



# WASHOE COUNTY

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## STAFF REPORT

BOARD MEETING DATE: May 22, 2024

**DATE:** May 13, 2024  
**TO:** Open Space and Regional Park Commission  
**FROM:** Colleen Wallace Barnum, Park Operations Superintendent  
Community Services Department, 328-2181, [cwallace@washoecounty.gov](mailto:cwallace@washoecounty.gov)  
**THROUGH:** Aaron Smith, Division Director, Operations  
Community Services Department, 328-2172, [aasmith@washoecounty.gov](mailto:aasmith@washoecounty.gov)  
**SUBJECT:** Presentation, discussion, and possible recommendation to Board of County Commissioners to approve the fine schedule associated with the citation authority of park enforcement officers, due to begin July 1, 2024.

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### SUMMARY

Per Washoe County Code Chapter 125 (Enforcement, Remedies, Penalties), Washoe County Parks is required to have a fee (fine) schedule approved by the Board of County Commissioners. The fine schedule before you is associated with all Chapter 95 subsections from 95.060 through 95.460. Per WCC 95.510, civil penalties may be imposed in an amount no less than \$100 and not to exceed \$1000.

### PREVIOUS ACTION

**May 24, 2022** – The Board of County Commissioners approved the second reading and adoption of Washoe County Code Chapter 95.

**May 10, 2022** – The Board of County Commissioners approved the first reading of proposed changes to Washoe County Code Chapter 95.

**September 28, 2021** – The Board directed the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance for County Code Chapter 95 (repeal and enact), pursuant to Washoe County Code Section 2.030 and 2.040.

**June 1, 2021** – Open Space and Regional Parks Commission reviewed, discussed, and approved proposed changes to Washoe County Code Chapter 95.

**July 5, 2016** – Open Space and Regional Parks Commission reviewed, discussed, and approved proposed changes to Washoe County Code Chapter 95.

**June 7, 2016** – Open Space and Regional Parks Commission reviewed and discussed proposed changes to Washoe County Code Chapter 95 (no action taken).

**April 5, 2016** – Open Space and Regional Parks Commission reviewed and discussed proposed changes to Washoe County Code Chapter 95 (no action taken).

AGENDA ITEM # \_\_\_\_\_

**July 1, 2009-** Open Space and Regional Parks Commission recommended to the Board of County Commissioners approval of the changes to Washoe County code, Chapter 95 – Parks and Recreation.

**June 2, 2009** – The Open Space and Regional Parks Commission provided input on proposed changes to Washoe County Code Chapter 95 – Parks and Recreation (no action taken).

**2004** – The Board of County Commissioners amended code to reflect the department name to Regional Parks and Open Space.

**2003** – The Board of County Commissioners amended code to reflect the commission name change to Open Space and Regional Parks Commission.

**2002** – The Board of County Commissioners amended the section of code regarding the collection of fees.

**1987** – The Board of County Commissioners approved updates to several sections of the code.

## **BACKGROUND**

In May of 2022, the Board of County Commissioners approved an update to Chapter 95 of the County Code. This provides ordinances, rules, and regulations associated with Regional Parks and Open Space. Part of that update includes the ability for enforcement officers, District Managers and Park Rangers, to issue citations, both civil and criminal, to park visitors who have violated parks rules and regulations. There will be fines associated with each penalty and a process to pay those fines or appeal the citation.

Per WCC 125.170, there is clear direction that administrative penalties will be assessed for a first, second, third, and subsequent violation of the same ordinance. The fee (fine) schedule must be adopted by the Board of County Commissioners. It is important to distinguish the difference between the current parks fee schedule associated with park facilities and recreation services, and the fine schedule associated with WCC Chapter 95 infractions. Thus, the fine schedule illustrates that upon each additional infraction, the fines double. The first offense is \$200, the second offense is \$400, and the third offense is \$800. Per WCC 125.160, Washoe County will accept as payment in full 50% of the fine if payment is received within 30 calendar days of service.

The goal will be to have all WCC Chapter 95 code violations paid in full within the 30-day timeframe. The fines collected will go to the Washoe County general fund, per WCC 125.165. Our finance team within the Community Services Department has set up a cost center associated with the citation authority program, to accurately account for the fines collected. If an administrative hearing is requested, the fees go to the Office of the County Manager, the department that manages the administrative hearings.

## **FISCAL IMPACT**

The citation authority fines will be collected and deposited to the Parks and Open Space Administrative 140-1, cost center (TBD), revenue GL 471200 (Court Fines and Fees). The new cost center will be used to track the citation authority program. Any administrative

hearing fees will be deposited in the Administrative Enforcement Process (C101110) cost center in the Office of the County Manager as appropriate.

**RECOMMENDATION**

It is recommended that the Open Space and Regional Park Commission recommend to the Board of County Commissioners to approve the fine schedule associated with the citation authority of park enforcement officers, due to begin July 1, 2024.

**POSSIBLE MOTION**

Should the Commission agree with staff's recommendation, a possible motion would be: "the Open Space and Regional Park Commission recommend to the Board of County Commissioners to approve the fine schedule associated with the citation authority of park enforcement officers, due to begin July 1, 2024."

# Washoe County Code Chapter 95 Fine Schedule

Code #	Code Description	First Offense	Second Offense	Third Offense
95.060	<b>Park hours:</b> Sunrise to Sunset. No person, except county employees or enforcement officials on official business, may be present in any county park after closing hours unless prior authorization has been issued.	\$200	\$400	\$800
95.070	<b>Curfew Limitations:</b> Curfew may apply to under 18 years of age unless under certain circumstances such as staying with a parent or guardian.	\$200	\$400	\$800
95.080	<b>Payment for Use of Facilities:</b> Areas requiring a fee must not be used unless the user has paid the established fee for that particular facility	\$200	\$400	\$800
95.100	<b>Group Permit:</b> Groups in excess of 25 need to have group use permit	\$200	\$400	\$800
95.110	<b>Concession Operation:</b> Selling products or business is not allowed without a permit	\$200	\$400	\$800
95.120	<b>Filming/Photography:</b> Commercial photography or filming requires a permit.	\$200	\$400	\$800
95.130	<b>Posting of signs and notices:</b> It is illegal to post signs in parks without permission.	\$200	\$400	\$800
95.140	<b>Landing of aircraft:</b> air craft of all types may not take off or land in County parks without permission.	\$200	\$400	\$800
95.150	<b>Aerial apparatus:</b> Remote control vehicles and aircraft are allowed except in marked areas. Remote control vehicles and aircraft can not be used in a way that poses a threat or disturbs the peace.	\$200	\$400	\$800
95.160	<b>Vehicle Operators:</b> Drivers of vehicles must have a valid license, other special vehicles may be allowed if permitted by the director.	\$200	\$400	\$800
95.170	<b>Registered Vehicles:</b> Vehicles must be properly registered, unless otherwise permitted by the director.	\$200	\$400	\$800
95.180	<b>Speed limit:</b> The speed limit in parks is 15 MPH	\$200	\$400	\$800

## Washoe County Code Chapter 95 Fine Schedule

95.190	<b>Roads/Parking:</b> Driving and Parking must be done on roads and parking areas designed for motor vehicles. Parking must be in designated parking areas only.	\$200	\$400	\$800
95.200	<b>Bicycles &amp; other devices:</b> it is illegal to ride a bike or other self propelled vehicle in areas defined as unsafe or inappropriate. Speed must be restricted to a reasonable and prudent manner.	\$200	\$400	\$800
95.210	<b>Unauthorized Use of Trails:</b> No motorized activity on trails without director's consent.	\$200	\$400	\$800
95.220	<b>Leash law:</b> Animals must be on at most a leash with a 6 ft max length and accompanied. Owners are responsible for waste removal and need bags. Necessary action can be used if animal harms nearby wildlife or livestock	\$200	\$400	\$800
95.230	<b>Horseback riding:</b> Unless otherwise posted horses are allowed in parks. Hitch horses in a manner that will not cause damage to structure or tree.	\$200	\$400	\$800
95.250	<b>Fires:</b> Fires need to be in designated pits, fireplaces, gas/charcoal grills, stoves, or lanterns. No fire shall be left unattended. When finished, the user must fully extinguish the fire before leaving. No Fires during during fire restrictions.	\$200	\$400	\$800
95.260	<b>Defacement:</b> It is illegal to destroy or deface county property. Permits or permission are needed for painting	\$200	\$400	\$800
95.270	<b>Trash/Litter:</b> It is illegal to litter, bring trash into the park and take trash out of trash cans and dumpsters.	\$200	\$400	\$800
95.280	<b>Firearms:</b> The discharge of any type of firearm and archery is prohibited in county parks except in designated shooting or archery facilities.	\$200	\$400	\$800
95.290	<b>Pyrotechnics and Model Rockets:</b> Pyrotechnics and model rockets of all types are not allowed in Washoe County Parks	\$200	\$400	\$800

# Washoe County Code Chapter 95 Fine Schedule

95.300	<p><b>Disturbing the Peace:</b> No person may conduct him/herself in such a manner as to disturb the peace in any county park or facility at any time. This includes making unreasonably loud noises, using “fighting words or gestures”, or otherwise inciting violence.</p> <p>A person in violation shall be ordered to immediately cease. If the subject(s) fail to comply they will receive a citation.</p> <p>A person may be trespassed if they repeatedly fail to comply with this code.</p> <p>No person may conduct or participate in a disorderly assemblage in any county park.</p>	\$200	\$400	\$800
95.310	<p><b>Sound Amplification:</b> Amplified noise coming from electronic equipment isn’t allowed unless permitted.</p>	\$200	\$400	\$800
95.320	<p><b>Abusive Language:</b> No person may use threatening, abusive, boiserous, insulting or indecent language or make indecent gestures in any county park.</p>	\$200	\$400	\$800
95.330	<p><b>Nudity:</b> Besides authorized rooms for dressing, no one can appear nude in the park</p>	\$200	\$400	\$800
95.340	<p><b>Drugs and Alcohol:</b> Alcohol is allowed except for in designated nonalcoholic areas. No Drugs or smoking of any kind are allowed.</p>	\$200	\$400	\$800
95.350.1	<p><b>Smoking and Vaping:</b> Smoking and vaping are prohibited in all parks and open spaces, except in designated areas.</p>	\$200	\$400	\$800
95.350.2	<p><b>Food and beverage prohibited in designated areas:</b> No person shall possess or consume food or beverages in areas posted wehre food and beverage is prohibited.</p>	\$200	\$400	\$800
95.360	<p><b>Sewage dumping and sanitation:</b> No waste, water, sewage or effluent from sinks, portable toilets or other plumbing fixtures may be deposited directly upon or into any county park except in a specified dump station</p>	\$200	\$400	\$800

## Washoe County Code Chapter 95 Fine Schedule

95.370	<p><b>Manner of authorized activity:</b> No person may participate in any activity in a manner that endangers the health and safety of participants, park users and the general public or presents a reasonable risk of damage to park resources or property.</p>	\$200	\$400	\$800
95.380	<p><b>Camping:</b> No camping allowed in undesignated areas of a park. People 17 years old and younger must be accompanied by a guardian if they are camping. One adult may supervise a maximum of 15 juveniles.</p>	\$200	\$400	\$800
95.390	<p><b>Number of persons/vehicles occupying campsites:</b> Unless in a group site, the maximum is 7 people and 2 vehicles per site.</p>	\$200	\$400	\$800
95.400	<p><b>Camp Time Limits:</b> Unlawful to camp more than 7 days in a 30 day period, unless permitted by the director.</p>	\$200	\$400	\$800
95.410	<p><b>Occupancy of Campsites:</b> No other person may use or claim an occupied or reserved campsite. A site is considered occupied when it's being used or is reserved (fee paid).</p>	\$200	\$400	\$800
95.420	<p><b>Food Storage Lockers:</b> Before leaving a campsite or retiring for the night, food must be secured in the locker or vehicle - away from animal access</p>	\$200	\$400	\$800
95.430	<p><b>Plant Harming:</b> Disturbing plant life in any way is not allowed unless authorized by the director. Paid campers may collect downed deadwood for firewood.</p>	\$200	\$400	\$800
95.440	<p><b>Animal Harming:</b> Disturbing any animal within the park is not allowed unless authorized by the director. Except for fish with valid license.</p>	\$200	\$400	\$800
95.450	<p><b>Excavation or disturbing features of cultural or historic site:</b> it is illegal is knowingly destroy of deface historic and prehistoric areas</p>	\$200	\$400	\$800

# Washoe County Code Chapter 95 Fine Schedule

95.460	<p><b>Prohibited acts/separate offenses:</b> <b>1.</b> It is illegal to violate, or assist with a violation of any part of chapter 95. <b>2.</b> It is illegal to interfere with an officer issuing a citation including not providing ID to the officer. <b>3.</b> Each day that a continuing violation occurs or each act or omission in violation of this chapter constitutes a separate offense.</p>			
95.470	<p><b>Compliance with code, rules and regulations:</b> Any person that violates any provision of chapter 95 may be punished in accordance of Washoe County Chapter 125.</p>			
95.480	<p><b>Exclusion from county parks:</b> An enforcement official may exclude a person that violates any county park rule from one or more county parks for a specified period of time.</p>			
95.490	<p><b>Citation powers of enforcement officials:</b> enforcement officers may issue criminal and civil penalties for violations NRS and Washoe County Codes</p>			
95.500	<p><b>Penalties-Criminal:</b> Except as otherwise provided by law, any person violating any of the provisions of this chapter is guilty of a misdemeanor. Upon conviction thereof, punishment shall be by imprisonment in the county jail for not more than six months, or by a fine of not less than \$50.00 and not more than \$1,000.00, or by both fine and imprisonment. Failure to appear in the proper court to answer such misdemeanor citation is a separate offense.</p>			
95.510	<p><b>Penalties-Civil:</b> Civil Penalties need to be no less than \$100 and no more than \$1000.</p>			