



## MARIN COUNTY OPEN SPACE DISTRICT

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# Open Space Rules and Regulations

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Rules and regulations of Marin County Open Space District are designed to ensure visitor safety and protect natural resources. Recreation is permitted on open space lands only when consistent with resource management objectives. Activities which threaten or endanger visitors, the land or the environment are not permitted. For information about the Open Space District Code [click here](#).

## DOGS ON OPEN SPACE

Unless signed otherwise by the District, dogs are permitted on open space lands when restrained by a 6' (maximum) long leash. Dogs are allowed off-leash on fire protection roads only when under the direct and immediate control of a responsible person. Sensitive wildlife areas may have additional restrictions. Three dogs per person are permitted at a time on open space. Commercial dog walkers require a special permit from the District. Dog owners or persons accompanying dogs on District lands are required to clean up and remove dog wastes. Control and clean up after your pet(s). **All persons bringing dog(s) on District property must possess a leash no longer than 6 feet -- one for each animal.**

## BICYCLES ON OPEN SPACE

The District maintains approximately 70 miles of fire protection roads and service roads exceeding eight feet in width which are open to bicycle use. The Open Space District Code specifies that bicyclists must operate their vehicles at speeds which do not exceed 15 miles per hour and reduce their speed to 5 miles per hour when approaching blind turns or passing others using open space lands. Bicycles are not permitted "off-road" or on "single-track" trails. The District road network offers a variety of open space experiences, from expansive and panoramic views of the bay area to intimate and unique environments. Bicyclists are encouraged to explore the diverse opportunities available on open space lands.

## MARIN COUNTY OPEN SPACE DISTRICT CODE

Titles:

Title 1 [General Provisions](#)

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Title 1 General ProvisionsChapter

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1.01.010 Scope of This Code. This document shall be known as "Marin County Open Space District Code" and may be referred to as such. This code shall apply to management and administration of Marin County Open Space District, including use and protection of lands owned, maintained or otherwise managed by the District.

1.01.020 Purpose. This code is adopted to assure appropriate management and administration of Marin County Open Space District, as well as to assure stewardship and protection of lands owned or managed by Marin County Open Space District in a form consistent with criteria set forth in the District's "Open Space Land Management Policy" and "Open Space Acquisition and Preservation Policy."

1.01.025 Citation Authority. Pursuant to California Public resources Code 5560.1, in addition to the enforcement authority granted by section 2.01.020 of this Code, and in order to protect the property, improvements, and facilities of the lands under District management or belonging to the District, as well as to preserve the peace within District lands, uniformed Open Space Park Rangers shall have authority to issue citations for misdemeanor and infraction violations of state law, county ordinance, and District regulations or ordinances, when the violation is committed within District Lands in the presence of the Open Space Park Ranger issuing the citation. The Citations shall be issued in accordance with Chapter

5C (Commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.

1.01.030 Authority. The rules and regulations enacted in this code are authorized by Article 3, Division 5, Section 5500 et seq. of the Public Resources Code of the State of California.

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1.01.040 Definitions.(a) District as referred to in this code means the Marin County Open Space District, and includes all lands, waters and other facilities owned, maintained or otherwise managed by the Marin County Open Space District.(b) Open Space as referred to in this code means an area of natural landscape essentially undeveloped, such as ridges, streams, hillsides, canyons, natural shorelines, marshes, scenic buffer areas and areas of agricultural land owned, maintained or otherwise managed by the Marin County Open Space District.(c) Board means the Board of Directors of Marin County Open Space District.(d) General Manager means the General Manager of Marin County Open Space District.(e) Permission as referred to in this code means written permission granted by an authorized representative of the Marin County Open Space District.(f) Person as referred to in this code means any natural person, firm, corporation, club, municipality, district or public agency, and all associations or combinations of persons whenever acting for themselves or any agent, servant or employee.

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1.01.050 General Regulations. From time-to-time, the Board may promulgate rules and regulations pertaining to the District and, by resolution, adopt an "Open Space Land Management Policy." All persons entering upon District lands shall comply with applicable Federal, State, County, District and local laws and regulations. It shall be the duty of the General Manager to publish, post and enforce all such regularly adopted rules and regulations.

1.01.060 Severability. The provisions of the ordinance are hereby declared to be severable. If any chapter, section, sub-section, paragraph, subparagraph, sentence, or clause of this code is for any reason held to be invalid or unconstitutional, the Board of Directors declares that this code, including each chapter, section, sub-section, paragraph, sentence and clause, would have been adopted regardless of any findings of invalidity or unconstitutionality.

1.01.070 Abatement of Public Nuisances. The Board hereby establishes the following procedures for abatement of public nuisances on public open space lands:(a) Upon determination that a public nuisance exists upon lands owned, maintained or otherwise managed by the Marin County Open Space District within the County of Marin, the Board of Directors shall request that the Board of Supervisors of the County of Marin abate the nuisance pursuant to the Marin County Code. The provisions of this Section shall be applicable to any nuisance existing on District lands as defined by any ordinance of the District, resolution of the Board or statutes of the State of California. A public nuisance shall further include any unauthorized obstruction, structure, monument, facility, physical improvement or encroachment for which the owners are known and identified. Any unauthorized obstruction, structure, monument, facility, physical improvement or encroachment which is in the process of being installed or for which the owners are unknown shall be treated as outlined in section 2.02.140 of this code and shall be subject to removal without abatement proceedings.

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1.01.080 Public Roadway Establishment. No public roadways shall be established for regular and continuous vehicle use across District lands. If roadways are deemed necessary, their establishment shall require transfer of the District's interest in roadway-related lands from open space purposes. Such transfer is subject to the provisions of the California Public Resources Code.

## Title 2 Land Use Regulations

### Chapters:

- 2.01 [General](#)
- 2.02 [Visitor Conduct](#)
- 2.03 [Resource Protection](#)
- 2.04 [Vehicle and Traffic Regulations](#)
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### Chapter 2.01 General Sections:

- 2.01.010 [Scope of This Title](#)
- 2.01.020 [Enforcement](#)
- 2.01.025 [Citation Authority](#)
- 2.01.030 [Lands Open to the Public](#)
- 2.01.040 [Closure of District Lands](#)
- 2.01.050 [Permits and Fees](#)
- 2.01.060 [Misdemeanors and Infractions](#)
- 2.01.070 [Separate Offenses](#)
- 2.01.080 [Impoundment](#)

#### 2.01.090 [Exemptions](#)

2.01.010 Scope of This Title. The rules and regulations contained herein shall be known as "Regulations for Use of Marin County Open Space District Lands" or as "land use regulations" and may be referred to as such. Except as otherwise provided, this title shall apply to all lands owned, maintained or otherwise managed by the Marin County Open Space District.

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2.01.020 Enforcement. Any District employee or designee shall have the authority to enforce these regulations and to eject any person acting in violation of these regulations from District lands or otherwise revoke their permit to use District lands.

2.01.025 Citation Authority. Pursuant to California Public Resources Code § 5560.1, in addition to the enforcement authority granted by Section 2.01.020 of this Code, and in order to protect the property, improvements, and facilities of the lands under District management or belonging to the District, as well as to preserve the peace within District lands, uniformed Open Space Park Rangers shall have the authority to issue citations for misdemeanor and infraction violations of state law, county ordinances, and District regulations or ordinances, when the violation is committed within District lands and in the presence of the Open Space Park Ranger issuing the citation. The citations shall be issued in accordance with Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code. (Added June 3, 1997.)

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2.01.030 Lands Open to the Public. District lands are open to the public for use in accordance with the provisions of these regulations. Persons using District lands shall comply with all applicable Federal, State, County, District and local laws and regulations.

2.01.040 Closure of District Lands. All or any portion of District lands may be closed to the public or have public uses restricted during an emergency or for health, safety, maintenance or open space management purposes.

2.01.050 Permits and Fees. The District may issue permits and may charge fees for special use of District lands. Charges for permits shall be determined by the Board from time-to-time, and may include land use fees and charges for expenses incurred by the District, such as labor, equipment costs, overhead, etc. Permits are not transferable and may be revoked for failure to comply with any provision of the permit or applicable portions of these regulations. Permits must be carried while on District lands and shown upon request to District personnel or otherwise displayed as directed.

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2.01.060 Misdemeanors and Infractions. Violation of the following regulations is a misdemeanor:

- (a) Section 2.02.020, remaining on or reentering District lands after consent has been withdrawn;
- (b) Section 2.02.030, damaging District property;
- (c) Section 2.02.050, misconduct of minor children;
- (d) Section 2.02.060, camping without a permit;
- (e) Sections 2.02.080 (e), 2.02.080 (f) and 2.02.080 (g), games and miscellaneous activities;
- (f) Section 2.02.090, use, possession or discharge of firearms, traps and other weapons;
- (g) Section 2.02.100, noise disturbance;
- (h) Section 2.02.110 (d), depositing waste water, sewage or effluent;
- (i) Section 2.02.130, dumping of garbage, refuse and trash;
- (j) Section 2.02.140, structures and encroachments;
- (k) Section 2.02.160, commercial activities;
- (l) Section 2.02.170, disorderly conduct;
- (m) Section 2.02.180, introduction of organisms;
- (n) Sections 2.03.010, 2.03.020, 2.03.030, 2.03.040, and 2.03.050, damaging District resources;
- (o) Section 2.04.010, use of motor vehicles;
- (p) Section 2.06.010, creation of fire hazards, and Section 2.06.020, use, possession or discharge of fireworks;
- (q) continuing to use District lands in an illegal manner once a District employee, designee or law enforcement official has directed that such activity be stopped. Violation of any land use regulation not mentioned in this section is an infraction.

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2.01.070 Separate Offenses. Any violation of these regulations occurring on more than one calendar day shall constitute a separate offense.

2.01.080 Impoundment. The District may impound any animal, property or equipment found to be in violation of these regulations. Items shall be disposed of in accordance with Section 5561.5 of the California Public Resources Code and adopted procedures.

2.01.090 Exemptions. These regulations shall not apply to employees and agents of the District or the County of Marin engaged in and acting within the scope of their authorized duties and responsibilities. The District, at its sole discretion, may grant written exemption to all or any portion of these land use regulations by temporary or special permit, contract or lease; however, exemptions shall be limited to uses consistent with the District's "Open Space Land Management Policy" and the purpose of this code and shall not violate any Federal, State or County law.

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- 2.02.020 [Use Restrictions](#)
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- 2.02.150 [Abandoned and Unattended Property](#)
- 2.02.160 [Commercial Activity](#)
- 2.02.170 [Disorderly Conduct](#)
- 2.02.180 [Introduction of Organisms](#)

2.02.010 Compliance with All Laws, Regulations and Signs. No person while on District lands shall violate or fail to comply with any provision of Federal, State, County or District laws, regulations or posted signs.

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2.02.020 Use Restrictions. No person shall enter any area of District lands closed to the public, nor use any area of District lands for an unauthorized purpose. No person shall remain on or reenter District lands after a District employee or law enforcement official has specifically withdrawn consent to use such lands.

2.02.030 Care of Property and Facilities. No person shall damage, deface, tamper with or remove any District property or facilities, including buildings, signs, gates, fences, equipment, markers, trash receptacles, paving material, utilities or water lines. No person shall construct, install, maintain or improve on District lands any feature or facility, including trails, roads, pathways, signs, gates, fences or other items. (Amended June 3, 1997.)

2.02.040 Group Use. No group, school, club or similar organization, whether formally organized or not, shall hold or conduct any activity on District lands with 20 or more participants without prior written approval of the District. Group use of District lands is subject to prior reservations, conditions and charges.

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2.02.050 Responsibility for Conduct of Minors. Parents and guardians shall be responsible for the conduct of their minor children and shall not permit such minor children to do any act on District lands prohibited by these regulations.

2.02.060 Camping. No person shall camp overnight or shall possess camping gear within District lands except by written permission from the District. Camping gear includes sleeping bags, tents, or other articles associated with overnight camping.

2.02.070 Running and Jogging. No school, club or other organization shall hold running, jogging or cross-country meets, events or practice sessions on District lands without prior written approval of the District. No person shall run or jog in such a way as to endanger hikers, equestrians, bicyclists or others using District lands.

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2.02.080 Games and Miscellaneous Activities. No person shall engage in games or other activities which

interfere with others using District lands or which endanger property, public safety or environmental resources. Non-permitted activities include:(a) participating in volleyball, baseball, softball, soccer, football and other similar organized sports;(b) participating in bicycle races;(c) hitting golf balls;(d) operating self-propelled model airplanes, boats, automobiles or other model craft;(e) throwing, releasing or discharging missiles, rockets, stones, paintballs or other similar projectiles;(f) Hang-gliding, paragliding or parachuting;(g) operating or landing aircraft of any nature;(h) participating in any activity or operating any device in such fashion which interferes with others using District lands or endangers property, public safety or environmental resources.

2.02.090 Firearms, Traps and Other Weapons. No person shall possess, use, carry, discharge or cause to be discharged any gun, firearm or weapon while on District lands, including any air or gas weapon, spring gun, spear, bow and arrow, crossbow, sling shot, animal trap, knife with blade over 5 inches long, explosive or any other form of weapon potentially dangerous to wildlife or human safety. No person shall discharge or cause to be discharged any firearm or weapon onto or across District lands from outside the boundary of District lands.

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2.02.100 Noise and Audio Devices. No person while on District lands shall make or cause to be made any loud, unnecessary or unusual noise which disturbs the peace and quiet within any area within the District or which causes discomfort or annoyance to any reasonable person of normal sensitivity utilizing any facility of the District. No person shall operate or possess any public address system, amplified musical instrument or other noise-producing or transmitting device on District lands.

2.02.110 Sanitation. No person using District lands shall do any of the following:(a) urinate or defecate, or permit dogs or other domestic animals, including horses, to urinate or defecate, within 50 feet of any entrance to District lands, nor within 100 feet of any water source, including wells, creeks and streams;(b) urinate or defecate in public view;(c) fail to bury human waste to a minimum depth of six inches;(d) deposit waste water, sewage or effluent from sinks, portable toilets or other fixtures onto District lands or within reservoirs, lakes, streams, waterways or other bodies of water owned, maintained or otherwise managed by the District.

2.02.120 Littering. No person shall throw, drop, place, deposit or sweep any object, including, but not limited to, paper, food scraps, bottles, bottle caps, cans, fish or fish parts, soil or rocks onto District lands or into District reservoirs, lakes, streams and waterways, except in trash receptacles. Where trash receptacles are not provided or are full, all such matter shall be carried away from District lands by the person responsible for its presence and properly disposed of elsewhere.

2.02.130 Garbage, Refuse and Trash. No person shall bring garbage, refuse, trash or yard clippings onto District lands, nor dump or deposit such garbage, refuse, trash or yard clippings on District lands.

2.02.140 Unauthorized Structures, Encroachments and Signs. No person shall erect any temporary or permanent obstruction, structure, monument, facility, physical improvement or encroachment on District lands. With the exception of those structures deemed to be public nuisances and addressed in section 1.01.070 of this code, any such structure may be demolished by the District and its contents impounded.

2.02.150 Abandoned and Unattended Property. No person shall abandon or leave unattended or without permission any personal property or device on District lands for a period longer than 12 hours. Any property or device so abandoned or unattended may be impounded and disposed of in accordance with Section 5561.5 of the California Public Resources Code and adopted procedures.

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2.02.160 Commercial Activities. No person shall do any of the following on District lands:(a) sell, hawk, or otherwise peddle any goods, merchandise or services;(b) station or place any stand, cart or vehicle for display of goods, merchandise or services;(c) distribute, circulate or post any handbill, pamphlet or other advertisement regarding sale of goods, merchandise or services;(d) conduct any commercial photography or activity related to commercial photography except by written permission from the District;(e) conduct any activity of a commercial nature except by written permission from the District.

2.02.170 Disorderly Conduct. No person shall do any of the following on District lands:(a) harass or otherwise disturb others using District land;(b) accost another person for the purpose of begging or soliciting;(c) be under the influence of intoxicating liquor or dangerous drugs in such a condition that the individual is unable to exercise care for their own safety or the safety of others;(d) engage in loud or disturbing conduct or any act tending to a breach of the peace. In addition, no person shall do any thing defined as "Disorderly Conduct" as outlined in Section 647 of the California Penal Code.

2.02.180 Introduction of Organisms. No person shall introduce, cause to be introduced or otherwise disperse on District lands any organism, living or dead, including native or non-native plants, animals, fish, insects or bacteria.

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- 2.03.030 [Wildlife and Animal Resources](#)
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- 2.03.050 [Archeological and Historical Resources](#)

2.03.010 Water Resources. No person shall do any of the following while on District lands:(a) pollute or in any manner contaminate any reservoir, lake, stream, waterway or other body of water;(b) possess or apply any pesticide, herbicide, fungicide or other poison.

2.03.020 Botanical Resources. No person shall damage, injure, collect, eat or remove any plant, tree or other type of vegetation, whether living or dead, including, but not limited to, flowers, mushrooms, bushes, vines, grass, turf, cones, or wood located on District lands, except as follows:(a) persons may take up to two quarts of edible berries per day for personal consumption.

2.03.030 Wildlife and Animal Resources. No person shall hunt, molest, disturb, injure, trap, take, net, poison, harm or kill any kind of animal or the eggs of any animal, whether living or dead, nor remove, destroy or in any manner disturb the natural habitat of any animal on District lands. Fishing or taking of fish is permitted as regulated by the California Fish and Game Code.

2.03.040 Geological Resources. No person shall damage, injure, collect, remove or disturb soil, earth, rocks, sand, gravel, fossils, minerals, features in caves, or any articles or artifact of geological interest or value located on District lands.

2.03.050 Archeological and Historical Resources. No person shall damage, injure, collect, remove or disturb any object of paleontological, archaeological or historical interest or value located on District lands.

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- 2.04.070 [California Vehicle Code](#)

2.04.010 Motor Vehicles. No person shall operate or possess any motor vehicle or motor driven vehicle, including, but not limited to cars, trucks, motorcycles, motorbikes or similar vehicles on District lands. For the purposes of this section, battery-powered wheelchairs, emergency vehicles and County or District maintenance vehicles are exempted.

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2.04.020 Bicycles. No person shall operate any bicycle or similar vehicle on District lands except upon fire protection roads, designated bicycle pathways or public roads not signed against such use. Furthermore, no person shall operate or possess any bicycle or similar vehicle elsewhere on District lands, including trails, unless signed specifically to permit such possession. All persons operating a bicycle on District lands during hours of darkness shall carry and use a lamp which emits a white light visible from a distance of 300 feet.

2.04.030 Boats. No person shall place, operate or possess any motorized vessels, including boats, rafts, or similar watercraft, in reservoirs, lakes, streams, waterways or other bodies of water owned, maintained or otherwise managed by the District, except on bay and tidal waterways, subject to applicable State and local laws. Personal watercraft (jet skis, wave runners, etc.) are not permitted in any bodies of water owned, maintained or otherwise managed by the District.

2.04.040 Speed Limits. No person shall operate any land vehicle, including bicycles, at speeds in excess of 15 miles per hour unless otherwise posted. Bicycles and similar vehicles shall slow to 5 miles per hour when passing others or approaching blind turns. No person shall operate any watercraft or other vessel in excess of 5 miles per hour. No vehicle, including bicycles, shall be operated at a speed greater than is reasonable for safe operation, nor in any manner which may endanger the safety of others or the protection of environmental resources.

2.04.050 Right-of-Way. All persons operating vehicles on District lands, including bicycles, shall yield the right-of-way to hikers and equestrians. Hikers shall yield the right-of-way to equestrians. District and emergency vehicles have the right-of-way on District lands at all times.

2.04.060 Parking and Vehicle Removal. No person shall park, leave, abandon, possess or otherwise store any vehicle on District lands, except in locations designated by the District. Vehicles used in violation of any provision of this code may be impounded and stored at the owner's expense.

2.04.070 California Vehicle Code. Except as otherwise provided in these regulations, the provisions of the California Vehicle Code shall be applicable to the operation of vehicles on District lands.

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2.05.010 Dogs and Other Animals. Dogs and other domestic animals are allowed on District lands when under the direct and immediate control of a responsible person. Up to three dogs per individual are allowed, with exceptions beyond that number granted only through issuance by the District General Manager of a Special or Commercial Use Permit. On maintained and designated fire protection roads three dogs off-leash per individual are allowed. In all other areas, dogs and other domestic animals must be fastened to and restrained by a chain or leash not exceeding six feet in length. No person shall do any of the following on District lands:

- (a) allow any dog or other domestic animal to enter environmentally sensitive or restricted areas of District lands;
- (b) allow any dog or other domestic animal to interfere with, bother or disturb others using District lands;
- (c) allow any dog or other domestic animal to hunt, pursue or harass other animals or wildlife;
- (d) bring or keep a noisy, vicious or dangerous dog or other animal;
- (e) bring or keep a dog four months of age or more without proof that the dog has a valid rabies inoculation and a valid license;
- (f) fail to promptly remove from District lands any dog or other domestic animal after being ordered by District personnel to do so;
- (g) allow excrement from dogs under their control to remain on District land.
- (h) bring dogs or other domestic animals onto District lands without possessing a chain or leash not exceeding six feet in length for each dog or animal so that they shall be prepared to restrain their animals, if necessary.

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2.05.020 Horses and Saddle Animals. Horses and saddle animals are permitted on District lands only on trails, fire protection roads and other areas not signed against such use. No person shall do any of the following on District lands:(a) ride, drive, lead or keep any horse or saddle animal at such speed or in such manner which may endanger the safety of others using District lands, other animals or the protection of environmental resources;(b) allow any horse or saddle animal to stand unattended or insecurely tied;(c) permit any horse or saddle animal to swim in any reservoir, lake, stream or waterway.

2.05.030 Animals at Large. No person shall do any of the following on District lands:(a) permit any cattle, sheep, goat, horse, dog, cat or other animal to graze or run at large;(b) abandon a dog, cat, fish, fowl or other animal on District lands. Any domestic animal found at large on District lands may be turned over to the County poundkeeper for disposition as outlined in the Marin County Code.

2.05.040 Gates. All persons opening a gate shall securely close the same after passing through it.

Chapter 2.06

Fire Regulations Sections: 2.06.010 Fires 2.06.020 Fireworks 2.06.030 Smoking

2.06.010 Fires. No person shall build, light or maintain any open or outdoor fires, including barbecues, camp stoves, gas lanterns, etc., within District lands. In addition, no person shall possess such items, nor similar items, while on District lands.

2.06.020 Fireworks. No person shall possess, bring onto, set off or otherwise cause to explode on District lands any firecrackers, skyrockets or other fireworks or explosives.

2.06.030 Smoking. No person shall smoke on District lands.

End of Marin County Open Space District Code: Title 2, Land Use Regulations

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