

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 16- 72

AMENDMENT TO CHAPTER 5 OF LANE CODE

Bill Ridge

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

The Lane Code is hereby amended by substituting new pages 5.055-5.165, 5.280-5.605, 5.610-5.645, 5.650-5.990 and revising Chapter 5 Table of Contents to conform. The described revised pages are attached hereto and incorporated herein by reference. The purpose of this amendment is to exercise the the authority granted by the Lane County Home Rule Charter by enacting by ordinance specific requirements and prohibitions regarding conduct in county parks.

On the effective date of this ordinance, our Order dated September 2, 1964 IN THE MATTER OF PROVIDING REGULATIONS AND PROVISIONS FOR USE AND ADMINISTRATION OF COUNTY FORESTS, PARKS AND RECREATIONAL AREAS is cancelled.

Enacted this 9th day of August, 1972.

Wes E. Ormrod

Chairman, Lane County Board of Commissioners

Lucy Weitzer

Recording Secretary for this meeting of the Board

APPROVED AS TO FORM
DATE 7/28/72
[Signature]
OFFICE OF COUNTY COUNSEL

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5.055

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5.165

5.055 Employee Misconduct. The Hearing Officer shall report to the director any evidence or allegations of misconduct or negligence by county employees which, in the hearing officer's opinion, are substantially based on fact. A copy of the report shall also be sent to the employee involved.

5.060 Enforcement. Forfeitures are payable upon receipt of the final order declaring the forfeiture. An automatic additional forfeiture for late payment shall be due and payable at the rate of five (5) dollars per month or 10 percent per month of the initial forfeiture, whichever is greater, assessed for a maximum period of ten months or until the forfeiture is reduced to judgment whichever shall occur first. Forfeitures under this code are a debt owing to the county and may be collected in the same manner as any other debt.

Infractions, Specific *

5.165 Definitions. The following sections of this chapter consist of infractions and for the purpose of these sections the following words and phrases shall mean:

At large. A dog off the premises of the owner and not under the immediate control of the owner or not otherwise controlled by a competent person; except "at large" does not include exhibition in dog shows, obedience training or trials, or the use of a dog under the supervision of a person to hunt, chase or tree predatory animals or game birds, or the use of a dog to control or protect livestock or an other related agricultural activities.

Buyer. A person to whom any seller sells or offers to sell commercial goods or services.

Commercial kennel. A place of business for the care of dogs including but not limited to, the boarding, grooming, training, raising or selling of dogs. The term is not intended to include an animal hospital or a non-commercial business in which dogs are occasionally sold.

Consumer goods or services. Those goods or services which are not bought for use primarily for personal, family or household purposes.

Dog owner. A person who owns, keeps or harbors a dog except a person who is an operator of a commercial kennel insofar as the person keeps dogs in the course of their business.

County forest or county park. as used herein, unless the context clearly indicates otherwise, means any real property or rights in property, whether or hereafter acquired by Lane County and designated in any manner as county forest, public park, recreational or scenic area.

* The following chapters contain provisions, violation of which is a county infraction:

1. Chapter 3.990 (junk yards).
2. Chapter 9.990 (solid waste disposal).
3. Chapter 10.990 (zoning).
4. Chapter 11.990 (county building code).

5.230

Lane Code

5.600

5.230. Receipts. All receipts for fees collected in connection with sections 5.165 to 5.230 shall be deposited in the Dog Fund. Receipts for forfeitures for violation of those sections shall be deposited in the General Fund.

5.400 Non-Motorized Traffic Prohibitions.

(1) Except for those persons engaged in obtaining emergency services for a disabled motor vehicle that is on the freeway, no person shall walk or go upon the following described area in non-motorized vehicles:

Any part of the right of way which is enclosed by fences or which is 80 feet from the center line of that portion of Delta Highway commencing at the point at which Delta Highway intersects County Road No. 515, commonly known as Country Club Road, then continuing northerly to the point at which Delta Highway passes over Belt Line Road, and any part of the right of way which is enclosed by fences or which is 60 feet from the center line of that portion of Belt Line Road commencing at County Road No. 3, commonly known as Game Farm Road and continuing westerly and southerly to a county road commonly known as West Eleventh Avenue, or Route "P".

(2) Any officer having the authority to sign traffic citations for violation of traffic statutes on the highways described in subsection (1) shall have the authority to sign county infraction complaints.

5.500 Referral Selling Prohibited.

(1) The purpose of this section is to prohibit certain forms of referral selling which experience has shown to be subject to abuse, particularly in door-to-door sales.

(2) No seller shall give or offer to give any discount, rebate or other thing of value to the buyer in consideration of the buyer furnishing to the seller the names of prospective purchasers or otherwise aiding the seller in the sale to another person, if the giving of the discount, rebate or other thing of value is contingent upon the occurrence of an event subsequent to the time when the buyer enters into the contract or sale agreement with the seller.

5.600 Fires in County Parks.

(1) No person shall build, light, or maintain any fire within a county park except in a fireplace, or fireplace designated for such purpose by the Board or its authorized agent. Provided, however, that portable gas, gasoline, charcoal, or kerosene camp stoves may be used within such park if in safe operating condition and are managed in such manner that they do not cause damage to park grounds or facilities.

5.605 Hunting and Game. No person shall discharge any firearm within or near a county park and no person shall in any manner pursue, hunt or molest any wild bird or game animal within any such park.

- 5.61 Lane Code 5.645
- 5.610 Signs. No person shall erect any sign, marker or inscription of any type within a county park without specific permission from the Board or its duly authorized agent.
- 5.615 Sales and Solicitations. No person shall operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling any liquids or edibles for human consumption, or distribute circulars, or hawk, peddle or vend any goods, wares or merchandise in a county park without specific written authorization from the Board or its duly authorized agent.
- 5.620 Amplifying Equipment. No person shall set up or use a public address system without specific written authorization from the Board or its duly authorized agent, nor shall any person operate any radio or other sound amplifying equipment at a sound level that offends or could offend other park users.
- 5.625 Vehicle Operation and Parking.
 (1) No person shall operate or park any automobile, trailer or other vehicle in any area within a county park other than in an area provided for such purposes by the Board or its duly authorized agent.
 (2) No person shall drive a vehicle within a county park at a speed greater than 15 miles per hour, nor in any case at a speed greater than is reasonable and prudent having due regard for other traffic, and for the width, surface and strength of the area where such vehicle is driven, and to all other orders and conditions then and there existing.
- 5.630 Dogs and Other Pets. No person shall bring any dog or other pet into a county park unless such dog or pet is kept in a vehicle or on a leash, nor shall any person allow any such dog or pet to run at large within any such park.
- 5.635 Horses and Other Animals. No person shall ride, drive, lead or keep a horse or other riding animal in a county park, except on such roads, trails or areas provided for such purpose by the Board, nor shall any person tie a horse or other animal to any tree or shrub in such a manner as to cause damage to such tree or shrub.
- 5.640 Washing and Cleaning Screens. No person shall wash any clothing or other material or clean any fish in any lake or stream in or immediately adjacent to a county park.
- 5.645 Camping.
 (1) No person shall camp in any area within a county park except in a camp area designated by the Board or its duly authorized agent, nor in any case shall any person camp in a county park for a period longer than 14 consecutive days.
 (2) No person shall use camping facilities of any arrangement, size or type such as to unreasonably interfere with the convenient use of a county park by the general public.

5.650

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5.990

5.650 Fees. The Board is authorized to establish fees for the use of county facilities. Such fees shall be established by separate order of the Board.

5.655 Posting of Park Regulations. A copy of Lane Code sections 5.630 through 5.650 and 5.990, along with summaries of appropriate criminal statutes from the criminal sections of the Oregon Revised Statutes shall be kept posted in a conspicuous location in each county park.

5.990 Infractions, Violation. Violation of sections 5.180, 5.215, 5.230, 5.235, 5.185, 5.190, 5.195, 5.240, 5.245, 5.255, 5.400, 5.500, 5.600, 5.605, 5.610, 5.615, 5.620, 5.625, 5.630, 5.635, 5.640, 5.645, 5.650, constitute a county infraction and shall be handled in accordance with sections 5.005 and 5.065. Summons and complaint for violation of sections 5.400, 5.500, 5.600, through 5.650 may be signed by any officer, employee or designated agent of the county.