

ITEM 9.D.

MOORPARK CITY COUNCIL AGENDA REPORT

TO: Honorable City Council

FROM: Deborah S. Traffenstedt, Administrative Services Director/City Clerk *DST*

BY: Teri Davis, Senior Management Analyst

DATE: August 18, 2009 (CC Meeting of 9/2/09)

SUBJECT: Consider Resolution Establishing Skate Facility User Age Restrictions, Skate Facility Hours of Operation, and Provisions for Closure per Requirements of Ordinance No. 382

BACKGROUND AND DISCUSSION

Ordinance No. 382 is scheduled for second reading and adoption on this same City Council Agenda. At the regular City Council meeting of July 15, 2009, staff was instructed to agendize a resolution consistent with Sections 12.16.170(B)(3) and 12.16.170(B)(5) of Ordinance No. 382 for adoption of skate facility user age restrictions, skate facility hours of operation, and provisions for closure. The attached draft resolution addresses the directives staff received from Council at the July 15, 2009 meeting.

Staff reviewed and evaluated restrictions used at other skate facilities, both in neighboring areas and Los Angeles County, and developed parameters with the best fit for the City of Moorpark. Also taken into consideration was the close proximity the skate facility has to a Moorpark Unified School District campus and whether the rules in the draft resolution would have a negative impact on that campus.

The skate facility user age restrictions are defined in the draft resolution and will require users under the age of twelve to have adult supervision and the supervising adult must be at least twenty-one years of age. Persons under the age of five will not be permitted to use the skate facility. The skate facility will be open from 10:00 a.m. until dusk while school is in session and minors will not be permitted to use the skate facility during school hours. The skate facility will open earlier, at 8:00 a.m., on all other days. The draft resolution provides for the posting of other hours of operation. Staff will be authorized by the draft resolution to close the skate facility if the determination that pertinent code and rule violations have occurred. Staff will also be authorized to close the skate facility for other reasons, such as during a city sponsored event or program, and during inclement weather or when other hazardous conditions exist. At least one sign will be posted at the Poindexter Park Skate Park stating the rules restricting use of the skate facility consistent with Ordinance No. 382, the attached resolution, and prior City Council direction on signage.

Honorable City Council
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FISCAL IMPACT

None.

STAFF RECOMMENDATION

Adopt Resolution No. 2009-_____.

Attachment: Draft Resolution

RESOLUTION NO. 2009-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING SKATE FACILITY USER AGE RESTRICTIONS, HOURS OF OPERATION, AND PROVISIONS FOR CLOSURE

WHEREAS, Section 12.16.170(B)(3) of Chapter 12.16 Parks, Recreation Facilities and Open Space of the Moorpark Municipal Code states age restrictions for users of a skate facility shall be adopted by city council resolution; and

WHEREAS, Section 12.16.170(B)(5) of Chapter 12.16 Parks, Recreation Facilities and Open Space states skate facility hours of operation and provisions for closure of city sponsored events or for potentially hazardous conditions shall be established by city council resolution; and

WHEREAS, the City Council has determined these restrictions and provisions are necessary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Skate Facility User Age Restrictions:

- A. Skate facility users shall be at least five (5) years of age; and
- B. Skate facility users under twelve (12) years of age shall have adult supervision; and
- C. Any adult supervising any user under twelve (12) years of age shall be twenty-one (21) years of age or older.

SECTION 2. Skate Facility Hours of Operation:

The Skate facility shall be open from ten (10:00) a.m. until dusk when school is in session, and from eight (8:00) a.m. until dusk all other days, unless otherwise posted.

SECTION 3. Skate Facility Provisions for Closure:

- A. The skate facility shall not be used during inclement weather and when potentially hazardous conditions exist; and
- B. The city reserves the right to close the skate facility in the event any city ordinance, regulation or rule is violated;

C. The city reserves the right to close the skate facility to public use for any reason at the city's discretion, including during city sponsored programs.

SECTION 4. The City Manager or his/her designee shall approve the signage for a skate facility, which signage shall summarize the rules established by Section 12.16.170 of the City Municipal Code and this resolution.

SECTION 5. This resolution shall become effective upon the effective date of Ordinance No. 382, approving changes to Chapter 12.16, Parks, Recreation Facilities and Open Space.

SECTION 6. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 2nd day of September 2009.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, Assistant City Clerk