Facility equipment which may be posted on or near the equipment, or in the Facility in a place open to Facility users, or any rules printed in Facility brochures; and
26. Intentionally or recklessly interfere with or prevent, whether alone or with others, convenient or reasonable passage or use of any portion of any Facility, unless such obstruction is necessarily incidental to the intended use of that portion of the Facility, and is for no period of time longer than is reasonable considering the intended use.