

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: December 13, 2010

Reviewed by: BP

SUBJECT: Hours of operation for those parks not listed in the Municipal Code

REPORTED BY: Penelope Leach, Recreation and Community Services Director

STAFF AND PARKS AND RECREATION COMMISSION RECOMMENDATION

That the Council add hours of operation to the Albany Municipal Code for Jewel's Terrace Park, Ocean View Park, and the Dartmouth Tot Lot

BACKGROUND

At the October 2010 Parks and Recreation Commission meeting, Jewel's Terrace Park residents asked that signs be installed stating the hours of operation for the park as residents have had continual problems with people making noise in the park late into the night. Staff stated at the October meeting that the Municipal Code listed hours for Memorial Park, the water front, and Albany Hill, but did not list hours for any of Albany's other parks. Staff also mentioned that in order to enforce park hours, the hours of operation needed included in the Municipal Code. The Parks and Recreation Commission decided to discuss park hours for all parks not listed in the City's Municipal Code. Hours of operation in Albany City parks was agendaized and discussed at the November 4, 2010, Commission meeting.

DISCUSSION

The Commission voted unanimously to propose that the hours of operation at Ocean View Park coincide with the hours at Memorial Park given that both parks are considered community parks. The Commission also voted unanimously to propose hours of operation at Jewel's Terrace Park and the Dartmouth Tot Lot coincide as both parks are considered neighborhood parks. Residents surrounding Jewel's Terrace Park sent emails and attended the Commission meeting making various proposals for park hours. The Commission also discussed that keeping park hours as similar as possible will assist the Albany Police Department with enforcement.

The Code currently reads:

8-4.3 Hours of Operation.

- a. No person shall use, remain in or enter upon any waterfront and Albany Hill area between 10:00 p.m. and 5:30 a.m., other than duly authorized City employees, persons participating in City sponsored activities or other activities which the City has provided prior written permission to utilize the waterfront area beyond the closing time. The hours of operation of specific facilities within any waterfront area may also be specified by the Director of the Recreation and Community Services Department.
- b. No person shall use, remain in or enter into Memorial Park between 11:00 p.m. and 5:00 a.m., other than duly authorized City employees, persons participating in City sponsored activities or other activities which the City has provided prior written permission to utilize Memorial Park beyond the closing time. The Director of the Recreation and Community Services Department is authorized to modify the hours of operation for specific facilities within Memorial Park.

The Parks and Recreation Commission proposes the following changes (changes are in bold):

- b. No person shall use, remain in or enter into Memorial Park **and Ocean View Park** between 11:00 p.m. and 5:00 a.m., other than duly authorized City employees, persons participating in City sponsored activities or other activities which the City has provided prior written permission to utilize Memorial Park beyond the closing time. The Director of the Recreation and Community Services Department is authorized to modify the hours of operation for specific facilities within Memorial Park.
- c. **No person shall use, remain in or enter into Terrace Park or Dartmouth Park between 9:00 p.m. and 7:00 a.m. April 1 through October 31, and 8:00pm to 7:00am November 1 through March 31,** other than duly authorized City employees, persons participating in City sponsored activities or other activities which the City has provided prior written permission to utilize Memorial Park beyond the closing time. The Director of the Recreation and Community Services Department is authorized to modify the hours of operation for specific facilities within Memorial Park.

SUSTAINABILITY IMPACT

The additions to the Municipal Code will be a benefit to the surrounding neighborhoods.

FISCAL IMPACT

No fiscal impact for the additional language to the Municipal Code.