ORDINANCE NO. 2026-408

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR AMENDING TITLE V, CHAPTER 3, "SKATING PARK REGULATIONS," OF THE WINDSOR MUNICIPAL CODE

WHEREAS, the Town of Windsor's Pat Elsbree Skate Park (the "Skate Park") is governed by Title V, Chapter 3 of the Town of Windsor Municipal Code, originally adopted in 2002 and amended once in 2003 (the "Skate Park Ordinance"); and

WHEREAS, the Skate Park Ordinance has not been amended in over 22 years; and

WHEREAS, the interests and needs of the community have changed since the last amendment; and

WHEREAS, Windsor Municipal Code section 5-3-115 governs Posting of Rules Signs at the Skate Park; and

WHEREAS, Section 5-3-120 governs the Regulation of Use and Rules of Conduct of the skate park, such as opening and closing times, protective equipment, and acceptable behavior; and

WHEREAS, there has been community interest in making changes to these Rules of Conduct from time to time; and

WHEREAS, the current language is restrictive and is inconsistent with other park amenities in Windsor; and

WHEREAS, the Skate Park Ordinance does not allow the Town to amend the Regulations of Use and Rules of Conduct administratively as community needs change; and

WHEREAS, the Town desires to streamline the administration of all park amenities to ensure that the park system can stay current and aligned with current priorities; and

WHEREAS, signage at the Skate Park must be updated to remain consistent with the current Rules of Conduct when amended by the Town Manager and/or Parks and Recreation Director; and

WHEREAS, the Town Council finds that adoption of new Skate Park Regulation is in the best interest of the Town, will improve community responsiveness and operational efficiency; and

WHEREAS, the Town Council further finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) because the ordinance has no potential to result in a physical change to the environment.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES

ORDAIN AS FOLLOWS:

SECTION 1. Title V, Chapter 3 of the Windsor Municipal Code, "Skating Park Regulations," is hereby amended as follows (additions are shown in **underline** and deletions are shown in ~~strikethrough~~).

"CHAPTER 3
SKATING PARK REGULATIONS

5-3-100 Purpose
5-3-105 Definitions
5-3-110 Helmet, Elbow Pads, and Knee Pads Required
5-3-115 Posting of Signs at Skate Park
5-3-120 Regulations of Use and Rules of Conduct
5-3-125 Penalties

5-3-100 - Purpose

The purpose of this chapter is to protect public safety and to comply with Health and Safety Code section 115800 by requiring persons riding skateboards, in-line skates, and other permitted wheeled apparatus at public skate parks **within the Town of Windsor** to wear a helmet, elbow pads, and knee pads**, and to adopt rules and regulations for such skate parks**.

5-3-105 - Definitions

The following definitions apply to the provisions of this chapter:

a. *Controlled Substance* means any substance listed in California Health and Safety Code sections 11054, 11055, or 11056.

b. *Elbow pads and/or knee pads* means protective devices that are partially constructed of durable foam-like materials for ground shock resistance that are fitted and fastened to cover the elbows and knees (respectively) and are specifically designed and manufactured to absorb the impact of a fall.

c. *Helmet* means a properly fitted and fastened protective device that meets the standards of either the American Society for Testing and Materials ("ASTM") or the United States Consumer Product Safety Commission ("CPSC") that is worn on the head and is specifically designed and manufactured to absorb the impact of a fall.

d. *Skateboard* means a mechanism with wheels that are fastened to a platform, commonly constructed to accommodate a standing person. Skateboards are normally propelled by the operator pushing off the ground with one (1) foot, or by the force of gravity.

e. *Skates* means any device which may be attached to the foot or footwear, to which wheels are attached, including wheels that are "in-line" and where such wheels are

used to aid the wearer in moving or propulsion, including in-line skates, roller blades, and roller skates.

5-3-110 - Helmets, Elbow Pads, and Knee Pads Required

No person shall be permitted to ride skateboards, skates, or other similar devices in a public skate park unless that person is wearing a helmet, elbow pads, and kneepads. Any person who does not wear a helmet, elbow pads, and knee pads as defined herein shall be deemed to be in violation of this Ordinance.

5-3-115 - Posting of Signs at Skate Park

Signs shall be posted at the skate park giving notice that any person riding a skateboard, in-line skates, or similar devices must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation and prohibition of use of the facilities for one year. Signs shall also be posted setting rules for use of the skate park as set **by Section 5-3-120 of the Windsor Municipal Code** from time to time by resolution, and violation thereof will be subject to citation.

5-3-120 - Regulation of Use and Rules of Conduct

The Regulations of Use and Rules of Conduct applicable to skate parks within the Town ("Rules and Regulations") shall be established by the Town Manager and reviewed at least every five (5) years to incorporate new considerations and ensure consistency with other park amenities. Updates to these Rules and Regulations are subject to approval by the Town Manager or their designee. The Parks and Recreation Department will maintain a master version of these Rules and Regulations and make them available to the public.

~~Any person using the skate park shall comply with the following rules and regulations:~~

~~a. The hours of use of the skate park shall be from 8:30 a.m. to 7 p.m. during the months of daylight savings time, and 8:30 a.m. to 5 p.m. during the months of standard time. Use of the park at any other time is prohibited.~~

~~b. While skating or skateboarding, the participant may only use those areas designated for skateboarding or related skating activities.~~

~~c. While using the facility, the participant must use personal safety equipment comprised of at least head, knee and elbow protection.~~

~~d. No food or drink is allowed in the designated skate area.~~

~~e. No moveable obstacles or materials (i.e. ramps/jumps) are allowed in the park.~~

~~f. The use of bicycles and scooters are prohibited within the skate area.~~

~~g. Any act of vandalism, including the placement of graffiti, anywhere in or on the park is prohibited. The skate park will be closed until any graffiti is removed and/or any other act of vandalism is remedied or repaired. In addition to other penalties provided person committing an act of vandalism in the skate park, including putting graffiti on any part of the skate park, shall pay for the cost of removal and damages relating thereto.~~

~~h. Personal conduct and behavior: The following are prohibited in the park area at all times:~~

~~1. Possession or use of any Controlled Substance or alcohol;~~
~~2. Being under the influence of any Controlled Substance or alcohol;~~
~~3. Fighting, aggressive behavior or other forms of violence;~~
~~4. Possession or use of firearms, knives, or other weapons of any kind;~~
~~5. Smoking or use of tobacco products.~~

~~i. Everyone shall treat each other with respect and courtesy.~~

5-3-125 - Penalties

The violation of this chapter shall be deemed an infraction for a first offense, punishable by a fine not exceeding Fifty Dollars ($50.00); second and subsequent offenses within one (1) year may be prosecuted as an infraction or misdemeanor. A second violation within a year may be punishable by a fine not exceeding One Hundred Dollars ($100.00); and a third or further violation within a year may be punishable by a fine not exceeding Two Hundred and Fifty Dollars ($250.00). Additionally, any person determined to have violated any provision of this Ordinance may lose his/her privilege to use the skate park facility for up to one (1) year.

SECTION 2. Environmental Findings. The Town Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared to be invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Effective Date. This Ordinance shall take effect thirty (30) days from the date of its adoption.

SECTION 5. Posting. The Town Clerk shall certify to the adoption of this Ordinance and cause it to be published, or to be posted in at least three (3) designated public places in the Town of Windsor, in accordance with Section 36933 of the Government Code of the State of

California.

PASSED, APPROVED AND ADOPTED this 15th day of July 2026, by vote as follows:

AYES:	**COUNCILMEMBERS LEEP, SALMON, VICE MAYOR POTTER AND MAYOR REYNOZA**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**COUNCILMEMBER WALL**

ROSA REYNOZA, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK