

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**ACTIVITY REPORT FOR JAMES WOODY PARK ENFORCEMENT**

**SUMMARY STATEMENT**

At the Town Council meeting on July 13, 2010, a resident spoke during public comments regarding the alleged amount of time Town management allows Code Enforcement Officers to spend at the skate park on a daily basis “harassing the kids” for riding bikes in the skate park.

For the last year and a half, Code Enforcement has put a concentrated effort into enforcing the Town’s Municipal Codes within James Woody Park. This was done due to the number of complaints from the public about families not feeling safe in the park. Two Code Enforcement Officers were assigned to James Woody Park to conduct daily patrols. Their function was not to specifically monitor the skate park but to patrol the whole park and to enforce the entire Municipal Code. The most common violations in the park were drinking; smoking, graffiti, and skate park violations. It is common knowledge among the users of the skate park that the Code Officers spend approximately two hours a day at the park. The specific patrol times vary, but the length of time is fairly routine.

In the last six months James Woody Park patrols have changed from daily patrols being conducted, to patrols being done two – three times a week typically an hour or two at a time.

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**Recommended Action:**

Move to Receive and File the report.

**Proposed by:** Code Enforcement **Item Number** \_\_\_\_\_

**T. M. Approval:** \_\_\_\_\_ **Budgeted Item**  Yes  No  N/A

The complainant testified that she was upset at Code Enforcement for enforcing the rules in the skate park and went on to state she encouraged her son to violate the rules because she doesn't agree with them. Additionally, there has been public testimony from another person who stated he waits until after five o'clock pm to ride his bike in the skate park because Code Enforcement is gone.

It is important to point out so the public understands that the Town's Municipal Codes are written with a purpose. With regard to the "skate park", the Town's Municipal Code is written to conform to State law regarding protective equipment being required and also to conform to the requirements of the Town's insurance carrier to not allow bikes in the skate park. The Insurance provider's "Skate Park Operations" guide states "Public safety personnel should aggressively enforce the ordinance adopted in accord with section III (4) by regularly driving by, observing, and citing any person in violation of the ordinance."

When Code Enforcement arrives at James Woody Park, the kids and young adults inside the skate park generally scatter to avoid contact with Code Enforcement. Bikes are often thrown over the fence as the kids attempt to leave the area while avoiding contact with the Code Enforcement staff. Oftentimes these kids and young adults are not wearing the required and proper safety equipment. When Code Enforcement completes the park patrol, the skate park users return to the area and use the skate park in violation of the rules.

Code Enforcement cannot perform its intended function and the Municipal Code will be rendered meaningless unless the Town's code is enforced as adopted by the Town Council. Unless direction is provided to the contrary, staff will continue to patrol all of James Woody Park for Municipal Code violations in order to assure the general public that crime in the park is being routinely addressed by all of the Town's various resources.

It should also be pointed out that many residents have approached staff in the park and thanked them for being in the park helping to keep it a family friendly environment.