

Ordinance No. _____

An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Changing the Designation of Park Rangers from Peace Officers to Public Officers under Penal Code 836.5 with Powers of Arrest and Citation as Implemented in Department Policies and Procedures

The Board of Supervisors of the County of Sonoma ordains as follows:

SECTION I. FINDINGS AND PURPOSE.

- A. On January 27, 1975, pursuant to authority granted by Section 5380 of the California Public Resources Code, the Board of Supervisors adopted Resolution No. 47787 authorizing the Director of Regional Parks and Park Rangers to Arrest and Issue Citations.
- B. Resolution No. 47787 further directed the Director of Regional Parks to provide the appropriate training and supervision over the activities of Park Rangers.
- C. Penal Code section 830.31 provides that members of local agencies, including park rangers, whose primary duty is law enforcement, may be designated as Peace Officers.
- D. On July 8, 1983, Sonoma County Regional Parks issued a Policy stating that Park Rangers shall be considered Peace Officers pursuant to California Penal Code Sections 830 and 830.31. Section 5 of the 1983 Policy further states “the intent of granting Peace Officer status is to provide protection of the parks and to the park visitor.”
- E. The Director of Regional Parks seeks to change the County of Sonoma Park Ranger designation from Peace Officer under Penal Code section 830.31 to Public Officer with continued power of citation under Public Resources Code 5380 and pursuant to California Penal Code Section 836.5. Therefore, Sonoma County is required to adopt this ordinance under California Penal Code Section 836.5.

SECTION II. Pursuant to the authority contained in California Public Resources Code Section 5380, the Director of Regional Parks and any person designated by the Director as Public Officers, including Park Rangers, shall have the authority to issue citations for misdemeanors for violations of the laws of California and County ordinances when committed within a County of Sonoma Park and within the Public Officer’s presence. Park Rangers shall not be designated as Peace Officers.

SECTION III. The Regional Parks Director and those persons designated by the Director as Public Officers are authorized, pursuant to California Penal Code Section 836.5, to arrest a person without a warrant whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which constitutes a violation of

those provisions of County ordinances and state laws which said Public Officers are authorized to enforce. Implementation and restrictions on such powers, if any, may be set forth in Regional Parks Policies and Procedures.

SECTION IV. In any case in which a person is arrested pursuant to Penal Code 836.5 and the person arrested does not demand to be taken before a magistrate, the Public Officer making the arrest shall prepare a written notice to appear and release the person on his or her promise to appear, as prescribed by Chapter 5C (commencing with Penal Code Section 853.5). The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this authority.

SECTION V. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Sonoma County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION VI. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION VII. This ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in The Press Democrat, a newspaper of general circulation published in Sonoma County, together with the names of members voting for and against the same.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 21st day of May, 2024, and finally passed and adopted this ____th day of _____, 2024, on regular roll call of the members of said Board by the following vote:

Supervisors:

Gorin: Coursey: Gore: Hopkins: Rabbitt:

Ayes: Noes: Abstain: Absent:

Whereupon, the Chair declared the above and foregoing Ordinance duly adopted and

So Ordered.

Chair, Board of Supervisors
County of Sonoma

Attest:

M. Christina Rivera
Clerk of the Board of Supervisors