

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 7-03

IN THE MATTER OF AMENDING CHAPTER 6 OF LANE CODE TO ADD A PROVISION PROHIBITING VIOLATION OF POSTED RESTRICTIONS OF USE (OTHER PUBLIC LAND) (LC 6.040)

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

Chapter 6 of Lane Code is hereby amended by removing, substituting and adding new sections as follows:

REMOVE THIS SECTION


NONE

INSERT THIS SECTION

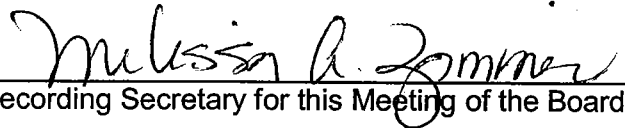
6.040
located on page 6-2
(a total of 1 page)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to add a provision prohibiting violation of posted restrictions of use (other public land).

ENACTED this 12th day of AUGUST 2003.

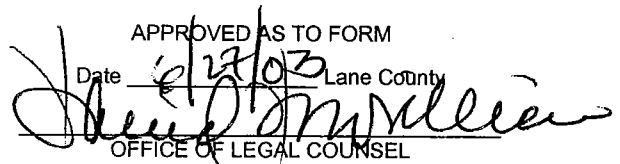


Peter Sorenson, Chair
Lane County Board of Commissioners


Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 8/27/03 Lane County


OFFICE OF LEGAL COUNSEL

(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. *(Revised by Ordinance No. 4-88, Effective 6.1.88; 1-00, 4.12.00)*

6.040 Violation of Posted Restrictions of Use (Other Public Land).

(1) A person commits the offense of violation of posted restrictions of use (other public land) if the person is on public land not described in LC 6.030 at a time when the land is closed to the public or when specific activity or possession of certain items on the land is otherwise restricted, and notice of the closure or restriction has been posted or otherwise duly promulgated by a governmental unit or agency with authority to impose the closure or restriction.

(2) For purposes of subsection (1) of this section, if the restriction prohibits the possession of alcoholic liquor, then possession of alcoholic liquor includes the possession, control or acceptance of a container of alcoholic liquor, or any portion thereof, or exercising control of such liquor or keeping such liquor in any vehicle, tent, backpack, cooler or other container or conveyance within the boundaries of the posted restriction area.

(3) Violation of LC 6.040 is punishable upon conviction by a fine of not more than \$500.

PROHIBITED NUDDITY

6.100 Prohibited Nudity and Penalty.

(1) No person, eight years of age or older, shall on public or private property, expose his or her genitals to another person, except within the boundaries of private property with the permission of the owner of said property, that is screened so that the act cannot be viewed from any other property.

(2) The Board of County Commissioners may designate certain areas as exceptions to LC 6.100(1) above after public notice and after a public hearing has been held with respect to the area to be designated as an exception. The areas so designated shall be posted so that the general public could not enter without being aware of the character of the area. In making such designation after said hearing, the following criteria shall be considered:

- (a) Public character of the area.
- (b) Traditional use of the area.
- (c) Intensity and frequency of area use.
- (d) Public safety.
- (e) Balancing of interests of all Lane County residents.
- (f) Public hearing to receive testimony from proponents and opponents.

(3) The hearing required in LC 6.100(2) above may be held after a minimum 30-day public notice.

||At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted
~~6.0406-100~~ Lane Code

LEGISLATIVE
FORMAT
6.100-6-200

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ORDER
ORDER NO. 12-18.4
01/04
Occupancy and Use

SIUSLAW NATIONAL FOREST

Pursuant to 36 CFR 261.50 (a) and (b) the following acts are prohibited within the Siuslaw National Forest. This order is in effect from May 1, 2003 through May 1, 2005, at which time it is subject to review:

1. Possessing a beverage which is defined as an alcoholic beverage by State law, by persons under 21 years of age, on all land administered by the Siuslaw National Forest. 36 CFR 261.58 (bb).
2. Possessing a beverage which is defined as an alcoholic beverage by State law, in areas described in the attached exhibit(s). For the purposes of this section, possession of alcoholic beverage includes; 1) containment within a motor vehicle, tent, or other structure, by the owner, operator, or other person, having the authority or control of this location and/or 2) possession on a person or in an area in the immediate control of that person. Possession does not include any lawful consumption prior to entering the described area. 36 CFR 261.58 (bb).

Pursuant to 36 CFR 261.50 (e), the following persons are exempt from this order:

Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

Persons who are using National Forest land strictly for direct and lawful access to or from private property, or other public land not described in the attached exhibits.

Any other person meeting exemption requirements specified in the order.

Done at Corvallis, Oregon, this

3rd day of March, 2003.

W M Helphinstine
For Gloria Brown
Forest Supervisor
Siuslaw National Forest

Violation of the prohibitions is punishable by a fine of not more than \$5000.00 or imprisonment for not more than 6 months or both. Title 16 USC Section 551.

SIUSLAW NATIONAL FOREST
ORDER NO. 12-18
01/04

36 CFR 261.58bb

EXHIBIT 01/04

1. Possessing a beverage which is defined as an alcoholic beverage by State law is prohibited in the area within two hundred (200) feet of Hall Lake and Schuttpelz Lake, T. 23 S., R. 13 W., Sec. 1, Coos County, within the Oregon Dunes National Recreation Area, Siuslaw National Forest.
2. Possessing a beverage which is defined as an alcoholic beverage by State law is prohibited on or within 200 feet of all designated offroad vehicle areas, or within lands administered as such, including dispersed off-road vehicle campsites, on the Oregon Dunes National Recreation Area and Sand Lake Recreation Area, located on the Siuslaw National Forest, within the judicial district of Oregon.

The following developments are exempt from this order:

Hebo Ranger District

Fisherman's Day Use Area
Sandbeach Campground
East Dunes Campground
West Winds Campground

Oregon Dunes NRA

South Jetty Staging	Umpqua Beach Staging Area #2
Siuslaw Vista	Umpqua Beach Staging Area #3
Goosepasture Staging	Eel Creek Campground
South Jetty Beach Parking Lots #1-#6	Umpqua Dunes Trailhead
Tyee Campground	Spinreel Campground
Lodgepole Day Use	Spinreel Staging Area
Lagoon Campground	Hauser Staging Area/Overflow Campground
Waxmyrtle Campground	Horsfall Campground
Stagecoach Trailhead	Horsfall Staging Area
Driftwood II Campground	Sand Tracks Day Use
Siltcoos Beach Parking Lot	Bluebill Trailhead
Carter Lake Campground/Trailhead	Bluebill Campground
Carter Lake Boat Ramp	Wild Mare Campground
Taylor Dune Trailhead	Horsfall Beach Staging Area
Oregon Dunes Overlook	Horsfall Beach Campground
Takenitch Lake Trailhead	
Takenitch/Threemile Trailhead	
Takenitch Campground	
Takenitch Boatramp	
Takenitch Landing Campground	