

CHAPTER III. GENERAL POLICIES

3.00 INTRODUCTION

General Policies are those that apply to the overall operation of the District and do not specifically fall into another category.

3.01 CODE OF CONDUCT

3.01.1 Introduction. The purpose of this policy is to establish a Code of Conduct to better manage the Parks and Recreation system. The Code of Conduct prohibits specified conduct to ensure that all users may have the opportunity to enjoy the amenities the parks system offers

3.01.2 Scope of the Policy. These rules apply only on property and facilities under the jurisdiction or management of the South Whidbey Parks and Recreation District. However, a person who violates these rules may have his or her permission to remain in the park withdrawn, and/or the person may be issued a Parks Notice of Exclusion. In addition, if the violation of a specific rule would constitute a violation of civil or criminal law, the authorities may be notified and the appropriate civil or criminal penalty may be imposed.

3.01.3 Not applicable to Employees. This policy does not apply to District Employees when they are actively in the course of performing the duties of their job. The policy manual "Chapter IV.-Personnel" deals with the administration of the District's employees in accordance with all local state and federal laws.

3.01.4 Violations of Rules. The following conduct is expressly prohibited by this administrative rule.

- a) Camping in any park, unless specifically approved by the Director;
- b) Conduct that unreasonably deprives others of their use or enjoyment of the park or park facility;
- c) Disrupting South Whidbey Parks and Recreation District business, events, or other sponsored activities;
- d) Disposing of unwanted items anywhere other than in a designated trash or recycling receptacle, dumping, or creating unsanitary conditions or health hazards on park property that violate public health rules of Island County (i.e. littering) and/or dumping garbage or refuse generated outside of District property in a receptacle or dumpster within District property;
- e) Failure to have Dogs and other pets on a leash and under control at all times and failure of pet owner to properly dispose of pet feces;
- f) Possession of glass containers at athletic fields, beaches or children's playgrounds;
- g) Posting of signs, posters, or notices in any park, unless otherwise permitted by the Director;
- h) Behavior that unreasonably interferes with the use of a restroom by park visitors or users of park facilities;
- i) Use of tobacco in any park, with the exception of vehicle parking areas, at least 25 feet away from other park users and at least 25 feet from any building entrance or park feature (i.e.-sports

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fields, playgrounds, picnic shelters). Tobacco use is defined as the smoking or lighting of cigarettes, cigars, or pipe tobacco, the use of electronic cigarettes, vaping, or the use of smokeless tobacco;

- j) Distribution of handbills, circulars, or signs in any park in any manner that interferes with normal passage of people or vehicles, unless otherwise permitted by the Director;
- k) Leaving packages, backpacks, luggage, or other personal items unattended;
- l) Urinating or defecating, except in designated restroom fixtures;
- m) The display, possession, or consumption of cannabis/marijuana on District property;
- n) The display, possession, or consumption of intoxicating liquors in any park, except in particular areas or facilities which may be expressly designated from time to time by the Board of Commissioners.
- o) Blocking entrances, exits, fire exits, handicap access areas, public walkways, or roadways, or obstructing pedestrian traffic or otherwise interfering with the provision of services or the use of park property unless permitted by the Director;
- p) Conduct that creates an unreasonable and substantial risk of harm to any person or property (i.e. dangerous activity);
- q) Presence in a park or area within a park when the park or area within the park is not open to the public without prior written approval of the District Director;
- r) Igniting or maintaining a fire or use of flammable liquids, except in designated barbecues, grills, and fire rings;
- s) Using park property without a permit for a use that requires a permit or requires District services (for example, use of amplified sound without a permit);
- t) Removing, destroying, or mutilating, or any way altering lawn, shrubs, plants, flowers, sand, soil, or a habitat area without proper authorization;
- u) Capturing, or disturbing any animal, wildlife, waterfowl, etc.;
- v) Driving a motor vehicle anywhere in a park except on public roadways and parking lots;
- w) Abusive or harassing behavior, including obscene language or gestures including such behavior directed at a Park District employee or official;
- x) Sale, possession, use, or discharge of any fireworks or pyrotechnics special effects, except where permissible by Island County Code and with prior written approval of the District Director;
- y) Possession of explosives, acid, or any other article or material capable of causing serious harm to others;
- z) Illegal gambling;
- aa) Possession, sale, or use of illegal drugs and/or being under the influence of illegal drugs on District property;
- bb) Defacing, destroying, or otherwise vandalizing park property, including buildings, fixtures, grounds, signs, or other structures;
- cc) Sexual misconduct, such as indecent exposure, offensive touching, sexual acts, or prostitution;
- dd) Assault or fighting;
- ee) Firearms violations under RCW Chapter 9.41

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3.01.5 Posted Rules. It is a violation of the Code of Conduct to fail to comply with a rule posted on SWPRD signage.

3.01.6 Park District Staff Direction. It is a violation of the Code of Conduct to fail to comply with a directive issued by an authorized Parks and Recreation District employee or agent.

3.01.7 Enforcement

3.01.7.1 Violations of these Rules. Conduct that violates these rules, may result in: 1) issuance of a Parks Exclusion Notice; 2) an authorized District employee's notification to a person that his or her permission to remain on the premises has been withdrawn for up to 24 hours; and/or 3) a misdemeanor charge as provided in RCW 36.69.180.

3.01.7.2 Violations resulting in damage to property. Conduct or Violations that result in damage to District property or District managed property may require the violator to reimburse the Park District for any cost of repairs associated with the violation, prior to any use restriction imposed by any other portion of the code of conduct being lifted, regardless of timeframe. This would include the cost of any materials needed to effect repairs and any staff time expended in the course of repairs.

3.01.7.3 Criminal Trespass. Entering or remaining in an area not open to the public, violating a Parks Notice of Exclusion, or remaining on the premises after being notified that permission to remain has been withdrawn, may subject the violator to arrest and prosecution for criminal trespass.

3.01.7.4 Parks Exclusion Notices. Parks Exclusion Notices shall be issued as provided in the applicable Code of Conduct Length of Exclusion Guidelines (Section 3.01.7.5). Multiple Notices of Exclusion for the same incident must be served consecutively – not concurrently.

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3.01.7.5 Length of Exclusion Guidelines

Length of Exclusion Guidelines		1st Offense		2nd Offense*		3rd Offense*	
Section	Violation	Under 16**	16 and Over	Under 16**	16 and Over	Under 16**	16 and Over
3.01.4 a	Camping	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 b	Disruptive Conduct-other visitors	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 c	Disruptive Conduct-park business	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 d	Littering/Dumping	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 e	Off-Leash Dog	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 f	Possession of glass containers	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 g	Posting of signs, etc.	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 h	Restroom misuse	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 i	Smoking and other tobacco use	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 j	Distribution of Materials, soliciting or survey	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 k	Unattended Items	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.4 l	Urinating or defecating	1 Day	7 Days	45 Days	90 Days	1 Year	
3.01.4 m	Display, possession, or consumption of marijuana	7 Days		45 Days	90 Days	1 Year	
3.01.4 n	Display, possession, or consumption of liquor	7 Days		45 Days	90 Days	1 Year	
3.01.4 o	Blocking access	1 Day	7 Days	45 Days	90 Days	1 Year	
3.01.4 p	Dangerous or threatening activity	1 Day	7 Days	45 Days	90 Days	1 Year	
3.01.4 q	In park when closed, in non-public area	1 Day	7 Days	45 Days	90 Days	1 Year	
3.01.4 r	Fire and use of flammable liquids	1 Day	7 Days	45 Days	90 Days	1 Year	
3.01.4 s	Using park without a permit	1 Day	7 Days	45 Days	90 Days	1 Year	
3.01.4 t	Destroying plant material/habitat	1 Day	7 Days	45 Days	90 Days		
3.01.4 u	Capturing, annoying, disturbing an animal	30 Days	60 Days	45 Days	90 Days	1 Year	
3.01.4 v	Driving off roadways	30 Days	60 Days	45 Days	90 Days	1 Year	
3.01.4 w	Harassment (discriminatory, obscene, profanity)	30 Days	60 Days	45 Days	90 Days	1 Year	
3.01.4 x	Illegal Fireworks, firecrackers, explosive device	30 Days	60 Days	45 Days	90 Days	1 Year	
3.01.4 y	Possession of explosives	30 Days	60 Days	45 Days	90 Days	1 Year	
3.01.4	Illegal gambling	30 Days	60 Days	45 Days	90 Days	1 Year	

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3.01.4 aa	Drug activity-Signs of Influence	45 Days	90 Days	90 Days		1 Year	
Length of Exclusion Guidelines		1st Offense		2nd Offense*		3rd Offense*	
Section	Violation	Under 16**	16 and Over	Under 16**	Under 16**	16 and Over	Under 16**
3.01.4 bb	Property Damage-under \$250	45 Days	90 Days	90 Days		1 Year	
3.01.4 aa	Drug Possession-Sale or Use	180 Days	1 Year	1 Year		1 Year	
3.01.4 bb	Property Damage- over \$250	180 Days	1 Year	1 Year		1 Year	
3.01.4 cc	Sexual Misconduct	180 Days	1 Year	1 Year		1 Year	
3.01.4 dd	Assault/Fighting	180 Days	1 Year	1 Year		1 Year	
3.01.4 ee	Weapons Violation or any Felony	1 Year		Additional Year		Additional Year	
3.01.5	Posted Rules	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.6	Staff Direction	Warning	24 Hours	1 Day	7 Days	7 Days	30 Days
3.01.7.3	Remain on property following Order of Exclusion	30 Days	60 Days	45 Days	90 Days	1 Year	

*Means second (or third) Violation of the same rule within a one year period

**Individuals under age 16 will receive a shorter Notice of Exclusion period or lesser penalty. The individual must show proof of age either at the time the Notice of Exclusion is issued or during an administrative review.

3.01.8 Appeals. Park exclusions for code of conduct violations may be overturned or reduced by a majority decision of the District board of commissioners. Appeals may be heard at a regularly scheduled board meeting. No special meeting will be scheduled for the purpose of hearing an appeal of a violation notice. Any misdemeanor or felony charges brought as a result of or in conjunction with a code of conduct violation are not open to appeal to the board of commissioners and must be processed through the Island County court system.

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