

FILED

AT O'CONNOR THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

JUN 3 1988

ORDINANCE NO. 4 -88

By *Elizabeth Archer*
DEPUTY

) IN THE MATTER OF AMENDING CHAPTER
) 6 OF LANE CODE TO ADD PROVISIONS
) AND SET PENALTIES FOR VIOLATION OF
) POSTED LIMITS OF OF USE, ADOPT A
) SEVERABILITY CLAUSE AND DECLARE AN
) EMERGENCY

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

Chapter 6 of Lane Code is hereby amended by adding, removing and substituting the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

6.995(1) - 6.995(3),
i.e. 6-7
(a total of one page)

6.030 - 6.030(3),
i.e. 6-1a
(a total of one new page)

6.995(1) - 6.995(3),
i.e. 6-7
(a total of one page)

Said pages are s attached hereto and incorporated herein by reference. The purpose of these additions and substitutions is to add provisions and set penalties for Violation of Posted Limits of Use, adopt a severability clause and declare an emergency.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately.

Enacted this 1st day of June , 1988.

Ellie Sundt
Chair, Lane County Board of Commissioners

Judy Waldeman
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM
DATE 5/3/88 Secretary
Waldeman
OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AMENDING CHAPTER 6 OF LANE CODE TO ADD PROVISIONS AND SET PENALTIES FOR VIOLATION OF POSTED LIMITS OF USE

6.030

Lane Code

6.030(3)

POSTED LIMITS OF USE

6.030 Violation of Posted Limits of Use.

(1) A person commits the offense of violation of posted limits of use of a park or Local Access road or County road if the person does any of the following:

(a) Enters or remains in a County park, Local Access road or County road and appurtenant right-of-way in violation of the terms of any posted sign giving notice of the limits of use.

(b) Operates or parks, or causes to be operated or parked, any motor vehicle on a County park, Local Access road or County road in violation of the terms of any posted sign giving notice of the limits of use.

(2) Definitions. For the purposes of this section, the following words and phrases shall mean:

Local Access. Any road as so defined in ORS 368.001(3) [1987 Ed].

County Road. Any County road as defined in ORS 368.001(1) [1978 Ed].

Park. For the purpose of this offense:

(a) Any land owned or leased by Lane County and designated as a park by order of the Board of County Commissioners outside the limits of any incorporated city.

(b) Any land owned or leased by any Park and Recreation District outside the corporate limits of any incorporated city.

(c) Any public boat landing maintained by Lane County or the Oregon Department of Fish and Wildlife

Posted Limits of Use. Any sign duly posted at the park, Local Access road or County road giving notice of the Board of County Commissioners' order limiting hours or seasons of use.

(3) Exceptions

(a) Posted limits of use do not apply to persons performing normal and accepted farming practices.

(b) Posted limits of use do not apply to persons acting within the course and scope of their employment for a public or quasi-public agency or as an agent thereof.

6.995(1)

Lane Code

6.995(3)

PENALTIES

6.995 Penalties.

(1) Violation of LC 6.025, 6.030 or 6.800 is punishable upon conviction by fine of not more than \$1,000 or by imprisonment in the County jail for not more than 30 days, or by both.

(2) Violation of LC 6.200, 6.710 or 6.715 is punishable upon conviction by a fine of not more than \$1,000 or by imprisonment in the County jail for not more than one year, or by both.

(3) Violation of LC 6.515, 6.540, 6.555, 6.580 or 6.590 is punishable upon conviction by a fine of not more than \$500 or by imprisonment in the County jail for not more than six months, or by both.

6-73; 5.30.73
12-74, 8.7.74
3-77; 5.25.77
20-77; 12.21.77
22-78; 10.13.78
17-82; 7.16.82
6.87; 7.3.87

6-7

WP co00017/C/7

UNDERLINING _____ indicates material being added.

LEGISLATIVE FORMAT

BRACKETS [] indicate material being deleted.

6.995(1)

Lane Code

6.995(3)

BOOK 135 PAGE 1061
PENALTIES

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