



KEIZER PARKS & RECREATION ADVISORY BOARD AGENDA

Tuesday, June 12, 2018, 6:00 p.m.

Keizer Civic Center

1. CALL TO ORDER
2. APPROVAL OF MINUTES
3. APPEARANCE OF INTERESTED CITIZENS
4. NEW/OLD BUSINESS
 - Review of Parks Rules/Regulations
 - Park Reports:
 - Cat Gaynor: Meadows & Clear Lake
 - Donna Bradley: PFC Ryan J. Hill Memorial & Northridge
 - Clint Holland: Keizer Little League & Mike Whittam
 - Matt Lawyer: Chalmers-Jones & Bob Newton
5. STAFF REPORT
6. COUNCIL LIAISON REPORT
7. YOUTH COMMITTEE LIAISON REPORT ~ *Brooke Ridgway*
8. OTHER BUSINESS
9. ADJOURNMENT

Reminders:

- Next Board Meeting: **Tuesday, July 10, 2018**
- Board Member Reporting to Council: **Clint Holland, June 18, 2018**

Americans with Disabilities Act (ADA) Notice

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**KEIZER PARKS & RECREATION ADVISORY BOARD
REGULAR SESSION MINUTES
Tuesday, May 8, 2018
6:00 p.m. Keizer Civic Center**

CALL TO ORDER

Vice Chair Jim Taylor called the meeting to order at 6:00 p.m.

ATTENDANCE

Present

Jim Taylor, Vice Chair
Matt Lawyer
Dylan Juran
Donna Bradley
Zaira Marin Flores
Clint Holland

Council Liaison:

Roland Herrera

Absent:

David Loudon, Chair
Wayne Frey
Cat Gaynor
Youth Liaison Brooke Ridgway

Staff Present

Robert Johnson, Parks Division Manager
Debbie Lockhart, Deputy City Recorder

APPROVAL OF MINUTES: Donna Bradley moved for approval of the April 2018 Regular Session Minutes. Dylan Juran seconded. Motion passed as follows: Taylor, Juran, Bradley, Holland, Marin-Flores and Lawyer in favor, with Loudon, Frey and Gaynor absent

APPEARANCE OF INTERESTED CITIZENS: None

NEW/OLD BUSINESS –

Review of Parks Rules/Regulations: City Attorney Shannon Johnson reviewed changes and provided details.

Section 4(3): Following lengthy discussion regarding allowances for city approved volunteer park cleanup efforts, Mr. Johnson agreed to take the concept and develop appropriate language to exempt this sort of activity from the permitting requirement.

Section 7(1): Board agreed with changes made and had no questions.

Section 7(3): Board agreed with changes made and had no questions.

Section 9: Following discussion Board requested that reservation language similar to that used for the amphitheater be added regarding the shelter at Claggett Creek Park and the gazebo at Chalmers-Jones Park. Reservations for other shelters would be at the discretion of the Public Works Director.

Section 14: Board suggested that 'vaping' be added to this section.

Section 15: Mr. Johnson explained that this requirement is for the protection of the City and how the City insurance policy is different from a typical residential policy. Board suggested no changes.

Section 16: Matt Lawyer noted that the City is not allowed to regulate air space. He noted that with increased technology, there will be constant changes to the Oregon Revised Statutes and the Federal Aviation Agency Regulations regarding air space. He suggested that 'any unmanned aerial vehicle (drones) however powered shall be operated in compliance with FAA Regulations and Oregon Revised Statutes' be added to the City ordinance so that it would not be necessary to change the City ordinance every time either regulation was amended. The regulation he referred to and that could be included in the City ordinance was as follows: "A person shall not use a radio controlled or any other device to affect the attitude of an unmanned aerial system while that person is on city-owned property. Any person that causes the attitude of an unmanned aerial system to change will be trespassing on city property. Permission may be obtained by the director and shall be in accordance with FAA regulations, advisory circulars and applicable Oregon Revised Statutes prior to an operation affecting the attitude of an unmanned aerial system while on city property." Following lengthy discussion Mr. Johnson indicated that he would put both options in the next draft so that the Board could decide on the verbiage they preferred.

Section 26: Board members asked Mr. Johnson to check on the fines levied by Marion County and the City of Salem so that the Keizer fines would be in line with them. They also suggested that Class B, C and D violation fines be consistent.

Park Reports:

- **Zaira Flores Marin:**

- *Claggett Creek:* Mr. Johnson provided an update on the effect of the Dearborn Bridge construction noting that park users can by-pass the barricade to access the parking lot. The park is still open. Ms. Flores-Marin noted that there are a few downed limbs near the basketball court.
- *Wallace House:* Ms. Flores-Marin suggested that a sign be put up so that people can find the parking lot. She noted that the trash receptacle and park rules sign were in disrepair. Mr. Johnson responded that the sign would be updated when the new rules take effect.

- **Dylan Juran:**

- *Palma Ciega:* Mr. Juran reported that it is still a park.
- *Willamette Manor:* Mr. Juran reported that he had received an email complaining about cracks in the tennis court, but he didn't think they were dangerous. Mr. Johnson added that the court was repaired last year and because some cracks were large, small ones have come back. They will be repaired this summer. Eventually the court might be demolished and rebuilt. Mr. Juran added that the fencing has been repaired and the park looks good.

- **Jim Taylor:**
 - *Sunset:* Mr. Taylor reported that Darrell Richardson is back so he has been out mowing and caring for the park. The park is well used.
 - *Northview:* Mr. Taylor inquired about scheduled repairs. Mr. Johnson explained that the half-court replacement will happen in the next fiscal year. He is checking with companies now.
- **David Loudon:** Absent
- **Wayne Frey:** Report submitted via email:
 - *Country Glen/Hidden Creek:* The soccer field is up and running. New feet installed on the goal posts will keep them from falling over.

STAFF REPORT: Robert Johnson reported that the Parks Department is running at 100% staff right now with 6 employees. Excavation and demolition of the Meadows Park play structure will begin this month. That portion of the park will be closed during construction. Burning of orchard debris has not been scheduled. The farmer that the City is in discussion with has not committed 100% to farming the property yet and the debris cannot be burned until then because burning is only allowed if the field is being prepared for agricultural use.

COUNCIL LIAISON REPORT: Councilor Herrera reported that the City Budget was approved by the Budget Committee, Council has been discussing the Fields Management Agreement with Keizer Little League, and the Fire District 70 Year Anniversary event is coming up along with the Mother's Day Breakfast and the First Annual Latino Graduation Scholarship Reception.

YOUTH COMMITTEE LIAISON REPORT: Brooke Ridgway was absent.

OTHER BUSINESS: Matt Lawyer reported on the "Soggy Day in the Park" event and thanked Robert Johnson for his help. He commended park staff for the improved looks of the parks and announced that Claggett Creek Watershed Council is hosting a cleanup event at Keizer Rapids Park on Saturday.

REPORT TO COUNCIL: Dylan Juran volunteered to report to Council.

ADJOURNMENT ~ Meeting adjourned at 7:48 p.m.

Next Meeting: June 12, 2018

Approved: _____

KEIZER CITY ATTORNEY
M E M O R A N D U M

TO: KEIZER PARKS AND RECREATION ADVISORY BOARD

FROM: E. SHANNON JOHNSON
CITY ATTORNEY

SUBJECT: **KEIZER PARKS REGULATIONS**

DATE: JUNE 7, 2018

Attached please find the revised Park Regulations. The areas in green are the ones that I changed from our last meeting.

In Section 16, I have placed two alternatives with regard to drone regulation.

With regard to the fine amounts, I have some information from the City of Salem and Marion County that I will bring to next week's meeting.

If you have any questions in this regard, please contact me at johnsons@keizer.org, 503-856-3432, or my cell phone at 503-508-1447. Thank you.

ESJ/tmh

1 BILL NO. ____

A BILL

ORDINANCE NO.

201~~80~~-_____

3 FOR

4
5 AN ORDINANCE

6
7
8 ESTABLISHING KEIZER PARKS REGULATIONS; **(REPEALING**
9 **ORDINANCE NO. 2010-618 AND ORDINANCE NO. 2013-6792007-**
10 **558, ORDINANCE NO. 2007-566, ORDINANCE NO. 2009-587, AND**
11 **ORDINANCE NO. 2010-601); DECLARING AN EMERGENCY**
12

13 The City of Keizer ordains as follows:

14 Section 1. TITLE. This Ordinance shall be known as the Keizer Parks Ordinance.

15 Section 2. PURPOSE. The purpose of this Ordinance is to establish rules and
16 regulations governing the use of Keizer parks, in order to insure the safe enjoyment of all
17 Keizer parks by the public. In addition, this Ordinance establishes a process for
18 reserving certain parks and park facilities.

19 Section 3. DEFINITIONS. For the purposes of this Ordinance, the following terms
20 shall have the following meanings:

21 (1) "Council" means the Keizer City Council.

22 (2) "Director" means the director of the Department of Public Works as
23 designated by the Council, or designee.

24 (3) "Law enforcement officer" means any law enforcement officer with
25 lawful jurisdiction, by operation of law or agreement, within a Keizer City
26 park.

1 (4) "Park" means all grounds, buildings, improvements, and areas dedicated
2 to use by the public for park, recreation or open space purposes and over
3 which the City has acquired right of use for such purposes.

4 ~~(5) "Shoreline area" means the area on the shore of a body of water between~~
5 ~~the edge of the water and a line around the body of water four feet from~~
6 ~~the edge of the water. [NOTE: Definition not used in Ordinance.]~~

7 ~~(6)~~(5) "Vehicle" means any wheeled device or conveyance, whether propelled by
8 motor, animal or human power. The term "vehicle" excludes City service
9 vehicles, baby strollers and wheelchairs.

10 ~~(7)~~(6) "Vessel" means any watercraft or other artificial contrivance used or
11 capable of being used as a means of transportation on water.

12 Section 4. RULES AND REGULATIONS.

13 (1) No person may disobey or fail to observe any rule or regulation set forth in
14 this Ordinance, ~~of which the person has actual notice, however given, or~~
15 ~~of which reasonable notice has been given by appropriate sign or notice in~~
16 ~~a park.~~

17 (2) No person may disobey a lawful direction made pursuant to this Ordinance
18 by the Director, any park attendant, guard, special officer authorized by
19 the Director, or law enforcement officer.
20

~~(2)~~(3) Except as noted below, no person or entity may organize, advertise, or invite participation for any gathering, activity or event that may reasonably attract 50 or more participants (even if no exclusive use is requested) unless they. In such case, the person or entity is required to apply and receive a permit from the Director. Director-approved park improvement, maintenance or cleanup projects are excepted from this requirement.

Section 5. SPECIAL USES AND AREAS.

(1) The Director may select and designate specific areas and facilities in any park which may be limited to special uses, at all times or at certain times. Special uses may require a permit in writing or a reservation. Fees shall be established by Council resolution.

(2) Special uses may include, but are not limited to: Sports, games or other recreational activities, picnics, assemblies, entertainments, exhibitions, and weddings.

(3) Carlson Skate Park Regulations. In addition to the park regulations set forth in this Ordinance, Carlson Skate Park is subject to the following specific regulations:

(a) Permitted uses in the skate park surface include skateboards, rollerblades, and BMX bikes, scooters and “Big Wheels” type tricycles only – no foot traffic or motorized vehicles.

- (b) The use of helmets is mandatory.
- (c) Use or placement of additional obstacles or other materials including, but not limited to, ramps, jumps, etc. are prohibited.
- (d) ~~Alcohol, tobacco products, illegal drugs, and glass~~ Glass containers are prohibited. [NOTE: This is covered elsewhere and is not a change in policy.]
- (e) Food and/or drink is prohibited on or within five (5) feet of the skate park surface.
- (f) Use of Carlson Skate Park is prohibited if hazardous conditions exist. Any damage/hazardous conditions must be reported to the City of Keizer Parks Department.
- (g) Use of skate park surface is prohibited when the surface is wet.
- (h) ~~Littering is prohibited.~~ [NOTE: Taken care of elsewhere.]
- (4) Keizer Little League Park Usage.
- (a) Any individuals not affiliated with groups or organized teams may use the Park or individual fields at any time the Park is open if such use does not interfere with the priority or reserved use, cause safety concerns, or cause undue wear and tear in the City's Little League's reasonable discretion.

1 Section 6. EXCLUSIVE USE OF PARKS OR FACILITIES.

2 (1) The Director shall maintain a list of reservable parks, park areas and park
3 facilities. A park, ~~portion of a park~~ area or park facility on the Director's
4 list ~~of reservable parks~~ may be reserved for the exclusive use of persons or
5 groups, for a limited period, upon issuance of a permit by the Director,
6 subject to any reasonable conditions (as stated in Section 7) imposed by
7 the Council or the Director and the payment of any fees that the Council
8 may establish.

9 (2) No exclusive use of any park, park area or park facility may be made
10 unless the Director has issued a permit allowing the use and all conditions
11 imposed by the permit have been complied with.

12 (3) Exclusive use of the Keizer Little League Park shall only be granted
13 consistent with the current Park Management Agreement.

14 Section 7. PERMIT PROCEDURES AND CONDITIONS.

15 (1) No permit for the use of a park, park area or park facility listed on the
16 Director's list ~~of reservable parks~~ may be refused or limited, nor may any
17 conditions be attached to the grant or exercise thereof, for any reason not
18 related to the safe, reasonable and orderly use of park facilities.

19 (2) Each application for a permit must be received at a designated office in the
20 Department of Public Works. For events that the estimated attendance is

1 equal to or exceeds one hundred (100) persons, or is permitting
2 intoxicating beverages, or is permitting amplified sound, the permit must
3 be requested no less than sixty (60) days prior to the date of the event. For
4 all other events, the permit must be requested no less than thirty (30) days
5 prior to the date of the event. The Director may waive or reduce these
6 time requirements if it is determined that a waiver or reduction is in the
7 best interests of the citizens of the City. Upon granting a permit, the
8 Director may attach reasonable conditions thereto respecting the time,
9 place, manner, frequency, duration and maximum number of persons who
10 may attend the permitted event.

11 (3) The Director shall grant, deny, or condition each application for a permit
12 within fifteen (15) calendar days after the date of receipt of a complete~~the~~
13 application, unless the time for a decision on the application has been
14 waived by the applicant. The decision granting or denying an application
15 shall be sentmailed to the applicant at the address listed on the application.
16 If approved, the permit will be issued only when all pre-event conditions
17 have been met by the applicant. The applicant may not consider the
18 permit to have been granted until the permit is received.

19 (4) The Director may grant, deny, condition or limit a permit after having
20 considered the suitability of the area or facility for the number of persons

1 expected at the event, whether or not the activity proposed is a legal use
2 thereof, the impact of the proposed use upon public property, the effect of
3 the proposed use upon the peaceful enjoyment of the park by members of
4 the public attending and those not attending the event, the effect of the
5 proposed use upon the peace and convenience of members of the public
6 using private or public property or the public streets in the vicinity of the
7 park or park facility, the public health and safety, any traffic or parking
8 problems which may be caused by attendance at the event and the
9 equitable sharing of the use of the park or park facility. The Director is
10 specifically authorized to attach reasonable restrictions and conditions to
11 activities to occur at the event, including but not limited to, restrictions on
12 fires, amplified sound, dancing, sports, the use or presence of animals, the
13 use of equipment or vehicles, the number of persons to be present, the
14 location of any bandstand or stage within a specific park area, or the
15 creation of any sounds, smoke, light, smell or any other thing which
16 appears likely to create any unreasonable risk of harm or substantial
17 annoyance to any person using the park or park facility or to the public, or
18 damage to any public or private property. Violation of any of the terms
19 and conditions of any permit by the permittee, or any agent, servant or
20 employee of permittee, is cause for immediate suspension or revocation of

the permit by the Director.

(5) The Director may require in connection with a permit that adequate security be furnished by the permittee and that the permittee provide additional sanitary facilities, refuse receptacles, or make any other reasonable arrangements, based on the type of activity for which the permit is requested.

(6) The Director shall refuse to grant a permit where conditions cannot be met or are not accepted. The applicant must agree to provide a means of informing all of the persons participating in the proposed event of the terms and conditions of the permit applicable to the appropriate participants.

(7) No permit for a park or park facility is transferable without the consent in writing of the Director.

(8) ~~Upon the granting of a permit, any~~ All fees, or deposits or other amounts established by the Council or conditions related thereto shall be paid by the applicant when required by the Director. ~~or complied with by the applicant before the date of the event.~~ If such amounts ~~the fees or deposits~~ are not paid when required ~~before the date of the event~~, then the permit ~~is null and void shall not be issued~~.

(9) Each person to whom a permit has been granted must agree in writing,

1 upon request from the Director, to indemnify and hold the City, its
2 officers, agents and employees, harmless from any and all liability for
3 injury to persons or property occurring as a result of the permitted event.

4 The permittee shall be liable to the City for any and all damage to the park
5 and park facilities which results from any act or omission of the permittee
6 or is caused by any participant in the event.

7 (10) Each person to whom a permit is granted must agree in writing, upon
8 request from the Director, to waive all claims or causes of action against
9 the City, its officers, employees or agents which the permittee may have
10 for injury to person or property of any type arising from the permittee's
11 use of the reserved park or park facilities, except for the active affirmative
12 negligence or willful act of the City, its officers, employees or agents, and
13 to which the person to whom a permit or reservation is granted in no way
14 contributed, either directly or through any other person, agent, partner,
15 contractor or associate.

16 (11) If the proposed use of a park or park facilities involves risk of damage or
17 injury to persons or to property of others, the Director will require the
18 permittee to obtain a policy of commercial general liability insurance with
19 terms and limits of liability as determined by the Director to be appropriate
20 for the activity for which the permit is requested. The policy shall name

1 the City, its officers, agents and employees, as insureds, and shall insure
2 the insureds against all claims, suits and demands of any and all persons
3 for injury, including death or damage sustained by any person or persons
4 arising out of any act or omission of the permittee related to the use of the
5 park or park facility. The Director must approve any policy issued
6 pursuant to this section.

7 (12) The permittee shall have a copy of the permit on site during the event, and
8 must present the permit upon the request of the Director, any park
9 attendant, guard, special officer authorized by the Director, or law
10 enforcement officer.

11 (13) It is unlawful for a person to conduct any business or to place any booth,
12 table, chair, stool, structure, vehicle, or piece of equipment in any portion
13 of a park for which a park permit has been issued without the consent of
14 the permittee. This subsection shall not apply to persons acting under the
15 direction or control of City.

16 Section 8. NONPUBLIC AREAS – POSTING REQUIRED – ENTERING OR
17 DAMAGING PROPERTY PROHIBITED.
18

19 (1) By posting appropriate notices, the Director may exclude the public from
20 or limit use of, any road, area, building, lands, trail, natural feature, water
21 area or facility in a park which is used for access, storage, parking, shop,
22 office, residence or utility purposes, or other park or recreational use, or

any combination thereof, whenever public access to the same will endanger the public health or safety, interfere with such use, or cause damage to public property or natural resources. The Director may also by appropriate means exclude the public from the place of any construction, repair or demolition activity. No person may enter or remain or permit any person in their control to enter or remain in any part of a park when the park is closed to the public, unless authorized to do so by the Director.

- (2) No unauthorized person may unlock, open, remove, move or tamper with any gate, door, window, ventilator, skylight, screen, grate, fence, lock or barrier, or any other thing maintained by the City to exclude the public from a park or portion thereof, or tamper with, remove or deface any sign, legend or other notice designating the same as dangerous or prohibiting entry therein.

Section 9. ENTERTAINMENT – PERMIT REQUIRED.

- (1) Except as set forth below, nNo person or group may give any exhibition, show, play, entertainment, performance, dance or concert, or project any still or moving pictures in any park without first having obtained a permit from the Director. Any individuals or groups may use the Keizer Rotary Amphitheatre, the Claggett Creek Park shelter and the Chalmers Jones Park gazebo to give any exhibition, show, play, entertainment,

1 performance, dance or concert on a first-come, first-served basis at any
2 time ~~the Keizer Rotary Amphitheatre~~ such facility is open if such use does
3 not interfere with the priority or permitted use, cause safety concerns, and
4 is not likely to interfere with the enjoyment of the adjacent park users or
5 property in the vicinity of the event. Any ~~Amphitheatre~~ event involving
6 electrical service use, amplified sound or projection of still or moving
7 pictures must obtain a permit from the Director.

8 (2) The Director may issue a permit for an event described in section 9(1)
9 above if it is found that the use is not likely to interfere with the enjoyment
10 of the park by any other person or persons using the park or property in the
11 vicinity of the location of the proposed event, and is not likely to cause
12 unreasonable damage to park facilities. The Director may attach
13 reasonable conditions as to time, place, manner, frequency and duration of
14 permitted events so that the health, safety, convenience and enjoyment of
15 any persons not attending the event may not be unreasonably affected, and
16 to protect park facilities from unreasonable damage.

17 (3) The requirements of Ssection 7 herein concerning permit procedures and
18 conditions apply to permits issued under this section.

19 Section 10. EXCLUSION OR REMOVAL OF CERTAIN ACTIVITIES, ANIMALS
20 OR MATERIALS.
21

22 The Director or any law enforcement officer may exclude, remove or require to be

1 removed from a park any animal, vehicle, equipment, activity, thing or material, the use
2 or presence of which is likely to:

3 (1) Cause an unreasonable risk of harm or danger to any person or damage to
4 any real or personal property;

5 (2) Cause any unreasonable burden of maintenance or cleanup.

6 Section 11. VEHICLES – OPERATION AND PARKING PROCEDURES AND
7 RESTRICTIONS.
8

9 (1) No person may stop, park, or leave standing or unattended any vehicle,
10 trailer or boat in any park, except in an area or space designated for
11 parking of such objects, or upon any portion of any street or highway upon
12 which the parking of such objects is permitted, or in excess of the time
13 prescribed therefore by any City ordinance or permit/[order](#) issued by the
14 Director. No person may stop, park or leave standing or unattended any
15 vehicle, trailer or boat in any area or space designated for parking of such
16 objects by the Director so that any part of such object is within the right-
17 of-way of any street or highway within the limits of any park. The Director
18 is hereby directed to post signs giving notice hereof in those portions of
19 parks as may be affected hereby.

20 (2) No person may operate a vehicle, except as authorized by the Director, in
21 any park except upon a publicly owned road or trail which is open for
22 public vehicular traffic within the park. No person may operate any

1 vehicle on any park road or trail at a speed greater than the speed limit
2 established by the Director and posted on the road or trail, or if no speed is
3 posted, at a speed greater than ten miles per hour.

4 (3) No person may wash, wax, dismantle or repair any vehicle, trailer, boat or
5 other equipment, or remove any lubricant from any vehicle, trailer, boat or
6 other equipment, or otherwise service any vehicle, trailer, boat or other
7 equipment, in any park except for emergency repairs or as authorized by
8 the Director.

9 (4) No person may take into or operate or park or leave standing within any
10 park any mechanically defective vehicle, trailer or boat, or any type
11 vehicle that is in violation of City Ordinance or any provision of the
12 Oregon Vehicle Code relating to mechanical requirements or safety of
13 vehicles.

14 (5) No person may leave standing any vehicle, trailer or boat in any park at
15 any time when the park or portion thereof is closed to the public, unless
16 authorized in writing by the Director to do so, with the exception of
17 vehicles left at the Keizer Rapids Park boat ramp parking lot in connection
18 with overnight or multi-day boat trips. In such instance, the vehicle
19 operator shall fill out a permit form and leave it on the dashboard of the
20 vehicle in plain view from outside the vehicle.

- 1 (6) Any law enforcement officer or security officer authorized by City may
2 remove from a park, in the manner provided and subject to the
3 requirements of the Oregon Vehicle Code, any vehicle, trailer or boat left
4 therein, or on any portion thereof, in violation of this section.

5 Section 12. ANIMALS AND PETS.

- 6 (1) The Director may establish a list of parks and/or areas within parks where
7 dogs are allowed. The list shall be a part of the City's park rules and
8 regulations. The Director's list shall indicate areas in which dogs may be
9 on-leash, off-leash or prohibited. The presence of other animals, unless
10 otherwise authorized in writing, is prohibited. The foregoing prohibitions
11 do not prevent any law enforcement officer in the performance of their
12 duty from possessing a police dog, or any person from utilizing a bona fide
13 assistance or guide dog, in any park, provided that the animal is at all
14 times in the control of the person. In all areas, owners shall gather and
15 properly dispose of all of their animals' feces.

- 16 (2) No person may set out food in any park for any wild animal, bird, fish or
17 reptile. No person may set out food in any park for a tame animal not in
18 the person's custody.

- 19 (3) No person may abandon any animal, bird, fish or reptile in any park.

- 20 (4) Except for fishing pursuant to all applicable regulations and licensing,

1 ~~n~~No person may capture, hunt, molest, or harm, or attempt to capture,
2 hunt, molest or harm, or administer or set out any bait or harmful
3 substance for any wild or domestic animal, reptile, fish or bird, nor remove
4 nor have in his possession the young, the eggs, or the nest of any animal,
5 reptile or bird found in the park. Persons who are authorized by the
6 Director to do so may kill, poison, or control or trap any of the above-
7 named creatures, subject to applicable state and federal law.

8 Section 13. FIRES.

9 (1) No person may kindle or maintain in any park any outdoor fire in any
10 place other than in a designated fireplace or barbecue pit maintained by
11 City or in a portable barbecue or camp stove used safely in a designated
12 picnic or cooking area in a park, or in another location as may be
13 authorized in writing by the Director.

14 (2) In kindling or maintaining an outdoor fire in any park, only charcoal
15 briquettes, paper and wood may be used. Only manufacturer approved
16 fuels shall be used in any camp stove.

17 (3) No person who kindles or maintains any outdoor fire in a park may leave
18 the area where the fire is located without completely extinguishing the fire
19 so that it is cold to the touch.

20 (4) If deemed necessary for public health and safety purposes in the sole

discretion of the Director, any and all areas may be designated “No Fire” areas.

Section 14. SMOKING. ~~No person may ignite or smoke any tobacco or tobacco product, or any other material, on any park trail, restroom or in any fire risk area, at the Keizer Rotary Amphitheatre during events, or in any area additionally designated by the Director.~~ No person may ignite, or smoke or vape any tobacco, tobacco product, legal or illegal drugs of any type, or any other material, in any area of any park or park facility.

Section 15. INTOXICATING BEVERAGES. No person may possess or consume any intoxicating beverage in any area of any park or park facility, except at Keizer Rapids Park, and Chalmers Jones Park, and Keizer Station Park pursuant to permit authority.

[NOTE: Keizer Station Park (now PFC Ryan J. Hill Memorial Park) was used for an Iris Fest event; it is not likely to be so used in the future and alcohol at this park is not appropriate.] The Director may issue an event permit allowing use of alcoholic beverages subject to the following conditions:

(1) Only individuals twenty-one (21) years of age or older may consume alcohol in accordance with this policy.

(2) No person shall sell, give or otherwise make available any alcoholic beverage to a person under the age of 21 years.

(3) No person shall sell, give or otherwise make available any alcoholic beverage to any person who is visibly intoxicated.

1 (4) Alcoholic beverages are permitted only in the areas specifically delineated
2 in the permit. Permit conditions may include installing temporary fencing,
3 tape or other methods to delineate the areas within which alcoholic
4 beverages must be kept.

5 (5) Alcoholic beverages are allowed only in conjunction with a reserved event
6 and only pursuant to the permit conditions.

7 (6) Alcoholic beverages will be served only by a licensed ~~and bonded~~ server
8 pursuant to all Oregon Liquor Control Commission laws and regulations.

9 ~~(6)(7)~~ The alcoholic beverage server must obtain a Temporary Sales License or
10 Temporary Use of an Annual License from the Oregon Liquor Control
11 Commission and shall provide a copy to City.

12 ~~(7)(8)~~ The applicant shall, at its sole cost and expense, procure and maintain
13 through the term of for the event a Comprehensive General Liability
14 insurance policy and Liquor Liability insurance policy in an amount to be
15 determined by the Director. The applicant shall provide to City a
16 certificate of insurance and endorsement adding insuring the City, its
17 employees, agents and contractors as additional insured against liability in
18 an amount to be determined by the Director. As part of the event
19 reservation process, the applicant shall agree to defend, indemnify and
20 hold the City, its employees, agents and contractors from any and all

1 claims in connection with alcohol use on the premises.

2 ~~(8)~~(9) The Director may place reasonable conditions on the event to protect
3 persons and property.

4 Section 16. POWERED MODELS – OPERATION RESTRICTIONS.

5 (1) No person may operate in any park, any ~~model airplane~~, boat, car, rocket or
6 other device that is powered by a rocket motor ~~or~~, an internal combustion engine, ~~or any~~
7 ~~model airplane or unmanned aerial vehicle (drone) however powered, or other power~~
8 ~~source~~, except in an area and at times as are designated for such use by the Director.

9 (2) Any unmanned aerial vehicle (drones) however powered shall be operated
10 in compliance with FAA Regulations and Oregon Revised Statutes.

11 OR

12 (2) No person shall use a radio controlled or any other device to affect the
13 attitude of an unmanned aerial system while that person is on any park property. Any
14 person that causes the attitude of an unmanned aerial system to change will be
15 trespassing on City property. Permission may be obtained by the Director and shall be in
16 accordance with FAA regulations, advisory circulars and applicable Oregon Revised
17 Statutes prior to an operation affecting the attitude of an unmanned aerial system while
18 on City property.

19 Section 17. GOLF. No person may hit any golf ball in any park except in an area
20 designated for such use by the Director.

1 Section 18. DOING BUSINESS PROHIBITED. No person may practice or solicit for
2 any occupation, business or profession in any park, or sell or offer for sale therein any
3 service or merchandise unless pursuant to a contract/[permit](#) with City, or authorized by a
4 reservation permit.

5 Section 19. WATER POLLUTION. No person may throw, discharge or otherwise
6 deposit or cause or permit to be placed into the waters of any fountain, pond, lake,
7 stream, pool or any body of water in or adjacent to any park, or any tributary stream,
8 storm sewer, sanitary sewer or drain flowing into such waters, any substance, matter or
9 thing, that materially impairs the usefulness of the water for persons or the habitability of
10 the water for any animal, bird, fish or reptile that drinks, swims in or otherwise uses the
11 water.

12 Section 20. GUNS, FIREARMS, DANGEROUS MATERIALS AND FIREWORKS.

13 (1) No person, except by permit issued pursuant to ~~ORS 166.291~~ [state law](#) or
14 as otherwise authorized by law, may bring into a park or possess, use or
15 discharge therein any of the following items: Any firearm or ammunition,
16 explosive, incendiary bomb or material, fireworks (except as otherwise
17 provided in this section), or any weapons such as, but not limited to, air
18 guns, slingshots, bows/crossbows and arrows, or paint ball guns.

19 (2) No person shall shoot any of the above-described items into the park limits
20 from outside the limits of a park.

1 (3) No fireworks may be brought into or used in any park, except for
2 commercial firework displays approved in writing by the City Council.

3 Section 21. CONDUCT. Persons who willfully harass or interfere with any
4 government employee in the performance of his or her duties in a park, or who by their
5 conduct or by threatening or profane language annoy, willfully molest, unreasonably
6 interfere with the use of a park by any other person, who have committed a public
7 offense in a park, who operate any vessel in an unsafe manner or conduct themselves in
8 an unsafe manner, shall leave the park upon ~~lawful orderrequest.~~ Lawful ordersRequests
9 can be made by the Director, any park attendant, guard, special officer authorized by the
10 Director, or law enforcement officer. No person who has left the park premises after
11 being ordered to do soa-request may reenter the park until after eight a.m. of the next
12 day. Persons who do so are subject to arrest or citation.

13 Section 22. DAMAGING PARK PROPERTY. Unless authorized in writing by the
14 Director to do so, no person may:

15 (1) Pick, saw, chop, carve, cut, remove or damage any flowers, seeds, bark,
16 branches, twigs, leaves or blossoms of any tree, plant, shrub, vine, bush or
17 other vegetation in any park;

18 (2) Drive any nail, screw, bolt or staple into, or attach any wire, rope or other
19 fastening device to any tree or plant in any park;

20 (3) Mark, deface, damage, displace or remove any building, bridge, table,

1 chair, bench, fireplace, barrier, fence, railing, paving or paving material,
2 water pipe or light, or any sign, notice or placard, whether temporary or
3 permanent, or any cultural, natural or historic artifact, or monument stake,
4 post or other boundary marker, or any other structure, equipment, facility
5 or property, or part or appurtenance thereof whatsoever, in or from any
6 park;

7 (4) Cut or remove any sand, wood, turf, grass, gravel, stone or timber in or
8 from any park, or make any excavation by any tool, equipment, blasting or
9 by any other means in any park;

10 (5) Paint, erect, mark, post or fasten on or to any tree, shrub, fence, wall,
11 building, monument or other property in any park any poster, bill,
12 advertisement, inscription, sign or display, except for temporary
13 directional signs which do not otherwise interfere with City-authorized
14 signage, directing participants to an event within the park. Temporary
15 directional signs shall be removed by event participants immediately
16 following the event.

17 (6) Take or operate a vehicle upon or over any lawn or landscaping in any
18 park except as allowed by approved event permit. City will determine
19 repair or replacement costs in event of damage.

20 Section 23. LITTERING. No person may deposit, drop or scatter any garbage, trash or

1 rubbish, including, but not limited to, any glass, cigars/cigarettes or remains, paper, cans,
2 ashes, leaves and cuttings, furniture, appliances or concrete in any park except in a
3 receptacle designed and placed to receive the same; nor may any person import into or
4 deposit in any park from any other place any garbage, trash or rubbish.

5 Section 24. CLOSING TIME – EMERGENCY CLOSING.

6 (1) Subject to the exception noted below, or uUnless modified by the Director,
7 all parks shall be open one-half (1/2) hour prior to sunrise to one-half (1/2)
8 hour after sunset as determined by the U.S. Naval Observatory
9 (Astronomical Applications Department), unless such Agency no longer
10 provides this service. In such case, the determination of the time of
11 sunrise and sunset shall be pursuant to the appropriate official
12 governmental agency. All amplified sound shall completely cease by 9:00
13 p.m., unless permitted by the Director during the permitting process. The
14 usage of the boat ramp and parking lot at Walsh’s Landing in Keizer
15 Rapids Park for purposes of putting in or taking out a vessel are allowed
16 two hours before sunrise and one and a half hours after sunset.

17 (2) Entering or remaining after closing time:

18 (a) No person may enter or remain in any park or portion thereof at any
19 time when the same is closed to the public unless specifically
20 allowed in these regulations or~~the person is~~ authorized to do so by

1 the Director in writing.

2 (b) The Director shall, by appropriate signs or other means, give notice
3 of closing times, and may designate certain areas which will be
4 closed to the public at a regular closing time, regardless of whether
5 or not any outdoor or indoor event is being or is scheduled to be
6 conducted elsewhere in the park.

7 (c) Persons may remain after closing time if camped in a specifically
8 designated camping area. The Director shall determine the
9 locations for such areas and a maximum number of nights and
10 maximum number of persons allowed.

11 (3) Events After Closing Time: Any portion of a park or any enclosed
12 building in a park in which an event is being conducted or is scheduled to
13 be conducted, based upon a permit issued by the Director, shall not be
14 considered closed after the regular closing time to members of the public
15 who are attending or participating~~authorized participants~~ in the event, and
16 who are within the permitted portion of the park, the building, any paths
17 leading thereto from any street, or any other facility, outdoor area or off-
18 street parking area intended for use in connection therewith, until thirty
19 minutes after the conclusion of the permitted event. As to other members
20 of the public who are not participants in the event, the park and all

1 ~~structures~~buildings therein shall be considered closed at the regular
2 closing time.

3 (4) Keizer Little League Park may be open after normal closing times where
4 fields are appropriately lighted within the dates and times as follows:

5 (a) Lighting may extend the park hours from March 1 to October 31.

6 (b) The park will close, and the lights will be off, at 11:00 p.m.

7 (c) Extended hours shall be limited to Monday through Saturday; the
8 park shall close at normal closing times on Sundays.

9 (d) City Council may extend these hours for special events.

10 (5) Emergency closing:

11 (a) The Council, the Director, or the Chief of Police, or their
12 authorized representatives, may direct any park or designated
13 portion thereof to be closed at certain times or from time to time if
14 the closing is reasonably necessary for the proper conduct of any
15 activity by City, to protect public property or natural resources
16 within a park or any private or public property or natural resources
17 in the vicinity of a park from damage, or to preserve the public
18 peace or safety in a park or portion of a park or in the vicinity
19 thereof.

20 (b) When a park or portion thereof is closed to the public, pursuant to

1 the above authority or any other proper authority, no person may
2 enter the park or closed portion thereof after notice of closing or
3 fail or refuse to promptly leave the park when requested to do so by
4 the Director, any park attendant, guard, special officer authorized
5 by the Director, or law enforcement officer.

6 Section 25. VESSELS.

7 (1) For parks located adjacent to the Willamette River, any vessel must be
8 operated in accordance with all applicable county, state and federal
9 regulations.

10 (2) ~~No person may operate any windsurfer, air mattress, inner tube or raft or~~
11 ~~pontoon boat in any park except as designated by the Director. Any~~
12 ~~manufactured or homemade device deemed unsafe by United States Coast~~
13 ~~Guard standards or any park staff, or any vessel that requires occupant(s)~~
14 ~~to be in the water at any time is prohibited.~~

15 Section 26. VIOLATIONS. For purposes of determining the base fine amounts, the
16 ~~following amounts amount for state violations~~ shall be imposed ~~pursuant to the~~
17 ~~following:~~ [NOTE: Suggested maximum base fine amounts in brackets.]

18 (1) Violation of Section 5, Subsection 3 of this Ordinance is considered a
19 Class D violation as provided in ORS Chapter 153 (Carlson Skate Park
20 violations). [\$100]

- 1 (2) Violation of Section 6, Subsection 2 of this Ordinance is considered a
2 Class C violation as provided in ORS Chapter 153 (no exclusive use
3 unless issued a permit). **[\$200]**
- 4 (3) Violation of Section 7, Subsection 13 of this Ordinance is considered a
5 Class C violation as provided in ORS Chapter 153 (placement of booth,
6 table, chair, stool, structure, vehicle, or piece of equipment in any portion
7 of a park for which a park permit has been issued without the consent of
8 the permittee). **[\$200]**
- 9 (4) Violation of Section 8, Subsection 1 of this Ordinance is considered a
10 Class D violation as provided in ORS Chapter 153 (entering or remaining
11 in park closed to public). **[\$200]**
- 12 (5) Violation of Section 8, Subsection 2 of this Ordinance is considered a
13 Class C violation as provided in ORS Chapter 153 (unlocking, opening,
14 removing, moving, or tampering with gate, door, window, ventilator,
15 skylight, screen, grate, fence, lock or barrier to exclude public from park
16 or portion thereof, or tampering with, removing or defacing any sign,
17 legend or other notice designating dangerous or prohibiting entry). **[\$500]**
- 18 (6) Violation of Section 9 of this Ordinance is considered a Class C violation
19 as provided in ORS Chapter 153 (entertainment). **[\$200]**
- 20 (7) Violation of Section 11 of this Ordinance is considered a Class D violation

as provided in ORS Chapter 153 (vehicles – operation and parking procedures and restrictions). **[\$200]**

(8) Violation of Section 12, Subsections 1 and 2 of this Ordinance are considered Class D violations as provided in ORS Chapter 153 (leash law, allowance of animals, and setting out food in park for animals). **[\$200]**

(9) Violation of Section 12, Subsections 3 and 4 of this Ordinance are considered Class C violations as provided in ORS Chapter 153 (abandoning animal in park, capturing, hunting, molesting, harming, or attempting to capture, hunt, molest or harm animals, and possession of the young, the eggs, or the nest of any animal). **[\$300]**

(10) Violation of Section 13 of this Ordinance is considered a Class C violation as provided in ORS Chapter 153 (fires). **[\$500]**

(11) Violation of Section 14 of this Ordinance is considered a Class C violation as provided in ORS Chapter 153 (smoking). **[\$200]**

(12) Violation of Section 15 of this Ordinance is considered a Class B violation as provided in ORS Chapter 153 (intoxicating beverages). **[\$200]**

(13) Violation of Section 16 of this Ordinance is considered a Class D violation as provided in ORS Chapter 153 (powered models). **[\$150]**

(14) Violation of Section 17 of this Ordinance is considered a Class D violation as provided in ORS Chapter 153 (golf). **[\$150]**

- (15) Violation of Section 18 of this Ordinance is considered a Class D violation as provided in ORS Chapter 153 (doing business). **[\$200]**
- (16) Violation of Section 19 of this Ordinance is considered a Class B violation as provided in ORS Chapter 153 (water pollution). **[\$500]**
- (17) Violation of Section 20 of this Ordinance is considered a Class B violation as provided in ORS Chapter 153 (guns, firearms, dangerous materials and fireworks). **[\$500]**
- (18) Violation of Section 22 of this Ordinance is considered a Class B violation as provided in ORS Chapter 153 (damaging park property). **[\$500]**
- (19) Violation of Section 23 of this Ordinance is considered a Class D violation as provided in ORS Chapter 153 (littering). **[\$150]**
- (20) Violation of Section 24 of this Ordinance is considered a Class D violation as provided in ORS Chapter 153 (closing time – emergency closing). **[\$300]**
- (21) Violation of Section 25 of this Ordinance is considered a Class D violation as provided in ORS Chapter 153 (vessels). **[\$200]**
- (22) Enforcement of any violation under this Ordinance shall be accomplished through the Keizer Civil Infraction Ordinance. The base fine amount shall be the maximum fine. The minimum fine shall be ~~50~~⁷⁵% of the base fine amount.

1 ~~(23) All net fines levied from violations and any permit fees collected shall be~~
2 ~~placed in the City Parks fund.~~

3 ~~(24)~~(23) In addition to enforcement noted above, violators may be excluded
4 from the park up to one hundred twenty (120) days if the municipal court
5 finds there is a reasonable likelihood for repeat violations.

6 Section 27. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or
7 portion of this Ordinance is for any reason held invalid or unconstitutional, or is denied
8 acknowledgment by any court or board of competent jurisdiction, then such portion shall
9 be deemed a separate, distinct, and independent provision and such holding shall not
10 affect the validity of the remaining portions hereof.

11 Section 28. REPEAL OF ORDINANCE NO. 2010-618 AND ORDINANCE NO.
12 2013-67907-558, ORDINANCE NO. 2007-566, ORDINANCE NO. 2009-587, AND
13 ORDINANCE NO. 2010-601. Ordinance No. 2010-61807-558 (Establishing Keizer
14 Parks Regulations) and Ordinance No. 2013-679 (Amending Keizer Parks Regulations),
15 Ordinance No. 2007-566 (Amending Keizer Parks Regulations Regarding Park Hours),
16 Ordinance No. 2009-587 (Amending Keizer Parks Regulations Regarding Use of
17 Alcohol at Keizer Rapids Park, and Ordinance No. 2010-601 (Amending Keizer Parks
18 Regulations Regarding Permit Procedures and Park Hours) isare are hereby repealed in
19 itstheir their entirety.

20 Section 29. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after

1 ~~its passage being necessary for the immediate preservation of the public health, safety and~~
2 ~~welfare, an emergency is declared to exist and this Ordinance shall take effect~~
3 ~~immediately upon its passage.~~

4 PASSED this _____ day of _____, 20180.

5 SIGNED this _____ day of _____, 20180.

6

7

8

9

Mayor

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11

12

City Recorder