

SALT LAKE COUNTY
PARKS & RECREATION DIVISION
POLICY
ON
PATRON STANDARDS OF CONDUCT

I. PURPOSE

The purpose of this policy is to establish standards of conduct for patrons of the Salt Lake County Parks & Recreation Division. This policy also establishes Division policies for issuing suspensions and revocations, for documenting such actions; and for appealing a suspension or revocation of patron rights. Patrons' right to free speech shall be respected. This policy shall not be interpreted to prohibit speech that does not disturb the peace or threaten violence. Also, this policy shall be enforced in compliance with the Americans with Disabilities Act.

II. DEFINITIONS:

1. "Activity" shall mean any event, program, game, function, or other gathering wholly or partly sponsored or organized by the Division.
2. "Division" shall mean Salt Lake County Parks & Recreation Division.
3. "Facility" shall mean any building, site, park, center, or other location, inclusive of the parking lot, owned or operated by Salt Lake County on behalf of its Parks & Recreation Division.
4. "Patron" shall mean any individual who is present in a facility or at an activity. "Patron" shall not include on-duty employees of Salt Lake County or children who are enrolled in and attending a child care program.
5. "Registered Program Participant" shall mean a patron who is present in a facility or at an activity and is competing in a sport for which that patron is registered.
6. "Revocation" shall mean a suspension for a period lasting longer than a month, as a result of a violation of this policy or a local ordinance.
7. "Suspension" shall mean a Patron's loss of rights to participate in activities or use facilities, as a result of a violation of this policy or a local ordinance.

III. AUTHORITY

This policy is promulgated by the Director of the Parks and Recreation Division by and with the help of the County Parks and Recreation Advisory Board as authorized under Section 13.04.030 of the Salt Lake County Code of Ordinances and with the approval of the Department of Community services as required under Countywide Policy #1000.

IV. POLICY

Patrons shall comply with the following rules of personal conduct and behavior:

1. Respect for others. Patrons are entitled to peacefully enjoy themselves while present at a facility. To that end, the following is prohibited:
 - A. Intentional or reckless conduct that causes or creates a reasonable threat of immediate bodily harm or personal injury.
 - B. Threats or fighting words that cause or create a reasonable fear of immediate bodily harm or personal injury.
 - C. Unsportsmanlike conduct, on or off the playing field, which includes, but is not limited to: willful violation of rules of play, spitting, excessive celebration, and inappropriate touching.
 - D. Non-compliance with posters limiting access to amenities reserved for a particular purpose.
 - E. Violations of any state or local criminal law or violations of any facility-specific or activity-specific rule.
2. Respect for property. Patrons shall respect public property as well as the private property of others. Patrons shall not intentionally or recklessly damage any property, including facilities.
3. Health Regulations. Patrons shall maintain reasonable standards of personal hygiene and comply with health regulations, including showering before entering a spa or pool.
4. Alcohol & Illegal Substances. Patrons shall not use illegal drugs or substances at any activity or facility. Consumption of alcohol is allowed only at designated sites and times.

V. DELEGATION OF RULEMAKING AUTHORITY

The Division Director hereby delegates to the Division's Facility Managers the authority to make facility-specific rules and activity-specific rules consistent with the policies set forth

herein. The Division Director also hereby delegates to the Division's Program Managers the authority to make activity-specific rules consistent with the policies set forth herein.

- A. Facility-specific rules shall be applicable only at the facility managed by the rule's creator. Activity-specific rules shall be applicable only at the activity managed by the rule's creator.
- B. Facility-specific rules and activity-specific rules shall be maintained on site for the public to view and each facility shall post the following statement in a prominent location in the facility or at an activity: This is a Salt Lake County Parks and Recreation Division Activity/Facility (as applicable) and patrons are subject to the Division's Policy on Patron Conduct and facility/activity-specific rules (as applicable). You may request a copy of the Policy on Patron Conduct and facility-specific/ activity-specific rules by inquiring with the site supervisor.
- C. This policy and all facility-specific rules and activity-specific rules shall be maintained in hard-copy, in a location where they are secure and easily retrievable by the Manager or site supervisor and to provide to the public upon request.

VI. RULE VIOLATIONS

- 1. An employee designated as the supervisor at an activity or facility is authorized to issue suspensions lasting up to one week to any patron who violates the Division's Patron Conduct Policy, any facility-specific rule or any activity-specific rule; according to the procedures set forth in this policy.
- 2. To issue a suspension lasting less than one week, the employee shall, at the time of a suspension, give the patron:
 - A. verbal notice of the policy and/or rule which he or she allegedly violated;
 - B. verbal notice of the behavior which is alleged to have violated the rule or policy;
 - C. verbal notice of the duration of the suspension (including that the suspension may be followed up with written notice of a longer suspension or revocation);
 - D. verbal notice to leave the facility or activity immediately and not return during the duration of the suspension; and
 - E. verbal notice that the suspension may be extended at the discretion of the Division's administration.

The employee issuing the suspension shall document the verbal suspension in an incident report by indicating the time and date of the suspension, the patron's name and address, and rule or policy violated, behavior which violated the rule or policy, and length of suspension in writing

and by forwarding the documentation to the facility's or activity's section manager or associate division director and retaining a copy of the document for facility's records.

3. For purposes of calculating the length of a suspension issued to a Registered Program Participant suspending the Patron's right to participate in and spectate at the activity or facility for which he or she is registered, one game shall be considered one day. For example, a two-game suspension shall be considered a two-day suspension if the games are held on separate calendar days, without regard to how many calendar days fall between the games. The employee issuing the Registered Program Participant's suspension shall also document in an incident report the verbal suspension by indicating the time and date of the suspension, the patron's name and address, and rule or policy violated, behavior which violated the rule or policy, and length of suspension in writing and forward the documentation to the facility manager. It is not required to notify the section manager or associate division director.

4. To issue a suspension or revocation lasting longer than one week; or to notify a patron who was given only verbal notice that his or her suspension or revocation shall be imposed for a longer period, a division employee authorized to issue a suspension or revocation shall notify the facility's and activity's section manager and associate Division director of the alleged violation. Upon receiving notice of an alleged violation warranting a suspension or revocation lasting longer than one week, the section manager or associate Division director shall determine the length of the suspension, notify the Division Director and the Department director of the violation and the determined length of suspension and give the patron:

- A. written notice of the policy and/or rule which he or she allegedly violated;
- B. written notice of the behavior which is alleged to have violated the rule or policy;
- C. written notice of duration of the suspension or revocation;
- D. written notice of the patron's right to appeal; and
- E. written notice of the length of time he or she is expected not to return to the facility or activity.

5. Revocations must be approved by the Division Director or designee and the Department Director or designee.

6. The duration of a suspension or revocation shall be determined as follows:

- A. Suspensions ranging from 24 hours to one week may be imposed for minor violations of any rule listed above.
- B. Suspensions of one week to one month may be imposed for repeat offenders who have had their rights suspended within the previous year, or for first time offenders whose violations are more serious (i.e violations of Sections IV. 1. A. - E.).

C. Revocation is reserved for serious violations of the rules that result in significant personal injury, significant property damage, or result in intervention by law enforcement. Revocation may also be imposed for repeat offenders who have been subject to a suspension of more than one month, cumulative, in the last year.

7. Patrons whose privileges are suspended or revoked are required to leave the facility or activity immediately. Failure to do so, or returning before a suspension or revocation has expired, may result a criminal trespass charge.

8. Program or participation fees, entrance and gate fees, pass fees (not including long term passes) and other expenses incurred by suspended or revoked patrons are non-refundable.

9. In case of a revocation, fees paid for season or annual passes will be refunded on a pro-rata basis.

10. Violations of this policy that constitute a violation of state or local laws will be referred to the appropriate law enforcement agency for investigation.

VII. APPEALS

1. Patrons who have had their privileges suspended or revoked may appeal the decision.

2. The initial appeal for a suspension or revocation will be heard by an associate Division director who does not supervise the facility or activity where the suspension or revocation was issued. A written request for an informal appeal hearing must be submitted in writing within five (5) business days of the date on which the suspension or revocation was imposed. The hearing must be held within two (2) weeks after receipt of the appeal request. Notification of the decision will be made in writing to the appellant within five (5) business days following the hearing.

3. After the initial appeal is concluded, either party may appeal to the Division Director. The written request for an appeal hearing with the Director must be made within five (5) business days of the date the initial appeal decision was issued. The hearing must be held within two (2) weeks of the request, and the decision must be issued within five (5) business days of the hearing.

4. At each step in the appeals process, the standard of review is whether or not there is sufficient evidence to support the suspension or revocation, and whether or not the severity of the suspension or revocation constitutes an abuse of discretion. The decision of the appeal hearing officer may sustain, reduce, or overturn the suspension or revocation.

5. Should a Patron's appeal reduce or overturn a suspension or revocation, the Division shall compensate the Patron on a pro-rata basis for the value of any forfeited pass.

APPROVED AND PASSED THIS 6 DAY OF May, 2014

SALT LAKE COUNTY COMMUNITY SERVICES DEPARTMENT

By: Elin Østvick 5/6/14

Director

PARKS & RECREATION DIVISION

By: Martin Jensen 5/6/14

Director

APPROVED AS TO FORM

Salt Lake County District Attorney's Office
By: Megan Z. Smith
Deputy District Attorney
Date: 4/28/14