



CITY OF ESCONDIDO RECREATION FACILITIES CODE OF CONDUCT

The rules and policies stated in this Recreation Facilities Code of Conduct are intended to promote a safe, courteous, and respectful atmosphere at all City of Escondido (“City”) recreation buildings and facilities. Please be advised that all City recreation facilities are subject to the provisions set forth in Chapter 18 of the Escondido Municipal Code and any violation of Chapter 18 may result in immediate expulsion from City recreation facilities or citation.

For more information regarding the City’s recreation facilities, including hours of operation and locations, please visit: <https://recreation.escondido.org/facilities>.

STANDARDS OF CONDUCT

All individuals, including facility users, program participants, staff, volunteers, spectators, and visitors, must adhere to the following standards of conduct **at all times** while at City recreation facilities:

1. Comply with all applicable City policies, federal law, state law, and local law, including but not limited to, Chapter 18, Article 4, of the Escondido Municipal Code (“EMC”).
2. Refrain from any conduct resulting in disturbance or disruption of facility functions, staff, or other individuals at the facility (including excessive or boisterous noise, use of electronic devices emitting audible sound, abusive or threatening conduct, harassment, staring or following others with intent to annoy, horseplay, inappropriate physical contact, or any other disruptive action).
3. Treat others with respect by using courteous language and refraining from any disparaging remarks, verbal abuse, and aggressive behavior.
4. Respond to security alarms, emergency alarms, and other emergency situations as instructed by City staff.
5. Leave City buildings and facilities at the designated closing time or as otherwise directed by City staff.
6. Limit use of City buildings and facilities to authorized areas only.
7. Present identification at the request of City staff.
8. Treat City property with respect and make a reasonable effort to clean up all areas of use.
9. Refrain from eating or drinking inside the facility, except in designated areas.
10. Children under the age of ten must be accompanied by a parent or guardian at all times while at the facility.
11. Patrons must wear appropriate attire at all times while at the facility. Failure to wear a shirt, clothing,

or shoes as designed to be worn may result in immediate expulsion from the facility.¹

12. Refrain from personnel hygiene offensive to others so as to constitute a nuisance, including offensive body odor, excessive use of perfumes or fragrances, or uncleanliness that could damage facility resources.
13. Refrain from using City restrooms, fountains, or other water sources for bathing, shaving, washing hair, or laundering clothes.
14. Use of carts, bicycles, roller skates, scooters, skateboards, or other similar wheeled devices is prohibited inside a facility.²
15. Photography, video, or audio recording within the facility shall only be permitted with the City's prior written consent.
16. Personal possessions may not be stored anywhere on facility property, including in or behind bushes, trees, shrubs, or walls. Unattended personal property that poses a danger to facility patrons (including but not limited to blocking aisles, walkways, paths of travel, halls, elevators, stairs, seats, entrances, or exits) may be removed from the facility and disposed of at the discretion of facility staff. Personal possessions may be brought into City facilities subject to the following limitations:
 - a. Personal items may be no larger than 10" x 16" x 24" (standard student back pack size);
 - b. A maximum of two items per person are allowed, subject to the combined size limit provided above; and
 - c. Items inappropriate for facility use, including bicycles, tools, and wagons, are not permitted inside City facilities.
17. The following actions are strictly prohibited while on City property:
 - a. Smoking, use of related tobacco products, or e-cigarettes, except in designated areas;
 - b. Unauthorized possession of firearms, weapons, knives, fireworks, or any dangerous items of any kind;
 - c. Unauthorized use of incendiary devices, candles, matches, lighters, or similar items;
 - d. Pornography, obscene, or offensive material in any areas open to the public;
 - e. Unauthorized alcohol consumption or possession; and
 - f. Illicit Drug consumption or possession.

DISCIPLINARY PROCESS

A person who violates the rules and standards contained in this Code of Conduct or other posted regulations ("Violator") may receive a verbal or written warning from City staff. The Director of Community Services shall maintain records of any violations and disciplinary actions. If a Violator fails to correct a violation, then the Violator shall be ejected from the facility. If a Violator fails to leave upon request, City staff will contact the Escondido Police Department for appropriate assistance.

Any person who intentionally interferes with facility operations, including ejection of a Violator, or refuses to leave the facility premises after directed to do so by a City staff or a law enforcement is guilty of a misdemeanor. (California Penal Code § 602.1.) An ejection will include, at minimum, a three-business day suspension of facility access.³ Any person who fails to leave or who re-enters the recreational facility in violation of EMC Section 18-70 may be subject to a one thousand dollars fine and/or six months in jail.

¹ Requirements regarding appropriate attire may vary depending on the City facility. For example, a bathing suit, swim trunks, or "board shorts" must be worn while using the City's James Stone Pool.

² Use of wheeled devices are permitted at the Escondido Sports Center.

³ The day of an ejection does not count toward the suspension period.

If a Violator has a subsequent violation of the Code of Conduct within 90 days of a warning or any suspension of access, the Violator may be immediately ejected from the facility as a repeat offender. A warning is not a prerequisite for serious violations of the Code of Conduct. Subsequent or serious violations (e.g. violent acts, threats of violence, menacing or intimidating behavior) may result in longer term suspension from the facility.

The Director of Community Services or the Director's designee may impose increasingly longer-term suspensions when necessary to ensure the quiet peaceful enjoyment of the facility by all members of the community. Longer term suspensions are necessary to address repeated, pervasive, or serious violations of the Code of Conduct.

APPEAL PROCESS OF AGGRIEVED PARTY

Any person aggrieved by decisions of City staff may appeal an ejection or suspension of facility access. A person challenging an ejection may ask to immediately speak with a facility supervisor.

For any suspension, the Violator may file a written appeal with the Director of Community Services. An appeal shall include the name, address, and phone number of the Violator and a concise statement addressing the facts and circumstances that resulted in the protested disciplinary action. Upon receipt of an appeal, the Director of Community Services may stay the suspension until the appeal is resolved. For suspensions of seven days or longer, the Violator must file an appeal within five days of the suspension start date.

An aggrieved party may demand a hearing with the Director of Community Services for suspensions of 30 days or more. The hearing shall be informal and the rules of evidence shall not apply. The Director of Community Services shall provide all documents related to the exclusion at least five days prior to the hearing and shall promptly schedule the hearing within 15 days of the appeal. The hearing shall afford a reasonable opportunity for patron to be present and to present evidence in support of their position. Except for exclusions of 90 days or more, the decision of the Director of Community Services will be final.

For a 90-day or longer suspension, the aggrieved party may appeal a Director of Community Services decision to the City Manager.⁴ In such case, the decision of the City Manager will be final.

⁴ The City Manager may designate an individual to hear the appeal.