

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF BURLINGAME
AMENDING SECTION 10.55.030 OF THE MUNICIPAL CODE REGARDING THE
PROMULGATION OF RULES AND REGULATIONS FOR CITY PARKS**

WHEREAS, Sections 10.55.010-10.55.028 of the Burlingame Municipal Code contain numerous rules and regulations affecting conduct in City Parks; and

WHEREAS, Section 10.55.030 provides that additional rules and regulations may be proposed by the Parks and Recreation Commission for approval by Council; and

WHEREAS, usage patterns and new issues can arise quickly in the City Parks; and

WHEREAS, the existing procedure for promulgating new rules requires significant time and process, which can be inconsistent with the changing needs of the parks; and

WHEREAS, the procedure can be streamlined without losing important oversight by elected and appointed officials; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGAME DOES ORDAIN AS FOLLOWS:

DIVISION 1:

Section 1: Burlingame Municipal Code Section 10.55.030 is amended as follows:

Existing Section 10.55.030 is deleted and replaced with the following:

“10.55.030 Additional Rules and Regulations.

In addition to the general rules and regulations contained in this chapter, the director of parks and recreation may propose and submit to the parks and recreation commission for approval, rules and regulations governing the administration, operation, use and maintenance of each park and recreational area, provided that such rules and regulations are consistent with the provisions of this chapter. The approval of such rules and regulations shall be acted on at a duly noticed public meeting of the commission, and council shall be provided notice by the director of parks and recreation of the upcoming commission agenda item. If the commission declines to approve or modifies proposed rules or regulations, the director of parks and recreation may seek review by the council by notifying the city clerk in writing within ten calendar days of the commission's action. Additionally, any member of the city council who wishes to do so

may call up the commission's action for review by notifying the city clerk in writing within ten calendar days of the commission's action. If no such review has been initiated, the rules and regulations as approved by the commission shall go into effect on the eleventh day following the commission's action."

DIVISION 2:

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

DIVISION 3:

This Ordinance shall be published in a newspaper of general circulation in accordance with California Government Code Section 36933, published, and circulated in the City of Burlingame, and shall be in full force and effect thirty (30) days after its final passage.

Donna Colson, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, certify that the foregoing ordinance was introduced at a public hearing at a regular meeting of the City Council held on the 18th day of March, 2019, and adopted thereafter at a regular meeting of the City Council held on the _____ day of _____ 2019, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Meaghan Hassel-Shearer, City Clerk