

**CHAPTER 8.79
HAMMON GROVE PARK AREA**



Sections

- 8.79.010 Purpose**
- 8.79.020 Common Description**
- 8.79.030 Prohibition of Certain Uses without Permit**
- 8.79.040 Hazardous Games Prohibited**
- 8.79.050 Hours**
- 8.79.060 Camping and Organized Events**
- 8.79.070 Fees**
- 8.79.080 Stopping, Standing or Parking**
- 8.79.090 Use of Boat Ramp**
- 8.79.100 Swimming Prohibited**
- 8.79.110 Fireworks Prohibited**
- 8.79.120 Operations of Vehicles within Hammon Grove Park**
- 8.79.130 Animals in Hammon Grove Park**
- 8.79.140 Signs**
- 8.79.150 Alcoholic Beverages**
- 8.79.160 Glass Containers**
- 8.79.170 Vending and Peddling**
- 8.79.180 Fire Prevention**
- 8.79.190 Restrooms**
- 8.79.200 Trespassing**
- 8.79.210 Hunting Prohibited**
- 8.79.220 Other Prohibitions**
- 8.79.230 Violations and Penalties**
- 8.79.240 Enforcement**

8.79.010 Purpose. Hammon Grove Park shall be used and maintained for the benefit and entertainment of the public generally, subject, however, to the restrictions and limitations contained in this chapter and such other regulations (including requirements for permits and the fees therefore) as the board of supervisors may adopt hereafter by resolution. The regulations set forth in this chapter shall apply to and be in full force and effect at Hammon Grove Park which is under the jurisdiction and control of the county. The regulations shall govern the use of such park and the observance of these regulations shall be a condition under which the public may use the park and recreation area. (Ord. #1237)

8.79.020 Common Description. As used herein, the term "Hammon Grove Park" shall include that area within the County of Yuba, State of California, and more particularly described as follows:

That portion of the north ½ of Section 22, Township 16 North, Range 5 east, Mount Diablo Base and Meridian, beginning at a point on the southerly right of way line of California State Highway, Yuba-15-A, from which point the west quarter corner of said Section 22 bears S 74°10'50" W, 1622.47 feet; thence from said point of beginning along a curve to the right from a tangent that bears S 88°39'04" E with a radius of 4450 feet, through an angle of

3°20'34" a distance of 259.62 feet (the chord of which bears S 86°58'47" E, 259.61 feet); thence along the southerly right of way line of said State Highway S 85°18'30" E, 766.98 feet; thence S 23 °51'15" W, 74.98 feet; thence S. 52°02'45" W., 559.05 feet; thence S 69°12'30" W, 309.70 feet; thence N 23 ° 41' 30" W, 653.92 feet to the point of beginning, containing 7.87 acres more or less; and Lots 5 and 8 of Section 22, Township 16 North, Range 5 East, M.D.M. according to Dependent Resurveys by the United States Department of the Interior, Bureau of Land Management, accepted July 24, 1997. (#1237)

8.79.030 Prohibition of Certain uses Without Permit. The board of supervisors may by resolution adopt regulations and policies with respect to the use of Hammon Grove Park. It shall be unlawful for any person to use Hammon Grove Park or conduct any activity in Hammon Grove Park without a permit if such permit is required by any law or regulation. In addition to any penalty otherwise provided, any person so using Hammon Grove Park without the necessary permit may be immediately ejected from such park by the County Sheriff. (#1237)

8.79.040 Hazardous Games Prohibited. It is unlawful for any person to fly a model airplane (motor-driven), propel a rocket or missile of any type, hit a golf ball, participate in archery, handball, horseshoe games or any similar game of a hazardous nature in Hammon Grove Park except at such places designated for such use by the County. (#1237)

8.79.050 Hours. It is unlawful for any person to enter or remain in Hammon Grove Park at any time from the first day of May through the last day of September between the hours of nine p.m., local time and six a.m., immediately following, and from the first day of October through the last day of April between the hours of five p.m., local time, and seven a.m., immediately following; provided, however, that this prohibition shall not apply to such person who camps overnight in Hammon Grove Park if such person is camping there pursuant to approval of the Board of Supervisors or its designee granted under the provisions of Section 8.79.060 (#237)

8.79.060 Camping and Organized Events. It is unlawful for any person to camp overnight in Hammon Grove Park except within designated areas and with a permit for such use issued by the person designated by the Board of Supervisors to issue such permits, or in conjunction with a group which is participating in an organized event which has been approved in advance by the Board of Supervisors or its designee. Any such advance approval shall include such conditions as the Board of Supervisors or its designee deems necessary or appropriate including, without limitation, provision for:

1. A written application made at least five working days prior to the proposed event;
2. Liability insurance;
3. Cleanup deposits;
4. Security;
5. Portable toilets sufficient to accommodate the number of attendees; and
6. Other matters which apply generally to the use of county property.

Individual permits for overnight camping shall be issued on a daily basis and shall expire at seven a.m. the following day. It is the intent of Yuba County that Hammon Grove Park be

utilized for recreational purposes and not for extended periods of residency. The Board of Supervisors or its designee is authorized to refuse issuance of a permit when, in their opinion based upon the duration of occupancy and other factors, there is indication that the occupancy is for other than recreational purposes or may pose a threat to public health and safety. (#1237)

8.79.070 Fees. The Board of Supervisors shall set the fees for daytime use, overnight camping and organized events by resolution. All fees must be paid prior to using Hammon Grove Park or by other means approved by the Board of Supervisors. (#1237)

8.79.080 Stopping, Standing or Parking. No person shall stop, stand or park a vehicle within Hammon Grove Park, except in those places specifically designated for such purpose. (#1237)

8.79.090 Use of Boat Ramp. The boat ramp in Hammon Grove Park shall be used only for loading and unloading of non-motorized flotation devices into the Yuba River. No person shall stop, stand or park a vehicle on or about the boat ramp except for such purpose (#1237)

8.79.100 Swimming Prohibited. No person shall swim in the boat ramp or boat launching area or in any body of water within or adjacent to Hammon Grove Park. (#1237)

8.79.110 Fireworks Prohibited. No person shall use, discharge, possess or sell any firecrackers, torpedoes, rockets, or other firework of any type within Hammon Grove Park. (#1237)

8.79.120 Operation of Vehicles within Hammon Grove Park. It shall be unlawful for any person to operate or park any motor vehicle in or upon any park or recreation area, except in those places specifically provided or designated for such purpose. As used in this section, "motor vehicle" shall include any type of motor vehicle, including, without limitation, house trailers, motorcycles, motorized two (2), three (3), or four (4) wheel vehicles, buses, and automobiles. Operation of off road vehicles is prohibited. Bicyclists shall be permitted to wheel or push bicycles by hand on any grassy area, trail, or path reserved for pedestrian use. All non-motorized vehicles shall be operated at all times with reasonable regard for the safety of others.

8.79.130 Animals in Hammon Grove Park.

(a) It shall be unlawful for any person who owns or has the charge, care, control or custody of any animal to allow, cause, or permit such animal to be in Hammon Grove Park, unless such animal is on a leash and is under the complete control of the person owning or in responsible charge of such animal. Such leash shall not be more than eight (8') feet in length.

(b) It shall be the responsibility of any person who owns or has charge, care, control or custody of any animal, while in Hammon Grove Park, to clean up fecal matter from their animal before leaving the facility and to properly dispose of same.

8.79.140 Signs. The Director of Public Works is authorized and directed to place and maintain appropriate signs giving notice of any restriction imposed by this chapter including, without limitations, signs regulating parking and overnight camping activities. (#1237)

8.79.150 Alcoholic Beverages. Alcoholic beverages may be used, possessed and consumed in Hammon Grove Park. Alcoholic beverages may only be sold or distributed in Hammon Grove Park if, prior to such sale or distribution, a permit is obtained from the county and such other agency or agencies as otherwise required by law. The fee for such permit and the manner in which it is issued shall be set forth in a resolution adopted by the board of supervisors. (#1237)

8.79.160 Glass Containers. No glass containers of any type shall be permitted within Hammon Grove Park. (#1237)

8.79.170 Vending and Peddling. It shall be unlawful for any person to engage in the business of soliciting, selling, or peddling any liquids or edibles for human consumption, or to distribute circulars, or to hawk, peddle, or vend any goods, wares, or merchandise, in Hammon Grove Park, except when authorized to do so by the public agency having jurisdiction over the area where such activities are conducted.

8.79.180 Fire Prevention. It shall be unlawful to carry, use or throw away any lighted cigarette, cigar, ashes, or any other flaming or glowing substance except in designated barbeque areas, vehicles, or posted clear areas within Hammon Grove Park.

8.79.190 Restrooms. It shall be unlawful for any person to fail to cooperate in maintaining restrooms in a neat and sanitary condition. Male persons shall not resort to any restroom facility set apart for woman, and female persons shall not resort to any restroom facility set apart for men; provided, however, the provisions of this section shall not apply to children accompanied by an adult person.

8.79.200 Trespassing. No person shall enter any portion of Hammon Grove Park or buildings or portions thereof in Hammon Grove Park which are posted with signs which state "No Entry," "Keep Out," "No Trespassing," "Closed Area," or when gates are locked or other prohibition of entry is indicated.

8.79.210 Hunting Prohibited. Hunting for wild animals or wild birds is prohibited within Hammon Grove Park.

8.79.220 Other Prohibitions.

(a) No person shall distribute, circulate, give away, throw, or deposit any handbill, circular, dodger, pamphlet, paper, or advertisement or post or affix the same to any tree, fence, building, or other property.

(b) No person shall walk, stand, or sit upon any monument, vase, fountain, railing, fence, or other property not designated or customarily used for such purposes.

(c) No person shall dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or other such refuse or trash except in proper receptacles provided for such purpose. Such refuse or trash so placed shall be only that generated in connection with normal activities in, and use of, the park or recreation area. Where such receptacles are not provided, all refuse or trash shall be carried away from the park or recreation area by the person responsible for its presence and properly disposed of elsewhere.

(d) No person shall mark, graffiti, deface, disfigure, injure, tamper with, displace, dig, remove, destroy, or obliterate any County-owned real or personal property of any kind.

(e) No person shall remove from said area any dirt, rock, shrub, tree, or portion of any tree or shrub.

(f) No person shall cut, carve, break, deface, injure, transplant, or remove any dirt, grass, turf, plant, tree, shrub, flower, wood, or rock.

8.79.230 Violations and Penalties. Except as otherwise provided in this chapter, any person violating any provision of this chapter is guilty of a misdemeanor, and upon conviction thereof is punishable by imprisonment in the County jail for a term not exceeding six months or a fine not exceeding one-thousand dollars (\$1,000.00) or both. Each separate day during which any violation occurs is a separate offense.

8.79.240 Enforcement. The provision of this chapter may be enforced by any duly appointed peace officer. Any person authorized to enforce the provisions of this chapter may issue such citation or notice to appear as may be appropriate under the circumstances. (#1237)

Section 4. Section 8.80.020 of the Yuba County Ordinance Code is hereby amended to read as follows:

8.80.020 Parks. Except in designated areas, the restrictions of 8.80.010 shall apply to the following parks and park like areas and any future parks or recreation areas under the jurisdiction and control of the county.

A. Hammon Grove Recreation Area.

That portion of the north ½ of Section 22, Township 16 North, Range 5 East, Mount Diablo Base and Meridian, beginning at a point on the southerly right of way line of California State Highway. Yuba 15-A, from which point the west quarter corner of said Section 22 bears S 74° 10' 50" W, 1622.47 feet; thence from said point of beginning along a curve to the right from a tangent that bears S 88° 39' 04" E with a radius of 4450 feet, through an angle of 3° 20' 34" a distance of 259.62 feet (the chord of which bears S 86° 58' 47" E, 259.61 feet); thence along the southerly right of way line of said State Highway S 85° 18' 30" E, 766.98 feet; thence S 23° 51' 15" W, 74.98 feet; thence S 52° 02' 45" W, 559.05 feet; thence S 69° 12' 30" W, 309.70 feet; thence N 23° 41' 30" W, 653.92 feet to the point of beginning, containing 7.87 acres more or less. (#808 as amended by #855) and Lots 5 and 8 of

Section 22, Township 16 North, Range 5 East, M.D.M. according to Dependent Resurveys by the United States Department of the Interior, Bureau of Land Management, accepted July 24, 1997. (#1237)

b. West Linda Park. That County-owned park located between Cottonwood Avenue and Alicia Avenue.

c. East Linda Park. That County-owned park located between Grove Avenue and Fernwood Drive.

d. Star Bend.

PARCEL 1:

Portion of Lot 1 in Block 1 and a portion of Lot 16 in Block 36, as shown upon the map entitled, "Arboga Colony No. 2," on file in the office of the County Recorder of the County of Yuba, State of California, in Book 2 of Maps, page 15 and being more particularly described as follows:

Beginning at a point on the line between Lots 15 and 16 in said Block 36, which point is South 184.5 feet from an iron pin at the Northwest corner of the Southwest quarter of said Lot 16; thence South 49 degrees 30' East 1006.1 feet, thence South 24 degrees 19' 30" West 281.4 feet to the Northerly bank of the Feather River; thence upstream along said Northerly bank to the intersection of the Westerly line of said Lot 1 thence North along the Westerly line of said Lot 1 and Lot 16, a distance of 850 feet, more or less, to the point of beginning, containing 9 acres, more or less.

PARCEL 2:

An easement 50 feet in the width for public use and access over and across the following described parcel which is located in Lot 1 of Block 1 hereinbefore referred to:

Beginning at the Southeast corner of Lot 16, Block 36; thence West 766.97 feet along South line of Lot 16 to a square iron stake; thence South 45 degrees 10' 30" East 361.68 feet to the true point of beginning; thence South 56 degrees 57' 30" East 137.55 feet; thence South 33 degrees 02' 40" West 26.89 feet to an iron pipe; thence South 33 degrees 02' 40" West 200 feet, more or less, to the Northerly bank of Feather River; thence Northerly along the high water line of the Feather River, a distance of 185 feet, more or less; thence North 24 degrees 19' 30" East 111.43 feet; thence South 81 degrees 51' East to the point of beginning. (#808 as amended by #943)

Section 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.