

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: March 24, 2015 **Approx Start Time:** 10:30 am
Approx Length: 15 minutes

Presentation Title: Ordinance amending Chapter 6.06 County Parks

Department: BCS/County Parks

Presenters: Rick Gruen

Other Invitees: n/a

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Approve presentation at a business meeting of the proposed county code amendment for Chapter 6.06, County Parks.

EXECUTIVE SUMMARY:

The Parks ordinance was reviewed and amended in May 2014. It has come to our attention since that time that failure to display a park entry permit is not currently a violation.

FINANCIAL IMPLICATIONS (current year and ongoing):

No direct financial cost or benefit.

LEGAL/POLICY REQUIREMENTS:

Attached for Board review as Exhibit A are the proposed amendments to the county parks ordinance (Chapter 6.06 of the county code). The change included allows parks employees to cite park users who fail to properly display park entry permits. Currently, the ordinance requires a park entry permit, but does not require that it be displayed.

PUBLIC/GOVERNMENTAL PARTICIPATION:

OPTIONS:

1. Status Quo: Continue with the current county parks language and do not adopt the ordinance.

2. New Ordinance: Direct staff to present the attached county parks ordinance changes for a 1st reading at a business meeting.
3. Revise Proposed Ordinance: Direct staff to modify the attached draft ordinance as desired and present to the BCC at a future business meeting.

RECOMMENDATION:

Staff recommends the Board of County Commissioners review the proposed ordinance and approve it for first reading at a business meeting.

ATTACHMENTS:

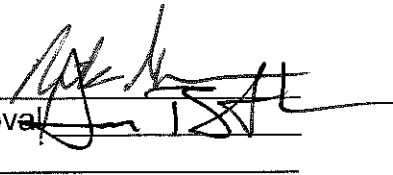
Ordinance and schedule of fines.

SUBMITTED BY:

Division Director/Head Approval

Department Director/Head Approval

County Administrator Approval

Handwritten signatures and initials are present over the approval lines. The top signature is a cursive name, likely 'Rick Gruen'. Below it, there are initials 'JST' and another signature.

For information on this issue or copies of attachments, please contact
Rick Gruen @ 503-742-4345

ORDINANCE NO. _____

**An Ordinance Amending Chapter 6.06, Park Rules, and Appendix B, Fines,
of the Clackamas County Code**

WHEREAS, the County requires an entry permit for all county parks and charges a fee for such permit; and

WHEREAS, as it is not currently required, many county park users fail to properly display the entry permit so it can be seen from outside the vehicle; and

WHEREAS, the fine schedule for County parks violations needs to be consistent with the county code language, now, therefore;

The Board of Commissioners of Clackamas County ordains as follows:

Section 1: Section 6.06.030(D) of the Clackamas County Code is hereby amended to read as follows:

- D. No person shall enter or use any County park area or any of its facilities without first paying the required fee, if any, unless such entry or use is otherwise authorized by a valid existing permit in the name of said person.

Any permit for entry or receipt for the use of any County park shall be displayed in a way that makes it easily visible from outside the vehicle. Failure to display a permit or receipt in a visible manner will be deemed a violation of this section requiring payment.

Section 2: Appendix B, Fines, of the Clackamas County Code is hereby amended as shown on the attached Exhibit 1.

ADOPTED this _____ day of _____, 2015.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Attachment A – County Parks FINE Changes for FY 2015-16

VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount 2014-2015	PROPOSED Fine amount
Entering, using park area or facilities without first paying the required fee	Code \$6.06.030.D			X	\$20-\$34	\$40
Failure to properly display parking permit (NEW FINE)	Code \$6.06.030.D			X	n/a	\$40
Remaining in or returning to a park area after being ordered to leave	Code \$6.06.030.G			X	\$25-\$100	\$100
Entering, remaining in park or leaving vehicle in a park between posted closing/opening time, except when overnight camping permitted	Code \$6.06.030.J			X	\$25-\$55	\$55
Failure to maintain campsite in clean, sanitary and safe manner	Code \$6.06.030.M			X	\$20	\$34
Occupying a campsite assigned to another person	Code \$6.06.030.N			X	\$20	\$34
More than two vehicles in a campsite	Code \$6.06.030.O			X	\$20	\$34
Entering campground in unauthorized vehicle	Code \$6.06.030.P			X	\$20	\$34
Occupying trailer campsite in shelter other than trailer/camper	Code \$6.06.030.Q			X	\$20	\$34
Occupying campsite by more than 1 family without permission	Code \$6.06.030.R			X	\$20	\$34
Camping overnight under the age of 18, unless accompanied by an adult	Code \$6.06.030.R.3			X	\$20	\$34
Failure to vacate campsite by checkout time	Code \$6.06.040.E			X	\$55	\$55
Entering, remaining in park after hours	Code \$6.06.050.A			X	\$55	\$55
Exposing genitalia in public	Code \$6.06.050.B			X	\$55-\$150	\$150
Performing sexual intercourse in public	Code \$6.06.050.C			X	\$55-\$150	\$150
Possession of glass beverage containers without permit	Code \$6.06.050.D			X	\$55	\$55
Building fires outside park camp stoves, fireplaces, portable stoves or permitted areas	Code \$6.06.050.E.1			X	\$35-\$55	\$55
Leaving a fire unattended or failing to extinguish fire before leaving the park area	Code \$6.06.050.E.2			X	\$35-\$55	\$55
Building a fire that constitutes a hazard to any pile of wood, grass, tree, underbrush, or other flammable material	Code \$6.06.050.E.3			X	\$175-\$225	\$225
Moving a camp stove or fireplace	Code \$6.06.050.E.4			X	\$35-\$55	\$55
VIOLATION DESCRIPTION	AUTHORIZING	Fine	ORS	Code	CURRENT	PROPOSED

	LEGISLATION	set by ORS	auth. fine	auth. fine	Fine Amount 2014-2015	Fine amount
Hunting, etc. any bird or animal	Code §6.06.050.F.1			X	\$55-\$150	\$150
Discharging any firearms, pellet gun, bow & arrow, slingshot, paintball gun, or other weapon capable of injury	Code §6.06.050.F.2			X	\$250-\$500	\$250-\$500
Possessing a pellet gun, bow & arrow, slingshot, other weapon capable of injury or a loaded firearm	Code §6.06.050.F.3			X	\$55-150	\$150
Possessing or using fireworks or other explosives	Code §6.06.050.F.4			X	\$34	\$150
Possessing alcohol in prohibited areas without permit	Code §6.06.050.G			X	\$55	\$150
Causing public disturbance	Code §6.06.050.H			X	\$55	\$150
Mutilate, deface, etc., any structure, facility or sign in park area	Code §6.06.050.H.1			X	\$20-\$34	\$55
Less than \$100 damage	Code §6.06.050.H.1				\$25-\$55	\$55
More than \$100 damage	Code §6.06.050.H.1				\$150-\$207	\$207
Dig up, deface, etc., any dirt, stone, rock or other substance in park area	Code §6.06.050.H.2			X	\$20-\$34	\$55
Lay/set off blast in park area	Code §6.06.050.H.2				\$25-\$55	\$55
Roll any stones, etc.	Code §6.06.050.H.2			X	\$25-\$55	\$34
Erecting temporary signs, markers, or inscriptions in park area without permission from a County Park employee	Code §6.06.050.H.3			X	\$10-\$20	\$55
Set up, use public address system without permission from Park Administrator	Code §6.06.050.H.4			X	\$20-\$34	\$55
Washing clothing or cleaning fish in lake, stream, river or pond	Code §6.06.050.H.5			X	\$10-\$20	\$34
Using abusive/threatening language or gestures, creating public disturbances, riotous behavior	Code §6.06.050.H.6			X	\$25-\$55	\$55
Operating, using any noise producing machine, vehicle, etc. in a manner that is disturbing to other park visitors	Code §6.06.050.H.7			X	\$20-\$34	\$55
Picking, cutting, etc. any flowers, shrubs, trees, etc.	Code §6.06.050.H.8			X	\$20-\$34	\$34
Operating a concession in park area without written consent	Code §6.06.050.I.1			X	\$20-\$34	\$55
Solicitation or offering for sale any goods without consent from Park Administrator	Code §6.06.050.I.2			X	\$10-\$20	\$55

VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount 2014-2015	PROPOSED Fine amount
Advertising any goods or services without written consent	Code §6.06.050.I.3			X	\$20-\$34	\$55
Distributing any circulars, notices, etc. on property without permission	Code §6.06.050.I.4			X	\$20-\$34	\$55
Riding, driving, leading, or keeping a horse in any park without written consent	Code §6.06.050.J.1			X	\$20-\$34	\$55
Bringing in or keeping any animal in park area unless controlled on a maximum 6 foot leash or allowing animals other than seeing eye dogs in park area buildings	Code §6.06.050.J.2			X	\$20-\$34	\$55
Allowing any animal to annoy, molest, attack, or injure any person or animal in park area	Code §6.06.050.J.3			X	\$25-\$55	\$55
Tying up an animal and leaving them unattended	Code §6.06.050.J.4			X	\$20-\$34	\$55
Failure of owner to contain/remove animal wastes	Code §6.06.050.J.5			X	\$20-\$34	\$55
No person shall allow more than two domestic pets in any campsite	Code §6.06.050.J.6			X	\$20-\$34	\$55
Operating any vehicle in violation of Oregon Vehicle Code or other laws	Code §6.06.050.K.1			X	\$55	\$55
Violation of maximum speed limit or traveling in excess of reasonable and prudent speed:	Code §6.06.050.K.2			X	See below:	
1-10 mph in excess of limit	Code §6.06.050.K.2			X	\$72	\$72
11-20 mph in excess of limit	Code §6.06.050.K.2			X	\$104	\$104
21-30 mph in excess of limit	Code §6.06.050.K.2			X	\$170	\$170
30+ mph in excess of limit	Code §6.06.050.K.2			X	\$290	\$290
Parking a vehicle any place other than areas designated as parking, or in violation of signs	Code §6.06.050.K.3			X	\$15-\$25	\$34
Parking in an emergency access area or travel lane	Code §6.06.050.K.4			X	\$15-\$25	\$55
Operating a motor vehicle in area not designated for motor vehicle use	Code §6.06.050.K.5			X	\$25-\$55	\$55
Operating any OHV or ATV or any other vehicle not legal for street riding	Code §6.06.050.K.6			X	\$25-\$55	\$55
Leaving bottles, cans, ashes, waste, etc. in non-designated locations	Code §6.06.050.L.1			X	\$25-\$55	\$55
Bringing into a park area any trash, etc. for the purpose of leaving it there	Code §6.06.050.L.2			X	\$25-\$55	\$55
VIOLATION DESCRIPTION	AUTHORIZING LEGISLATION	Fine set by ORS	ORS auth. fine	Code auth. fine	CURRENT Fine Amount	PROPOSED Fine amount

		ORS	fine	fine	2014-2015	
Kitchen or toilet waste violation	Code §6.06.050.L.3		X	\$55-\$100	\$100	
Camping in a non-designated area	Code §6.06.050.M.1		X	\$20-\$34	\$55	
Camping in any one park area for more than 10 days in a 14-day period, or in the park system for more than 20 days total from 5/1 to 9/30	Code §6.06.050.M.2		X	\$35-\$55	\$55	
Making excessive noise between the hours of 10:00 pm. & 7:00 am	Code §6.06.050.M.3		X	\$25-\$55	\$55	
Camping overnight without an approved shelter	Code §6.06.050.M.4		X	\$10-\$20	\$34	
Washing vehicle or trailer in campsite	Code §6.06.050.M.5		X	\$15-\$25	\$34	
Filling swimming pool in campground	Code §6.06.050.M.6		X	\$15-\$25	\$34	