

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

**PASSED**

ORDINANCE NO. 5-01 ) IN THE MATTER OF AMENDING CHAPTER 6 OF LANE  
                                  ) CODE TO ADD PROVISIONS PERTAINING TO  
                                  ) EXCLUSIONS FROM LANE COUNTY PARKS (LC 6.590)

The Board of County Commissioners of Lane County ordains as follows:

Chapter 6 of Lane Code are hereby amended by adding the following pages:

**REMOVE THESE PAGES**

6.578 – 6.595  
i.e. 6-13c  
(a total of 1 page)

**INSERT THESE PAGES**

6.578 – 6.585 to 6.590 – 6.595  
i.e. 6-13c to 6-13d  
(a total of 2 pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these additions is to amend Lane Code Chapter 6 to add provisions pertaining to exclusion from Lane County Parks.

ENACTED this 31<sup>ST</sup> day of OCTOBER 2001.

*Anna Marston*  
Chair, Board of County Commissioners

*Melissa A. Zimmer*  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 10-4-01 Lane County

*[Signature]*

OFFICE OF LEGAL COUNSEL

6.578 False Information.

(1) A person commits the violation of giving false information to an enforcement officer if the person knowingly uses or gives a false or fictitious name, address, or date of birth, to any enforcement officer.

(2) A violation of LC 6.578 constitutes a Class A violation.

6.580 Non-Payment of Fees.

(1) No person shall knowingly fail to pay an authorized park entrance fee.

(2) A violation of this section is a Class C violation.

6.585 Dog Waste Matter.

(1) It shall be unlawful for a dog owner, as that term is defined in LC Chapter 7, to allow a dog, except for a seeing eye dog, to deposit solid waste matter on County Park property. It shall be a defense to this section if the dog owner immediately removes the solid waste.

(2) A violation of this section is a Class C violation.

16-72; 9.8.72      21-83; 11.29.83  
 12-75; 10.24.75    6-89; 5.24.89  
 11.2.76; LC 5.642 repealed by Initiative Petition  
 10-77; 9.30.77    8-89; 7.12.89  
 6-79; 7.20.79     1-00; 4.12.00  
 2-82; 4.9.82      3-01; 10.11.01    6-13c

WP 1/cr/01014/T  
 WP 1/co/00017/T

6.590 Exclusion.

(1) The Parks Manager or designee may issue a notice of exclusion from the Lane County Parks to any person who commits any violation in LC 6.500 through 6.575. A notice of exclusion shall prohibit the person who committed the violation from entering upon Parks property:

- (a) For a Class D violation, a period of 7 days
- (b) For a Class C violation, a period of 30 days
- (c) For a Class B violation, a period of 60 days
- (b) For a Class A violation, a period of 120 days

(2) The notice of exclusion shall be in writing, shall specify the duration of the exclusion and the places from which the person is excluded, shall describe the procedure to appeal the notice of exclusion, and shall specify the time and place that the appeal will be heard. The notice of exclusion shall be signed by the officer who issues it and shall be given to the person excluded from the property. The exclusion shall take effect immediately.

(3) Any person receiving a notice of exclusion may appeal by appearing at justice court at the time specified in the notice of exclusion for a hearing on the appeal, which hearing shall be said within two days (excluding weekends and holidays), unless the person excluded from the property requests that the exclusion hearing takes place within thirty days from the date the notice of exclusion is issued. The justice court judge shall hear the appeal for the exclusion and the violation at that time and shall render a decision at the conclusion of the hearing, which may not be continued except upon request of the person excluded. The justice court judge may affirm, modify or reverse the notice of exclusion and violation. The justice court judge may modify the notice of exclusion for the same purposes for which the Parks Manager or designee is authorized to grant a variance under subsection (4) of this section.

(4) At any time during the period of exclusion, a person who has received a notice of exclusion may apply to the Parks manager or designee for a variance to allow the person to enter upon the Parks property for specified purposes. The Parks manager or designee may grant a variance if the person establishes a need to enter upon the Parks property for reasons of protection of property or similar good cause. A variance may include such conditions as the Parks manager or designee determines will prevent future violation.

(5) Violation of a notice of exclusion constitutes a Class A violation.

6.595 Fees. The Board may establish fees for the use of County Parks and facilities. Such fees shall be established by separate Order of the Board.

6.578

Lane Code

6.5985(2)

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(2) A violation of this section is a Class C violation.

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WP 1/cr/01013/T  
WP 1/co/00017/T

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Lane Code

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16-72; 9.8.72

6-89; 5.24.89

1-00; 4.12.00

3-01; 10.11.01

6-13d

WP 1/cr/01013/T

WP 1/co/00017/T