

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 10/23/2024

Approx. Start Time: 10:00 AM

Approx. Length: 30 min

Presentation Title: County Parks Code Changes, Title 6 – Park Rules

Department: Transportation and Development (DTD)

Presenters: Dan Johnson, DTD Director; Sarah Eckman, Assistant Director of Community Services

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Authorization to advance proposed changes to Clackamas County Code Title 6 - Park Rules. The approval process requires two public hearings at least 13 days apart, with changes taking effect 90 days after final approval at the second hearing.

EXECUTIVE SUMMARY:

DTD - County Parks proposes several changes and additions to County Code Title 6 - Park Rules. These changes are intended to reduce customer complaints, retain park revenue, protect trees and update code language and organization.

The majority of changes are minor revisions. Substantive changes include:

- 1) Include vehicle conversions in the definition of approved camping shelter. (6.06.020.A)
- 2) Update cancellation and refund policies. (6.06.040.C)
- 3) Expand protections for park staff and clarify rules for remote control devices. (6.06.050.D)
- 4) Add explicit language for park staff to restrict fires when needed. (6.06.050.E)
- 5) Add language to protect utility systems and trees, and prohibit release of animals without approval. (6.06.050.H)
- 6) Clarify who can authorize certain park activities. (6.06.050.D, J, K, and M)
- 7) Consolidate the violations specific to camping and add language to address light pollution in campgrounds. (6.06.050.M)
- 8) Grant authority to the Parks Manager to designate campsite capacity. (6.06.030.P.2)

The proposed changes are based on issues in County parks identified by DTD - County Parks staff, the County Parks Advisory Board (PAB), County Counsel and the Hearings Officer. The PAB unanimously supports changes #1 through #8.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO N/A

What is the cost? N/A

What is the funding source? N/A

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?

These changes reassure customers that critical parks infrastructure and facilities will be maintained by updating rules for resource and infrastructure protection. These changes also make it more likely that survey respondents will describe a park as clean and safe, as park staff will have better tools to regulate undesirable visitor behavior.

- How does this item align with the County's Performance Clackamas goals?

These changes will Honor, Utilize, Promote and Invest in our Natural Resources by updating and clarifying rules related to recreational use of our public parks and protection of our park resources.

LEGAL/POLICY REQUIREMENTS:

These changes were approved by County Counsel on 9/24/2024.

PUBLIC/GOVERNMENTAL PARTICIPATION:

DTD - County Parks staff presented the proposed Code changes to the PAB at their meeting on February 20, 2024. The PAB voted to recommend approval to the BCC by unanimous vote. Additional Code changes were presented at the September 17, 2024 PAB meeting. No concerns were expressed and a vote is scheduled for the October 15, 2024 meeting.

OPTIONS:

- 1) Direct staff to advance proposed changes to Clackamas County Code Title 6 - Park Rules through the formal approval process, to include two public hearings at least 13 days apart, with approval at the second hearing and County Code changes taking effect 90 days after final approval.
- 2) Direct staff to provide further direction to DTD for additional County Code revisions.
- 3) Direct staff to take no action at this time.

RECOMMENDATION:

Staff respectfully recommends Option 1: Direct staff to advance proposed changes to Clackamas County Code Title 6 - Park Rules through the formal approval process, to include two public hearings at least 13 days apart, with approval at the second hearing and County Code changes taking effect 90 days after final approval.

ATTACHMENTS:

- A. 2024 Proposed Changes to Title 6 Park Rules.docx

SUBMITTED BY:

Division Director/Head Approval: _____

Department Director/Head Approval: *Dan Johnson*

County Administrator Approval: _____

Chapter 6.06

6.06 PARK RULES

6.06.010 Policy and Purpose

The purpose of this chapter is to protect County parks, forest and recreational areas, protect the health, safety and welfare of the public using such areas, and ensure the best use of and benefits from such areas. The numbering system for this chapter is necessarily *unique* because of the requirements of the County and State criminal justice systems.

[Codified by Ord. 05-2000, 7/13/00; renumbered from 6.06.02 by Ord. 04-2013, 8/22/13]

6.06.020 Definitions

- A. APPROVED CAMPING SHELTER means ground tents, vehicle tents, motorhomes, travel trailers, ~~vans and~~ camper units and vehicles designed specifically for overnight, outdoor camping, such as Class A, B or C vehicles, towables, and truck campers.
- B. BOARD means the Board of County Commissioners of Clackamas County.
- C. DIVISION means the Clackamas County Parks Division of the ~~Business and Community Services~~ Department of Transportation and Development and its employees.
- D. ANIMAL, as per ORS 167.310, means any non-human mammal, bird, reptile, amphibian or fish. LIVESTOCK, as per ORS 609.125 means any ratites (large flightless birds), psittacines (parrot & macaw type birds), horses, mules, jackasses, cattle, lamas, alpacas, sheep, goats, swine, domesticated fowl and any fur bearing animal bred and maintained commercially or otherwise, within pens, cages and hutches.
- E. PARK AREA means any County park, forest or recreational area under the jurisdiction of the ~~board~~ Board, but not any residence located thereon.
- F. PARK EMPLOYEE means a County employee, caretaker, host, or agent.
- G. PARKS MANAGER means the person designated by the Board or the Department of ~~Business and Community Services~~ Transportation and Development to administer the County's programs and policies for County parks, forests, and recreation areas.
- H. PEACE OFFICER means a Sheriff, deputy sheriff, constable, marshal, municipal police officer, Oregon State Police officer, and such other persons as may be designated by law.
- I. PROHIBITED ARTICLES means fireworks, weapons, glass, and alcoholic beverages under this Chapter.
- J. RESERVATION includes, but is not limited to, calling, booking online or by email, in advance to obtain a campsite or day-use area.
- K. Other terms shall be defined as set forth in the Oregon Vehicle Code, ORS Chapter 801, unless specifically provided otherwise in this Chapter.

[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 06-2007, 6/28/07; Renumbered from 6.06.03 and amended by Ord 04-2013, 8/22/13; Amended by Ord. 01-2016, 3/24/16; Amended by Ord. 07-2018, 6/28/18]

6.06.030 Opening, Closing, Entry Into Parks

- A. The Division is hereby authorized to close to the public any ~~County Park~~ park-areaPark Area or portion thereof, restrict the times when any ~~County~~ park-areaPark Area shall be open to such use, and limit or prohibit a recreation use whenever such action is necessary to protect the health or safety of ~~P~~park E~~mployees and/or~~ the public, or the safety of the ~~park-area~~Park Area or its facilities. Cause for ~~park-area~~Park Area closure or limitation, or prohibition, on ~~park-area~~Park Area or recreational use includes, but is not limited to: Fire hazard, dangerous weather, water conditions, sanitary protection of the watershed, ~~park-area~~Park Area construction or repairs, conservation of fish and wildlife, excessive traffic; unsafe or overcrowded shoreline, ramp, parking or road conditions; the prevention of damage to the park or any of its facilities; or any dangerous, unsafe or unhealthful conditions.
- B. Any County employee designated by the Director of ~~Business and Community Services~~ the Department of Transportation and Development or any ~~P~~peace O~~fficer~~ may request, as a condition of the license or permit to enter the County's ~~park-area~~Park Areas, that persons entering or about to enter allow inspections of all backpacks, briefcases, suitcases, athletic bags, packages, duffle bags, coolers, ice chests, picnic baskets, and other containers capable of concealing prohibited articles:
1. Inspections under this section may occur anywhere on park property. Persons possessing containers subject to inspection shall be informed that they are free to decline the inspection and then must immediately leave the ~~park-area~~Park Area.
 2. If a person already inside the ~~park-area~~Park Area possesses a prohibited article, that person shall be considered to have violated the license to enter and use the ~~park-area~~Park Area. The person's license is automatically revoked and the person shall be requested to leave immediately.
 3. Any person in violation of park rules is subject to citation and immediate trespass.
- C. The County shall display signs at entrances to the ~~park-area~~Park Area that generally identify prohibited articles and provide notification of the request for inspection. The signs shall generally describe prohibited articles, explain the potential request for inspection and the right-to-decline options. Similar explanations may be printed on parking receipts and where available may be displayed at ticket windows on County property where parking passes or admissions are regularly sold.
- D. Fees Required.
1. No person shall enter or use any County ~~park-area~~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.
 2. 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 is a violation of this section requiring payment.
 3. For all misplaced or stolen parking permits, there shall be a nominal fee for

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

replacement.

- E. Any County employee designated by the Director of ~~Business and Community Services~~ the Department of Transportation and Development or any ~~Peace Officer~~ Peace Officer may revoke any permit that has been issued erroneously or where there is reasonable cause to believe the permit holder or any person in ~~his or her~~their custody, control, or family, has violated any of the provisions of these rules or any State, County or federal law. Any person whose permit has been revoked and all other persons in ~~his or her~~their custody, control, and family shall immediately leave the ~~park area~~Park Area.
- F. Any person who violates any of these Park Rules, or who violates any state statute (including the vehicle chapter), County ordinance or code while in a County park, may be ordered to leave the ~~park area~~Park Area.
- G. No person who has been ordered to leave a ~~County Park area~~Park Area shall remain therein or return thereto.
- H. The Division may refuse to admit into a ~~park area~~Park Area any person who has been previously ordered to leave a County park.
- I. The daily opening and closing times for each Clackamas County ~~p~~Park, including but not limited to Barlow Wayside, Barton, Boones Ferry Marina, Boring Station, Carver, Eagle Fern, Feyrer, Hebb, Knights Bridge, Madrone Wall, Metzler, Ed Latourette, Feldheimer, Wagon Wheel, and Wilhoit Springs, shall be established by the Parks Manager and/or their designee and posted at the entrance to the park.
- J. Except for authorized overnight camping in accordance with these rules, no person, other than ~~Peace Officers~~ Peace Officers or authorized County personnel or agents, shall enter or remain in any ~~park area~~Park Area after the daily closing time and before the daily opening time, without prior written authorization.
- K. User fees for campsites are due and shall be paid prior to each day's use. The fee covers use of facilities and services until the vacating time of 1:00 p.m. the following day.
- L. The person registering for the campsite is responsible for all persons using the campsite adhering to all ~~park area~~Park Area rules, but this shall not provide a defense to any person who actually causes, or participates in causing, a violation of said rules.
- ~~M. A. Campers must maintain campsites in a clean, sanitary, and safe manner.~~
- ~~N. M. Unless otherwise posted at the entrance to the park campground, campsites may be occupied only as assigned by a reservation or at the campground registration area.~~
- ~~O. No more than two (2) vehicles are allowed in a single campsite. The first vehicle is included in the campsite fee. All excess vehicles will be charged an additional fee and may need to be parked in designated overflow parking.~~
- ~~P. N. In order to avoid unnecessary congestion of campground roadways and overloading of campground water and sanitation facilities, a ~~P~~Park ~~e~~Employee may prohibit entry of non-camper vehicles into the campground area. The ~~P~~Park ~~E~~Employee may issue temporary entry permits to non-camper vehicles when, in their opinion, such entry will not unnecessarily disrupt the operation, safety, and sanitation facilities of the campground.~~
- ~~Q. O. Campsites may be accommodated with any approved camping shelter except those areas that have specific designated usage, i.e., RV only, tent only.~~
- ~~R. P. Individual campsites are designed to serve one family unit. The following ~~capacities~~ limitations shall apply:~~
 - 1. Not more than two (2) tents OR one (1) recreation vehicle and one (1) tent per campsite, except where otherwise designated.
 - 2. No person shall exceed the maximum occupancy of any campsite, as established by the Parks Manager.
 - ~~2. A maximum occupancy of 8 persons per site.~~
 - 3. No person under the age of 18 shall camp overnight unless accompanied by an

adult.

4. ADA accessible campsites are designed for campers with mobility challenges. Campers with DMV placards or license plates are given priority in these sites. Unless otherwise noted below persons registering for, or occupying, accessible campsite(s) must clearly display an appropriate placard or plate during their stay. *Note: Large group reservations of all campsites in a campground loop or park are exempt from this rule.*

S.Q. Parks with accessible campsites for Persons with Disabilities shall:

1. Hold all reserved site(s) for the date(s) of reservation unless notified by the Parks Office to release the site;
2. Hold unreserved accessible sites site(s) for qualified drop-in campers until 7:00 p.m. daily;
3. Release unreserved accessible site(s) for first come, first served use after 7:00 p.m. for one (1) night only stay if no qualified users have registered.

[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 06-2007, 6/28/07; Renumbered from 6.06.03 and amended by Ord. 04-2013, 8/22/13; Amended by Ord. 05-2015, 5/14/15; Amended by Ord. 01-2016, 3/24/16; Amended by Ord. 07-2018, 6/28/18]

6.06.040 Reservations ~~And~~ and Check In/Out Times

- A. All persons making reservations must be 18 years of age or older.
- B. Online reservations for camp sites, sheltered and non-sheltered picnic areas must be made a minimum of three (3) days in advance. Payment for reservations of picnic areas and campsites are due in full at the time of booking unless booking ten (10) or more campsites.
 1. Reservations for ten (10) or more campsites must be made through the Parks Administration Office and requires a deposit of the reservation fee and first night's rental fee due at the time of booking the reservation. The remaining balance is due thirty (30) days after making the reservation. The Parks Division reserves the right to cancel a reservation of ten (10) or more campsites, without notification, if the final payment has not been paid as per policy.
 2. No group may book more than thirty (30) campsites for the same date(s) in any one park on Memorial Day weekend or from July 1 through Labor Day weekend.
- C. Cancellations and refunds:
 1. For campsites (full hook-up, partial hook-up, standard, primitive) and bunkhouse:
 - a. If cancellation is made seven (7)~~four (4)~~ or more days in advance of the arrival date, a refund will be issued by the Parks Division less the reservation fee and a cancellation fee.
 - b. If cancellation is made one to six (1-6) within three (3) days in advance of the arrival date, a partial refund will be issued by the Parks Division less the reservation fee, a cancellation fee and the first two (2) night's camping fees.
 - ~~b.c.~~ If cancellation is made on or after the arrival date, no refunds will be issued unless approved by the Parks Manager in their sole discretion.
 2. For sheltered and non-sheltered picnic areas, and group camping areas:
 - a. If cancellation is made fifteen (15) days or more in advance of the reserved use date, a refund will be issued less the reservation fee and a cancellation fee.
 - b. If cancellation is made within fourteen (14) days of the reserved use date, no refunds will be issued. unless approved by the Parks Manager in their

- ~~sole discretion.~~
3. Reservation and transaction fees are non-refundable.
 4. If days are removed from the front of a reservation, resulting in the new arrival date being more than one year from when the original reservation was made, the County reserves the right to cancel the entire reservation and retain the reservation fee and first two (2) night's camping fee.
- D. Changes to overnight camping reservations and day use reservations, such as a reduction in the number of campsites, or a change in the location or date, can be made at any time, except as noted in subsection (C)(4), but a change fee is required and will be charged at the time of the change request.
- E. Check-in time for all overnight camping sites is established at 3:00 p.m. and check-out time is established at 1:00 p.m. the ~~following day~~day of departure. Campsites not vacated by 1:00 p.m. shall be subject to charge of fees for an additional night, if the campsite is available and not reserved for that time period.
- F. If a campsite has been reserved for use by another party for that night, and the campsite has not been vacated by the non-reserved party by check-out time:
1. The non-reserved party shall vacate the site immediately or be subject to eviction;
 2. The non-reserved party shall be subject to exclusion from Clackamas County parks pursuant to this chapter;
 3. Any vehicle occupying the campsite after check-out time other than a vehicle of the reserved party is parked in violation of this chapter, and may be immediately towed away without prior notice at the owner's expense under the provisions of the Clackamas County Vehicle Parking and Towing Chapter; and
 4. Park Employees may remove any personal property remaining on the campsite other than property of the reserved party.
- G. Individual campers or small groups reserving ADA accessible sites must provide documentation upon making the reservation or the reservation may be forfeited. *Note: Large group reservations of all campsites in a campground loop or park are excluded from this rule.*

[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 06-2007, 6/28/07; Renumbered from 6.06.14; amended by Ord. 04-2013, 8/22/13; amended by Ord. 02-2014, 5/22/14; Amended by Ord. 01-2016, 3/24/16; Amended by Ord. 04-2017, 5/4/17; Amended by Ord. 07-2018, 6/28/18]

6.06.050 Violations

- A. No person shall park a vehicle on any Clackamas County park property before the posted opening time or after the posted closing time. Vehicles parked in violation of this section shall be towed or booted in accordance with the Clackamas County Parking and Towing Chapter.
- B. No person shall have in his or her ~~her~~ their possession any glass beverage container without first obtaining a permit from the County Parks Department. Permits will be issued upon payment for use of designated campsites and group picnic areas. Permits for possession of glass beverage containers will not be issued for day-use areas.
- C. No person shall erect permanent or temporary signs, markers, memorials, monuments, or inscriptions of any type in any park area ~~Park Area~~, without permission from the Parks Manager and/or their designee.
- D. Disturbances

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

1. No person shall expose ~~his or her~~their genitalia or breasts, or be completely nude (full nudity) while in a public place or place visible from a public place, if the public place is open or available to persons of the opposite sex or children.
2. No person shall, while in, or in view of, a public place, perform an act of sexual intercourse or an act of oral or anal sexual intercourse; or an act of exposing the genitals of the person with the intent of arousing the sexual desire of the person or another person, as defined in ORS 163.465.
3. No person shall obstruct, harass, or interfere with a Park Employee or Peace Officer in the performance of their duties.
4. No person shall set up or use a public address system in any ~~park area~~Park Area without the written permission from ~~the Parks Manager and/or their designee~~a ~~Park Employee~~.
5. No person shall use abusive or threatening language or gestures, create any public disturbances, or engage in riotous behavior, in any ~~park area~~Park Area.
6. No person shall operate or use any noise-producing machine, vehicle, device, or instrument in any ~~park area~~Park Area in a manner that is disturbing to other ~~park area~~Park Area visitors.
7. No person shall operate any remote-control device in ~~or above~~ any ~~park area~~Park Area (i.e., drones, airplanes, cars, etc.), except in areas designated for that purpose. As used herein, “remote control device” includes, but is not limited to, the following: drones, remote-controlled airplanes, remote-controlled cars, remotely piloted aircraft systems, unmanned aerial vehicles, and other unmanned devices.

~~No person shall have in his or her possession any glass beverage container without first obtaining a permit from the County Parks Department. Permits will be issued upon payment for use of designated campsites and group picnic areas. Permits for possession of glass beverage containers will not be issued for day use areas.~~

B.E. Fires

1. Fires in Park Areas are prohibited unless approved by a Park Employee for the applicable Park Area. A Park Employee may restrict fires in Park Areas at any time they determine, in their sole discretion, that doing so is in the best interest of Clackamas County or is necessary to comply with any applicable local, state, or federal restriction on fires.
- 1.2. Fires in ~~park area~~Park Areas shall be confined to:
 - a. Fire rings, fire pits, or fireplaces provided for such purposes;
 - b. Portable stoves in established campsites and picnic areas where fires are permitted.
- 2.3. No person shall leave any fire unattended, and every fire user shall extinguish the fire before leaving the ~~park area~~Park Area.
- 3.4. No person shall build, light or maintain any fire so as to constitute a hazard to any pile of wood, grass, tree, underbrush, or other flammable material.
- 4.5. No person shall move a park fire ring, fire pit, or fireplace from its designed

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

location in any day use area or campground.

C.F. Fireworks and Weapons

1. No person shall hunt, pursue, trap, kill, injure, or molest any bird or animal in any ~~park area~~Park Area.
2. No person shall discharge in any ~~park area~~Park Area any firearm, pellet gun, bow and arrow, slingshot, paintball gun, or other weapon capable of injuring any person, bird, or animal.
3. No person shall possess in any ~~park area~~Park Area any: loaded firearm, loaded pellet gun; paintball gun; bow and arrow; slingshot; other weapon capable of injuring any person, bird or animal; provided however that the prohibition of loaded firearms does not apply to or affect:
 - a. a law enforcement officer or authorized agent in the performance of official duty,
 - b. a member of the military in the performance of official duty,
 - c. a person licensed to carry a concealed handgun, or
 - d. a person authorized to possess a loaded firearm while in a public building under ORS 166.370.
4. No person shall possess or use fireworks or other explosives in any ~~park area~~Park Area, except as designated, without the written permission from the Parks Manager and/or their designee.

D.G. Alcoholic Beverages

1. No person shall possess alcoholic beverages in any general day use area in any County park. Permits may be issued for designated reservable group picnic areas when requested and approved and upon payment for the group picnic area. Permits for the possession of alcoholic beverages in reserved campsites are not required. Violations shall be treated as a rule violation, and any person authorized to enforce park rules is authorized to confiscate and destroy any alcohol and its container.

E.H. Park Property & ~~Property Destruction~~Resource Protection

1. No person shall mutilate, deface, damage, or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, or other structure or facility of any kind in any ~~park area~~Park Area.
2. No person shall dig up, deface, or remove any dirt, stones, rock or other substance whatever, make any excavation, quarry any stone, lay or set off any blast, roll any stones or other objects, or cause or assist in doing any of said things, in any ~~park area~~Park Area.
- ~~3. No person shall erect temporary signs, markers, or inscriptions of any type in any ~~park area~~Park Area, without permission from the Parks Manager and/or their designee.~~
- ~~4.1. No person shall set up or use a public address system in any ~~park area~~Park Area without the written permission from the Parks Manager and/or their designee.~~
3. No person shall introduce or release animals into any Park Area, without the written permission of the Parks Manager and/or their designee.
- ~~5.4.~~ 4. No person shall wash any clothing or other materials, or clean any fish, in a lake, stream, river, or pond, in any ~~park area~~Park Area.
- ~~6. No person shall use abusive or threatening language or gestures, create any public disturbances, or engage in riotous behavior, in any ~~park area~~Park Area.~~
- ~~7. No person shall operate or use any noise-producing machine, vehicle, device, or instrument in any ~~park area~~Park Area in a manner that is disturbing to other ~~park area~~Park Area visitors.~~
- ~~8.1. No person shall operate any remote control device in any ~~park area~~Park Area~~

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

~~(i.e., drones, airplanes, cars, etc.)~~

5. No person shall pick, cut, damage, mutilate, or remove any flowers, shrubs, foliage, trees, or plant life or products of any type in any ~~park area~~Park Area.
6. ~~No person shall damage a tree by: driving anything into it (e.g. nails, hatchets, hooks), using it as a target or backstop, or attaching anything to it (e.g. signs, ropes, lanterns), in any Park Area.~~ No person shall damage a tree by: driving anything into it (e.g. nails, hatchets, hooks), or using it as a target or backstop.
7. No person shall set up a hammock by tying it to trees or park structures, other than in designated areas. Where allowed, hammocks must be attached in a way that does not cause damage to the trees or structures and used in accordance with park policies and procedures.
8. No person shall make unreasonable or excessive use of park electrical systems.
9. No person shall utilize park water systems for any purpose beyond ordinary recreational water usage, such as drinking, hand washing, and cooking. No water-consuming cooling devices may be used, nor may any dunk tanks, swimming pools, or similar items of any size be filled without the written permission of a ~~P~~park ~~E~~mployee.

F.I. Concessions and Solicitations

1. No person shall operate a concession, or offer any services, either fixed or mobile, in any ~~park area~~Park Area without the written permission from the Parks Manager and/or their designee.
2. No person shall solicit, sell or offer for sale, peddle, hawk, or vend any goods, wares, merchandise, food, liquids, or services in any ~~park area~~Park Area without the written permission of the Parks Manager and/or their designee.
3. No person shall advertise any goods or services in any ~~park area~~Park Area without the written permission from the Parks Manager and/or their designee.
4. No person shall distribute any circulars, notices, leaflets, pamphlets, or written or printed material of any kind in any ~~park area~~Park Area by leaving or placing the material on a person's vehicle or property without the written permission from the Parks Manager and/or their designee

G.J. Animals

1. No person shall ride, drive, lead, or keep livestock or animals, other than cats and dogs, in any ~~park area~~Park Area not designated for their use (e.g., equestrian trails/facilities) without the written permission from ~~the Parks Manager and/or their designee~~ a ~~P~~park ~~E~~mployee.
2. No dog or cat shall be brought into or kept in a ~~park area~~Park Area unless confined or controlled on a maximum 6-foot long leash. A Park Employee may undertake, or require the person keeping the animal to take any measures, including removal of the animal from the ~~park area~~Park Area, deemed necessary to prevent interference by the animal with the safety, comfort, and wellbeing of ~~the park area~~Park Area, ~~P~~park ~~E~~mployees and/or users, and the appearance or sanitary condition of the ~~park area~~Park Area. No animals, other than service dogs for the disabled, shall be allowed in any ~~park area~~Park Area building.
3. No person shall allow any animal in ~~his or her~~their custody or control to annoy, molest, attack, or injure any person or animal in the ~~park area~~Park Area.
4. No person shall tie up any animal in ~~his or her~~their custody or control and leave such animal unattended.
5. All animal fecal matter shall be put in a bag or container and left in a designated waste receptacle.

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

6. No person shall have or allow more than two (2) domestic pets or other animals in any campsite.

H.K. Motor Vehicles

1. No person shall operate any vehicle in any ~~park area~~ Park Area in violation of the Oregon State Vehicle Code, County ordinance, code or other laws.
2. No person shall operate any motor vehicle in any ~~park area~~ Park Area at a speed in excess of 10 miles per hour, unless otherwise designated. In addition, no person shall operate any motor vehicle in any ~~park area~~ Park Area at a speed greater than is reasonable and prudent, having due regard to all of the following:
 - a. The traffic;
 - b. The surface and width of the highway;
 - c. The hazard at intersections;
 - d. Weather;
 - e. Visibility; and
 - f. Any other conditions then existing.
3. No person shall park a vehicle:
 - a. In violation of any “No Parking” signs or markings authorized by a Park Employee ~~the Parks Manager and/or their designee~~;
 - b. In any location within a park, other than officially designated parking lots and parking spaces;
 - c. On grass, dirt, or landscaped areas that have not been designated for parking;
 - d. Beyond the edges of curbing or parking lots; or
 - e. In any designated staging area or timed parking area for longer than the maximum time limit stated on the posted sign.
4. No vehicle shall be parked in an emergency access area or travel lane of any park. Any vehicle parked in an emergency access area or travel lane of any park will be towed under the provisions of the Clackamas County Parking and Towing Chapter.
5. No person shall operate a motor vehicle on any park trail, or on any area within a park, which is not paved or graveled unless specifically marked as an area for motor vehicles.
6. No person shall operate any Off Highway Vehicle (OHV), All Terrain Vehicle (ATV) or any other vehicle not legal for street riding in any ~~park area~~ Park Area not designated for their use without the written permission from ~~the Parks Manager and/or their designee~~ a Park Employee.

H.L. Waste Disposal

1. All bottles, cans, ashes, waste, paper, garbage, sewage, and other rubbish or refuse shall be left only in receptacles designated for that purpose.
2. No person shall bring into a ~~park area~~ Park Area any trash, refuse, garbage, litter, waste material, or vehicles for the purpose of disposing them there.
3. No person shall use kitchen or toilet facilities in a camping vehicle in the park unless the person makes provision for holding sewage and other waste materials in watertight and sanitary containers. Such containers shall not be emptied in the park except at an officially designated dump station.
4. No person shall urinate or defecate in public in any ~~park area~~ Park Area where restroom facilities are provided.

H.M. Camping Rules

1. No person may camp overnight in a ~~park area~~ Park Area other than in an

- officially designated and numbered overnight camping space.
2. No person may camp in any one ~~park area~~Park Area for more than fourteen (14) days in one eighteen (18) day period of time. No person may camp for more than twenty-eight (28) days total in the County Parks system as a whole, in any one camping season from May 1 to November 30, without the written permission from the Parks Manager and/or their designee.
 3. Persons who share a campsite will be considered to be of the same camping party, and stay limit for all party members shall be calculated from the first party member's arrival.
 4. Campers are required to maintain reasonable quiet between the hours of 10:00 p.m. and 7:00 a.m. and to respect the rights of other campers to peace and quiet during these hours.
 5. No person shall camp overnight without an approved camping shelter.
 6. No person shall wash a vehicle or trailer in any campsite.
 - ~~7. No swimming pools of any size shall be filled with water in the campground without the written permission of the Parks Manager and/or their designee. No person shall utilize lighting devices in a way that causes unreasonable glare or light pollution to areas outside their campsite, as determined by the Park Manager and/or their designee a Ppark Eemployee, in their sole discretion.~~
 8. Campers must maintain campsites in a clean, sanitary, and safe manner.
 9. No more than two (2) vehicles are allowed in a single campsite. The first vehicle is included in the campsite fee. All excess vehicles will be charged an additional fee and may need to be parked in designated overflow parking.
 7. _____

[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 06-2007, 6/28/07; Amended by Ord. 04-2013, 8/22/13; Amended by Ord. 04-2017, 5/4/17; Amended by Ord. 07-2018, 6/28/18]

6.06.060 Enforcement and Penalties

- A. Any County employee or agent designated by the Director of the ~~Business and Community Services~~Department of Transportation and Development, and any ~~Peace Officer~~Peace Officer may enforce these park rules, order any person violating these rules to leave the ~~park area~~Park Areas, and issue citations for violations of these rules, except that only a person expressly authorized under the Clackamas County Parking and Towing Chapter may enforce the towing or booting provision of that chapter. Caretakers and Camp hosts who are appointed by the County may notify persons of the requirements of these rules, seek voluntary compliance, and order any person violating the rules to leave the ~~park area~~Park Areas.
- B. Violation of any of the foregoing rules is subject to citation and punishable by a fine as set forth below.
- C. Form of citation:
 1. Description of the specific violation alleged;
 2. The date, time, and location of its occurrence;
 3. The ~~maximum~~ amount of the fine for the violation alleged;
 4. A statement that the fine must be paid or a hearing requested within 20 days, and that upon failure to do so within 20 days opportunity for a hearing is forfeited and

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

the fine doubles;

5. A form for either admitting the violation alleged and paying the fine, or denying the violation alleged, paying the equivalent bail, and requesting a hearing;
6. The address to which the form should be sent;
7. The telephone number of the person or facility which may be contacted for information;
8. The name and address of the violator, or in the case of a parking violation where the operator of the vehicle is not present, the license plate and vehicle number of the vehicle (if visible); ~~and~~

D. Upon receiving a citation under this chapter, the cited person may:

1. Within 20 days, deliver to the Clackamas County Sheriff's Office the form provided with the citation, admitting the violation(s), forfeiting and paying the amount of the fine(s) indicated on the citation by credit card; forfeiture may be made by mail but must be actually received by the Sheriff within 20 days from the date of the citation; or
2. Within 20 days, deliver to the Sheriff's Office the form provided with the citation, denying all or part of the violation(s), and posting bail by paying a refundable deposit equivalent to the amount of fine(s) indicated on the citation; response may be made by mail, but must be actually received by the Sheriff within 20 days from the date of the citation.

Upon receipt of a denial, the Sheriff's Office shall inform the Hearings Officer. The Hearings Officer shall set a hearing within 30 days of the Sheriff's Office receipt of the denial and bail, and shall mail notice to the cited person and the issuer of the citation of the hearing date, time and place within 15 days of the Sheriff's Office receipt of the denial ~~of~~ and bail.

3. Failure to perform any part of either subsection 1 or 2, including failure to respond within 20 days, shall be presumed an admission of the violation(s) cited, and the fine(s) shall be doubled.

E. Hearing Process.

The hearing shall afford a reasonable opportunity for the person(s) requesting it to present evidence that the citation was invalid or unjustified.

1. The Hearings Officer may administer oaths and take the testimony of witnesses. The Hearings Officer may issue subpoenas in accordance with Oregon Rules of Civil Procedure 55, provided that subpoena requests be received in writing no later than five (5) days before the scheduled hearing. If the person charged with the violation(s) requests a subpoena, the person shall pay a deposit for each witness in an amount set by resolution of the Board of County Commissioners. Witnesses appearing by subpoena shall be allowed the same fees and mileage as allowed in civil cases in circuit court, to be paid by the person requesting the subpoena.
2. A person who receives a citation may be represented by an attorney or other person at any hearing, provided that in the case of representation by an attorney, the person gives written notice to the Hearings Officer two days prior to the hearing so that the County may, at its discretion, arrange for representation by an attorney on its behalf.
3. If the Hearings Officer, after due consideration, determines that the violation(s) alleged has been established, then the Hearings Officer shall issue a decision that the citation is valid and make brief findings of fact, and shall order the person

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

cited to pay the appropriate fine, ~~to the County general fund.~~ The decision and order may be oral and issued at the conclusion of the hearing, but in all cases must be recorded in the record of the hearing. The Hearings Officer will also determine the amount of witness fees to be paid out of any deposit, or refunded.

4. The decision of the Hearings Officer is final.

[Codified by Ord. 05-2000, 7/13/00; Renumbered from 6.06.15 and amended by Ord. 04-2013, 8/22/13; amended by Ord. 02-2014, 5/22/14; Amended by Ord. 04-2017, 5/4/17; Amended by Ord. 07-2018, 6/28/18]

6.06.04.01[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 05-2003, 3/13/03; Amended by Ord. 03-2010, 2/25/10; Repealed by Ord. 04-2013, 8/22/13]

6.06.07.01[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 05-2003, 3/13/03; Amended by Ord. 03-2010, 2/25/10; Repealed by Ord. 04-2013, 8/22/13]

06.06.07.02 [Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 05-2003, 3/13/03; Deleted by Ord. 03-2010, 2/25/10]

6.06.070 Vehicle Towed

A vehicle registered to a person who has failed to respond or pay fines as required by this chapter to three or more vehicle parking citations, may be towed from any ~~park area~~[Park Area](#) or booted, without prior notice, in accordance with the Clackamas County Parking and Towing Chapter, and held until the amounts owing have been paid.

[Codified by Ord. 05-2000, 7/13/00; Renumbered from 6.06.11 by Ord. 04-2013, 8/22/13]

6.06.080 Fines

All fines shall be set by ordinance of the Board of County Commissioners.

[Added by Ord. 5-2003, 3-13-03; Renumbered from 6.06.17 and amended by Ord. 04-2013, 8/22/13]

6.06.090 Exclusions

Any ~~P~~[P](#)ericee ~~O~~[O](#)fficer or agent providing security services on behalf of County Parks may issue a written exclusion notice to any person violating County Park rules within Chapter 6.06, or who violates any state statute (including the vehicle chapter), County ordinance, or code while in a County park.

A. An exclusion may be issued for up to one (1) year per violation.

B. A ~~P~~[P](#)ericee ~~O~~[O](#)fficer or agent providing security services on behalf of County Parks will provide a person who is excluded from a County park an exclusion notice. The exclusion notice shall specify the basis for the exclusion, which County parks the person is excluded from, the period of the exclusion, the time the exclusion is to commence, and a statement of the person's right to appeal the exclusion to the County Administrator.

C. The individual who is excluded for a period exceeding thirty (30) days shall have the right to appeal the exclusion. An appeal must be filed, in writing, with the County Administrator within five (5) calendar days of the exclusion notice's issuance. The notice of appeal shall state the following:

1. The appellant's name;
2. The appellant's address and a telephone number where they can be reached;

Attachment A – 2024 Proposed Changes to Title 6 Park Rules

3. A concise statement as to why the exclusion was in error; and
 4. Attach a copy of the exclusion notice.
- D. A person appealing an exclusion may request a hearing. The County Administrator may hold a hearing on the exclusion if there are any disputed issues of fact. If permitted, a hearing on the appeal shall be held no more than thirty (30) calendar days after the filing of the appeal, except in the event the County Administrator determines otherwise. The hearing shall afford a reasonable opportunity for the person requesting it to present and rebut evidence that the exclusion is invalid or unjustified.
- E. The County shall have the burden to show by a preponderance of evidence that the exclusion is based on conduct prohibited under Chapter 6.06.
- F. Copies of any and all County documents used by the County at the hearing shall be made available to the person appealing the exclusion upon written request.
- G. The exclusion shall remain in effect during the pendency of the appeal.
- H. The County Administrator will issue a final, written decision on an exclusion appeal.