

CHAPTER 3

AN ORDINANCE REGARDING SHORT TERM USE PERMITS FOR USE OF LAS GALLINAS VALLEY SANITARY DISTRICT PROPERTY

ARTICLE I. FINDINGS.

Section 101. The Las Gallinas Valley Sanitary District (“LGVSD”) is the owner of certain real property, some of which is opened to the public for approved recreational and educational uses.

Section 102. The LGVSD desires to allow residents to enjoy and utilize these areas, but also recognizes that access to the District’s property must be controlled in order to maintain the safety of those people using the District’s property and to ensure the protection of the property itself as these are environmentally sensitive areas. Therefore, the LGVSD resolves to establish procedures for the application and issuance of Use Permits for the use of District property by the public for scientific and/or educational collecting, photography, filming, commercial activities, events/activities in sensitive areas, and for events or activities having a group size of 20 or more persons.

ARTICLE II. SHORT TERM USE PERMIT OF DISTRICT PROPERTY.

Section 201. Purpose: Pursuant to the general powers granted to the LGVSD by Health & Safety Code § 6522, the District hereby determines and establishes that a “Short Term Use Permit” shall be required for the use of District property by the public for scientific and/or educational collecting, photography, filming, commercial activities, events/activities in sensitive areas, and for events or activities having a group size of 20 or more persons and to assure proper management and administration of the use of the District’s property.

Section 202. Definitions:

- (a). “Board” means the Board of Directors of the LGVSD.
- (b). “Person” means any natural person, firm, corporation, club, municipality, district or public agency, and all associations or combinations of persons whenever acting for themselves or any agent, servant or employee.

Section 203. Requirement for Short Term Use Permit. A Short Term Use Permit is required for all scientific and/or educational collecting, photography, filming, commercial activities, events/activities in sensitive areas, and for events or activities having a group size of 20 or more persons. Submitting an application does not guarantee approval of that application.

Section 204. Permits. Permits are not transferable and may be revoked for failure to comply with any provision of the permit or applicable portions of these regulations. When issued, permits must be carried as directed at all times when using District property.

Section 205. Fees. The District may charge an application fee for issuance of the Short Term Use Permit. Fees shall be determined by resolution of the Board from time-to-time. The LGVSD may require insurance from the applicant for issuance of the Short Term Use Permit.

Section 206. Rules and Regulations. From time-to-time, the board may promulgate policies pertaining to the administration of a Short Term Use Permit, and by resolution, adopt such policies as it sees fit to ensure the appropriate administration of the rules and regulations governing the issuance of a Short Term Use Permit

ARTICLE III. GENERAL REGULATIONS.

Section 301. Revocation of Short Term Use Permit. Any peace officer shall have the authority to revoke a person's Short Term Use Permit for violation of any District ordinance, rules or regulations.

Section 302. Exemptions. This ordinance or rules or regulations governing the issuance of a Short Term Use Permit shall not apply to employees and agents of the District engaged in and acting within the scope of their authorized duties and responsibilities. The District, at its sole discretion, may grant written exemption to all or any portion of this ordinance, rules or regulations implementing this ordinance.

Section 303. Severability. The provisions of this Chapter and Title are declared to be severable. If any chapter, section, sub-section, paragraph, subparagraph, or sentence of this code, is for any reason held to be invalid or unconstitutional, the Board declares that this ordinance, each chapter, section, subsection, paragraph, sentence, and clause, would have been adopted regardless of any findings of invalidity or unconstitutionality.